

DETAILED TOWN PLANNING SCHEME FOR  
KANNAMKULANGARA AREA THRISSUR

e-288/10  
27

**SCHEME RULES**

(Sanctioned as per G.O (MS) No. 28/89/LAD  
dated 04/04/89)

DEPARTMENT OF TOWN & COUNTRY PLANNING, GOVERNMENT OF KERALA  
DISTRICT TOWN & COUNTRY PLANNING UNIT, THRISSUR

**THE DETAILED TOWN PLANNING SCHEME**

**FOR**

**KANNAMKULANGARA, TRICHUR.**

C. 788/10  
(3)

**1. TITLE**

This scheme may be cited as the Detailed Town Planning Scheme for Kannamkulangara, Trichur.

**2. Definition**

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. "Authority" means the Trichur Urban Development Authority formed under the Act.
- d. "Secretary" means the Secretary of the Trichur Urban Development Authority.
- e. "Chief Town Planner" means the Chief Town Planner to the Government of Kerala.
- f. "Scheme" means the Detailed Town Planning Scheme for Kannamkulangara, Trichur.
- g. "Arbitrator" means the arbitrator appointed for the scheme under section 26 of the Act.
- h. "Schedule" means the schedule appended to the scheme.
- i. "Map" means the 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 12 of the scheme under section 12 of the Act in the Kerala Government Gazette.

l. "Rules" mean the rules made under section 41 of the Act.

m. "Government" means the Government of Kerala.

n. "Building line" means the 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 Building Rules in force.

### 3. RESPONSIBLE AUTHORITY

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 orders otherwise.

### 4. AREA OF SCHEME

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 Authority to claim or levy betterment contribution from the owner of any property not included within the area, which will come under the preview of sections 22, 23 and 24 of the Act and Clause 21 (1) of the Scheme.

### 5. OWNERSHIP & EXTENT

The ownership of all land in the area with extent as per the registers maintained in the Trichur Municipality and or the Revenue Office as on the date of Publication of the notification, under section 8 of the Act is given in schedule 1.

### 6. ESTIMATE OF THE COST

1. An estimate of the total and net cost of the scheme is given in form No., Schedule II. The net cost is proposed to be financed as there in stated. The estimate is liable to such revisions, as the Responsible Authority may consider necessary.

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

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

### 7. STREETS

1. Subject to the provisions of the scheme, all streets mentioned in schedule III (form No. 8) shall be constructed or caused to be constructed by the responsible Authority on the lines shown in the map DSN/2 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 and shown in the map DSN/2 shall be demarcated, formed and constructed by the Responsible Authority in such manner as he thinks necessary for the proper development of the area or expedient for the scheme or convenience of the public, provided that two third of the entire cost of acquisition of lands and or metal ling, surfacing, draining and lightning of the streets, may be recovered from the owners or occupiers of land 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 land 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 scheme area with the permission of Responsible Authority and in conformity with the proposed development of the area shall comply with section 14, 5 (a) of Kerala Building Rules 1984 issued under section 222 of Kerala Municipalities Act 1960, unless otherwise approved by the Chief Town Planner.

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 land fronting or buildings or land 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 owners or occupiers according to the frontage of their respective lands or in such proportions or may be settled by the Responsible Authority.

5. The responsible authority may, notwithstanding anything contained in Sub Clause (2) and (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 street and agreed to contribute the cost of constructing the streets, provided that if 50% of the owners or occupiers abutting on any new street have surrendered land 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 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 land.
7. The Responsible Authority shall so far as the funds at his disposal may permit to provide or cause to a sufficient and satisfactory system of drains along the public streets in the area affected.

#### 8. SUBMISSION OF LAY OUT PLANS

1. If any owner of land within the area intends or proposes to layout a street, lane or pathway or sub-divide, utilize, lease or otherwise dispose of any land as a site or sites for building proposes, 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 propose 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 proposes may about on any existing public street or an existing private street the owner of the land shall layout and make the street or streets giving access to the site or sites and connecting with an existing street in compliance with the provisions of the scheme.
3. The owner of the land shall not proceed to subdivide, utilize, 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 clause (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 in scheme, in which case, the cost of such works will be recovered from the owner or occupier.

5. For the purpose of adjusting the boundary of any 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.

#### 9. APPROVAL OF LAYOUT PLANS

1. (a) No owner or other person shall lay out a street, lane or pathway or sub-divide utilize, 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 subdivision has been approved by the Responsible Authority, provided, that the concurrence of the Chief Town Planner is obtained for the lay out of a street, lane, or pathway or for sub dividing the land.
- (b) The application for approval of a site or lay out plan or plan of 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).
- © The restriction 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 of the other person shall construct or 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 15 of the Act and in compliance with the requirements of Clause 5 (a) below. No building is expressly forbidden or which is reserved in the scheme for any purpose incomplete with building.
- (b) The Responsible Authority may, for the purpose of the scheme, demolish or cause to be demolished or altered any building in the area so far as may be necessary for carrying the scheme in to effect.
3. The Responsible Authority shall, before granting permission under section 15 of the Act, for any site plan or layout plan of sub division or for construction or reconstruction of building in a site in the area, take in to 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 reconstitution or redistribution of boundaries of the land, plot or plots or site or sites. The restrictions or conditions imposed or the orders passed by the Responsible Authority shall be complied with, by the owner or owners or the person or persons concerned and shall be enforceable.

4. Notwithstanding anything contained in the scheme the Responsible Authority may, with the approval of the Chief Town Planner, prepare a lay out plan for any portion of the area to determine the lines on which the detailed development of such area shall take place and the manner in which the streets, sub divisions of land in to sites for building purposes and the reservation of any land 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 15 of the Act, every application for permission required to be obtained under Clause (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.

- (b) The Responsible Authority shall have power to impose reasonable restrictions and conditions while granting permission and to make reasonable modification or alteration in the location, structural 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.

## RESERVATION OF LAND AND ZONING

- (a) A list of land reserved for streets and other non-residential 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 land reserved for the purpose of the scheme.

- (b) The Development Authority may, from time to time, to meet the demand, declare any part of the area with the approval of the Chief Town Planner or 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 treated as such.

- (c) All future developments in respect of land within the scheme area shall conform to the zoning regulations given below:

(Any uses not mentioned there in shall be prohibited.)

(1)

### RESIDENTIAL USE ZONE.

#### (i) USES PERMITTED

All residential buildings, including one or multi-family dwellings, apartment house and flats, parks and play grounds incidental to the residential uses, public utility buildings such as water supply, drainage and electrical installation of minor nature and small 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, pan shops etc. 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, libraries, reading rooms, police and fire stations, small post offices, telegraph offices, small banks, hostels, dormitories, small eating houses not more than 150 sq.m floor, small professional or commercial offices and clinics of floor area not exceeding 100 sq.m., petrol filling stations, small auto garages, engaging not more than 5 workers and other non- nuisance type service industries engaging not more than 10 workers with power limited to 10 H.P. or 20 workers without power and new areas or buildings for religious uses.

## (iii) USES PROHIBITED

All other, uses not mentioned below.

## (2) COMMERCIAL USE ZONE.

## (i) USES PERMITTED

Retail shops, professional offices, studies, commercial offices, banks, hostels, hotels, lodging houses, restaurants cart stands, taxi stand, bus stops, libraries and reading rooms, clinics, dispensaries, non-nuisance types not more than 10 workers and installations not exceeding 15 H.P. motors and existing residential uses.

## (ii) USES RESTRICTED

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

Social welfare institutions, printing presses and service garages, industrial uses of non nuisance character employing not more than 20 workers and power not exceeding 30 H.P. petrol, diesel filling stations, areas and buildings for religious uses and small residential buildings not exceeding 60 Sq.M. in plinth area. In special category commercial area, only commercial offices are permitted with the approval of the Chief Town Planner.

## (iii) USES PROHIBITED

All other uses not mentioned above.

## (3) PUBLIC AND SEMI PUBLIC USE ZONE

## (i) USES PERMITTED

Government and Semi Government institutions, hospitals, teaching hospitals, research institutions, religious establishments and related uses.

## (ii) USES RESTRICTED

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

Residential and commercial uses incidental to uses coming under 3 (i) above

## (iii) USES PROHIBITED

All other uses not mentioned above.

## (4) GREEN STRIP AREA

## (i) USES PERMITTED

Area to be used only for planning of trees and cultivation of cash crops in order to retain as green area without any structure.

## (ii) USES PROHIBITED

All other uses not mentioned above.

## (5) MIXED USE ZONE (RESIDENTIAL AND COMMERCIAL USES.)

## (i) USES PERMITTED

All permitted uses specified under residential and public and semi public uses.

## (ii) USES RESTRICTED

All the restricted uses under residential and commercial uses with the concurrence of C.T.P.

## (iii) USES PROHIBITED

All other uses not mentioned above.

**(6) MIXED USE ZONE****(i) USES PERMITTED**

All permitted uses specified under residential commercial uses.

**(ii) USES RESTRICTED**

All the restricted uses under residential and commercial uses.

**(iii) USES PROHIBITED**

All other uses not mentioned above.

**(7) NEIGHBOUR-HOOD CENTRE****a. Commercial centre, service and small industries and public housing.**

Land use and other planning regulations within the neighbor-hood centre shall be based on the detailed plans for the area prepared by the Trichur Urban Development Authority and approved by the Chief Town Planner. In the absence of which, uses permitted, restricted and prohibited and for the commercial centre and public housing will be the same as those mentioned above for Mixed Residential and Commercial Use Zone.

**(8) SERVICE AND SMALL INDUSTRIES.****(iv) USES PERMITTED**

All type of service and small industries other than anxious and nuisance type employing not more than 20 workers and power limited to 30 H.P. Retail and Whole sale business incidental to the industries, storage stocking yards, ware houses and godowns of non-nuisance and non inflammable materials, small offices incidental to the industries shall be permitted by the responsible authority in areas zoned for industrial purposes.

**11. COVERAGE AND FAR OF COMMERCIAL AREA**

The maximum percentage of cover age shall limit the plinth area of a building. The floor area ratio or F.A.R. shall be calculated as below.

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

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

Some times the term F.A.R. is used instead of F.S.I.  
The coverage and F.A.R. for various uses shall be prescribed in the Kerala Building Rules in forces.

**12. ACQUISITION OF LANDS**

(i) Any land in the area required for purpose of the scheme may be acquired by purchase, exchange or other wise by the authority at any time subject to the provision of the Kerala Land Acquisition Act and without prejudice to the interests of the scheme.

(ii) 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 specific consent of the Chief Town Planner and the Government.

**13. DISPOSAL OF LANDS**

The responsible authority may with the approval of any land, belonging to the Authority or acquired under the scheme, by sale, auction, exchange, lease, or otherwise, subject to rules framed for the purpose by the Authority and those rules shall be binding on the purchasers, transferors, heirs, assigns and their successors.

**14.**

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 the scheme.

2. The building line in respect of all the streets shall be as shown in map No. DSN/2 and specified in schedule III.
3. Boundary walls or fence erected in the space between the building line and the edge of 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 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 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 spaces for motor vehicles shall be provided for various types of buildings as specified in the Kerala Building Rules.

#### 15. PROHIBITION OF BUILDING IN UN-HEALTHY SITES.

With a view to prevent contamination of water sources and channels due to existence of burial grounds, sewage tanks and stations, power plants or sanitary or low-lying lands, the Responsible Authority may refuse to sanction any building within portions of the area, in the vicinity of which in his opinion, the creation of building would be objectionable.

#### 16. 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 there of and every site and building shall be provided with suitable drains leading there from to the nearest street drain. All the sullage water shall be disposed of in such a way as to prevent it from running or stagnating on adjacent streets. It may be used for watering gardens and compounds if no nuisance is created there by or allowed to flow in to drains or channels on it having previously been treated sanitarily in the manner required by the Responsible Authority.

#### 17. HOUSING SCHEMES

- (a) Housing scheme may be under taken in conformity with the provisions of the scheme by the authority or the authority may enter in to contract with co-operative Housing Societies or other housing agencies, to take up housing schemes with the previous sanction of the Government.
- (b) The sites of existing pucca and moderate dwelling houses with appurtenant area may be exempted from acquisition of land to a reasonable extent, as decided by the Responsible Authority.

#### 18. RECONSTRUCTION OF BOUNDARIES

- (a) Where necessary, boundaries of sites or land 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 streets (iii) to alter or improve the size and shape of any site or plot in order to render it more suitable for building purposes.
  - (iv) to procure the transference of ownership of land of portion of land from one person to another and (v) to ensure a speedy implementation of the scheme proposals with / without participation of the land owners as permitted by Government vide G.O. (P) No. 64/85 TD dt. 4.6.85 on an agreement executed between TUDA and land owners.
- (b) 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 on 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 should be made to him.

But wherever development in private sector is feasible, and where this has been indicated in the scheme in areas already proposed for acquisition as per the scheme such permission may be granted subject to the terms and conditions mutually agreed by Trichur Urban Development Authority and concerned land in consultation with the Chief Town Planner. The following conditions have to be incorporated as part of the agreement to be executed with the land owners.

- i. The required extent of land has to be surrendered to the Trichur Urban Development Authority free or cost by the respective land owners in lieu of the services rendered to them in the of roads and other infrastructure for development.
- ii. Lay out plan satisfying the provisions of Kerala Building Rules, 1984 and scheme provisions for the development of the area should be furnished by the land owners and got approved by the Trichur Urban Development Authority.



iii. The owners of the land should strictly adhere to the lay out plan approved by the Trichur Urban Development Authority.

iv. Drain shall be concerned and land filled up by the land owners to suitable levels and specified in the lay out plan.

v. The land owners shall provide fully developed internal roads linking to the public road as per the approved lay out plan.

vi. Permission for construction of individual buildings shall not be granted in the plots within the reconstituted area if the above conditions are not fulfilled.

vii. The agreement may specify the period of development of roads etc. by the Trichur Urban Development Authority and development of land and construction building etc. by the land owners.

viii. The Trichur Urban Development Authority shall have the option to acquire any part of the area under reconstitution if the land owner fails to satisfy the above conditions within the stipulated time.

ix. If the transaction of any land or portion of any land within the approved lay out is made, the above conditions shall be binding on the purchaser and legal successors of the land owner.

#### 19. ADVERTISEMENT

No form of advertisement other than that of the traders name and business shall be exhibited on shops and other commercial and professional offices. No other form of hoarding or sign board shall be exhibited in public buildings within the scheme area unless otherwise approved by authority.

#### 20. 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 making by 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.

#### 21. 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 increase in value by the making of the scheme shall be made by the authority 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 period of 20 years.

(2) Notwithstanding 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 lieu of the betterment contribution.

#### 22. POWER OF THE RESPONSIBLE AUTHORITY TO MAKE AGREEMENTS

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

#### 23. REGULATION AND 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) Govt. 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 made obligatory by any law and their decision shall be final.

#### 24. EXECUTION OF THE SCHEME

a) The Responsible Authority may on the sanction of the scheme from Govt. execute the scheme proposals in phased manner. The authority 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 criterion.

- b) Pending sanction of the scheme by Government, The Responsible Authority may, after publication of the scheme and approval by the authority, take up priority projects and necessary land acquisition after obtaining sanction for the same from the Chief Town Planner and the Secretary to Government.
- c) After sanctioning of the scheme by Govt. the scheme will be in operation 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.
- d) After sanction of the scheme by Govt. the Responsible Authority may allow reasonable time to any owner or person to carry out or execute any works or to fulfill his obligation under the scheme.

#### 24. PENALTY

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

#### SCHEDULE

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