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detailed town planning scheme

for

municipal park

and

market complex

Prepared by

**the department of town planning
kerala state**

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THE DETAILED TOWN PLANNING SCHEME FOR
MUNICIPAL PARKS & MARKET COMPLEX
KOTHAMANGALAM MUNICIPAL TOWN

As a measure ^{to} of control the haphazard developments likely to take place consequent to the shifting of the existing market, construction of town hall, bus stand, it is felt that a detailed town planning scheme is highly essential for the area.

OBJECTIVES OF THE SCHEME

1. To acquire and develop land for various town activities such as residential, trade and commercial and Civic.
2. To form ring roads including sub arterial roads to the main road for better circulation of traffic
3. To control the land use by zoning
4. To resettle and rehousing of the low income group serving the town.
5. To value the open space as protoplasm of the town
6. To link energy, sewage, water supply and other systems efficiently in the town.

The scheme covers an area of 121 hectares and the boundaries are detailed as below:-

North:- Survey Nos.1011, 1040, 1041, 1044, 1068, 1070, 1072 of Kothamangalam village.

East:- Sy.No.1230 and Kothamangalam river

South:- Kothamangalam river

West:- Sy.Nos.1241, 1027, 1025 of Kothamangalam village

GENERAL CHARECTERISTICS OF THE SCHEME

Kothamangalam town is undulating in topography. The existing roads are only access to plantation lands which are narrow and circular with short radius of curve. Always-Munnar road passes through the scheme area is the only

major road and the connection link across the Kuruvithodu. The rivers and thodus separate the town from other areas. Schools and hospitals and public buildings are functioning along the Alwaye-Munnar road. The water supply scheme of the town is located at the highest place and hence the surroundings lands can be utilized for housing.

SALIENT FEATURES OF THE SCHEME AREA

1. ROADS.

ALWAYE-MUNNAR ROAD

Part of this major road passing through the town is thickly built up on either side by shops, offices and various activities. It is proposed to be widened to 20 metres to better mobilisation of vehicles and pedestraime.

Four types of roads having width of 18 meters, 16 mts 15 mts and 12 mts are proposed. A new bridge is proposed at the south-western side in Kothamangalam river.

2. PUBLIC & SEMI PUBLIC USE

The existing Church, Schools and Public Offices have to be preserved in the scheme area. A total area of 10.15 hectares zoned for public and semi public purpose.

3. COMMERCIAL USE

The existing commercial areas are concentrated along the Alwaye-Munnar road. It is proposed to acquire 4.29 hacts.. of land for the commercial development on either side of K.S.R.T.C Bus stand.

4. INDUSTRIAL USE

Industrial area is located far away from the town centre adjacent to Kuruvithodu on western side of scheme area. About 1.85 hectares is reserved. *for this purposes.*

5. PARKS AND OPEN SPACES

At the junction of the Alwaye-Munnar road and Vazhakulam road about 3.29 hecets. is to be acquired for parks and open spaces.

6. RESIDENTIAL PURPOSE

For the time being the town has not a planned residential growth due to the segregation of house plots on sides of narrow roads. It is proposed to acquire 6.07 hectares of land on the southern side of scheme area adjacent to Kothamangalam river. 2.73 hectares of land is proposed to be acquired for planned residential development for the dwellers of the affected land.

7. BUS STAND

The existing K.S.R.T.C Bus stand does not have adequate space even to cater to the existing needs. Therefore the bus stand is to be developed by zoning. An area of 0.54 hectares is to be acquired for the Bus stand in addition to an area of 0.89 hecets. surroundered to Kerala State Road Transport Corporation at the back of the present bus stand.

8. MIXED USE

In areas of mixed use of commercial and residential both the uses will be permitted. An area 18.06 hectares is reserved for this purpose.

LAND USE STRUCTURE

The proposed land use is shown in the following table.

PROPOSED LAND USE

Sl. No.	Land Use	Area in hectares	percentage to the total
1.	Residential	18.76	15.50
2.	Commercial	9.18	7.59
3.	Industrial	1.85	1.53
4.	Planned residential	2.73	2.26
5.	Parks and open space	1.29	1.07
6.	Roads and lanes	11.00	9.09
7.	Public and Semi public	10.15	8.39
8.	Mixed use(Residential and Commercial)	18.06	14.93
9.	Water bodies	0.80	0.66
10.	Bus stand for KSRTC	1.43	1.18
11.	Taxi Stand	0.10	0.08
12.	Plantation	43.60	36.03
13.	Paddy field/Agricultural	2.05	1.69
TOTAL		121.00	100.00

REHABILITATION OF AFFECTED FAMILIES IN THE AREA ZONED FOR PLANNED RESIDENTIAL DEVELOPMENT AND FINANCIAL IMPLICATIONS

It is proposed to rehabilitate the affected families whose house or sites will be acquired for the implementation of scheme. The scheme envisages expenditure around 255.79 lakhs and a receipt of 258.42 lakhs.

MUNICIPAL CHAIRMAN

**THE DETAILED TOWN PLANNING SCHEME FOR MUNICIPAL PARKS &
MARKET COMPLEX KOTHAMANGALAM MUNICIPAL TOWN**

TITLE

1. This scheme may be cited as the detailed Town Planning scheme for Municipal Park & Market complex-Kothamangalam.

2. **DEFINITIONS:**

In this scheme unless there is anything repugnant in the subject or context -

- a) "Act" means the town planning Act (Act IV of 1108) as amended.
- b) "Municipal Act" means the Kerala Municipalities Act 1960
- c) "Municipality" means the Kothamangalam Municipality
- d) "Municipal Commissioner" means the Municipal Commissioner/ Special Officer, Kothamangalam Municipality.
- e) "Chief Town Planner" means the Chief Town Planner to Government of Kerala.
- f) "Scheme" means the Detailed Town Planning Scheme for Municipal Parks and Market complex, Kothamangalam.
- g) "Schedule" means the schedule appended to the scheme
- h) "Map" means a Map annexed to the scheme
- i) "Street" includes roads, streets and lanes
- j) "Date of Scheme" means the date of notification of the Scheme in the Kerala Government Gazette under section 12 of the Act.
- k) "Rules" means the rules made under the Section 41 of the Act.
- l) "Area" means the area to which the Scheme applies
- m) "Government" means the Government of Kerala
- n) "Arbitrator" means the arbitrator appointed for the scheme under section 26 of the Act.
- o) "Building line" means a line which is beyond the street line and up to which the main wall of a building facing that street may lawfully extend and except as prescribed in the Kerala Building Rules in force.

RESPONSIBLE AUTHORITY.

3. The Municipal Commissioner shall be 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 restrict or otherwise affect the powers of the Municipality to claim or levy betterment contribution from the owner of any property not included within the area, which will come under purview of sections, 22, 23 and 24 of the Act and Clause 20(1) of the Scheme.

OWNERSHIP AND EXTENT

5. The ownership of all lands in the area with extent as per the registers maintained by the Municipality and/or Revenue Office as on the date of publication of the notification under section 8 of the Act is given in schedule I.

ESTIMATE OF THE COST

6. 1) An estimate of the total and net cost of the scheme is given in form No. 11, schedule 11. 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 scheme are to be executed by the responsible authority or by any other agency may be undertaken in such order and at such ~~km~~ time as the Municipality determine and completed within a 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 on any works which under the scheme are to be executed by any authority, owner, or any other person as the responsible authority thinks necessary and expedient for purpose of securing 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 or other public agency authorised by Government on the lines shown in map DSN/3, provided that reasonable modifications in the alignment of street 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 map DSN/3 shall be demarcated, formed and constructed by the responsible authority in such manner as he thinks⁵ 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.

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

4) Any 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 section 14(5) of Kerala Building Rules 1984 issued under section 222 of Kerala Municipalities Act 1960, unless otherwise approved by the Chief Town Planner

5) The responsible authority may, with the approval 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) either with the consent of owners or occupiers of buildings or land fronting or abutting on such streets, or by acquiring the land covered by the street, provided that, expenses incurred shall be paid by the owners or occupiers according to the frontage of their respective land or in such proportions as may be settled by the responsible authority.

6) The responsible authority may, notwithstanding anything contained in sub clause (2)&(3) 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 land, through which the street may pass, have surrendered land free of cost for the streets, and agreed to contribute to the cost of constructing the streets, provided that if 50 % of the owners or occipers abutting 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.

7) 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.

8) 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 LAYOUT PLANS.

8. 1) If any owner of land within the scheme 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 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 sites.

2) Save in such cases as the site or sites intended for building purposes may abut on any existing public street or on existing private street, the owner of the land shall layout and make the street or streets giving access to the site or sites, 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 owners or occupiers.

5) For the purposes of adjusting the boundary of any street the responsible authority may, with the approval of the Chief Town Planner ~~and~~ 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 other wise dispose off his land or portion or portions of the same as site or sites for building purposes until a site or portion of the same as site 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 or plans prepared, for laying out of a street, lane, or pathway or for sub dividing the land.

(b) The application for approval of a site or layout plan or plans of a sub-division shall be submitted to the responsible authority in the prescribed form.

The responsible authority may, in the interest of the scheme, impose reasonable restrictions and conditions and also insist on such modification of the plan as he thinks fit or cause to be made such modification 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 after or add to a building without

conforming in every particular with the requirements of the scheme: and unless has applied for and obtained permission of the responsible authority under section 15 of the Act and in compliance with the requirements of sub clause 9 (5)(a) below. No building shall be constructed or reconstructed in any land in which buildings expressly forbidden or which is reserved in the scheme for any purpose in compatible with building.

2. (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 15 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 restriction 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 persons 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 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 division of land in to sites for building purposes ~~shall~~ and the reservation of any land for community 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 15 of the Act every applications for permission required to be obtained under clause 9 (2)(a) above, shall be submitted to the responsible authority in form specified in the Kerala building rules 1984 made under section 222 of Municipalities Act 1960 with such variations as ~~given~~ circumstances may require and shall be accompanied by a site plan and plans of each floor, elevation and section of the building or buildings and also a specification or specifications in regard to the design materials, architecture, drainage, watersupply, use of building and other details of construction.

(b) The responsible authority shall have power to impose reasonable restrictions and conditions while granting permission and to make reasonable modifications 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 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 three 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.

RESERVATION OF LAND AND ZONING.

10(1) A list of lands reserved for various purposes is given in schedule IV(form No.10)

For the purposes of the scheme the streets or land which may be approved for, made in accordance with the provisions of the scheme and which are not mentioned in the schedule IV shall also be deemed to be included under lands reserved for various purposes of the scheme.

(2) The Municipality may from time to time meet the demand, declare any part of the area with the approval of the Chief Town Planner 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 3 of the Act. Any part of the area so declared shall be included under land reserved under the scheme and shall be treated as such.

(3) All future development in respect of all land within the scheme area shall conform to the zoning regulations given below (any use not specified other than agriculture and horticulture and religious use shall be prohibited)

a. Residential Use Zone

i. Uses Permitted

All residences, community halls, clubs, parks and play grounds incidental to the residential uses dispensaries, public utility buildings such as water supply, drainage and electrical installations of a minor nature and small service industries of non-nuisance character engaging not more than 3 workers with power limited to 3 H.P or 6 workers without power, convenient shops such as vegetable shops groceries, panshops etc., not exceeding 75 Sq.Ks. plinth area will be normally permitted.

ii. Uses restricted.

The following shall be permitted by the Responsible Authority with the approval of the Chief Town Planner.

Minor educational buildings upto 250 M² plinth area, libraries, reading rooms, clinics and nursing homes upto 150 M² plinth area, shop building upto 150 Sq.M in plinth area, Police and Fire stations, Small Post Offices, Telegraph Offices, ^{Hospitals} Hostels, Boarding houses, commercial offices, Petrol filling stations small auto garages engaging not more than 6 workers and other non-nuisance type service

industries & engaging not more than 10 workers with power limited to 10 HP or 20 workers without power and now areas or buildings for religious uses.

iii. Uses Prohibited;

All other uses not mentioned above.

b. COMMERCIAL ZONE:

i. Uses Permitted.

Retail shops, professional offices, studies, commercial offices, hostels, hotels, loading houses, restaurants, cart stands, taxi stands, bus stops, clinics and nursing homes not exceeding 150 Sq.M in plinth area, dispensaries, non- nuisance type of service and small industries employing not more than 10 workers and installations not exceeding 15 H.P motors and existing residential uses will be permitted.

ii. Uses Restricted.

The following uses shall be permitted by the Responsible Authority, with ~~the~~ the approval of the Chief Town Planner.

Social Welfare institutions, libraries and Reading Rooms, 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 50 M² in plinth area.

iii. Uses Prohibited

All other uses not mentioned above

c. PUBLIC AND SEMI PUBLIC USE ZONE:

i. Uses Permitted

Local, State and Central Government Offices and establishments, social and cultural establishments, community facilities including hospitals, nursing homes clinics, dispensaries, educational institutions etc., public utilities and related buildings will be normally permitted.

ii. Uses Restricted

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 (i) above and religious uses.

iii. Uses Prohibited.

All other uses ~~not~~ not mentioned above.

d. PLANTATION:

Plantation crops, residences and buildings ancillary to the main use with coverage limited to 20 % of plot area and height limited to 2 storeyed.

e. MIXED USE ZONE (Residential cum commercial)

i) Uses Permitted:

All the permitted uses under Residential and ~~uses~~ Commercial uses.

ii) Uses Restricted:

All the restricted uses under Residential and Commercial uses, with the concurrence of the Chief Town Planner

iii) Uses Prohibited:

All other uses not ~~in~~ mentioned above

f. PARKS AND OPEN SPACE USE ZONE

i) Uses Permitted

Parks, Open spaces and maidans, playgrounds, botanical gardens, stadiums, swimming pools, open air theatre will be permitted.

ii) Uses Restricted

Pavilions, gymnasium, aquarium, reading rooms, radio kiosks, social and cultural establishments, museum, cafeteria, snake bars, temporary usage for their exhibition, circus, shall be permitted by the Responsible Authority with the approval of the Chief Town Planner.

iii) Uses Prohibited

All other uses not mentioned above

g. INDUSTRIAL USE ZONE:

i) Uses Permitted:

All types of light and service industries other than obnoxious and nuisance type employing not more than 20 workers and power limited to 30 H.P., retain business incidental to the industries storage, stacking yards, warehouses and godowns of non-nuisance types and small offices incidental to industries shall be permitted by the Responsible Authority in all areas zoned for industrial uses.

ii) Uses restricted

Medium industries other than obnoxious and nuisance type with ^{power} ~~power~~ upto 50 H.P., small residences not exceeding 50 M² in plinth area, track terminals and junk yards shall be permitted by the Responsible Authority with the concurrence of the Chief Town Planner.

iii) Uses Prohibited:

All other uses not mentioned above.

h. TRANSPORT USE ZONE (BUS STAND, TAXI STAND)

i) Uses permitted

All uses connected with road transportation bus terminals parking areas for taxi, auto, and essential repairs and services related to the above, [✓]convenient shops and offices incidental to the main use.

ii) Uses Prohibited

Any other use not mentioned above

i. PLANNED RESIDENTIAL AREA ZONE

i. Uses Permitted:

All residential buildings, community halls, Clubs, Parks and Play Grounds incidental to residential uses, small convenience shops such as vegetable shops, Pan shops, Groceries not exceeding 12 Sq.Kts., in area, Public Utility buildings such as Water Supply, Electrical and Drainage installations of minor nature will be normally permitted with the approved layout plan of the area by the Chief Town Planner in the zone.

ii. Uses Restricted.

The following shall be permitted by the Responsible Authority with the approval of the Chief Town Planner.

Reading rooms, small post offices, service industries incidental to residential uses with power upto 3 HP and workers not more than 3 and workers upto 10 without power and religious institutions with the approved layout of the area by the Chief Town Planner in this zone.

iii. Uses Prohibited

All other uses not mentioned above.

9. PADDY FIELD/AGRICULTURAL USE ZONE

i. Uses permitted:

Paddy cultivation, pump house and ponds.

ii. Uses Restricted:

Crops other than paddy, poultry or animal houses, farm houses, and conversion of paddy fields into open air recreational facilities shall be permitted by the Responsible Authority, with the approval of the Chief Town Planner.

iii. Uses prohibited:

All other uses not mentioned above.

10. COVERAGE AND F.A.R

The coverage and F.A.R value of buildings under different occupancies shall not exceed the maximum permissible values as stipulated in the Kerala Building Rules in force/ stipulated below:

Sl. No.	Building uses of occupancy	Maximum permissible coverage (%)	Maximum permissible F.A.R
1.	Residential	.. 50 1.5 ..
2.	Commercial	.. 60 2 ..
3.	Public and Semi-Public	.. 30 1.5 ..
4.	Industrial	.. 40 1.20 ..

NOTE:- The coverage and F.A.R as per the Detailed Town Planning Scheme will have to be adhered to in case the values differ from that of the Kerala Building Rules in force.

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:

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

~~Sometimes~~

$$\text{F.S.I.} = \frac{\text{Total covered area on all Floors}}{\text{Plot area}}$$

Sometimes the term F.A.R is used instead of F.S.I

11. ACQUISITION OF LAND

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

2. The Responsible Authority may take up acquisition of any land which may be found necessary in future and which is not included in the scheme within the land for acquisition, with the specific consent of the Chief Town Planner and the Government.

12. DISPOSAL OF LAND:

The Responsible Authority may, with the approval of the Municipality ^{Council} dispose of any land belonging to the Municipality or which was acquired under the scheme, by ~~an~~ sale, auction, exchange, lease or otherwise, subject to the rules framed for the purpose by the Municipality

and these rules shall be binding on the purchasers, transferers, heirs, assignees and their successors.

13. CONSTRUCTIONS BY THE SIDE OF PUBLIC STREETS:

1. 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.

2. The building line in respect of all the streets shall be as shown in Map No.DSN/3 and specified in Schedule III.

3. Boundary wall or fence alone shall be erected in the space between the building line and the edge of the adjacent street.

4. No boundary wall or fence erected between the building line and edge of the adjacent street shall be of a height greater than 1.5 M measured from the level of the centre line of such street; 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 1 M above the level of the ground of the plot.

5. Open Space requirements of a building shall be in conformity with the Kerala Building Rules in force unless otherwise provided for in the scheme.

6. Minimum off-street parking space for motor vehicles shall be provided for various types of buildings as specified in the Kerala Building Rules, in force unless otherwise specifically mentioned in these rules.

14. PROHIBITION OF BUILDINGS IN UNHEALTHY SITES:

With a view to prevent contamination of water courses and channels due to the existence of burial grounds, sewage tanks and pumping stations, treatment plants, 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 construction of building would be objectionable.

15. DRAINAGE .

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 drains leading therefrom to the nearest street drain. All the sullage ~~waste~~ 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 erected thereby or allowed to flow into drains or channels on it having previously been treated sanitarily in the manner required by the Responsible Authority.

16. HOUSING SCHEMES:

1. Housing schemes may be undertaken in conformity with the provisions of the scheme by the Municipality or the Municipality may enter into contract with co-operative housing societies or other housing agencies to take up housing schemes with the previous sanction of the Chief Town Planner.

2. The sites of existing pucca and moderate dwelling houses with appurtenant area may be exempted from acquisition of land to a reasonable extent, as decided by the

Responsible Authority.

17. RECONSTITUTION OF BOUNDARIES:

1. Where necessary boundaries of sites or land shall be redistributed and plots reconstituted with the approval of the Chief Town Planner in the manner prescribed in 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, (iv) to procure the transference of ~~ownership~~ ownerships of land or portion of land from one person to another and (v) to ensure a planned development of the area.

2. Proposals for redistribution or alteration of boundaries of sites or land 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 specifies any particular time or period when such proposals shall be made to him.

18. ADVERTISEMENT

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

19. CLAIM FOR COMPENSATION

Any person whose property is injuriously affected by any refusal to grant 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 18 of the Act, submit such claim within 12 months of the date of the scheme.

20. CLAIM FOR BETTERMENT:

1. Claims for betterment contribution under section 22 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 Municipality 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.

2. Notwithstanding anything contained in the above subclause, the Municipality may with the previous approval of the Government agree with any owner to receive a fixed payment either in a lumpsum or by instalments in lieu of the betterment contribution.

21. POWER OF THE RESPONSIBLE AUTHORITY TO MAKE AGREEMENTS:

Subject to the provisions of section 35 of the Act, the Responsible Authority may make any agreement with any persons or body in furtherance of carrying out of the scheme or any matter in connection therewith provided that such agreement is not inconsistent with the scheme.

22. REGULATION OF SCHEME RULES:

1. The Responsible Authority may, if he 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.

2. The 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 requirements of the scheme other than the requirements made obligatory by any law and their decision shall be final.

23. EXECUTION OF THE SCHEME.

1. The Responsible Authority may, on the sanction of the scheme from Government execute the scheme proposals in a phased manner. The Municipality may co-ordinate with the Government departments and other agencies in the execution of the scheme proposals and may cause the cost of implementation of the scheme by various agencies to be included in the annual budgets of these agencies on a priority criteria.

2. Pending sanction of the scheme by Government the Responsible Authority may, after publication of the scheme and approval by the Municipality, take up priority projects and necessary land acquisition after obtaining

sanction for the same from the Chief Town Planner and the Secretary to Government.

3. After sanctioning of the scheme by Government the scheme will be in operation x till such time the scheme is revoked or till another scheme is notified and published for the same area or part of the area included in this scheme.

4. After sanction of the scheme by Government, the Responsible Authority may allow reasonable time to any owner or person to carry out or execute any workers or to fulfil his objections under the scheme.

24. PENALITY:

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 in pursuance o any of the provisions of the scheme, the rules of the Act shall, on conviction, be punished in accordance with the section 43 of the Act.