

PREPARATION AND SANCTION OR DETAILED DEVELOPMENT PLAN RULES.

(G.O Ms. No. 652, R.D. &L.A., dated the 8th April 1975)

No. SRO A-218/75.-In exercise of the powers conferred by b-section (2) of section 122 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby makes the following rules

RULES.

1. Short title and commencement - These rules may be called the Preparation and Sanction of Detailed Development Plan Rules.

2. Definitions - In these rules, unless the context otherwise require, -

(i) "Act" means the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 85 of 1972);

(i) "Section" means a section of the Act.

3. Publication of resolution.- (1) The resolution of a Local plan authority under sub-section (1) of section 19 of the Act deciding to prepare or adopt a development plan, which shall be called Notification No.1 containing such particulars as stated in Form No1 shall be published.

(a) in the District Gazette;

(b) in the notice board of the office of the Local plan Authority and in every local authority with in whose limit any portion of the area included in the plan is situated :and

(c) in one or more daily newspapers circulating the local planning area.

(2) The plan prepared showing the boundaries of the areas included in the plan shall be called Map No.1 and shall be drawn to a scale of not less than 1.

4. Preparation of draft Detailed Development Plan – (1)within three months from the date of publication of the notification under section 19(2) or within such further time as the Director may permit, the local planning authority shall, in consultation with the Regional Deputy Director of Town Planning prepare a draft Detailed Development plan for the area which shall be called Map No. 2.

(2) The layout plan prepared under sub-rule (1) shall be drawn to a value of not less than 1;1000or 1;2000 and shall as far as possible illustrate by means of color, letters and explanatory notes as may be permitted by the Director.

5. Contents of Detailed Development plan. - Every draft Detailed Development Plan shall, in addition to the particulars specified is section20, contain the following particulars namely,

1 (a) a layout plan showing the line of existing and proposed streets.

(b) The ownership of all lands and buildings in the area to which the plan relates.

© The area of all such lands whether public or private

(d) Full description of all details of the plan

(e) An estimate cost of the plan

(f) Regulations for enforcing or carrying out the provisions of the plan.

(g) lands belonging to State and Central Governments, local authority or authority and other quasi government,.

(h) the area in respect of which restrictions, if any, are proposed as regards.

(i) The character of buildings to be erected, whether residential, commercial, industrial and others.

(ii) The density of buildings, that is number of dwelling houses to the hectare or the minimum size of house-sites or both

(iii) Open space, recreation grounds and areas where buildings are prohibited and

(iv) Any other particulars of plans that may be specifically required by the Director.

(v) Levels taken, if any, of the area included in the draft plan and the levels of the surrounding lands.

(2) Every draft Detailed Development Plan which includes a housing scheme shall also contain the following particulars, namely

(i) The approximate number and nature of the houses to be provided.

(ii) The approximate extent of land to be acquired and the localities.

(iii) The average number of houses per hectare and

(iv) All matters incidental to the housing scheme.

6. Fulfillment of conditions – In granting permissions under section 49 of the Act, the Local Plan Authority shall ensure that the development satisfies the requirements of draft Detailed Development Plan prepared under rule 4. The Local Planning authority may allow minor and reasonable deviations from the plan with the prior approval of the Regional Deputy Director.

7. Consultation of owners – (1) As soon as the draft Detailed Development Plans has been prepared, the Local Plan Authority shall convene a meeting of owners of lands and buildings in the area covered by the proposed plan.

(2) Notice in Form 2 of every such meeting shall not less than ten days before the date of meeting,

(a) published on the notice board of the -

(i) Local Planning Authority and in every local authority within whose limit any portion of the area included in the plan is situated.

(b) also be sent to the Regional Deputy Director concerned,,

(c) subject to the provisions of the Sub-rule (3) be sent in the manner prescribed therein to all persons known or believed to have rights in any land or buildings in the area included in the proposed plan and to other person knows or believed to be affected by the said plan.

Provided that it shall not be necessary to send a notice to tenants whose lease expires within a year of the date of the Local Planning Authorities declaration of intentions to make or adopt a Detailed Development Plan. In the case of Government Land or buildings, such notice shall be served on the District Collector Concerned.

8. Re-constitution of plot- The proposals, if made in Detailed Development Plan for the reconstitution of plots the re-distribution of boundaries shall be.

(i) summarized in statement in Form No .3.

(ii) illustrated by the following subsidiary plans which shall be called Maps (A),(B) and (C) and each of which shall be on a scale not less than 1;1000 or 1;2000 or 1;4000 as the Director may permit

(a) Map A showing the original plots bearing the same numbers as Statement in Form no 3 and all existing buildings. .

(b) Map A showing the original plot and the manner in which it is proposed to alter boundaries of such plots and

(c) Plan C showing the boundaries as they will appear if the Detailed Development Plan as proposed is finally approved such plots bearing the same number as in column (7) in Form No. 3

9. Statements to be Prepared – The following statements shall be prepared.

(a) A statement in Form No 4 showing the ownership and extent of land included in the plan

(b) A statement in Form No 5 showing-

(i) the proposed new street and

(ii) the proposed widening of existing street.

(c) A statement in Form no 6 showing the lands proposed to be acquired. And

(d) A statement in Form No.7. Showing the land proposed to be reserved under clause (k) of section 20.

10. Estimate and Financing of the plan – The estimate of the cost of the Detailed Development Plan shall be prepared in form No. 8. The draft Detailed Development Plan shall be prepared in form no 8. The draft Detailed Development Plan shall state in detail the manner in which Detailed Development plan is proposed to be financed, the amount required for the plan and the time at which loans, if any, are required.

11. submission of the draft plan for the consent of Director- A copy of every draft Detailed Development plan with all its enclosures, the map prepared in connection therewith and the list of objections and suggestions received from the owners of land or building shall be sent by the Member secretary of the local planning authority to the Director through the Regional Deputy Director requesting consent for the publication of notice of preparation of Detailed Development plan, within six months of the notification under section 19(2) or within such further time as the Director may permit.

12. Consent of the Director – (1) As soon as may be after the Detailed Development Plan has been submitted to the Director through the Regional Deputy Director, but not later than one month, The director shall either give his consent to the local planning authority to the publication of notice under sub section (1) of section 27, of the preparation of detailed development or direct the local planning authority to make modification of the Detailed Development Plan as he thinks fit in the public interest .

(2) In cases when Detailed Development plan has been returned by the Director under sub-rule (1) the Local Planning Authority shall make such modifications as directed by the director within such time as the Director may permit and resubmit it through the Regional Deputy Director, Such plan shall be accompanied by a revised map incorporating the modification and correction in this map shall be called Map-3.

(3) The director shall thereupon give his consent to the Local Planning Authority for the publication of notice under sub-section (1) of section 27, of the preparation of draft Detailed Development Plan within one month on receipt of the modified plan from the Local planning authority.,

13. Publication of notice inviting objection and suggestions- Within 15 days of the receipt of the consent of the Director under rule 12 a notice in Form No.9 inviting objections and suggestions in writing from any person affected or interested in the plan within 60 days of the publication of notification shall be published.

(i) in the Tamilnadu Government Gazettee.

(ii) in one or more daily newspapers circulating in the area.

A copy of such notification shall also be sent to the Head of Departments etc mentioned in the Annexure-I.

14. Approval of the plan by the Local Planning Authority- (a)The Local Planning Authority shall, as soon as possible or within a period of one month after the expiry of the period mentioned in the notice published under rule 12, convene a meeting for considering and approving the draft Detailed Development Plan.

(b) The member secretary of the Local Planning Authority shall not less than fifteen days before the date fixed for the meeting of Local Planning Authority for considering and improving the draft Detailed Development Plan send to the Regional Director a list in the Form No 10 of all objections and suggestions received from the Regional Deputy Director before the date of meeting shall be considered by the Local Planning Authority.

(c) The collector shall verify the particulars specified in the plan and the maps and schedules sent to him as per rule 13 and offer opinion in respect of Government lands within two months,

(d) At such meeting, the Local Planning Authority shall consider the objections and suggestions received in writing and shall also hear any person including representatives of Government Departments and authorities who have made a request for being so heard. It shall have approved the plan with or without modifications as it considers proper.

15. Submission of the draft Detailed Development plan to the Director for approval.

(1) The draft Detailed Development Plan as modified with reference to the resolution passed at such meeting, shall be submitted to the Director through the Regional Deputy Director within two months and shall be accompanied by three copies of fresh plan which shall be called Map No.4 prepared with reference to the modification which the Local Planning Authority may in such resolutions have ordered. Where no modifications are required in Map No 3 the latter shall be called Map No 4 also. A copy of Detailed Development Plan as plan so modified with Map No .No 4 shall be sent separately to the Regional Deputy Director,

2(a) The fact of such submissions shall be published by a notice of Form No .11 the notice board shall also be sent to the District Collector concerned.

16. Approval of the Detailed Development Plan by the Director (1) As soon as may be but not later than two months from the receipt of Detailed Development Plan the Director may either approve the said plan or may approve it with such modifications as he may consider necessary or may return the said plan to the Local planning Authority to modify the plan or to prepare a fresh plan in accordance with such directions as he may issue in this behalf.

(2) The Local Planning Authority shall carry out such modifications and resubmit the plan within two months. A fresh map called Map No .5 be prepared embodying such modifications.

Where it is more convenient to carry out correction in Map No.4 so corrected shall also be called Map No . 5,

17. Notice of publications of the Detailed Development Plan by the Director -(1) within three months after the approval of the Detailed Development Plan by the Director , the local Planning Authority shall publish a notice in Form No 12 intimating the approval of the Development Plan

(i) in the Tamilnadu Government Gazette.

(ii) in one or more dairy newspaper circulating in the area.

(2) A copy of the notice published under sub-rule (1) shall also be published

(i) in the notice board of the Local Planning Authority and local Authority in whose jurisdiction the planning area lies.

(ii) on the notice board of the office of the Regional Deputy Director.

(iii) on the notice board of the office of the District Collector.

(3) The Detailed Development Plan shall come into operation from the date of publication of the notice referred to in sub-rule (1) above in the Tamilnadu Government Gazette.

18. Detailed development plans under sections 23 - Any notifications under section 23 of the Act, published in Tamilnadu Government Gazette shall be republished by the Local Planning Authority by notice in Form No.19.

(i) in the District Gazette concerned.

(ii) on the notice board of the Local Planning Authority ; and

(iii) in one or more daily news papers circulating in the area.

19. Rules 3 to 17 shall as far as may apply to Detailed Development Plans required to be prepared under sections 23.

20. As soon as may be after the publication of notification under sections 19 or under section 23, as the case may be, the Member Secretary of Local Planning Authority shall

(i) sign a copy of such notification specifying the date of his signature the land or lands to which it relate and the survey numbers comprised therein; and

(ii) present the copy so signed or cause it to be presented for the registration as soon as possible after such signature but in any case with the time-limit specified in Part iv of the registration Act of 1908 ,

21. Variation or revocation of a Detailed Development Plan

(1) The Director of may vary or revoke a Detailed Development Plan under sub-section (1) of section 33 and such variation or revocation shall be notified in the Tamilnadu Government Gazette.

(2) The Local Planning Authority shall within one month publish in the notification in Form No 14, issued by the Director.

(i) in one or more daily newspaper circulating in the area

(ii) in the District Gazette concerned.

(3) A copy of the notice published under sub-rule (2) shall also be published

(i) in the notice board of the Local Planning Authority and Local Authority in whose jurisdiction the planning area lies.

(ii) on the notice board of office of the Regional Deputy Director

(iii) on the notice board of the District Collector.

22. Variation or revocation of Detailed Development Plan by the Government

(1) The Government may vary or revoke a Detailed Development Plan under sub-section (3) of section 33 and any variation or revocation shall be notified in the Tamilnadu Government Gazette'

(2) Any variation or revocation of a Detailed Development Plan notified in the Tamilnadu Government Gazette shall be republished in the manner prescribed under rule 18.