



Draft Detailed Town Planning Scheme for Ward 17

(kottaparamba area) calicut corporation

1971



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Preface

Calicut City has grown without any scientific planning into a sprawling urban centre over years, creating a host of problems in its wake. Narrow and congested roads, grossly inadequate water supply and a total absence of under ground sewerage are some of the chronic problems of the City.

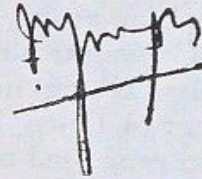
The need for proper planning has been keenly felt. The various problems arising out of uncontrolled expansion, can be tackled effectively only by a perspective plan, taking into consideration the future needs of the City as well. The Department of Town Planning has prepared a Master Plan for the City, which has been processed to its final stage by the Joint Town Planning Committee and sanctioned by the Government in their order No. MS/529/68/DD Dated 14—11—'68.

The implementation of the Master Plan has to be achieved through the execution of detailed Town Planning schemes, area wise. The Detailed Town Planning Scheme for Ward 17 is of crucial importance. This area has not only advantage of being centrally located but is also directly accessible from various parts of the City. The developmental activities in this area for the last few years have been remarkable and it is likely to assume new dimensions within a short span of time. A multipurpose stadium, a number of commercial buildings like hotels, lodges etc., are coming up in this ward. Hence it is essential to guide the development activities on a priority basis.

The Detailed Town Planning Scheme for Ward 17 is presented in the following pages for eliciting Public opinion. It envisages the over all development of the area. This scheme was originally commenced by the Calicut Corporation and its processing has now been taken up by the Committee. I wish that members of the public and especially those to whom it concerns directly would

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offer their dispassionate views on the plan to help the Committee and the Government to adopt this plan with such modifications as are considered necessary.

A handwritten signature in black ink, appearing to be 'M. Joseph', with a horizontal line drawn across the bottom of the signature.

(M. JOSEPH)

District Collector & Ex. Officio Chairman
Joint Town Planning Committee,
Calicut Region.

Calicut,) 5
6-3-'71.)

Introduction

Government in their order No. Rt. 1503/65/HLD dated 24—4—1965 have directed the Corporation of Calicut to prepare and publish a draft Town Planning Scheme for Kottaparamba area, granting time till 31—3—1966. The notification under Section 12 has been published, and got registered as required under rule 49, and 50A of the Madras Town Planning rules. Subsequently on request of the Corporation and as recommended by the Department of Town Planning and Architecture, the Government extended the date of publication of the scheme to 31-12-'68 in their order No. G. O. (Rt) 3400/68/DD dt. 1-11-'68. Meanwhile the Government constituted under section 38 of the Madras Town Planning Act a Joint Town Planning Committee for the Calicut Region comprising of the Calicut Corporation area and 43 Panchayats situated around for processing the Town Planning Schemes of the entire region. The Joint Town Planning Committee therefore took up the task of preparing the Detailed Town Planning Scheme for Ward 17-Kottaparamba Area and Govt. in their order No. G. O. Rt. 116/70/LAD dt. 2—7—'70 directed the Joint Town Planning Committee to prepare and publish the draft Town Planning Scheme for Ward 17-Kottaparamba Area within the Calicut Corporation area before 31—3—'71.

A layout plan and draft scheme had already been prepared in 1956 by the Director of Town Planning Madras. The Scheme could not be finalised pending finalisation of the Development Plan for Calicut. To accommodate the developments which have taken place in the area and to conform Development Plan, the Corporation of Calicut requested the Department of Town Planning to prepare a revised draft scheme for the area. Accordingly the Department of Town Planning prepared this draft scheme on behalf of the Corporation.

The proposed scheme covers an area of about 266 acres (108 Hectares) of land, bounded by the Madras—Calicut and the Calicut—Wynad Roads on the west, Mavoor Road on the north, the Canoli Canal on the east and the Sub Jail road on the south. Though the area is built up to a great extent, the area is lacking in proper accessibility, and the density of houses is low. The

Corporation of Calicut has already acquired an area of 14.35 5.8 Hectares) acres for a stadium and the construction of the stadium already commenced.

The details of the draft scheme have been prepared in conformity with the proposals outlined for this area in the Master Plan of Calicut city. The Madras Calicut and Calicut—Wynad Road passing through the western boundary of the scheme area, is to form part of the proposed spine Road of the city. Accordingly land is reserved in this scheme area for widening this road to a width of 80' (24 Metrs) Formation of other major roads are to be made by the Corporation according to the provisions of the scheme. In the Master Plan it is suggested that a population density of 125 to 200 persons per acre by 1991, should be achieved in this area. About 15 acres (6.1 Hectares) of land which is now under Government quarters, Central Jail etc., is reserved for high rise flats, to compensate for the already built up portions with-in the scheme area. An area of 9.16 acres (3.7 Hectares) is proposed to be acquired for rehabilitation of the people who would be dislodged due to implemenation of the scheme, and for providing additional housing accommodation. Land is also reserved for expansion of commercial activities, and for public and semi public uses.

An estimate cost of the scheme is prepared on the basis of the provisions of the scheme. Land value adopted is provisional. The cost of providing utilities and services like electricity, drainage and water supply is expected to be borne by the respective Government Departments. The net cost of the scheme for be met by the Corporation is 20 lakhs, which may be recovered by contribution from private parties for formation of roads, betterment levy and from the sale proceeds of buildings and residential land.

Draft Scheme

The Kottapparamba (Ward No. 17) of Calicut Town Planning Scheme

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| Title | 1. This Scheme may be cited as the "Kottapparamba Town Planning Scheme" |
| Definition | 2. In this Scheme unless there is any thing repugnant in the subject of context :
(a) 'Act' means the Madras Town Planning Act 1920.
(b) 'Municipal Act' Means the Kerala Municipal/Corporation Act, 1961
(c) 'Council' means the Calicut Corporation Council.
(d) 'Executive Authority' means the Executive authority of the Corporation Council.
(e) 'Director of Town Planning' means the Chief Town Planner to Government of Kerala who may also be referred to as "The Chief Town Planner".
(f) 'Scheme' means The Detailed Town Flanning Scheme for Kottapparamba (Ward 17 of Calicut City;
(g) 'Arbitrator' means the arbitrator appointed for the scheme under Sec. 27 of the Act.
(h) 'Schedule' means a schedule appended to the Scheme.
(i) 'Map' means a map annexed to the Scheme.
(j) 'Street' include roads, street and lanes.
(k) 'Date of Scheme' means the date of notification of the Scheme under sub section 5 of the section 14 of the Act in the Kerala Government Gazette.
(l) 'Rules' means the rules made under Section 44 of the Act.
(m) 'Area' means the area to which the Scheme applies.
(n) 'Government' means the Government of Kerala.
(o) 'Corporation' means Calicut Municipal Corporation. |

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| Responsible Authority | 3. The Executive Authority subject to the control of the Council shall be the responsible authority for the purpose of the scheme and shall function as such for a period of 10 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 line marked in the map.

Nothing in this clause 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 the purview of sections 23 or 24 of the Act and clause 22 (1) of the scheme. |
| Ownership & extent | 5. The ownership of all lands in the area with extent as per the registers maintained in the Corporation and or the Revenue Offices as on the date of publication of the notification, under section 10.12 of the Act is given in Schedul I. |
| Estimate of the cost | 6. (1) An estimate of the total and net cost of the scheme is given in 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 is 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 responsible authority may determine and completed within a period of 10 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 work which under the Scheme is 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 (a) shall be constructed by the responsible authority on the lines |

shown in the map No. 3 (Town Planning No. 5) 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 Planner'. (2) The streets mentioned in schedule III (b) and shown in Map No. 3 (T. P. No. 5) 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 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 Committee shall levy only, such portion of the betterment contribution payable under the Scheme as it may decide or 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 intended to be used as a cart or carriage road shall be of at least 22' width.

- b) Every street intended to form the principal approach or means of access to any particular site intended for building purposes but is not intended for use as a cart road or carriage road shall be at least 12 ft. (4 Ms.) 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 clauses (2), (3) and 4) above with the sanction of the Committee 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 left lands freely 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 left lands freely 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 street in the area affected.

**Submission of
layout Plans**

8. (i) If any owner of land within the area intends or propose to layout a street, lane or pathway or sub divide, utilise, lease or otherwise dispose of such land or any portion of the same 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 purpose 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 sites,

- (ii) 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 made in conformity with the provisions of Section 176 of the Municipal Act, the owner of the land shall lay out and make the street or streets giving access to the site or sites and connecting with an existing street and shall subject to the provisions of the scheme comply with the provision of the section 176 of the Municipal Act.
- (iii) 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 sections 176 of the Municipal Act and sub clauses (i) and (ii) above to the satisfaction of the responsible authority.
- (iv) If the street or streets have not been made as required by the clauses (i), (ii) and (iii) above the responsible authority may order the street works to be carried out or carry out the works himself in the manner prescribed by section 178 of the Municipal Act, in which case, the cost of such works will be recovered from the owner or occupier.
- (v) For the purpose of adjusting the boundary or any street the responsible authority may with the approval of the Committee make an exchange of land forming part of any street for other land that it may require, with or without paying or receiving any money for equality of exchange or otherwise.

**Approval of
layout approach**

9. (1) (a) No owner or other person shall lay out a street lane or pathway or subdivide, 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 responsible authority who shall consult the Chief Town Planner before granting approval.

- (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 form prescribed under Schedule VI.

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.

- (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 confirming 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 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, and for any site plan or layout plan or plan of subdivision or permission 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 reconstructions 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 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, subdivisions of lands into sites for building purposes and the reservation of any lands for communal or or public purposes shall be laid out and submit the same for the approval of the Chief Town Planner. The layout plan as approved by the Chief Town Planner and the restrictions and conditions if any, imposed by him shall be read as part of the Scheme, and shall be enforceable.
- (5) (a) Subject to the provisions of the 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 Sec. 191 of Municipal Act with such variations as circumstances may require and shall be accompanied by a site plan and ground plan and plan of each floor, elevation and sections of the existing building or buildings and also a specification or specifications in regard to design, materials, architecture, drainage water supply, use of building and the 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 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

**Preservation of
land and zoning**

months from the date of receipt of the application, the application shall be deemed to be sanctioned, if not otherwise inconsistent with the provision of the Scheme.

10. (a) A list of lands reserved for streets and other purposes under sub section (k) of the Section 4 of the Act is given in Schedule V.

For the purpose of the Scheme the streets or lands which may be approved or made in accordance with the provisions of the Scheme which are not mentioned in Schedule V shall also be deemed to be included under lands reserved for the purpose of the Scheme.

- (b) The Council may from time to time, to meet the demand, declare any part of the area with the sanction of the Chief Town Planner or subject to such conditions and restrictions as he may think fit, to be reserved for shopping, hutting or poor class housing 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) In the area, may be permitted agriculture or horticulture or such home industries as will not lead or tend to create insanitation, unhealthiness, nuisance or loss of amenity.
- (d) Huts shall not be permitted in the area except in places reserved for hutting under Sub-clause (a) or (b) above and thatch shall not be used for roofing huts, and other construction with thatched roof shall be permitted in the area bounded by streets.
- (e) Shops and business premises will not be permitted except in areas specified for the same.

Note :- For the purpose of this sub clause "shop" means a building designed for the purpose of carrying on retail trade not being a special industrial building or petroleum filling station and includes a light industrial building (not being a factory or workshop within the meaning of the Indian Factories Act 1934) on the same premises and ordinarily incidental to the conduct of retail business thereon, a market or a hotel.

Business premises means a building designed for use as an office, theatre or for any business purpose but does not include a petroleum filling station, special industrial building, factory or workshop.

- (f) Factories, warehouses and industrial buildings of an unobjectionable character shall be permitted only in the localities specified below provided that light industries of a non-offensive nature driven by electric motor up to 20 H.P. may be permitted with the approval of the Chief Town Planner in the areas reserved for shops and business premises.
- (g) In the lands shown as prohibited in map No. 3 (T. P. No. 5) mentioned in Schedule V, construction of buildings shall be absolutely prohibited. The lands in such localities may be used as parks, gardens or topes or for agriculture, horticulture or other similar purposes.
- (h) Save as otherwise provided in the scheme, every part of the area shall be entirely utilised for residential purposes only, provided that hotels and flats, clubs and buildings for public worship or institution (other than a reformatory or industrial school for mentally defective or epileptic persons) or buildings for use as places of social intercourses or recreation or as hospitals or dispensaries or for any other purposes may be permitted by the responsible authority with the previous approval of the Chief Town Planner.
- (i) No land in the area which is under wet cultivation or which is low lying shall be fit for residential or other building construction unless its level is raised suitably above the level of the adjoining street, or as may be approved by the responsible authority.

**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 Committee at any time subject to the provisions of the regulation and without prejudice to the interests of the Scheme.

The notifications of the Scheme under sub section 5 of the Section 14 of the Act in the Kerala Government Gazette in respect of any land mentioned in

Schedule VI operates as a declaration under Section 6 of Land Acquisition Act 1894 for the purposes of the Scheme.

Disposal of land

12. The responsible authority may with the approval of the Council dispose of any land belonging to the local authority (Municipality) or acquired under the Scheme by sale, in auction, exchange, lease, or otherwise, subject to compliance with the provisions of the Scheme, and subject also to the payment of assessment or ground rent at the rate in force for the time being. The rates so fixed shall be liable to revision from time to time in accordance with the rules in force at the time of such revision. The condition subject to which sites shall be disposed of, may be, as decided by the responsible authority, and those shall be binding on the purchaser, transferee, his or her heirs, assignees and their successors.

**Minimum areas
for dwelling houses
and buildings**

13. (a) Minimum plot sizes for residential purposes is given below :

<u>Minimum plot size</u>	<u>Area in Sq. ms. (Sq. ft.)</u>	<u>Width in metre (in ft.)</u>
For one family dwelling house	150 Sq. m. (1500 Sq. ft.)	9 ms. (30 ft.)
For two family or multifamily dwellings	Additional 74 Sq. ms. (800 Sq. ft.) for each family	Additional 3ms. (10 ft.) for each family.

Explanation

“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 with outhouses, latrines and other similar appurtenances as are ordinarily used or intended to be used therewith.

In the areas which are reserved under sub clause (a) and (b) of Clause 10 for poor class dwelling or huts, the density shall not exceed 30 to gross acre and every site shall have at least 1000 sq. ft. (93 sqm.) and width of 20' (6m.). In such cases for two family or multi family dwellings for every additional family in the same building there should be additional areas of 600 sq. ft. (56 sqm.) and additional width of 16' (5m.)

- (b) Every site intended for buildings other than dwelling houses shall be not less than 400 sq. ft. (37 sqm.) and width 12' (3.7m.) provided that in the case of shops, godowns, fuel depot and other business premises, it shall be open to the responsible authority to specify any suitable extent for each shops, godowns etc.
 - (c) In the area specified for poor class houses or huts not less than 10 per cent of such areas shall be separately reserved as public open spaces in addition to the lands reserved or set apart for streets and lanes.
 - (d) Where a plot or site held in single ownership prior to the date of notification of the schedule under Section 10 to 12 of the Act is less than the minimum prescribed in the sub clause (a) the responsible authority shall decide whether in the interest of the Scheme, permission shall be given to build on such plots or site or whether the plot shall be incorporated in adjacent plots or site or sites by reconstitution or redistribution of boundaries of the latter. If any reconstitution or redistribution of boundaries of plots is proposed the matter shall be decided by Arbitrator in accordance with the provision of rules.
14. (i) Every site for dwelling house or other building shall, unless it abuts on an existing public street or an existing private street made in conformity with the provisions of this 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 new streets shall be as shown in Map No. 3 (T. P. No. 5) and specified in Schedule III.
- It shall 5 ft. (1.5 m.) for all other streets.
- (iii) Boundary walls or fences alone shall be erected in the space between the building line and the edge of the adjacent street, except in shopping areas where arcaded verandah or roofed pathway of a pleasing character and of design, architecture and material approved by the Chief Town Planner shall be permitted.

(iv) No boundary wall or fence erected between the building line and edge of the adjacent street shall be of a greater height than 5 ft. (1.5 m.) measured from the level at the centre line of such street except that at pillars. Provided also where the level of the compound is higher than that of the road this height may be exceeded so as to be have a heght of 3 ft. (1 m.) above the level of the ground of the plot.

(v) (a) There shall be a minimum of 5 ft. (1.5 m.) side space for a building, if any opening is given such as doors, windows or ventilators on that side.

(b) There shall be a minimum side space of 10ft (3m) in the case of dwelling houses or shop buildings built in block in a continuous line.

(vi) Off street parking space for motor vehicles

1. Off street parking space shall be provided on any plot on which the uses specified in the following table are hereafter established. Such parking space shall be provided with adequate vehicular access to a street.

1. 1. Each off-street parking space provided shall not be less than 200 sq. ft. (19 sqm.) of area. The area of drives, aisles and such other provisions required for adequate access shall not be counted as part of the 200 sq. ft. (19 sq. ms.)

1. 2. Off-street parking spaces provided shall not be less than the minimum requirement specified in the following table for each type of use.

1. 3. If a vehicle parking space required by these regulations is provided in parking areas by groups of property owners for their mutual benefit, the authority may construe such use of this space as meeting the off-street parking requirement of those regulations.

Minimum off street parking spaces :

Type of use	One parking space shall be provided for every
Theatre & Auditoriums	20 seats of accommodation
Retail business	500 sq. ft. (47 Sq. ms.)
Office buildings	1000 sq. ft. (93 sq. ms.) of office floor space
Restaurants	15 seats of accomodation
Hotels & lodging houses	4 rooms provided
Industrial buildings	100 employees in industry
Multi family dwellings	6 dwelling units

(vii) The responsible authority shall have power to fix the heights 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 prevention of contamination of water sources and channels or unhealthiness due to existence of burning grounds, sewage tanks and stations power plants and 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

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 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 or channels on its 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 Co-operative Housing Societies or other housing agencies, to take up housing schemes with the previous sanction of the Government.
- (b) The owners of dwelling houses within the housing Scheme area may be exempted from acquisition of appurtenant lands to a reasonable extent, as decided by the responsible authority.
- Reconstitution of boundaries** 18. (a) Where necessary, boundaries of sites or lands shall be redistributed and plots reconstituted in the manner prescribed by the Act (i) to suit the alignments 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, or (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 or 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 notifications specified any particular time or period when such proposals should be made to him.
- Advertisements** 19. No form of advertisement other than that of the traders name and business exhibited on shops or notice exhibited on public buildings shall be permitted within the area unless otherwise approved by the Council.
- Claim for Compensation** 20. Any person whose property is injuriously affected by any refusal to grant the permission applied for under Sec. 17 of the Act and or by making of the Scheme shall if he wants to make a claim for the purpose under Sec. 20 of the Act submit such claim within 24 months of the date of the Scheme, unless the Government order otherwise.
- Claim for betterment** 21. (1) Claims for betterment contribution under Sec. 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 24 months of the date of the Scheme, unless the Government orders otherwise. 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.

- (2) 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 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 inconsistent within the scheme.

**Regulation of
Scheme Rules**

23. The responsible authority may, if it thinks in any particular case and subject to any conditions as he may impose, dispense with or modify in consultation with 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 and his decision shall be final.

**Time of execution
of map**

24. Notwithstanding anything 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 fulfil his obligations 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 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.
