

DETAILED TOWN PLANNING SCHEME FOR NEW BUS STAND AREA IN TELlichERRY

Introduction.

The central area of Tellicherry has enormous problems such as acute traffic congestion, mixed and incompatible land uses, lack of drainage facilities, inadequate parking spaces etc., With the construction of the new bus stand, in proximity to the Railway Station, the phase of development and concentration of activities in the surrounding areas have accelerated. This would aggravate the existing problems and would lead to urban decay. Therefore, in order to combat the existing haphazard growth and to organise the future development by judicious planning and other regulatory measures, the Municipal Council notified on 12-12-79 the preparation of a detailed town planning scheme for the new bus stand area and its environs. The scheme area covers an extent of 28.50 hectares. The boundaries of the scheme area are as follows.

North:- T.S.Nos: 223, 99, 91, 92 and 79(part) of ward 4 and 312 of ward 1.

East:- T.S.Nos: 312 of ward 1, 50/2B, 62, 59 and 60 of ward 10 and 4(part), 5, 36 and 43 of ward 11.

South:- T.S.Nos: 42, 54, 53, 52, 61, 74, 75, 87(part), 106, 105, 104, 101, 99 and 96, of ward 11 and 182(part) and 181 of ward 7.

West:- T.S.Nos: 178, 177, 173, 170, 163, 164, 165, 85(part), 90, 89, 81(part), 98, 75, 73, 72, 97 of ward 7, 105(part), 107, 111, 110, 92, 93, 98, 99, 89, 20(part), 3 and 1 of ward 6 and 200, 209, 219 and 221 of ward 4.

General Characteristics of the Scheme Area.

The Tellicherry Coorg Road on the north, the Jubilee Road on the south and the Mukunda Maller Road connecting these two and the Churiya Kanaran Road traversing through the middle of the scheme area in the east west direction constitute the road system in the scheme area. These roads are too narrow and there is no parking facilities. The land use in the scheme area is predominantly a mixture of commercial and residential uses. A few service industries are also located in the scheme area. Except the New Bus Stand, Public Offices are absent in the area. The Tellicherry Railway Station is situated just outside the scheme area. There are a few educational and health care units located in the area.

Salient features of the Scheme

1. ROADS

In order to improve the accessibility and to achieve an integrated development of the scheme area, widening of some of the existing roads and construction of new roads have been proposed in the scheme. While proposing the road development programme, the perspective development of the town was also kept in view. The road development programme is outlined below.

(a) New Bus Stand —Saidar Pally Road.

This new road of 20 metres width is proposed to reduce the traffic congestion in the stretch of Calicut-Cannanore road traversing through the town. In this scheme, the alignment of this new road from Jubilee road upto the railway line close to the bus stand is proposed. However this road is proposed to originate at Saidar Pally in the south and to link up the Tell-icherry Coorg road beyond the railway line. An area of 0.99 hectare is proposed to be acquired for widening of this road.

(b) Link road connecting New Bus Stand & T.C.Road

This road section is also proposed to have a width of 20 metres. This road will provide a direct link to the bus stand from the T. C. Road which is too narrow and the sides are compactly built up. This road scheme will open up new areas for commercial development. An area of 0.49 hectare is proposed to be acquired for widening of this road.

(c) Mukundamaller Road

This road section which passes through the commercial areas in the town is have having only an average width of 7 metres. To meet the future increased volume of traffic this road is proposed to be widened to 15 metres. Adequate land is reserved to facilitate future widening of this road.

(d) Widening of Churiya Kanaran Road.

This road section passes through the commercial area. This road section is at present having only an average width of 8 metres. In view of the intensive commercial activities envisaged in the scheme area this road is proposed to be widened to 15 metres.

(e) Widening of other roads:-

In addition to the above, the following roads are proposed to be widened as detailed below.

(i)	Logans Road	—	15.metres.
(ii)	Orkatteri Road	—	15.metres.
(iii)	A.V.K.Nair Road	—	15.metres.

2. RESIDENTIAL:-

An area of 1.34 hectares is proposed exclusively for residential uses in the scheme. This includes an area of 0.62 hectare proposed to be acquired for rehabilitating the affected families.

3. COMMERCIAL:-

At present, the commercial buildings are sprawling along the transportation routes. This provides traffic problems as well as inconvenience to public. In the plan, therefore, an area of 2.67 hectares is proposed to be acquired for developing organised commercial centres. In addition to the above, different areas which are currently under commercial uses or where the tendency is for commercial development are reserved for commercial. The total area under commercial use will be 11.23. hectares.

4. INDUSTRIES:-

Being the central area of the town, specific allocation of land is not made for industries. However industrial uses of non-nuisance character employing not more than 20 workers and power not exceeding 30.H.P. shall be permitted in the commercial areas with the concurrence of the Chief Town Planner.

5. PUBLIC & SEMI-PUBLIC:-

Areas which are currently under public and semi-public uses or used for religious purposes would be reserved for the same uses.

6. TRANSPORT TERMINALS:-

In addition to the new bus stand area 0.25 hectare is proposed to be reserved for lorry parking on the eastern side of the Orkatteri Road.

7. MIXED USES (Residential-cum-Commercial).

In addition to the different land use zones mentioned above, 8.72 hectares are proposed under mixed uses. In these areas both residential and commercial uses will be permitted.

Land use Analysis

The proposed land use structure in the scheme area is depicted in the following table.

Sl. No.	Land use	Area in hectares	%age to total area
1.	Residential	1-34	4-70
2.	Commercial	11-23	39-40
3.	Public & Semi-public	0-13	0-46
4.	Mixed uses (Residential-cum-commercial)	8-72	30-60
5.	Bus stand & Lorry parking	2-08	7-30
6.	Roads	5-00	17-54
		28-50	100-00

It can be seen from the above table that a large percentage of the area is proposed under the commercial uses. This is consistent with the proposals in the Development Plan for the town to develop this area as a commercial precinct. 17.54 percent of the total area is reserved for roads and this will facilitate to improve the transportation system in the town.

Rehabilitation of affected families & Financial implications of the scheme.

Acquisition of land for road formation would affect 23 buildings comprising of 3 pucca 10 moderate 8 kutchra and 2 huts. The scheme envisages to rehabilitate the entire affected families. The implentation of the scheme would involve an estimated expenditure of Rs. and a return (including the share of investment of various Government Departments) of Rs.

DRAFT SCHEME

The detailed town planning scheme for new bus stand area-Tellicherry.

Title:

1. This scheme may be cited as the Detailed Town Planning Scheme for New Bus Stand Area - Tellicherry.

Definition:

2. In this scheme unless there is anything repugnant in the subject or context.
 - a) "Act means the Madras Town Planning Act, 1920.
 - b) "Municipal Act" means the Kerala Municipalities Act, 1960.
 - c) "Council" means the Municipal Council, Tellicherry.
 - d) "Executive Authority" means the Commissioner of Tellicherry Municipality.
 - e) "Director of Town Planning" means the Chief Town Planner to Government of Kerala hereinafter called the Chief Town Planner.
 - f) "Scheme" means the Detailed Town Planning Scheme for New Bus Stand Area-Tellicherry.
 - g) "Arbitrator" means the arbitrator appointed for the scheme under section 27 of the Act.
 - h) "Schedule" means a schedule appended to the Scheme.
 - i) "Map" means a map annexed to the Scheme.
 - j) "Street" includes roads, street and lanes.
 - k) "Date of Scheme" means the date of notification of the Scheme under Section 14 of the Act in the Kerala Government Gazette.
 - l) "Rules" mean the rules made under Section 44 of the Act.
 - m) "Government" means the Government of Kerala.
 - n) "Building Line" means a line which is in the rear of the street alignment and to which the main wall of the building abutting on a street may lawfully extend and beyond which no portion of the building may extend except as prescribed in the Kerala Municipal Building Rules in force.

Responsible Authority.

3. The Executive Authority shall be the responsible authority for the purpose of the scheme and shall function as such for a period of 20 years from the date of the scheme unless the Government Order otherwise.

Area of Scheme:

4. The area to which the scheme applies shall be that within the inner edge of the boundary lines (dot and dash) marked in the map.

Nothing in the clauses shall be deemed to restrict or otherwise affect the powers of the Council to claim or levy betterment contribution from the owner of any property not included within the area, which will come under purview of sections 23 and 24 of the Act and Clause 21(1) of the Scheme.

Ownership & Extent:

5. The ownership of all lands in the area with extent as per the registers maintained in the Municipality and or the Revenue Office as on the date of publication of the notification, under section 9(1) of the Act is given in Schedule-1.

Estimate of the Cost:

6. 1) An estimate of the total and net cost of the scheme is given in Form No: II, Schedule II; The net cost is proposed to be financed as therein stated. The estimate is liable to such revisions as the responsible Authority may consider necessary.

2) The execution of any works which under the schemes are to be executed by the responsible Authority or any other agency may be undertaken in such order and at such time as the responsible Authority may determine and completed within the period of 20 years unless the Government for financial or other reasons, order otherwise.

3) The responsible authority shall have power to specify any date or period within which the execution of any works which under the scheme are to be executed by any authority, owner or other person as the responsible authority thinks necessary and expedient for the purpose of securing the development of the area without delay and ensuring the efficient operation of the scheme.

Streets:-

7. 1) Subject to the provisions of the scheme, all streets mentioned in schedule III (Form No. 8) shall be constructed by the responsible authority on the lines shown in the Map DSN/2 provided that responsible modifications in the alignment of streets or in the lay out of any portion of the area may be made by the responsible authority with the approval of the Chief Town Planner.

2) The streets mentioned in schedule III and shown in the map DSN/2 shall be demarcated, formed and constructed by the responsible authority in such manner as he thinks necessary for the proper development of the area or expedient for the safety or convenience of the public, provided that two third of the entire cost of acquisition of lands and metalling, surfacing, draining and lighting of the streets, may be recovered from the owners or occupiers of lands and buildings abutting the streets in such proportion as may be decided by the responsible authority.

Provided also that whenever the owner has been required to pay or has paid the proportionate cost under the above provision or has been required to leave or has left lands freely for the streets, the Trust shall levy only such portion of the betterment contribution payable under the scheme or it may forge the contribution entirely.

3) Any other private street that may be permitted in the scheme area with the permission of the responsible authority and in conformity with the proposed development of the area shall comply with the following conditions unless otherwise approved by the chief Town Planner.

a) Every street serving a residential area as a cart or carriage road shall be of at least 7 metres width, provided that cul-de-sacs not more than 200 metres in length can be permitted with a width of 5.0 metres.

b) Every street intended to form the principal approach or means of access to any particular residential site but is not intended for use as a cart or carriage road shall be at least 3.5 metres in width, provided that such site is considered suitable and approved by the responsible authority for building purposes and provided also that in the opinion of the responsible authority a street to be used as a cart or carriage way cannot be or need not be made in compliance with the requirements of sub clause (a).

4. The responsible authority may with the sanction of the chief Town Planner, undertake to carry out any private street work or widening of any existing private street (not included in the scheme) whether with the consent of owners or occupiers of buildings or lands fronting or abutting on such streets, or by acquiring the land covered by the street, provided that the expenses incurred shall be paid by the owner or occupiers according to the frontage of their respective lands or in such proportions as may be settled by the responsible authority.

5) The responsible authority may, notwithstanding anything contained in sub clause (3) and (4) above, with the approval of the chief Town Planner and subject to any agreement with the owners or occupiers as to the cost of construction, undertake to construct any new street within the area, when the owners of the lands through which the street may pass, have surrendered lands free of cost for the street, and agreed to contribute the cost of constructing the streets, provided that if 50% of the owners or occupiers abutting on any new street have surrendered lands free of cost for the streets, and paid the cost of construction, the responsible authority shall undertake to construct the street without delay, and recover the balance from the remaining owners or occupiers.

6) No person shall build any wall or erect any fence or other construction or projection or make any encroachment in or over any land intended for use as a street or lane.

7) The responsible authority, shall so far as the funds at his disposal may permit provide a sufficient and satisfactory system of drains along the public streets in the area affected.

Submission of lay out plans:

8) (1) If any owner of land within the area intends or proposes to layout a street, lane or pathway or sub-divide, utilise, lease or otherwise dispose of any land as a site or sites for building purposes, he shall, submit for the approval of the responsible authority a site or layout plan showing the land and the site or sites intended or proposed for building purposes and the street or the streets either existing already or intended to be laid out and made by the owners for giving access to the site or or sites.

2) Save in such cases as the site or sites intended for building purposes may abut on any existing public street or an existing private street the owner of the land shall layout and make the street or streets giving access to the site or sites and connecting with an existing street in compliance with the provisions of the Scheme.

3) The owner of the land shall not proceed to sub-divide, utilise, sell, lease or otherwise dispose of the site or sites intended for building purposes unless he has carried out or otherwise made arrangements to carry out the street works in compliance with the provisions of the scheme.

4) If the street or streets, have not been made as required by sub-clauses (1), (2) and (3) above the responsible authority may order the street works to be carried out or carry out the works himself in the manner prescribed in the scheme. in which case, the cost of such works will be recovered from the owner or occupier.

5) For the purpose of adjusting the boundary of any streets the responsible authority may with the approval of the Chief Town Planner make an exchange of land forming part of any street that it may require, with or without paying or receiving any money for equality of exchange or otherwise.

Approval of layout plans.

9) (1) (a) No owner or other person shall layout a street, lane or pathway or sub-divide, utilise, sell lease or otherwise dispose of his land or portion or portions of the same as site or sites for building, purposes until a site or layout plan or plan of sub division has been approved by the responsible authority. provided, that the concurrence of the Chief Town Planner is obtained for the layout plan or plans prepared for laying out of a street, lane or pathway or for sub dividing the lands.

(b) The application for approval of a site or lay out plan or plan of a sub division shall be submitted to the responsible authority in the prescribed form in the Municipal Building rules.

The responsible authority may in the interest of the schemes impose reasonable restrictions and conditions and also insist on such modification of the plan as he thinks fit or cause to be made such modifications of the plan as the Chief Town Planner may consider necessary according to clause 9(1) (a).

(c) The restrictions and conditions as laid down by the responsible authority or as decided by the Chief Town Planner shall be adopted by the owner or other person and shall be enforceable.

2. (a) No owner or other person shall construct or reconstruct or in any way alter or add to a building without conforming in every particular with the requirements of the scheme and unless he has applied for and obtained permission of the responsible authority under section 17 of the Act and in compliance with the requirements of clause 5(a) below. No building shall be constructed or reconstructed in any land in which building is expressly forbidden or which is reserved in the Scheme for any purpose incompatible with building.

(b) The responsible authority may for the purpose of the scheme demolish or cause to be demolished or alter or cause to be altered any building in the area so far as may be necessary for carrying, the scheme into effect.

3. The responsible authority shall, before granting permission under section 17 of the Act, for any site plan or layout plan or plan of sub division or for construction or re-construction of a building in a site in the area take into consideration the desirability of reconstitution or redistribution of boundaries of any land or plot or plots or site or sites under clause 18 of the scheme as he thinks fit and may impose any restrictions or conditions or pass such orders as may be necessary to secure such reconstitution or redistribution of boundaries of the land plot or plots or site or sites. The restrictions or conditions imposed or the orders passed by the responsible authority shall be complied with by the owner or owners or the person or persons concerned and shall be enforceable.

4. Notwithstanding anything contained in the scheme, the responsible authority may with the approval of the Chief Town Planner prepare a layout plan for any portion of the area to determine the lines on which the detailed development of such area shall take place and the manner in which the streets, sub divisions of lands into sites for building purposes and the reservation of lands into sites for building purposes and the reservation of any lands for communal or public purposes shall be laid out and the same shall be read as part of the scheme, and shall be enforceable.

5) (a) Subject to the provisions of section 17 of the Act every application for permission required to be obtained under clause 2(a) above, shall be submitted to the responsible authority in the form specified in the building rules made under section 222 of Kerala Municipalities Act 1960 with such variations as circumstances may require and shall be accompanied by a site plan and plans of each floor, elevation and section of the existing building or buildings and also specification or specifications in regard to the design, materials architecture, drainage, water supply, use of building and other details of building construction.

(b) The responsible authority shall have power to impose reasonable restrictions and conditions while granting permission and to make reasonable modification or alteration in the location, structural or design or materials of the building or buildings as he thinks fit, or shall cause to be made such modifications or alterations as the Chief Town Planner may consider necessary. The restrictions and conditions as laid down by the responsible authority shall be complied with and the plans and specifications approved or modified or altered by the responsible authority or as decided by the Chief Town Planner shall be adopted by the applicant, owner or other persons concerned and shall be enforceable. If the responsible authority fails to give a reply or pass any orders within 3 months from the date of receipt of the applications, the application shall be deemed to be sanctioned. If not otherwise inconsistent with the provisions of the scheme.

Reservation of land zoning:

10 (a) A list of lands reserved for streets and other purpose is given in Schedule IV (Form No. 10)

For the purpose of the Scheme the streets or foot paths which may be approved or made in accordance with the provisions of the scheme wh-

ich are not mentioned in Schedule IV shall also be deemed to be included under lands reserved for the purpose of the scheme.

(b) The Municipal Council may from time to time, to meet the demand declare any part of the area with the approval of the Chief Town Planner or and subject to such conditions and restrictions as he may think fit, to be reserved for commercial activity or for such other purposes which can be prescribed under sub sections (k) of section 4 of the Act. Any part of the area so declared shall be included under lands reserved under the scheme and treated as such.

(c) All future developments in respect of land within the scheme area shall conform to the zoning regulations given below: (any uses not mentioned therein shall be prohibited)

(1) Residential use zone

i) uses permitted all residences, community halls, clubs, parks, and playgrounds incidental to the residential uses, clinics, dispensaries, public utility building such as water supply, drainage and electric installations of a minor nature and small service industries of a non-nuisance character engaging not more than 3 workers-with power limited to 3 H. P. or 6 workers without power, convenience shops such as vegetable shops, groceries, panshops etc.

ii) The following shall be permitted by the responsible authority with the approval of the Chief Town Planner.

Minor educational buildings, library, reading room, police and fire stations, small post offices, telegraph offices, hostels, boarding houses, commercial offices, petrol filling stations, small auto garages engaging not more than 5 workers and other non-nuisance type service industries engaging not more than 10 workers with power limited to 10 H.P. or 20 workers without power and new areas or buildings for religious uses.

(2) Commercial Zone.

(1) Uses permitted, Wholesale & Retail shops, professional offices, studies, commercial offices, hostels, hotels, lodging houses, restaurants, cart stand, taxistand, bus stops, libraries and reading rooms, clinics, dispensary, non-nuisance types of service and small industries employing not more than 10 workers and installations not exceeding 10.0 H. P. motors and existing residential uses.

(ii) The following uses shall be permitted by the responsible authority with the approval of the Chief Town Planner.

Social welfare institutions, printing presses, service garages, industrial uses of non nuisance character employing not more than 20 workers and power not exceeding 30 H.P., petrol filling stations, areas and buildings for religious uses and small residential buildings not exceeding 50m² in plinth area.

(3) Mixed use zone.

All uses as specified under residential and commercial use zones.

(4) Public & Semi Public use zone.

(i) Uses permitted.

Government establishments, social and cultural establishments, community facilities including clinics, dispensaries, educational institutions etc, public utilities and related buildings.

(ii) The following uses shall be permitted by the responsible authority with the approval of the Chief Town Planner.

Residential uses incidental to use coming under 4 (a) above and religious uses.

Coverage and F. A. R. of commercial zone.

1. Maximum coverage — 60 percent
2. Maximum F. A. R. — 250 "

Note:

The maximum percentage of coverage shall limit the plinth area of a building. The floor area ratio or F. A. R. value shall limit the total built up area on all floors. F. A. R. shall be calculated as below.

$$\text{F.A.R.} = \frac{\text{Total Covered area on all floors} \times 100}{\text{Plot area.}}$$

Acquisition of lands:

11. Any land in the area required for the purpose of the scheme may be acquired by purchase, exchange or otherwise by the council or any other agency at any time subject to the provisions of the Kerala Land Acquisition Act and without prejudice to the interests of the Scheme.

Disposal of land:

12. The responsible authority may with the approval of the council dispose of any land belonging to the Municipality or acquired under the scheme by sale, auction, exchange, lease or otherwise, subject to rules framed for the purpose by the Council and those rules shall be binding on the purchaser, transferers, heirs, assignee and their successors.

Minimum areas for dwelling houses and buildings:

13. (a) Minimum area of residential plots is given below.

	Area in m ²	Mini. width in metres on road frontage.
For one family dwelling houses (single or double or storeyed)	40.00	6
For each additional family and its housing convenience.	Add 30 m ² in area of plot.	2.4 m, frontage of plot.

Note:- Dwelling house or hut means a house or a hut designed or intended to be used wholly or principally for human habitation and for a single family only together without houses, latrines and other similar appurtenances as are ordinarily used or intended to be used therewith.

(b) Every site intended for buildings other than dwelling houses shall be not less than 40m² and width 6m. provided that in the case of shops, godowns, fuel depots and other business premises, it shall be open to the responsible authority to specify and suitable extent for each shop godown etc.

(c) Where a plot or site held in single ownership prior to the date of notification of the scheme under section 10 of the Act is less than the minimum prescribed in the sub clause (a) above the responsible authority shall decide whether in the interest of the scheme permission shall be given to build on such plots or site or sites by reconstitution or redistribution of boundaries of plots. If the latter course is proposed, the matter shall be decided by the Arbitrator in accordance with the provision of rules.

(d) In the land proposed to be acquired development for residential purposes, the average gross density of population shall not be less than 80 p. p. h.

14 (i) Every building site unless it abuts on an existing public street or an existing private street in conformity with the scheme be made to abut to its full width in front on a street laid down and made in accordance with the provisions of this scheme.

(ii) The building line in respect of all the streets shall be as shown in map No. DSN/2 and specified in Schedule III.

(iii) Boundary walls or fences alone shall be created in the space between the building line and the edge of the adjacent street.

(iv) No boundary wall or fence erected between the building line and edge of the adjacent street shall be of a greater height than 1.5m. measured from the level at the centre line of such street. Provided also where the level of the compound is higher than that of the road this height may be exceeded so as to have a height of 1m. above the level of the ground of the plot.

(v) Open space requirements of a building shall be in conformity with the Municipal building rules in force unless otherwise provided for in the scheme.

(vi) Minimum off street parking spaces for motor vehicles shall be provided for various types of buildings as per the following table.

Minimum off street parking spaces.

<u>Type of use</u>	
Theatres & Auditoriums, Commercial	one parking space of 18 sq. m. shall be provided for every 50 seats of accommodation. 90 sq. m. carpet area or fraction thereof.
office buildings	90 sq. m. of office floor space
Restaurants	15 seats of accommodation.
Hotels	4 guest rooms provided
Industrial buildings.	50 employees in industry
Multi family dwellings.	5 dwelling units.
Lodging without eating facilities for public	6 guest rooms provided

(vii) The responsible authority in consultation with the Chief Town Planner shall have power to fix the height of the storeys of the shops; business and commercial buildings and the ultimate height of the whole building or line of buildings according to their individual, architectural requirements and to insist that any other architectural details may be incorporated in the design provided that the individual architectural requirement of any part shall be viewed in consideration of the general appearance.

Prohibition of building in unhealthy sites:

15. With a view to prevent continuation of water sources and channels due to existence of burning grounds, sewage tanks and stations, power plants or insanitary or low lying lands, the responsible authority may refuse to sanction any building within portions of the area, in the vicinity of which in his opinion the creation of the building would be objectionable.

Drainage:

16. Sufficient means of effectual drainage and discharge of sewage shall be provided in every private street by the owners or occupiers of sites abutting thereof and every site and building shall be provided with suitable drain leading therefrom to the nearest street drain. All the sullage water shall be disposed of in such a way as to prevent it from running on to or stagnating on adjacent streets. It may be used for watering gardens and compounds if no nuisance is created thereby or allowed to flow into drains or channels on it having previously been treated sanitarily in the manner required by the responsible authority.

Housing Schemes:

17. (a) Housing Schemes may be undertaken in conformity with the provisions of the scheme by the Council or the Council may enter into contract with Housing Societies or other housing agencies, to make up housing schemes with the previous sanction of the Government.

(b) The sites of existing pucca and moderate dwelling houses with appurtenant area may be exempted from acquisition of lands to a reasonable extent, as decided by the responsible authority.

Reconstruction of boundaries:

18. (a) Where necessary, boundaries of sites or lands shall be redistributed and plots reconstituted in the manner prescribed in the Act (i) to suit the alignment of the proposed streets (ii) to provide frontage on streets (iii) to alter or improve the size and shape of any site or plot in order to render it more suitable for building purposes, (iv) to procure the transference of ownership of land or portion of land from one person to another.

(b) Proposals for redistribution or alteration of boundaries of sites or lands or for reconstitution of plots or sites in the area shall be made by the owner or owners concerned or by the responsible authority as the case may be, to the Arbitrator in accordance with the rules at any time unless the Arbitrator or by notification specified any particular time or period when such proposals should be made to him.

Advertisement:

19) No form of advertisement other than that of the traders name and business exhibited on ships or notice exhibited in public buildings shall be permitted within the area unless otherwise approved by the responsible Authority.

Claim for compensation:

20) Any person whose property is injuriously affected by any refusal to grant the permission applied for under section 17 of the Act and or by making of the scheme shall if he wants to make a claim for the purpose under section 20 of the Act submit such claim within 12 months of the date of the scheme.

Claim for betterment:

21) (i) Claims for betterment contribution under Sect. 23 of the Act in respect of all properties which have increased or are likely to increase in value by the making of the scheme shall be made by the Council to the Arbitrator in accordance with the rules, within 36 months of the date of the scheme. The betterment contribution shall be levied, and recovered in accordance with the provisions of section 23 and 24 of the Act every year at 10% of the increase in value for a period of 20 years.

(ii) Notwithstanding anything contained in the above sub clause, the Council may with the previous approval of the Government, agree with any owner to receive a fixed payment either in a lump-sum or by instalment in lieu of the betterment contribution.

Power of the responsible authority to make agreements:

22) Subject to the provisions of section 36 of the Act, the responsible authority may make any agreement with any person or body in furtherances of carrying out of the scheme or any matter in connection therewith provided that such agreement is not inconsistent with the scheme.

Regulation of Scheme Rules:

23) (i) The responsible authority, may, if it thinks in particular case and subject to any conditions as he may impose, dispense with or modify with the concurrence of the Chief Town Planner, any of the requirements of the scheme other than the requirements made obligatory by any law, provided that it is satisfied that there are circumstances warranting such dispensation or modification.

(ii) Government may in any particular case and subject to any condition as they may impose and in consultation with the chief Town Planner dispense with or modify any of the requirement of the scheme other than the requirement made obligatory by any law and their decision shall be final

Time of Execution of the Scheme:

24) Notwithstanding any thing contained in the scheme the responsible authority may without prejudice to the efficient operation of the scheme.

(1) Defer the execution of any or all works for a period of not more than two years from the date of the scheme unless otherwise permitted by the Government.

(2) Allow reasonable time to any owner or person to carry out or execute any works or to fulfill his obligation under the scheme.

Penalty:

25) Any person who commits or knowingly permits a breach of any of the provisions of the scheme or who neglects or fails to comply with any of the provisions of the scheme or any orders conditions, proceedings, restrictions, limitations of terms made or imposed under or in pursuance of any of the provisions of the scheme, the rules or the Act shall on conviction be punished in accordance with Section 44 B of the Act.

SCHEDULE

- I) Ownership and extent of land included in the scheme in form No. 7.
 - II) Estimate cost of the scheme in form No. II
 - III) List of new streets and widening of existing streets in form No. 8.
 - IV) Lands proposed to be reserved in Form No. 10.
 - V) Lands proposed to be acquired for the scheme in Form No. 9.
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SCHEDULE II.FORM No. 11

DETAILED TOWN PLANNING SCHEME FOR NEW BUS STAND AREA - TELLICHERRY.

ESTIMATE COST OF THE SCHEME

(Under Rule 39 of the Madras Town Planning Rules.)

Sl. No.	Debits	Rs. in Lakhs.	Sl. No.	Credits	Rs. in Lakhs.
1.	Acquisition of land and Buildings etc.		1	Government grants	18,70,000
(i)	For roads and lanes	10,31,000	2	Contribution from	
(ii)	For other purposes	18,07,000	a.	Government departments	
2.	Improvements:-		(i)	P. W. D.	10,44,000
(i)	Raising level	3,00,000	(ii)	P. H. E. D.	1,50,000
(ii)	Forming roads	11,11,000	b.	Other local authorities	
(iii)	Culverts	5,31,000	(i)	K. S. E. B.	23,000
(iv)	Drainage	3,96,000	c.	Private persons	Nil
(v)	Water supply	1,50,000	3	Sale proceeds of sites and buildings	
(vi)	Lighting	23,000	(i)	Commerical	32,51,300
(vii)	Latrines		(ii)	Residential	5,82,500
(viii)	Schools		4	Amount debitable to:-	
(ix)	Markets etc.		(i)	General account-ordinary	
(x)	Other works		(ii)	The elementary education fund of Municipality	
	Improvements to drain compensation for injurious affection	1,00,000	(iii)	Water supply and drainage fund	
		2,50,000	(iv)	Lighting account	
	Miscellaneous:-		(v)	Renumerative enterprises (Land development fund account)	
(i)	Cost of preparation of schemes including special surveys	L.S. 1,00,000	(vi)	Any other account	1,48,000
(ii)	Cost of arbitration etc.	L.S. 1,00,000	5	Other items	
(iii)	Legal expenses	L.S. 1,00,000		Betterment contribution for an area of 17.28 hectares	3,45,600
(iv)	Contingencies	L.S. 1,50,000			
	Total	61,49,000		Total	74,14,400

SCHEDULE III.

FORM NO. 8

DETAILED TOWN PLANNING SCHEME FOR NEW BUS STAND AREA-TELLICHERRY. LIST OF NEW STREET AND WIDENING OF EXISTING
(Under Rule 38(ii) of the Madras Town Planning Rules.)

1	2	3	4	5	6	7	8
Name of street or distinguishing letters	Situation.	New street or widening	Length of street in metres	Width of street in metres	Distance between building line in metres	Width of metalling in metres	Remarks
Road A A	Middle of the Scheme, running from south towards North east of the scheme.	New	540	20	26		Acquisition.
Road A1 A1	Off-take from road A A towards west of the Scheme.	New	320	20	26		Acquisition.
Road A2 A2	Off-take from road A A towards east of the scheme (churiay kanaran road)	widening	245	20	26		Acquisition & reservation.
Road B B	Running from south to north	widening	790	15	18		Reservation
Road B1 B1	In between road A2 A2 and road B2 B2 (Mukundamaller road)	widening	300	15	18		Reservation
Road B2 B2	Southern end of the Scheme (Jubilee road)	widening	150	15	18		Reservation & Acquisition
Road B3 B3	In between road A A and B B (Jubilee road)	widening	75	15	18		Reservation.
Road B4 B4	In between road A A and Road B B	widening	140	15	18		Reservation.
Road B5 B5	Off-take from road B B towards west of the scheme (Logans road)	widening	90	15	18		Reservation.
Road C C	Off-take from road A2 A2 towards south	widening	80	7	10		Reservation of acquisition
Road C1 C1	In between road C C & Road B2B2	widening	110	7	10		Reservation & Acquisition
Road C2 C2	Off-take from road B B towards east of the scheme.	widening	40	7	10		Reservation.

SCHEDULE IV. FORM No. 10
DETAILED TOWN PLANNING SCHEME FOR NEW BUS STAND AREA - TELLICHERRY.
LAND PROPOSED TO BE RESERVED UNDER SECTION 4 (K)
(Under Rule 38(iv) of the Madras Town Planning Rules.)

Sl. No.	Locality.	Reference to marking on Map	Approximate area in hectares	Purpose for which area is to be reserved	Present use	Remarks
1	2	3	4	5	6	7
1	Off-take from road A A towards east of the scheme (churay kanaran road)	Burnt Sionna colour wash.	0.15	Road A2 A2	Residential	Sy. No. 38P, 41P, 33P, 35P, 28P, 29P, 52P, 53P, 55P.
2	Running from south to north (Mukundamaller Road)	"	0.60	Road B B	Residential, Commercial & Industrial	Sy. Nos:- 95P, 23P, 22P, 17P, 16P, 15P, 10P, 93P, 78P, 104, 103P, 105P, 117P, 116P, 115P, 112P, 31P, 30P, 29P, 27P, 12P, 11P, 10P, 2P, 3P, 4P, 8P, 9P, 297, 298P, 296P, 295P, 294, 293P, 292P, 291P, 281P, 280P, 279P, 275P, 96P, 235P, 230P.
	In between road A2 A2 and road B2 B2 (A.V.K. Nair road)	"	0.16	Road B1 B1	Residential	Sy. Nos:- 40P, 41P, 56P, 60P, 76P, 79P, 80P, 62P, 59P, 57P, 28P, 32P.
	Southern end of the scheme (Jubilee road)	"	0.03	Road B2 B2	Residential	Sy. Nos:- 76P, 79P, 86P
	In between road A A and Road B B (Jubilee road)	"	0.03	Road B3 B3	Residential	Sy. Nos:- 88P, 94P, 95P, 93P,

contd.....

1	2	3	4	5	6	7
6.	In between road A A and Road B B (churiay kanaran road)	"	0.06	Road B4 B4	Commercial	Sy.Nos:-35P,34P,33P 32P,31P,10P,
7.	Off-take from road B B towards west of the Scheme (Logans road)	"	0.06	Road B5 B5	Residential & commercial	Sy.Nos:- 78p, 103p, 101p, 99p.
8.	Off-take from road A2 A2 towards south.	"	0.01	Road C C	Residential	Sy. Nos:- 37p.
9.	In between road C C & Road B2 B2	Burnt Sienna colour wash	0.02	Road C1 C1	Residential	Sy. Nos:- 37p.
10.	Off-take from road B B towards east of the scheme.	"	0.03	Road C2 C2	Residential	Sy. Nos:- 60p.
11.	West of road B B	Red colour wash	0.13	School	Vadikkal L. P. School	Sy. Nos:- 167p, 166p, 168p.
12.	South of road A2 A2 and East of road A A	Blue colour wash	0.46	Commercial	Commercial & Residential	Sy. Nos:- 29p,30,28p.
13.	South of road B4 B4 and east of road B B	"	1.07	Commercial	Residential & Commercial	Sy. Nos:- 29p,19p,13, 12,11,10p,14p,15p.
14.	In between road A2 A2 and Municipal bus stand	"	0.49	Commercial	Industrial & Commercial	Sy. Nos:- 35p,38p,39, 41q.
15.	In between road A1 A1 and B4 B4	"	1.00	Commercial	Commercial & Residential	Sy.Nos:-35p,34p,33p, 32p,26p,27p,12p, 28, 29p,30p,31p.
16.	In between Tellicherry Coorg Road road A1 A1	"	1.61	Commercial	Commercial & Residential	Sy.Nos:-18p,16p,15p, 13,14,7,6,5,4p,3p,10p
17.	North east end of road B B	"	2.00	Commercial	Residential & Commercial	Sy. Nos:- 277, 276p, 279p, 283p, 278, 311, 310, 284, 29p, 282p, 289,288,286,285,287, 291p,292p,293p,299, 296p,298p, 287,300p, 303,304,305,302,308, 306,307p.

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1	2	3	4	5	6	7
18.	North western corner of Road B B	"	1.10	Commercial	Residential & Commercial	Sy. No:- 95,93,224p, 225, 96, 94, 97, 98, 235p, 234, 233p, 230p, 231, 232, 226, 227, 228, 229p, 212, 213p, 211p, 210.
19.	East of Tellicherry Coorg road and south of road A A	"	0.03	Commercial	Commercial	Sy. Nos:- 307p.
20.	North eastern end of road B B	Dark brown colour wash	0.25	Parking	Commercial	Sy. Nos:- 284p, 282p, 281p, 280p, 279p, 276p, 275p.
21.	North-eastern end of road A A	Vandyke brown colour wash	1.83	Bus stand complex	bus stand	Sy. Nos:- 50, 46, 364p, 362, 18p, 19p, 363, 22p, 21, 20, 36.
22.	North-western side of Tellicherry coorg road.	Yellow colour wash	0.49	Residential	Residential	Sy. Nos:- 224p, 218, 216, 213p.
23.	Western side of road C C and northern side of road C1 C1	"	0.23	"	"	Sy. Nos:- 379p.

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SCHEDULE V

FORM No. 9

DETAILED TOWN PLANNING SCHEME FOR NEW BUS STAND AREA - TELlichERRY.
ESTIMATE COST OF THE SCHEME
 (Under Rule 38 (III) of the Madras Town Planning Rules.)

Purpose of which to be acquired.	Name of Village	Survey No. affected		Description of land wet or dry	Name of owner or occupier	Boundaries of land to be acquired.					Extent to be taken		Remarks
		Sy. No.	Sub. No.			North	East	South	West		Hectare.	Ares.	
1	2	3	4	5	6	7	8	9	10	11	12	13	
Road A A	Ward No. 1	307	—	dry		307	S.E.	307	Coorg road		13.75		part.
	Ward No. 10	18	—	"		18	coorg road	19	18		7.82		"
	"	19	—	"		18	19	22	18		0.54		"
	"	17	—	"		18	18	27	17		0.35		"
	"	27	—	"		17	23	24	27		0.30		"
	"	22	—	"		19	22	35	25		5.18		"
	"	23	—	"		18	22	34	33		5.00		Full
	"	24	—	"		17	23	25	24		4.10		part.
	"	25	—	"		24	33	25	35		0.24		"
	"	34	—	"		23	35	34	34		0.24		"
	"	35	—	"		22	35	kanaran road	35		20.00		"
	Ward No. 11	29	—	"		8	29	27	29		35.00		"
	"	92	—	"		27	91	92	92		0.24		"
	"	91	—	"		27	91	89	91, 92		8.30		"

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1	2	3	4	5	6	7	8	9	10	11	12	13
	Ward No. 11	02	—	div		06	02	83	85		0.12	part.
	"	03	—	"		82	83	85	85		1.00	"
	"	00	—	"		85,91	85	89	89		6.02	"
											<u>98.70</u>	
Road A1 A1	Ward No.10	24	—	"		27	24	24	20,26/2A		7.50	"
	"	20	—	"		26/2A	24	20	26/2A		1.30	"
	"	26	2A	"		27	24	20,	27		3.16	"
	"			"				26/2A				
	"	27	—	"		15,16,	27	24,	10		1.30	"
	"			"		17	26/2A	26/2A				
	"	16	—	"		16	27	27	15		1.08	"
	"	10	—	"		10	15,27	10	12		11.20	"
	"	12	—	"		10	12	12	Mukunda-		7.60	"
				"					maller road			
	Ward No. 6	18	—	"		18	Mukun-	N.C.C.	19		8.83	"
				"			da maller	road				
	"	112	—	"		N.C.C.	N.C.C.	112	S.B.		0.40	"
	"	19	—	"		road	road					
	"			"		19	18	N.C.C.	4		2.24	"
	"			"				road				
	"	4	—	"		4	19	N.C.C.	S. B.		45.61	"
	"			"				road			3.00	"
											<u>48.61</u>	
Road A2A2	Ward No.10	35	—	"		35	35	kannan	35		5.32	"
				"				road				

	1	2	3	4	5	6	7	8	9	10	11	12	13
	1	2	3	4	5								part.
Road A2 A2 Road B1B1	Ward No.11 Ward No.11	32 32	— —	" "	8 32	32 32	32 32	28 32	1.40 86.72 4.42	" "			
Road C C Road C1 C1	" " " " " "	37 41 28 55 56	— — — — —	" " " " "	37 41 41 55 28	S.B 28 28 56 55	43 41 55 55 56	37 32 28 55 57	0.40 3.01 0.01 0.08 0.02	" " " " "			
Commercial	" " " " " " " " " " " "	85 91 27 28 62 82 57 29 32 29 19 14 35 25 24 26 33	— — — — — — — — — — — — — — — — —	" " " " " " " " " " " " " " " " "	28 27 29 57 62 28 29,30 32 29 19 14 22,21,36 24 24 26/2C 26/2C 33	82 85 85 62 57 28 28 32 29 29 14 35,37 25,33 24 24 24,25 33,23	85 91 91 82 62 62 28 28 29 19 19 35 32 25 26/2D 26/2A 33	27 91 27 85 85 28 29 19 14 19,14 35 26/2D 26/2A 26/2A 25	0.18 0.24 0.42 5.40 0.67 0.14 22.56 47.00 48.00 10.52 2.40 40.00 51.50 16.41 12.85 1.27 7.35 0.42	" " " " " " " " " " " " " " " "			
Residential	Ward No. 11	37 41	— —	" "	39 37	S.B. 42	39,41 41	37,38 41	2,67.33 60.50 1.70 62,20	" " " "			