



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Town and Country Planning Department –
Implementation of the Scheme of preparation Development Plans for Municipalities -
Constitution of Joint Town Planning Committees - Guidelines approved – Orders issued.

LOCAL SELF GOVERNMENT (DC) DEPARTMENT

G.O.(Rt) No. 3353/10/LSGD.

Dated, Thiruvananthapuram, 28/10/2010

- Read: 1) G.O.(Rt) No. 3982/2008/LSGD dated 13.11.08
2) G.O. (Rt) No.2766/2009/LSGD dated 24.10.09
3) G.O. (Rt) No.2767/2009/LSGD dated 24.10.09.
4) Letter No. F/10780/09 dated 16.08.10 of Chief Town Planner

ORDER

As per Government Order read as 1st paper above administrative sanction was accorded for the implementation of the New Scheme 'Preparation of Master Plans and Detailed Town Plans' announced in the Budget Speech of 2008-09. Development Plans for 32 towns are to be prepared in a time bound manner under this scheme. As per Government Order read as 2nd paper above, Government have approved the detailed guidelines for implementation of the Scheme which involves co-ordination among the local governments, line departments and the Department of Town and Country Planning. As per the guidelines of the Scheme, the Planning Area for each Development Plan is determined by the development scenario. In case parts of local governments outside the municipal limits are included in the delineated planning area, the boundaries of the planning area have to be fixed so as to include the entire area of such local governments. Constitution of Joint Town Planning Committees as provided in section 37 of TP Act 1108 and/or section 38 of Madras Town Planning Act 1920 may be resorted to in such cases. The Chief Town Planner had, as per read 4th paper above pointed out that in the absence of rules made for the purpose of constituting and functioning of Joint Town Planning Committees, there is an urgent need for framing necessary guidelines for

the purpose, in the context of the Scheme of preparation of Development Plans for Municipalities.

Government have examined the matter in detail and are pleased to issue guidelines for the purpose as annexed to this order

By order of the Governor

Rajesh Kumar Singh,
Secretary.

To

The Chief Town Planner, Thiruvananthapuram.

The Director of Urban Affairs, Thiruvananthapuram.

The Director of Panchayats, Thiruvananthapuram.

The Secretaries of Municipalities concerned (through DUA)

The Secretaries of Panchayats concerned (through DP)

The Accountant General (Audit), Kerala, Thiruvananthapuram.

The Accountant General (A&E), Kerala, Thiruvananthapuram.

Finance Department.

Planning Department.

Stock File/Office Copy.

Forwarded/By order,

Section Officer

ANNEXE

Guidelines for the constitution and functioning of Joint Town Planning Committee for the preparation of a Joint Town Planning Scheme

The scheme of 'Preparation of Master Plans and Detailed Town Plans' was announced in the Budget Speech of 2008-09 for preparation of statutory Town Planning Schemes for towns in the State in a time bound manner, in accordance with the Town Planning Acts so as to ensure planned development. Preparation of general town planning schemes, hereinafter termed as Development Plans, for 32 towns in the state have been taken up under this scheme.

The planning area (scheme area) for each Development Plan shall be determined by the development scenario. According to the guidelines for the Scheme, issued as per G.O. (Rt) No.2766/2009/LSGD dated 24.10.09, in cases where parts of local governments outside the municipal limits are included in the delineated planning area, the boundaries of the planning area shall be so fixed as to include the entire area of such local governments. In such cases, all the constituent local governments in the area so delineated are jointly responsible for preparation of a Joint Town Planning Scheme for the area and therefore a Joint Town Planning Committee is to be constituted for the purpose, as provided in section 37 of TP Act 1108 and/or section 38 of Madras Town Planning Act 1920.

The following guidelines are issued regarding constitution and functioning of Joint Town Planning Committees:

DEFINITIONS

For the purpose of these guidelines:

“Joint Town Planning Scheme” means a General Town Planning Scheme, hereinafter referred to as Development Plan, made jointly by the municipality, hereinafter referred to as mother town/city and one or more than one other local government which are constituents in the scheme area

“Joint Town Planning Committee” means the Joint Town Planning Committee, constituted under section 37 of Town Planning Act 1108 / section 38 of Madras Town Planning Act 1920 jointly by a municipality and one or more than one other local government for the preparation of a Development Plan

The Joint Town Planning Committee shall function until the Development Plan is sanctioned by Government under respective Town Planning Acts. The constituent parts of the Development Plan will thenceforth have effect in each local government in the scheme area as separate schemes.

“Local Government” means a Village Panchayat constituted under section 4 of the Kerala Panchayat Raj Act, 1994 (13 of 1994) or a Municipality constituted under section 4 of the Kerala Municipality Act, 1994 (20 of 1994)

“Scheme Area” means the area for which the Joint Town Planning Scheme is prepared. Scheme area will therefore be the total area of all constituent local governments in the Joint Town Planning Committee.

“Mother town/city” means the Municipality that joins with one or more than one other local government for the preparation of a Development Plan.

CONSTITUTION OF THE COMMITTEE

1. Composition of the Joint Town Planning Committee shall be;

- | | |
|--|--------------------|
| 1. Chair Person of the mother city/town | -Chairman |
| 2. Chairpersons of all the constituent local governments in the planning area | - Members |
| 3. Chairperson of the Standing Committee in charge of Town Planning/Spatial Planning of the mother city/town | - Member |
| 4. Secretaries of the constituent local governments in the planning area | - Member |
| 5. Municipal Engineer of the mother city/town | - Member |
| 6. Executive Engineer (Roads), PWD | - Member |
| 7. Executive Engineer, LSGD | - Member |
| 8. Resource person of the Spatial Integration Committee constituted by the Joint Town Planning Committee | - Member |
| 9. District Town Planner | - Member Secretary |

2. Government shall constitute the Joint Town Planning Committee.

TERM OF OFFICE OF MEMBERS OTHER THAN OFFICIAL MEMBERS

A member of the Joint Town Planning Committee who is an elected member of the Municipality or a Grama Panchayat shall hold office, unless he sooner resigns, until his term of office as elected member is over or until the Joint Town Planning Committee is dissolved as and when the Development Plan gets sanctioned by Government, whichever is earlier.

The resource persons shall hold office until the Joint Town Planning Committee is dissolved as and when the Development Plan gets sanctioned by Government.

FILLING UP OF VACANCIES

When a vacancy occurs in the Joint Town Planning Committee, the Committee shall fill up the vacancy as soon as may be, by the appointment of the successor and the Chairman shall report the name of the member to the Government through the Chief Town Planner for their information.

SECRETARIAL SUPPORT TO JOINT TOWN PLANNING COMMITTEE

The office of the Member Secretary (District Town Planner) shall provide necessary secretarial support to the Joint Town Planning Committee.

THE FUNCTIONS AND POWERS OF THE JOINT TOWN PLANNING COMMITTEE

The powers of the Joint Town Planning Committee include:

- (i) The preparation of draft Development Plan and investigation of all matters incidental to such preparation
- (ii) The preparation of reports on the Development Plan
- (iii) Publication of the draft Development Plan
- (iv) The investigation and disposal of objections and suggestions received
- (v) Submission of the draft Development Plan for sanction
- (vi) Co ordination of various agencies in the preparation of draft Development Plan
- (vii) Convening of meetings
- (viii) Creating public awareness and ensuring public participation
- (ix) Adhering to timelines in preparation of Development Plan

MEETINGS OF THE JOINT TOWN PLANNING COMMITTEE

The members shall meet and shall from time to time make such arrangements with respect to the place, day, hour, notice, management and adjournment of the meetings of the Joint Town Planning Committee as they may think fit subject to the following provisions, namely:-

(a) an ordinary meeting shall be held at least once in every month; and such meeting shall be convened by the Secretary and the agenda for the meeting shall be despatched to the members at least five days before the date of meeting.

(b) the Chairman may, whenever he thinks fit, and shall upon the written request of not less than five members, call a special meeting:

Provided that no business other than what is contained in the request by the members shall be transacted in a special meeting called by the Chairman upon such written requests;

(c) no business shall be transacted at any meeting unless there be present at least one third of the number of members then in office;

(d) every meeting shall be presided over by the Chairman, in his absence by a member nominated by him or a member chosen by the meeting to preside for the occasion in the absence of nomination by the Chairman;

(e) minutes of the proceedings at each meeting, together with the names of the members present, shall be recorded in a book to be maintained for the purpose and shall be signed by the person presiding;

REFERRING MATTERS OF DISPUTES TO GOVERNMENT

In any case in which there is any dispute or difference of opinion between the constituent local governments in the Joint Town Planning Committee, the Chairman of shall place the matter before the Government for decision and the decision of the Government in that respect shall be final.

POWER OF GOVERNMENT TO GIVE DIRECTIONS

Government may issue such directions as they think necessary or desirable, in respect of all or any of the matters pertaining to the Joint Town Planning Committee and the Joint Town Planning Committee shall be bound to comply with such directions.

POWER OF CHIEF TOWN PLANNER TO GIVE TECHNICAL DIRECTIONS

The Chief Town Planner may from time to time issue technical directions as he thinks necessary or desirable, in respect of all or any of the matters pertaining to the Joint Town Planning Scheme and the Joint Town Planning Committee is bound to comply with such directions.

CONSTITUTION OF SPECIAL TOWN PLANNING COMMITTEE

The Joint Town Planning Committee may appoint a Special Town Planning Committee under section 36 of The Town Planning Act 1108 / section 37 of The Madras Town Planning Act 1920 and the rules framed there under, for the joint planning area as a whole, from among the members of the Joint Town Planning Committee. The composition and functions of the special town planning committee shall be as laid down in 'Part I, Special Town Planning Committee' in Town Planning Rules framed under Section 41 of Town Planning Act 1108/ Section 44 of Madras Town Planning Act 1920 as the case may be.

CONSTITUTION OF WORKING GROUPS

The Joint Town Planning Committee may constitute Working Groups for various sectors for the joint planning area as a whole, drawing members from the Working Groups constituted for various sectors in the constituent local governments for preparation of annual/five year plan and others unanimously nominated by the Committee.

Composition of the Working Group may be;

Chair person of the Working Group for the sector of the mother city/town	:	Chairman
Leading expert in the sector	:	Vice Chairman
Other experts	:	Members
Convener of the working group for the sector		

of the mother city/town	:	Convener
One representative from the Working Group for the sector of each constituent local government	:	Member

The Working Groups may co-opt members as well as set up Task Forces to perform assigned functions.

The responsibilities of Working Groups for the preparation of Development Plan shall be:

- Giving guidance and support to the Spatial Integration Committee for data collection
- Giving necessary support to the Spatial Integration Committee during data compilation and local level analysis

CONSTITUTION OF SPATIAL INTEGRATION COMMITTEE

The Joint Town Planning Committee may also constitute a Spatial Integration Committee to support it in the preparation of Development Plan

Composition of Spatial Integration Committee (SIC) may be;

Chair person of the Joint Town Planning Committee	:	Chairman
District Town Planner	:	Convener
Secretary of the Joint Town Planning Committee	:	Member
One representative from each Working Group constituted by the Joint Town Planning Committee	:	Member

In addition, the Joint Town Planning Committee may nominate one or more Resource Persons in the Spatial Integration Committee. The Resource Person should be capable of contributing to the preparation of Development Plan and should be willing to work voluntarily in the Spatial Integration Committee for the purpose. Resource persons may be identified from among ‘model’ practitioners, professionals, those showing interest and activism in the planned development of the locality. These persons can be identified from Government/Public Sector (serving or retired), civil society groups, academic institutions, private establishments and from among outstanding individuals.

The responsibilities of the Spatial Integration Committee shall be as detailed in the guidelines for preparation of Development Plans under the ‘Scheme of preparation of Development Plans for Municipalities’, issued vide G.O. (Rt) No.2766/2009/LSGD dated 24.10.09. The Spatial Integration Committee can seek the support of NGOs, Research organisations and any other voluntary agencies in their work.

The Spatial Integration Committee shall also extend support to the District Office of the Department of Town and Country Planning in various stages of preparation of Development Plan.