

INTRODUCTION

The Sector No.8 is bounded by Wynad road on the north and west. Kiliyanad School Road on the south and Canoli Canal on the east.

The total area of the scheme is about 165.19 hectares. According to the master plan for Calicut Urban Complex the major use prescribed for the area is residential. This Sector is more or less centrally located in respect of proximity to various work centres viz. West Hill Industrial Area, the Civil Station. Medical College and the Town centre of Calicut.

The Master plan envisages in this sector a population of about 23,200 by 1991. The sector comprises 6 neighbourhoods and each neighbourhood is designed as a self contained unit with a adequate circulation routes, community facilities, utility and services etc.

CIRCULATION:

The major road skirting the scheme area on the West is the Calicut-Wynad road which is proposed to be widened to 24 Mts. The portion of Calicut-Wynad road and the short stretch of roads linking the above two roads are also to be widened to 24 Mts.

The Kiliyanad School road running eastwards from Christian College junction and the road by the side of Canoli Canal are proposed to be widened to 18 Mts. These are the major road system designed for through traffic. A hierarchy of access streets, and collector roads are planned within the sector so as to avoid penetration of through traffic within the neighbourhoods.

The Schools, Shopping centres, Parks and Play area are the primary faci

The proposed land use analysis is furnished below:

Name of use	Area in Hectares	Percentage
1. Residential	137.6480	83.33
2. Commercial	4.2606	2.58
3. Public & Semi Public	5.4225	3.28
4. Parks & Open spaces	4.0300	2.44
5. Roads	13.8289	8.37
Tota1	165.1900	100.00

Scheme Balls.

DRAFT SCHEME

THE DETAILED TOWN PLANNING SCHEME FOR SECTOR NO. 8 OF CALICUT TOWN (PARTS OF WARDS 3 & 5 OF CALICUT CORPORATION)

Title

- 1. This scheme may be cited as the detailed town planning scheme for Sector No.8 of Calicut Urban Areas (Parts of wards 3 and 5 of Calicut corporation)
- lemma la-Ahakka Kodonen Phia, kochi Conputation 3)
- Definitions 2. In this scheme unless there is anything repugnant in the subject or context: Trans Maning Act 1109 (Act 14 g) 108)

"Act" means the Madras Town Planning Act 1920.

- "Municipal Act" means the Kerala Municipal Corporation Act. 1961. assister Cochin Development Anth
- c) "Authority" means the Calicut Development Authority formed under the Act.
- 3) "Secretary" means the Secretary of Calicut Development Authority.
- "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 Sector No.8 of Calicut Urban Area (Parts of ward 3 and 5 of Calicut corporation).
- 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, streets and lanes.
- k) "Date of scheme" means the date of notification of the scheme under section (10) of the Act in the Kerala Government Gaze:te.
- 1) "Rules" means the rules made under section (44) of the regulation.
- 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 Secretary 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 this clause shall be deemed to rectrict or otherwise affect the powers of the Authority 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 revenue village office as on the date of publication of the notification, under section 10 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.11, Schedule II. The net cost is proposed to be financed as therein stated. The estimate is liable to such revision 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 the council or any other agency may be undertaken in such order and at such time as the Trust 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 expediate 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/4) provided that reasonable modifications in the alignment of streets or in the layout of any portion of the area may be made by the responsible authority with the approval of the Chief Town
 - (2) The streets mentioned in schedule III and shown in map No.DSN/4 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 of metalling, surfacing, draining and lighting of the streets, may be recovered from the owners or occupiers of lands and buildings abuiting the streets in such proportion as may be decided by the responsible authority.

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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 Authority shall levy only such portion of the betterment contribution payable under the scheme or it may forgo the contribution entirely.

- (3) Any other private street that may be permitted in the 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 atleast 7 metres width, provided that cal-de-sacs not more than 200 metres in length can be permitted with a width of 5.5 metres.
- b) Every street intended to form the principal approach means of access to any particular residential site is not intended for use as a cart or carriage road shall be atleast3.5metres 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 clauses (2)(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 agree 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 comers of occupiers.

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- (6) No person shall build any wall or errect any fence or other construction of projection or make any encroachment in or over any land intended for use as a street or lane.
- (7) The responsible authority shall as 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 layout plans

- 8. (1) If any owner of land within the area intends or proposes to layout a street, lane or pathway or subdivide, utilise, lease or otherwise dispose of any land as a site or sites for building purpose, he shall, submit for the approval of the responsible authority a site or layout plan showing the land and the site of the site of the streets either existing already or in ended to be laid out and made by the owners for iving access to the site or sites.
 - (2) Save it such cases as the site or sites intended for building purposes may abut on any existing public screet 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 subdivide, utilise, sell, lease or otherwise dispose of the site or sites intended for building purposes unless he has carried out or otherwise made arrangement to carryout the street work 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) & (3) above, the responsible authority may order the street works to be carried out or carryout 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 occupiers.
- (5) For the purpose of adjusting the boundary of any street 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 plans 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 for 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 layout plan or plan of a sub-division shall be submitted to the responsible authority in the prescribed form.

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 cased as 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 5(a) below. No building shall be constructed or reconstructed in any land in which is reserved in the scheme for any purpose incompatible with building.

/building is expressly for bidden or which

- (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 reconstruction 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 impose for the orders passed by the responsible authority shall be complied with by the 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.

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and the manner in which the streets, sub-divisions of lands into sites for building purposes and the reservation of lands into site 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 a specification or specifications in regard to the design, materials, architecture, drainage, water supply, use of building and other details of building construction.
- (a) The responsible authority shall have power impose reasonable restrictions and conditions while granting permission and to make reasonable modification or alteration in the location, structural or architectural 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 application, the application shall be deemed to be sanctioned, if not otherwise inconsistent with the provisions of the scheme
- (6) The development of commercial area shall be governed by the following requirements:
- (a) The width of every new street, public or private intended for use as a cart or carriage way giving access to or through a commercial precinct consisting of continuous row of shops exceeding ten in number shall be not less than 12 metres, except in the case of a cul-de-sac not exceeding 150 metre where the minimum width shall be 9 metres.
- (b) The frontage of every commercial building abutting such street shall have a minimum width of 6 metre. In such or large units individual shops with a frontage not less than 3 metre, may however be accommodated, provided that the area of each such unit shall be 15 sq.metre. In public or private markets with row of stalls exceeding 6 in number, the frontage of each stall be a minimum area of stall of 4 sq.metre.

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- (c) In such a street no building intended for mercentile use shall be located in a plot less than 60 sq.metre in extent.
- (d) No service garage or auto work shop building shall be located in such a street unless the site has a minimum area of 300 sq.m. and an average plot width not less than 12 metres.
- (e) The layout of all new commercial streets shall be subject to the approval of the responsible authority.

Reservation of land and zoning

10. (a. A list of lands reserved for streets and other purposes 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 which are not mentioned in schedule IV shall also be deemed to be included under lands reserved for the purpose of the scheme.

- (b) The Authority may form 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 section (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 lands within the scheme area shall conform to the zoning regulations given below. Any uses not mentioned, therein shall be deemed to be prohibited.
- (i) Residential use zone:

(a) Uses permitted:

All residences, hostels, professional offices and studies of the residents, community halls, clubs, parks and play grounds incidental to the residential uses, public utility buildings such as water supply, drainage and electric installations of a minor nature, small service industries of a non-nuisance character engaging not more than 3 workers with power limited to 3 HP or 6 workers without power, convenience shops such as vegetable shops, groceries, pan shopsetc.

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

Minor educational buildings, police and fire stations, small post offices, telegraph offices, boarding houses, commercial offices, petrol filling stations, small auto garages engaging not more than 5 workers and other non-nuisance type of service industries engaging or 20 workers without power and new areas as buildings for religious uses.

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- (2) Local Commercial zone:
- (a) Uses permitted:

Retail shops, professional offices, studies, commercial offices, lodging houses, hotels and restaurants, job printing works, theatres, cinemas, cart stand, taxi stand, bus stops, libraries and reading rooms, clinics, dispensary and existing residential uses.

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

Social welfare institutions, hostels, pringing presses, service garages, industrial uses of non-nuisance character employing not more than 10 workers and power not exceeding 20 HP or industries employing upto 20 workers with no power petrol filling stations, areas and buildings for religious uses and plinth area.

(c) Coverage and F.A.R. of commercial zone

Maximum coverage

Maximum F.A.R.

60 percent:

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:

F.A.R. total covered area on all floors x 100 plot area,

- (3) Small Industrial use zone:
- (a) Uses permitted:

All types of small industries other than obnoxious and nuisance type (with power upto 30 HP or 40 workers without power) retail business incidental to the industries, storage and other uses incidental to the industrial use.

- (b) The following uses shall be permitted by the responsible authority with the approval of the Chief Town Planner. All types of small residences not exceeding 50M2 of plinth area, junk yards, stocking yards, petrol filling stations.
- (4) Public and semi public use zone:
- (a) Uses permitted:

State, central and local Government establishments, community facilities including, clinics, dispensaries, educational institutions, public utilities and related buildings and existing religious uses. (b) The following uses shall be permitted by the responsible authority with the approval of the Chief Town Planner.

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

- (5) Parks and Play Area:
- (a) Uses permitted:

Parks, open spaces and maidan, play grounds, open air theatres etc.

- (b) Reading rooms, radio kiosks and social and cultural establishments shall be permitted by the responsible authority with the approval of the Chief Town
- (6) Agricultural use zone:
- (a). Usas permitted:

Paddy fields and garden lands, pastures, grazing gardens, foodder cultivation, removal of clay/ground upto a depth of 1 metre below the level of land surrounding the agricultural area, existing religious uses and existing residences.

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

Farm houses, diary and poultry farms, public utility and service areas, milk processing of farm products service and repair of farm machinery, brick kilns, cremation grounds and religious uses.

- (c) Any area zoned for specific uses other than mentioned above shall be used for the particular use as marked in the Map No.DSN/4.
- Acquisition 11. Any land in the area required for the purpose of the of lands scheme may be acquired by the purchase exchange or otherwise by the Authority 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 Authority dispose of any land belonging to the Authority (Corporation) or acquired under the scheme by sale, auction, exchange, lease, or otherwise subject to rules framed for the purpose of the Authority and these rules shall be binding on to the purchaser, transfers, heirs, assignee and their successors.

for dwelling houses and building

Minimum area 18. (a) Minimum area of residential plots is given below:

> Minimum width Area in in Mts. on road frontage

For one family dwelling houses (single or double or storeyed

120.00

9m

For each additional family Add 80m2 and its housing conveniences area of plot

Note: Dwelling house or hut means a house or a hut designed or intended to be used wholely or principally for human habitation and for a single family only together without houses latrines and other similar appurtenants 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 6.0M provided that in the case or shops, godowns, fuel depot, and other business promises it shall be open to the responsible authority to specify any suitable extent for each shop, godown etc.
- 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 scheme, permission shall be given to built on such plots or site or whether the plot shall be incorporate in adjacent plots or site or sites by reconstitution or redistribution of boundaries of plots. .If the letter course is proposed, the matter shall be decided by the Arbitrator in accordance with the provision of rules.
- 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 mentioned in map No. DSN/4 and specified in schedule III.
 - Boundary walls or fences alone shall be erected (iii) in the space between the building line and the edge of the adjacent street.
 - No boundary wall of 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 building as per the following table. In alterdament with

Type of building as per the following table

Minimum off street parking spaces

Type of use

One parking space of 18sq.m. shall be provided of for every

Toeatmen & Auditoriums

20/ seats of accommodation

Commercial

90sq.m. carper area or fraction thereof.

Office buildings

90sq.m. of office floor space.

Restaurants

15 seats of accommodation

Hotels

4 guest rooms provided

Hostels

10 persons of accommoda-

Industrial buildings

50 employees in industry

Multi-family Awellings

6 dwelling units

Longing within eating facilities for public

6 guest rooms provided

Prohibition of building in unhealthy sites 15. With a view to prevent contamination 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 erection of building would be objectionable.

Drainage

of swage 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 drains 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 of 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 Authority or the Authority may enter into contact with co-operative Housing Societies or other housing agencies to take up housing scheme with the previous sanction of the Government.
 - (b) The site of pucca dwelling houses with appertenant area may be exempted from acquisition of lands to a reasonable extent, as decided by the responsible authority.

Reconstitu- 18. a/ tion of she boundaries mar

- Where necessary, boundaries of sites or lands shall be redistributed and plots reconstituted in the manner prescribed in the Act (i) to suit the alignments of the proposed streets (ii) to provide frontage on site ats (iii) to alter or improve the size and shape of any site or plot in order to render it more ruitable for building purposes (iv) to procure the transference of ownership of land or portion of land from one person to another.
 - 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 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 shops or notice exhil on public buildings shall be permitted within the area unless otherwise approved by the responsible authority.

Claim for compensa-

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

Claim for betterment

21. 1) Claims for betterment contribution under section 25 of the Act in respect of all properties which have increased or are likely to increase in value by the making of the schemes shall be made by the Trust 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 24 of the Act every year at 10% of the increase in value for a period of 20 years.

- Notwith standing anything contained in the above sub clause, the Authority may with the previous approval of the Government, agree with any owner to receive a fixed payment either in a lump-sum or by instalments in lieu of the betterment contribution.
- 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 in consistant with the scheme

Regulation of scheme Rules

- 23. (1) The responsible authority, may, if it thinks in any 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 dispensaon or modification.
 - Government may in any particular case and subject to any condition as they may impose in consultation with 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.

scheme map X

- Time of exe- 24. Notwithstanding anything contained in the scheme the responsible authority may without prejudice to the efficient operation of the scheme.
 - 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 carryout or execute any works or to fulfil his obligation under the scheme.

Penalty

25. Any person who commits or knowingly permits a breach or 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 or 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.

SCHEDULES

- 1. Ownership and extent of land included in the scheme in form No.7. 2.
- Estimate cost of the scheme in form No. II
- З. List of new streets and widening of existing street form No.8.
- Lands proposed to be reserved in form No.10 4. 5.
- Lands proposed to be acquired for the scheme in

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