

CHAPTER I

1. Short title.

These rules may be called the Gujarat Town Planning and Urban Development Rules, 1979.

2. Definitions.

- (1) In these rules, unless the context otherwise requires,-
 - (a) “Act” means the Gujarat Town Planning and Urban Development Act, 1976;
 - (b) “section” means section of the Act.
- (2) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

CHAPTER II

3. Manner of preparation of draft development plan and its submission to State Government by the Officer appointed under section 9IDH_9(2).

The authorized Officer shall prepare and submit the draft development plan after carrying out the survey of the area within the jurisdiction of the area development authority. For the purpose of carrying out survey of the area and preparation of the draft development plan the authorized Officer shall after giving 24 hours notice in writing to the owner, occupier or other person interested in the land unless such owner or occupier has given consent to such entry upon, survey, mark out such land and do all things necessary for such purposes and then proceed to prepare development plan in the manner provided in sections 10IDH_10, 11IDH_11 and 12IDH_12. After the development plan is prepared the said Officer shall submit the same to the State Government through the Chief Town Planner alongwith the particulars referred to in sub-section (2) of section 13IDH_13.

4. Use of distinguishing colours in draft development plan under section 11IDH_11.

The distinguishing colours to be used in the draft plan under section 11IDH_11 shall be as under:

| Sr. No. | Land use | Graphic symbol colour symbol. |
|---------|---|-------------------------------|
| 1. | Vacant Land (Partly built but occupied.). | White |
| 2. | Residential use. | Yellow. |
| 3. | Commercial use. | Blue. |
| 4. | Industrial use. | Violet. |
| 5. | Agricultural use. | Bluish Green. |
| 6. | Recreational use. | Green. |
| 7. | Public purpose. | Red. |
| 8. | Transport and communications. | Grey. |
| 9. | Public utilities. | Brown. |
| 10. | Reservation of land. | White with Orange Verge. |
| 11. | Waterbody. | Light Blue. |
| | | |

5. Manner of publication of draft development plan and form of notice for inviting suggestions or modifications to the draft development plan under section 13IDH_13.

- (1) The area development authority or as the case may be the authorized officer shall, as soon as may be after a draft development plan is prepared and submitted to the State Government under section 9IDH_9, cause the development plan also published by means of a notice in the Official Gazette, and in one or more Gujarati newspapers circulating within the area declared as development area.. Such notice shall as far as may be in Form A. Copies of notice shall also be pasted at the head office of the area development authority or as the case may be at the prominent place in the development area, as deem fit by the authorized officer and at other prominent places in the area declared as development area.
- (2) Every notice published under sub-rule (1) shall in pursuance of the provisions of section 13IDH_13 announce that if within two months from the date of publication of the notice in the Official Gazette any member of the public communicates in writing to the area development authority or as the case may be to the authorized officer, his objections or suggestions with respect to the development plan, the development authority or as the case may be the authorized officer shall consider such objections or suggestions and may modify such plan as it/he thinks fit.

6. *Manner in which notice for inviting suggestions or objections to modifications in the draft development plan & Regulations shall be published under section 15IDH_15 or under the proviso to sub-clause (ii) of clause (a) of sub-section (1) of section 17IDH_17.

- (1) If the modifications made by an area development authority or as the case may be by the authorized officer in the draft development plan and regulation area of an extensive or a substantial nature the said authority or as the case may be the authorized officer shall publish the modifications in the Official Gazette. These modifications shall also be published, by a notice which shall, as far as may be, be in Form B in one or more Gujarati newspapers circulating in the area covered by the draft development plan. The notice shall announce that if any objections or suggestions in respect of these modifications are received from the public within two months from the date of Publication of the modifications in the Official Gazette, they shall be considered by the area

* As per Notification No. GH/VI 25 of 1987/TPA 1284 - 1871- V dt. 22-01-87.

development authority or as the case may be by the authorized officer before finally submitting the development plan to Government for sanction.

- (2) On receipt of the draft development plan under section 16IDH_16, if the State Government is of the opinion that substantial modifications in the draft development plan and regulations are necessary, the State Government may publish the modifications so considered necessary in the Official Gazette. The State Government shall also publish these modifications by notice in one or more newspapers in the regional language circulating in the area covered by the draft development plan. The notice shall announce that if any suggestions or objections in respect of these modification are received by Government from the public within two months from the date of publication of the modifications in the Official Gazette, the State Government before according sanction to the draft development plan and the regulations, shall consider objections and suggestions so received.

7. Period within which the draft development plan and the regulations shall be sanctioned under sub-clause (I) of clause (a) of sub-section (1) of section 17IDH_17.-

- (1) The State Government may sanction the draft development plan and the regulations submitted to it under section 16IDH_16 within a period of 12 months from the date of receipt by the State Government, if no modification is proposed.
- (2) If any modifications in the draft development plan or the regulations submitted to the State Government under section 16IDH_16 are considered necessary by the State Government then the State Government may sanction the draft development plan and the regulations with modifications within a period of twenty four months from the date of receipt by the State Government .

CHAPTER III

8. Rules 3 to 7 also to apply to urban development authority.

The provision of rules 3 to 7 applicable to the area development authority shall, mutatis mutandis to apply the urban development authority.

CHAPTER IV

9. Form of application for development permission under section 27IDH_27 and 49IDH_49.

An application for permission for development shall so far as may be, be in Form C.

10. Form of permission to be granted under sections 29IDH_29 and 49IDH_49.

The permission to be granted under section 29IDH_29 and 49IDH_49 shall be in Form D.

11. Manner of making inquiry under sections 29IDH_29, 34IDH_34 and 49IDH_49.

- (1) For the purpose of making an inquiry under sub-section (5) of section 29IDH_29, sub-section (4) of section 34IDH_34 and clause (d) of sub-section (1) of section 49IDH_49 (hereinafter referred to as the aforesaid provisions) the appropriate authority or as the case may be Authorized Officer shall serve a notice in writing upon the person contravening any of the aforesaid provisions calling upon him,-
 - (a) to remove, pull down or alter the building or other work;
 - (b) to stop any development work being carried on by him;
 - (c) to discontinue the use of the property or part of the property;
 - (d) to restore the land to its original condition as the case may be.
- (2) The notice under sub-rule (1) shall as far as may be, be in Form EIDR_FORME.
- (3) The appropriate development authority if it considers expedient to do so may appoint a Committee of not less than three of its members to hear such cases.
- (4) Any representation which may be made by or on behalf of the person served with the notice on the date specified under sub-rule (1) or which may be received on or before such date shall be considered. Minutes shall be kept of the inquiry so held and the decision arrived at in such inquiry shall be reduced to writing together with reasons for the same. Reasons for the decision shall be signed by all persons giving such decision.

12. Time and manner in which compensation shall be claimed under sub-section (2) of section 33IDH_33.

- (1) The claim for compensation under sub-section (2) of section 33IDH_33 shall be made within a period of one month from the date on which the permission granted under section 29IDH_29, is revoked or modified by the appropriate authority or as the case may be, by the authorized Officer under sub-section (1) of section 33IDH_33. The owner shall file his claim of compensation in writing with sufficient documentary evidence to prove that the expenditure incurred by him in carrying out any development in accordance with the permission granted has been rendered abortive by revocation or modification of such permission. The appropriate authority shall give the owner reasonable opportunity of being heard before finally assessing the amount of compensation.
- (2) If the owner does not accept the compensation fixed by the appropriate authority under sub-section (2) of the section 33IDH_33 he may give a notice to the appropriate authority or as the case may be to the authorized officer within fifteen days from the date of the order by which the compensation is communicated to him stating that he refuses to accept the compensation.

13. Layout Plan.

The layout plan under sub-section (1) of section 34IDH_34 shall be submitted in triplicate on a scale not smaller than 1/500 and shall include therein such of the following particulars as may be relevant to the layout, namely :-

- (i) sub-divisions of the plot.
 - (ii) site plan showing the existing access to the land included in the layout plan and the surrounding lands;
 - (iii) the dimensions and area of each of the proposed sub-division,
 - (iv) Widths of the proposed streets;
 - (v) dimensions and area of open space provided for in the layout plan,
 - (vi) use of the plot proposed to be made by him.
- (2) The appropriate authority or the authorized officer to whom the plan under sub-section (1) of section 34IDH_34 is submitted may sanction the plan or refuse to sanction the plan as far as practicable within a period of two months and in any case not later than six months.

14. Manner of making an application for withdrawal of notice under sub-section (3) of section 36IDH_36.-

The application under sub-section (3) of section 36IDH_36 shall contain sufficient reasons substantiated by documentary evidence as to why the notice under sub-section (1) of the said section 36IDH_36 should be withdrawn.

15. Documents and plans to be given under sub-section (1) of section 39IDH_39.

The documents and plans to be accompanied with the intimation for carrying out any development work under sub-section (1) of section 39IDH_39 shall be as follows :-

- (1) An official letter of the Government department addressed to the appropriate authority or as the case may be to the authorized officer seeking the permission for carrying out the development work or any operational construction with full particulars thereof.
- (2) Building plan for the proposed development work to a scale of not less than 1/100.
- (3) Plans showing complete details of the operational construction as defined under clause (xvii) of section 2IDH_2 such as detailed alignments, layouts, locations, and such other matters with measurements.
- (4) Statement indicating the use of land proposed to be made by the Government department by carrying out the development work.
- (5) The proposals of the draft development plan, final development plan or Town Planning Scheme affecting the land :

Provided that in the case of works proposed to be undertaken by the local military authority of the Defence Ministry, the provisions of clauses (2) and (3) shall not apply and such authority shall be required to submit the layout plan of such works.

CHAPTER V

16. Publication of declaration under section 41IDH_41.

- (1) The declaration under sub-section (1) of section 41IDH_41 shall be published in the Official Gazette and shall also be published by means of an advertisement in one or more Gujarati newspapers circulating within the jurisdiction of the appropriate authority. The appropriate authority shall cause copies of such advertisement to be pasted in the prominent places in or near the area included in the scheme and at the head office of the appropriate authority.
- (2) Every advertisement published under sub-rule (1) shall contain the resolution of the appropriate authority in respect of the declaration under section 41IDH_41 and shall announce that a copy of the plan of the area proposed to be included in the town planning scheme and the surrounding lands is kept open for inspection of the public at the head office of the appropriate authority during office hours.

17. Meeting of owners and framing of tentative proposals.

For the purpose of making the draft scheme under section 42IDH_42 the appropriate authority shall call a meeting or meetings of the owners of the lands included in a town planning scheme by a public notice as well as by individual notice to every owner whose address is known to the appropriate authority and explain in such meeting the tentative proposals of the draft scheme for eliciting public opinion and suggestions on the said proposals. The appropriate authority may take into consideration all such suggestions made and objections raised on the proposals for making the draft scheme under section 42IDH_42.

18. Publication of draft scheme under section 42IDH_42.

- (1) The draft scheme under section 42IDH_42 shall be published by means of an advertisement in the Official Gazette and shall also be published in one or more Gujarati newspapers circulating within the area of the appropriate authority. The appropriate authority shall also cause copies of such advertisement to be pasted at the head office of the appropriate authority and at other prominent places in or near the area included in the draft scheme. The advertisement shall state that a copy of the scheme is open for public inspection at the head office of the appropriate authority during office hours.
- (2) Every advertisement published under sub-rule (1) shall announce that if within one month from the date of publication of the draft scheme in the Official Gazette any person affected by such scheme communicate in writing to the appropriate authority any objection relating to such scheme, the appropriate

authority shall consider such objections before submitting the draft scheme to State Government under section 48IDH_48.

19. Rule 18 to apply to publication of draft scheme made by an officer appointed by the State Government.

The provision of rule 18IDR_18 regarding the publication of the draft scheme by the appropriate authority shall mutatis mutandis apply to the publication of a draft scheme to be made by an officer under sub-section (2) of section 42IDH_42.

20. Manner of publication of draft scheme under section 43.

On the publication of the notification under sub-section (1) of section 43IDH_43, the appropriate authority shall make and publish a draft scheme in the manner provided in rule 18IDR_18.

21. *Other particulars of draft scheme under section 44IDH_44(h).

The draft scheme under section 44IDH_44 shall contain the following particulars in addition to the particulars specified in clauses (a) to (g) of section 44, namely-

- (i) An index map on a scale not smaller than one Cm. to seventy five Mts. Showing :
 - (a) The area included in the scheme and the surroundings within reasonable limit on all sides of such area; and
 - (b) all existing roads and means of communications of every kind.
- (ii) A plan on a scale not smaller than one Cm. to twenty five Mts. showing the original plots with identification numbers and all existing buildings.
- (iii) A plan on a scale not smaller than one Cm. to twenty five Mts. showing both the original plots and the manner in which it is proposed to alter the boundaries of the original plots.
- (iv) A plan on a scale not smaller than one Cm. to twenty five Mts., showing the boundaries of the plots as they will appear after the final scheme is executed, with their numbers and illustrating as far as possible by means of colours,

* As per Notification No. GH/VI 25 of 1987/TPA 1284 - 1871- V dt. 22-01-87.

letters and explanatory notes or in some other convenient manner all such provisions of the scheme as may properly be illustrated in the plan.

- (v) A redistribution and valuation statement in Form F showing the estimated amounts to be paid to or by each of the owners included in the scheme.
- (vi) A copy of the estimates of all works contemplated in the scheme and a statement of the approximate dates by which the respective works are expected to be completed, such approximate dates being correct to within six months and binding on the appropriate authority.
- (iii) A statement in Form G explaining the estimated financial expenditure of the scheme.
- (iv) Regulations for the control of development within the scheme area.

22. Manner and method of compensation payable under section 45IDH_45.

- (1) The compensation payable under section 45IDH_45 shall be difference between the value of the property (inclusive of structures) on the basis of the existing use and that on the basis of permitted use both values being determined as on the date of declaration of intention to prepare the scheme.
- (2) In making the valuation on the basis of permitted use, allowance shall be made for the expenses that may have to be incurred in so converting the existing structures as to make them suitable for permitted use.
- (3) In case provision is made for continuance of the existing use for a number of years taking into consideration the future life of the structure the compensation payable shall be limited to the present value of the standing structure less value of the materials at the end of such period.
- (4) The compensation payable under this rule shall be paid in the same manner as any other compensation under the Act.

23. Inquiry procedure where ownership is disputed.

- (1) The Officer appointed to hold an inquiry under section 46IDH_46 shall while the inquiry is proceeding, record a minute of the proceedings including the material averments, made by the parties interested, the material parts of the evidence, the decision and the reasons for the decision.

- (2) Such inquiry shall be held in public and a notice of the proposed inquiry shall be given to all the parties concerned fifteen days before the commencement of the inquiry.

24. Appointment of town planning officer possessing prescribed qualifications under section 50IDH_50.

- (1) A person to be appointed as a Town Planning officer shall be one who holds or has held a post of Assistant Town Planner in the Town Planning and Valuation Department and has at least 5 years experience in Town Planning and Valuation or a post higher in rank than that of post in the Town Planning and Valuation Department and has at least 3 years' experience in Town Planning and Valuation;
- (2) The appointment of Town Planning Officer shall be made by an order, a copy of which shall be forwarded to the concerned appropriate authority. The appropriate authority shall immediately affix such order on the notice board of the office and also at prominent places within the area of the jurisdiction of the appropriate authority.

25. Assistance by the appropriate authority.

The appropriate authority shall render all reasonable assistance to the Town Planning Officer and shall allow him to examine freely all papers, documents and plan connected with the scheme.

26. Procedure to be followed by Town Planning officer under section 51IDH_51 and under sub-section (1) of section 52IDH_52.

- (1) For the purpose of preparing the preliminary scheme and final scheme the Town Planning Officer shall give notice in Form H of the date on which he will commence his duties and shall state therein the time, as provided in Rule 37IDR_37 within which the owner of any property or right which is injuriously affected by the making of a Town Planning Scheme shall be entitled under section 82IDH_82 to make a claim before him. Such notice shall be published in the Official Gazette and in one or more Gujarati newspapers circulating within the area of the appropriate authority and shall be pasted in prominent places at or near the areas comprised in the scheme and at the office of the Town Planning Officer.
- (2) The Town Planning Officer shall after the date fixed in the notice given under sub-rule (1), continue to carry on his duties as far as possible on working days and during working hours.

- (3) The Town Planning Officer shall, before proceeding to deal with the matters specified in section 52IDH_52, publish a notice in Form H in the Official Gazette and in one or more Gujarati newspapers circulating within the area of the appropriate authority. Such notice shall specify the matters which are proposed to be decided by the Town Planning Officer and State that all persons who are interested in the plots or are affected by any of the matters specified in the notice shall communicate in writing their objections to the Town Planning Officer within a period of twenty days from the publication of notice in the Official Gazette. Such notice shall also be pasted at the office of the Town Planning Officer and of the appropriate authority and the substance of such notice shall be pasted at convenient places in the said locality.
- (4) The Town Planning Officer shall give every person interested in any land affected by any particular of the scheme sufficient opportunity of stating their views and shall not give any decision till he has duly considered their representations if any.
- (5) If during the proceedings, it appears to the Town Planning Officer that there are conflicting claims or any difference of opinion with regard to any part of the scheme, the town Planning Officer shall record a brief minute in his own hand setting out the points at issue and the necessary particulars, and shall give a decision with the reasons therefore. All such minutes shall be appended to the scheme.
- (6) The Town Planning Officer shall record and enter in the scheme every decision given by him. The calculations and estimates shall be set out and recorded in Form FIDR_FORMF, Form GIDR_FORMG and in other statements as may be prepared by the Town Planning Officer.
- (7) The scheme as drawn up by the town Planning Officer shall include particulars specified in rule 21IDR_21 read with section 52IDH_52.
- (8) The component parts of the scheme shall be so arranged that they may be readily referred to in connection with the map and plans.
- (9) The Town Planning Officer shall publish the scheme drawn up by him by notification in the Official Gazette in Form I and also by means of an advertisement in one or more local newspapers announcing that the scheme shall be open for the inspection of the public during office hours at his office and communicate forthwith the decisions taken by him in respect of each plot to the owner or person interested, by the issue of the requisite extract from the scheme in Form J and Form K as the case may be. The Town Planning Officer shall also inform the President of the Board of Appeal about the publication of final scheme.

27. Manner of drawing of preliminary scheme and final scheme under Section 52IDH_52.

The preliminary scheme drawn up by the Town Planning Officer shall contain relevant plans and forms with details referred to in rule 21IDR_21 and the decisions recorded by the Town Planning Officer under sub-section (1) of section 52IDH_52. The final scheme drawn up by the Town Planning Officer shall contain all plans of the preliminary scheme, forms, regulations for control of development and decisions recorded by the Town Planning Officer under sub-section (3) of section 52IDH_52.

28. Constitution of Board of Appeal.

- (1) As soon as the Board of Appeal is constituted under section 55IDH_55 same shall be notified in the Official Gazette by the President of the Board of Appeal within one month of the date on which the President receives information from the Town Planning Officer regarding the Publication of the final scheme and shall be communicated to the appropriate authority concerned. The appropriate authority concerned shall give publicity to the constitution of the Board of Appeal by pasting up copy of notification at its office and in some prominent places within the jurisdiction of the appropriate authority.
- (2) Out of the two Assessors appointed on Board of Appeal one assess or shall be a person who possesses a degree in Civil Engineering or Architecture or degree or diploma in city town planning or regional planning or valuation of a recognized University or institution or a membership obtained by examination of Institute of Town Planners of India and has about five years experience in town planning valuation and the other assessor shall be a person who possesses a degree of law of a recognized university and has practiced for five years as an advocate or has worked in the capacity of a legal adviser in a reputed firm or in the office of a local authority or a Government office for five years.

29. Procedure of the Board of Appeal for deciding Appeals.-

- (1) No business shall be transacted by the Board of Appeal unless all the members are present.
- (2) Where any member of the Board ceases to act the Board shall proceed with any business in hand as soon as a new member is appointed under sub-section (4) of section 55IDH_55 and it shall not be necessary to transact any business de-novo by reason of such change in the constitution of the Board.
- (3) The Board shall record their decisions in writing in any case where the proposal of the Town Planning Officer under clause (iii), (iv),(vi),(vii),(viii) and (x) of sub-section (3) of section 52IDH_52 are modified varied or rejected by them.

- (4) On receipt of a copy of appeal presented to under section 54IDH_54, the Board of appeal shall give such notice as it deems sufficient to the parties concerned.
- (5) The Board shall meet and adjourn as it thinks proper with due regard to the dispatch of business, but shall decide all appeals received within a period of 12 months from the date of constitution of the Board of Appeal.

30. Submission of final scheme by the Town planning officer to State Government for sanction under section 62IDH_62.

The Town Planning Officer shall submit the final scheme to the State Government for sanction after making necessary variation in accordance with the decision of the Board of Appeal within four months from the date of receipt of the decision of the Board of Appeal.

31. Publicity of notification under section 65IDH_65.

The notification published under section 65IDH_65 shall be given publicity also by means of an advertisement in one or more Gujarati newspapers circulating within the jurisdiction of the appropriate authority concerned and by posting copies of the advertisement in or near the area included in the scheme and at the office of the appropriate authority.

32. Appropriate authority concerned to forward copy of Preliminary scheme and final scheme.

When a scheme is sanctioned by the State Government under sub-section (1) of section 65IDH_65, the appropriate authority concerned shall without delay forward a copy of the scheme to the Superintendent of Land Records of the Region for the purpose of correcting the survey records.

33. Procedure for eviction under Section 68IDH_68.

- (1) For eviction under section 68IDH_68, the appropriate authority shall follow the following procedure viz. -
 - (a) The appropriate authority shall in the first instance serve a notice upon a person to be evicted requiring him, within such reasonable time as may be specified in the notice, to vacate the land.

- (b) If the person to be evicted fails to comply with the requirement of the notice, the appropriate authority shall depute any Officer or Servant to remove him.
- (c) If the person to be evicted resists or obstructs the Officer or Servant deputed under clause (b) or if he re-occupies the land after eviction, the appropriate authority shall prosecute him under section 188 of the Indian Penal Code.

34. Notice before Enforcement of Scheme.

Before removing, pulling down or altering any building or other work, under sub-section (1) of section 69IDH_69, the appropriate authority shall serve a notice on the owner or occupier of the building or work, as the case may be, calling upon him to remove, pull down or alter such building or work or execute such work within such reasonable time as may be specified in the notice intimating him the intention of the appropriate authority to do so on failure to comply with the requirement of the notice. Such notice shall as far as may be, be in Form L.

35. Variation of Scheme.

- (1) The appropriate authority making an application for the variation of a scheme under sub-section (1) of section 70IDH_70 shall state in such application all the particulars in respect of the variation to be made.
- (2) If such variation affects any of the items of Form FIDR_FORMF or Form GIDR_FORMG an extract from Form F and a revised statement in Form G, together with a plan showing the change or changes proposed to be made, shall be sent in duplicate along with the application made under sub-rule (1).
- (3) The publication of the draft variation under sub-section (2) of section 70IDH_70 shall be made by means of a Notification published in the Official Gazette and in one or more Gujarati newspapers circulating within the jurisdiction of the appropriate authority. Such Notification shall also state that any person affected by the draft variation may communicate in writing any objection to such variation to the State Government *through the collector* and that the draft variation shall be open to the inspection of the public at the office of the appropriate authority during Office hours. The State Government shall also supply the appropriate authority with such number of copies of the Notification, not exceeding fifteen as the appropriate authority in prominent places within the area affected by the scheme and more particularly within the areas affected by the draft variation.

* As per Notification dated 22-01-87.

- (4) When a variation is made under sub-section (6) of section 70IDH_70 the Town Planning Officer, and where no Town Planning Officer is appointed, the Collector shall, as soon as may be, forward a copy of such variation to the Superintendent of Land Records, who shall correct the Survey Record affected by the variation.

36. Manner of publication of variation in “Scheme regulation” under section 72IDH_72 (a)

- (1) The appropriate authority before making variation in regulations of final scheme under section 72IDH_72 shall publish the notification containing the proposed variations in the Official Gazette. Such notification shall state that the appropriate authority has prepared draft amendment in the Scheme regulations and that the same are kept open for public inspection at the Office of the appropriate authority during Office hours on working days inviting the persons affected by the draft amendment and the plot owners in the scheme area to file their suggestions and objections on the draft amendment within a period of one month from the date of publication of Notification in Government Gazette. The appropriate authority shall also publish such notification in one or more Local newspapers published in regional language and circulating within the area of the appropriate authority.
- (2) The State Government may sanction with or without modification the draft amendments in Scheme regulations under clause (d) of section 72IDH_72 within a period of two months from the date of receipt of the draft amendment with application from the appropriate authority for sanction.

CHAPTER VI

37. Period within which compensation may be claimed.

The claim under section 82IDH_82 shall be made within three months from the date fixed in the notice given under sub-rule (1) of rule 26IDR_26.

38. Time limit for payment under sub-section (2) of section 85IDH_85.

The owner of a plot shall make payment under section 85IDH_85 within a period or three months from the date on which the owner is directed by the Town Planning Officer to make payment.

39. Temporary borrowing by the appropriate authority.

The appropriate authority may for the purpose of (a) meeting expenditure debitable to capital account and (b) for re-paying any loan previously taken under this Act properly chargeable to revenue, borrow by way of temporary loan or overdraft from any bank or otherwise, such sums as it may require, on such terms and conditions as the appropriate authority thinks fit. The amount so borrowed together with the interest thereon shall be repaid from the current account within a period of twelve months from the date of the temporary borrowing ; or such extended period as State Government may allow.

40. Manner of issuing Securities.

Every bond, obligation ; debenture or other Security issued by the appropriate authority for raising money or for securing money borrowed by or due from the appropriate authority shall be by deed under the common seal of the appropriate authority and signed autographically by the Chief Executive Authority of the appropriate authority or any other officer authorized by the appropriate authority in that behalf.

41. Register of Securities to be kept.

The appropriate authority shall keep a register of bonds, debentures and other securities in prescribed Form M.

42. Instructions which may be issued for transfer of Securities.

The appropriate authority may from time to time issue instructions for controlling the transfers of any bond, debenture or other security as it may deem expedient provided that no such instructions affect the holder or transferee of any bond, debenture or other security unless distinct notice of such instructions shall appear thereon.

43. Assigning or conveying property of the appropriate authority for certain purpose.

The appropriate authority may for the purpose of securing the payment of any such bonds, debentures or other securities as aforesaid or the payment with interest of any money so borrowed as aforesaid, or payable under any contract or otherwise make and carry into effect any arrangement which an appropriate authority may deem expedient by assigning or conveying any property of an appropriate authority including its revenues, to trustees.

44. Debentures ordinarily payable to bearer.

Unless otherwise resolved by the appropriate authority in general meeting, any debentures which may be issued by such appropriate authority may be so framed that the principal money and interest thereby secured shall be payable to the bearer and free from any equities between such appropriate authority and the persons to whom the same may be issued.

45. Particulars of borrowing on guarantee to be furnished.

Where the appropriate authority proposes to borrow money on the guarantee of the State Government the appropriate authority shall furnish to the State Government all such particulars of the amount, purpose, nature and circumstances of the proposed borrowings and the amount of outstanding loans and such other information as the State Government may require.

46. Saving for the State Government.

No Security shall be issued or granted as a security in respect of which the payment of the principal and interest is guaranteed by the State Government, until the amount, price, rate of interest, date and method of issue of such security, the arrangement for the application of the proceeds of the issue and for repayment of the proceeds have been previously approved by the State Government and no variation of any such arrangements shall be made without the like approval of the State Government.

47. Budget and Programme of work under section 94IDH_94.

- (1) The appropriate authority shall submit to the State Government for approval before 1st day of February of each year the annual Financial Statement and programme of work, in triplicate for the succeeding financial year.
- (2) The annual financial statement and the supplementary financial statement, if any, shall be in Form N and the Programme of work in Form O.

- (3) The Annual financial statement shall be accompanied by statement of honoraria and salaries and allowances of members, officers and servants of an appropriate authority in Form P.
- (4) The appropriate authority shall forward to the State Government with its programme of work a note giving history and description of each work or project including interalia the progress made, expenditure incurred, and receipts accrued in the previous year in respect of continuing work or projects. The note shall, in particular, bring out the financial implications of each work or project.

48. Maintaining of Accounts.

The annual statement of accounts including balance sheet of an appropriate authority under sub-section (1) of section 95IDH_95 shall be in Form Q.

49. Annual Report and Other returns.

- (1) The appropriate authority shall within three months of the date of closing of each year submit Annual Report to the State Government.
- (2) The report shall contain interalia particulars regarding the –
 - (a) Programme of work for the year under report.
 - (b) Progress of work during the year with particular reference to the –
 - (i) Land acquired;
 - (ii) Development carried out;
 - (iii) Amenities provided;
 - (iv) Town Planning Schemes Prepared;
 - (v) Development Plans Prepared;
 - (vi) Details of any other activities entrusted to and undertaken by the appropriate authority in accordance with the Act.
 - (c) Finances of the appropriate authority.
 - (d) Changes, if any, in the constitution of the appropriate authority.
 - (e) The staff of the appropriate authority for the head quarters work and field work project-wise and scheme-wise.
 - (f) Directions given by the State Government to the appropriate authority and their compliance.

- (3) The appropriate authority shall also submit to the State Government by the 1st November of each year a progress report based on its working and accounts of the first six months of the year.

CHAPTER VII

50. Publication of Notification for levy of Development Charges under section 99IDH_99.

- (1) The notification regarding levy of development charge under section 99 shall be published by the appropriate authority in Official Gazette as well as in one or more Gujarati newspapers in regional language circulating within the area of the appropriate authority. Notice giving the extract of the Notification showing the rate of development charge for different area and for different uses as approved by the State Government shall be affixed on the Notice Board of the appropriate authority alongwith a Plan of the area showing boundaries of different areas and uses for which different development charge may have been approved by the State Government.
- (2) Before submitting a proposal to the State Government for giving sanction to the levy of development charge in the area, the appropriate authority shall prepare a draft proposal giving rates of development charge for different area and for different use and publish the draft proposal in the Official Gazette by notification as well as by an advertisement in one or more local newspapers in regional language circulating in the area of the appropriate authority inviting general public to give their suggestions and objections on the draft proposal ,
* within 3 months from the date of publication of draft proposal in the office of Gazette*
- (3) The notice regarding draft proposal to levy development charge shall also be affixed on the notice board of the appropriate authority and at prominent places in the area of the appropriate authority.
- (4) The draft proposal to levy the development charge shall show the grounds and reasons for working out the various rates of development charge for different areas and uses.
- (5) After considering the suggestions and objections that may be received on publication of the draft proposal under sub-rule (2) on merits and after giving individual hearing to all where any application is made in this regards, the appropriate authority shall submit the proposal to levy development charge to the State Government for sanction.
- (6) The proposal shall be submitted to the State Government for sanction alongwith all suggestions and objection applications that may have been received by the appropriate authority and the minutes of the personal hearing that may have been conducted at the request of any individual. While applying for the State Government sanction to the levy of development charge, the

* As per Notification dated 22-01-87.

appropriate authority shall substantiate the proposal with statements, plans estimates, development works likely to be undertaken in the area etc.

51. Assessment and recovery of development charges under section 101IDH_101.

- (1) If before the notification for levy of development charge is issued under section 99, any person has commenced the carrying out of any development work or has carried out such development or instituted or changed use of any land or building for which permission is required under this Act, he shall within three months from the date of publication of notification in Official Gazette make application to the appropriate authority for the assessment of development charge. In other cases i.e. in cases where development work or change in use of any land or building is to be undertaken after the publication of the notification in the Official Gazette, application for assessment of development charge shall be made prior to 3 months before undertaking the work alongwith the application for permission for such work.
- (2) The application shall be accompanied by plan giving the boundary of the plot or land, its area, its plot No. or S.No, name of Town Planning Scheme or name of village to which the plot No. or S. No. belongs detail building plan of the construction with floor area of each floor, if any construction is proposed, for assessment of development charge,
- (3) Before deciding the development charge the applicant shall be given an opportunity to explain his scheme and explain various plans and documents that may be submitted by him.
- (4) After giving sufficient opportunity to the applicant, and after considering the representation that may be received, the development charge shall be assessed and communicated to the applicant as early as possible.

52. Making of appeal under section 103IDH_103.

- (1) Appeal on the order of the appropriate authority for assessment of development charge shall give reasons of appeal and it shall accompany with required documents, plans, evidence, etc., in support of the various statements that may be made in the Appeal.
- (2) Only those appeals which are received within the period prescribed under sub-section (1) of section 103IDH_103 shall be accepted and registered while the rest of the appeals shall not be registered unless genuine and satisfactory reasons are given in the appeal for filing the appeal late after the expiry of prescribed period.
- (3) Separate appeal for each plot or Sr. No. shall be filed and it shall be accompanied by fee, on the basis of Rs.5 for every Rs.100 but not exceeding Rs.250 in any case.

- (4) Form of Securities that may be furnished for payment of development charge under sub-section (5) of section 103IDH_103 shall be free from any encumbrance and they shall not be subject to any mortgage, attachment etc. Such securities shall be easily realisable and shall be of value not less than the total amount of development charge assessed.
- (5) Amount of development charge levied on each plot or S.No. shall be the first charge on the plot or land and shall be realised on default of payment in the manner as available for recovery of land revenue.
- (6) The appropriate authority shall take steps to implement the decision of the Tribunal by
 - (i) recovering amount of development charge as fixed by the Tribunal.
 - (ii) by making fresh assessment if the Tribunal has so directed; or
 - (iii) by implementing any other order passed by the Tribunal in the matter.

CHAPTER VIII

53. Documents etc. to be accessible.

- (1) Documents, plans and maps relating to a finally sanctioned scheme (preliminary as well as final) shall be kept open for public inspection at the head office of the appropriate authority at any time during office hours of the appropriate authority for a period of six months from the date of the Official Gazette in which the sanction was published.
- (2) All Town Planning Schemes (Preliminary and Final) finally sanctioned by Government shall be lodged with the Town Planning and Valuation Department on the expiry of the period mentioned in sub-rule (1).
- (3) The head of Town Planning and Valuation Department may, on an application of an owner of any plot included in the scheme so sanctioned, issue a certificate in Form R specifying the area and boundaries of a Final plot, the nature of the tenure of land of the owner's title to such a plot and the name of the person to whom the plot has been allotted under the scheme.

FORM-A

(See rule 51DR_5)

Area Development Authority

Urban Development Authority

Authorized officer

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT, 1976

NO. :-WHEREAS the

Area Development Authority

Urban Development Authority has

Authorized Officer

Prepared and submitted a draft development plan described in the schedule hereto annexed for the area known as.....to the State Government under section 9 of the Gujarat Town Planning and Urban Development Act, 1976 (hereinafter referred to as “the said Act”);

NOW, THEREFORE, in pursuance of sub-section (1) of section 13 of the said Act the Authority/Authorized officer hereby gives notice that any objections and suggestions which may be received from any person with respect to the draft development plan within a period of two months from the date of its publication in the Official Gazette shall be considered by the Authority/Authorized Officer.

SCHEDULE

(Draft development plan and particulars under sub-section (2) of section 13)

Area/Urban Development Authority

Authorized Officer

FORM B

(See rule 6IDR_6)

Area Development Authority

Urban Development Authority

Authorized Officer

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT ,1976.

No. :-WHEREAS the

Area Development Authority

Urban Development Authority has

Authorized Officer

prepared and submitted a draft development plan to the State Government for the area known as.....and published the same in Part.....of the Gujarat Government Gazette dated the.....at page..... ,and notice of which was also given in the Gujarati News papers dated the

AND WHEREAS objections and suggestions received have been considered by the Area/Urban Development Authority/Authorized Officer.

AND WHEREAS after considering the objections and suggestions it is proposed to make modifications as specified in the Schedule annexed hereto;

AND WHEREAS the proposed modifications are of extensive or of substantial nature;

NOW, THEREFORE, in pursuance of section 15IDH_15 of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No. 27 of 1976) the Authority/Authorized Officer hereby gives the notice that any objections or suggestions which may be received from any person with respect to the said modifications within a period of two months from the date of publication of this notice shall be considered by Government.

SCHEDULE

(Here the appropriate authority or the authorized Officer may state the details regarding modifications of draft development plan and modifications of particulars).

Area/Urban Development Authority

Authorized Officer

FORM –C

(See Rule 9IDR_9)

Gujarat Town Planning and Urban Development Act, 1976.

Application for permission under Section 27IDH_27 and 49IDH_49

To,
The Chief Executive Authority/Authorized Officer,
Area/Urban Development Authority.

I/We here by apply for permission for development as described in the accompanying maps and drawings.

Signature :

Date :

1. Applicants' name
2. Postal Address
3. Applicant's interest in land with record of rights.
4. Description of land, Revenue village, Town Planning Scheme, Survey Number, Final Plot No.
5. What is the present use of the land and or the building. If they are to be put to more than one kind of use, please give details of each use.
6. Please describe in short the development work stating the proposed use of land and for the building. If land and/or the building are to be put to more than one use, please give details of each use.
7. Is this land included in a layout sanctioned by the appropriate authority? If yes, please give date of sanction and reference. No, with a copy of the sanctioned layout. If not, is it approved by any other Authority?

Give the name of such an Authority with date of sanction and reference number with a copy of the sanctioned layout.

8. For residential use, number of dwelling units and floor area on each floor.
9. Nature and manner of working of Industrial and Commercial establishment in case the proposed use is for industry/commerce.

What separate arrangements have been proposed to be made for loading and unloading of goods from the industrial or commercial goods vehicles.

What arrangements have been proposed to be made for disposal of industrial waste effluent.

Instructions to applicants regarding maps and documents to be submitted alongwith the application :-

The maps and drawings should be drawn or copies on a paper of proper and durable quality so that they are clearly and distinctly legible; every map and /or drawing shall have to be signed by the applicant and his Engineer/Surveyor. If copies of original maps or drawings are submitted they shall be true copies.

Layout Plan (Three copies)

Layout plan of the whole lands shall invariably accompany every application for permission to carry out development by way of building construction.

This map shall be drawn to a scale of not less than 1 c.m.=5 meters and show the following details :-

1. Boundaries of the S. No./Plots mentioned in the application and its layout by forming sub-divisions.
2. Existing buildings and new buildings proposed to be constructed roads, streets, and carriage ways constructed thereon (existing construction should be shown distinctly from the proposed one), proposed new roads, and streets, their levels and width.
3. Proposed use of every building and open space not to be built over within a plot.

4. If the layout is for residential use maximum number of dwelling units that can be accommodated without any increase in future.
5. If the layout is for industrial or commercial use maximum area which can be built upon without any increase in future.
6. Existing facilities regarding water supply, sewerage, etc. diameter and gradient of water supply line, drainage, lines for the disposal of storm water as well as for sewerage.
7. Location of the plot in relation to the nearby public road.
8. Alignment and width of all the existing roads, including the road from which the plot has access from the major road. Existing access road and proposed new access road, if any, should be shown clearly and distinctly.
- 9 Existing trees and natural scenery worth preserving.
- 10 Drawings (2 copies) to a scale not less than 1 cm.=1 meter for the buildings existing as well as proposed with floor area for each floor.

FORM-D

(See rule 10IDR_10)

Permission for Development.

Permission is hereby granted/refused under section 29IDH_29(1)(i) 29(1)(ii) 29(1)(iii) or 49IDH_49 (1)(b) of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No. 27 of 1976.)

to*

to**

on the following conditions/grounds.

Chief Executive Authority/
Authorized Officer/
Area/Urban Development Authority.

FORM-E

(See rule 11IDR_11)

To,
Shri/Shrimati/Kumari*.....

Residing at.....at Room No.....

Taluka.....District.....

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT, 1976.

WHEREAS I the undersigned have reason to believe.

- @(i) that you have carried out/are carrying on development work or you have retained the use of the building in respect of the premises described in the Schedule annexed hereto etc. in contravention of section 27IDH_27 or section 28 IDH_28 or a permission granted under sub-section (1) of section 29 IDH_29;
- @(ii) that have you done the work in respect of the premises described in the Schedule appended hereto in contravention of sub-section (1) of section 34 IDH_34 or in contravention of the modifications and conditions of sanction given under sub-section (2) of section 34 by
No.....dated.....
- (iii) that you have contravened the provisions of clause (a) or of a condition imposed under clause (b) of sub-section (1) of section 49 IDH_49 in respect of the premises described in the Schedule appended hereto;

NOW, THEREFORE, in pursuance of the provisions of sub-section (5) of section 29 IDH_29/ or sub-section (4) of section 34/or clause (d) of sub-section (1) of section 49 IDH_49 of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No. 27 of 1976):-

- (1) You are hereby called upon,-
- (a) to remove, pool down or alter the building or other work;
 - (b) to stop any development work being carried on by you.
 - (c) to discontinue the use of the property or part of the property.
- OR
- (d) to restore the land to its original conditions as the case may be within a period of

seven days from the date of receipt of this notice.

(2) You are hereby further informed that,-

- (i) if you fail to ,-
 - (a) remove, pull down or alter the building or other work ;
 - (b) to stop any development work being carried on by you ;
 - (c) to discontinue the use of the property or part of the property ;
 - (d) to restore the land to its original conditions as the case may be ;

OR

- (ii) If you fail to show cause as to why the proposed order should not be made the appropriate authority shall,-
 - (a) remove, pull down or alter the building or other work ;
 - (b) stop any development work being carried on by you ;
 - (c) discontinue the use of the property or part of the property ; or
 - (d) restore the land to its original conditions as the case may be.

SCHEDULE
(Description of Work)

Signature of the authorized Officer/
Area/Urban Development Authority.

FORM-G

(See rule 21 IDR_21 & 35 IDR_35)

Finance of Town Planning Scheme No.....

of the * Rs.
Date

Expenses under section 40 IDH_40(3) (b), (c),(d),(f),(g) and (h)

Other Expenses.*

Expenses shown in the redistribution and Valuation Statement (total of column 11 of Form 'F').

Cost of publication under section 41 IDH_41(2) and under section 42 IDH_42(1) or (2) Rules 16 to 18.

Compensation under section 49 IDH_49(2) Legal expenses under section 77 IDH_77(1)(e) compensation under section 82 IDH_82.

Cost of demarcation, salaries of Town Planning officer and Board of Appeal and their staff and other expenses under section 61 IDH_61(2).

(a) Total.....
Total of increments (Col.12 of Form F). Rs.
Proportion of increment to be contributed by each holder (Section 79).....percent.
Rs.

(b) Total of the contribution under section 79 IDH_79.
Rs.....

NET COST of Scheme to the Appropriate Authority :-
(a)-(b).

*Give name of the Appropriate Authority here.

**In detail (Section or Authority to be quoted.);

Note:- The sign (-) before an item of expenses indicates that the amount is payable to the Appropriate Authority.

Particulars should be inserted showing how net cost of the Scheme to the Appropriate Authority is proposed to be met.

FORM-H

(See rule 26 IDR_26 (1) and 26 (3))

THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT RULES,1979.

Draft Town Planning Scheme No.

I, the undersigned, Shri.....Town Planning Officer,hereby inform all the interested and the concerned persons that the Government of Gujarat by its Notification Panchayats, Housing and Urban Development Department No.....dated.....Published in the Gujarat Government Gazette Part.....Page.....has appointed me as Town Planning Officer for the above Scheme. As required by sub-rule (1) of rule 26 of the Gujarat Town Planning and Urban Development Rules, 1979. I here by give notice that I have entered upon the duties as Town Planning officer on, The above scheme is bounded on North by,....., on South by....., on West by..... and on East by.....; As required by rule 26(3) of the rules made under the Gujarat Town Planning and Urban Development Act, 1976. I hereby inform all those interested or affected by any of the matters included in the above Town Planning scheme that they should communicate their objections in writing with requisite evidence and documents before me within 20 days of the Publication of this notification in the Government Gazette in respect of the matters mentioned in the section 52 of the Gujarat Town Planning and Urban Development Act, 1976. Any person who is injuriously affected by the above Town Planning scheme is entitled to claim the damages in accordance with the section 82 of the Gujarat Town Planning and Urban Development Act, 1976, and he should communicate the details of his claim to the undersigned Town Planning Officer within three months of the Publication of this notification with requisite documents and evidence.

A copy of the Draft Town Planning Scheme No.....sanctioned by the Government is kept open in the office of the Town Planning Officer during office hours on all days except holidays with all the required documents, statements, plans forms and all the persons having interest in the lands and any person affected by the proposals of the Town Planning Scheme are requested to inspect the scheme in the above office where arrangements for explaining the scheme proposals have been made.

Date :-

Office of the Town Planning Officer.

**TOWN PLANNING OFFICER
TOWN PLANNING SCHEME**

FORM-I

[See rule 26(9)]

IDR_26

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT RULES, 1979.

Town Planning Scheme No.....

PRELIMINARY

FINAL

In accordance with the rule 26(9) of the Gujarat Town Planning and Urban Development Rules, 1979 and as provided in sub-section (1) of section 52IDH_52, I have today dated month year declared my decisions as Town Planning Officer.

As required under section 54IDH_54 of the Gujarat Town Planning and Urban Development Act, 1976 every owner of the lands included in the Town Planning Scheme is being sent a copy of my decisions as Town Planning officer in respect of his property. Any person who is aggrieved of the decision may present an Appeal in respect of the decision which are appealable to the Board of Appeal to the Principal Judge, Ahmedabad, District Judge, District Court (with three copies of Memorandum of Appeal) affixing the requisite Court fee Stamp on the original copy of Memorandum of Appeal.

A copy of the above scheme with all the information, decisions and plans are available for inspection in the office of the Town Planning Officer on all days excepting holidays during the office hours and necessary arrangements have been made to explain the scheme.

Date :
Office of the Town Planning Officer.

**TOWN PLANNING OFFICER,
TOWN PLANNING SCHEME.**

FORM J

[See rule 26IDR_26(9)]

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT RULES,1979.

Town Planning Scheme No.....

PRELIMINARY

I send herewith the extract the decisions taken by me in respect of the original Plot No..... of the above scheme taken in accordance with sub-section (1) of section 52 of the Gujarat Town Planning and Urban Development Act, 1976 for information to you as required under sub-rule (9) of rule 26 of the Gujarat Town Planning and Urban Development Rules, 1979.

| Sr. No. | Original Plot No. | Area of original plot in sq. mt. | Plot No. of final plot Allotted | Area of final plot allotted in sq. mt. | Remarks |
|---------|-------------------|----------------------------------|---------------------------------|--|---------|
|---------|-------------------|----------------------------------|---------------------------------|--|---------|

This preliminary scheme is being submitted to Government for sanction in accordance with sub-section (2) of Section 52 of the Gujarat Town Planning and Urban Development Act, 1976.

Date :

**TOWN PLANNING OFFICER,
TOWN PLANNING SCHEME.**

I have further to inform you as under* :-

- (1) The rights of the mortgagor or mortgagoree on the Original Plot No. are transferred to the Final Plot allotted against the Original Plot.
- (2) All the rights of the passage on the lands merged in the Final Plot are hereby extinguished unless such rights are preserved in column No. 16 of the Form F of the Scheme.
- (3) The Tenure of the Final Plot will be as per the tenure of the Original Plot. Any agreement in respect of the Original Plot in between you and the appropriate Authority or the Government are transferred to the Final Plot with the modifications regarding the area allotted in the Final Plot.
- (4) unless decided otherwise you will be permitted to remove the trees, compound wall, barbed wire, huts sheds and other materials from the original plot within one month of the date on which the preliminary scheme comes into force or the date fixed by the Government subject to condition that by doing so you will have to fill in all the holes resulted on account of removing the trees and other materials.
- (5) Any other matter.

FORM-K

[See rule 26IDR_26(9)]

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT RULES,1979.

Town Planning Scheme

FINAL

I send herewith my decision under sub-section 3 of section 52 of the Gujarat Town Planning and Urban Development Act, 1976 in respect of the Original Plot No..... as required by sub-rule (9) in of rule 26 of the Gujarat Town Planning and Urban Development Rules, 1979.

| Sr. No. City S. No. | Original Plot No. | Area of Original Plot in sq. mt. | Rate per sq. mt. in Rs. | Remarks | Plot No. of the Final plot Allotted |
|---------------------|-------------------|----------------------------------|-------------------------|---------|-------------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |

| Sr. No. City S. NO. | Area of Final plot in sq. mt. | Rate per sq. mt. of the Final Plot without any improvement as contemplated | Rate per sq. mt. of the Final Plot with improvement as contemplated in the Scheme |
|---------------------|-------------------------------|--|---|
| 1 | 7 | 8 | 9 |

| | Rs. |
|---|-------|
| The compensation payable to you under section 80 | ----- |
| Amount payable by you under section 80 | ----- |
| Estimated amount of the increment under section 78 | ----- |
| Amount of incremental contribution under section 79 | ----- |
| The compensation under section 82 | ----- |
| Net amount of contribution | ----- |
| Net amount payable to you. | ----- |

I have further to inform you as under :-*

- (1) The final scheme drawn up by me will be available for inspection in the office of the Town Planning Officer on all the days except holidays during office hours with all the plans, details of the expenditure, forms and details of the calculation for the plot, sales statement, sales plan, detailed valuation of each and every plot and my decisions. Necessary arrangements are also made for explaining the informations as above.
- (2) Decisions regarding the compensation and the contribution under section are final. All the decisions are subject to modifications in accordance with the decisions of the Board of Appeal. If you are aggrieved by any of the above decisions which are subject to the decision of the Board of Appeal. You may present the appeal (with three copies of Memorandum of Appeal) to the Principal Judge, Ahmedabad/District Judge, District Court affixing the requisite Court fee Stamp on the Original copy of Memorandum of Appeal in accordance with the provisions of section 54.
- (3) All the amount in respect of the Scheme for the works other than agreed upon will be payable to the appropriate authority on or before the date as Notified by the Appropriate Authority.
- (4) Any other matter.

**TOWN PLANNING OFFICER,
TOWN PLANNING SCHEME.**

FORM-L

(See rule 34IDR_34)

* Here specify the name of the person contravening any of the provisions

* To,

Shri/Smt./Kumari.*

Residing atRoom No.....taluka.....district.....

WHEREAS I, the undersigned have reason to believe,-

@ Here specify the definite act which contravenes the scheme or which does not comply with the provisions of the Scheme.

(i) that the building or work situated in the area included in the scheme No..... contravenes the scheme in the following respects:-

(a)

(b)

(c)

etc.

(ii) @ that in the erection of the building and carrying out of the work the following provisions of the scheme have not been complied with

(a)

(b)

(c)

etc.

OR

(b) @ Whereas it appears to the undersigned that delay in execution of the following work which it is your duty to execute under the scheme is likely to prejudice the efficient operation of the scheme :

describe the work.

(i) -----

(ii) -----

AND WHEREAS in exercise of the powers conferred under sub-section (1) of section 69 of the Gujarat Town Planning and Urban Development Act, 1976 (president's Act No. 27 of 1976) it is proposed to make an order.

* here specify the action proposed to be taken.

- (i) to remove *pull down, alter the building or other work as the same contravenes the scheme or in the erection or carrying out the work the provisions of the scheme have not been complied with;
- (ii) to execute the work which it is your duty to execute under the scheme but the delay in its execution by you is likely to prejudice the efficient operation of the scheme.

NOW THEREFORE in pursuance of the provisions contained in sub-section (1) of section 69 of the Act you are hereby called upon to show cause in writing within----@ days from the date of serving of notice as to why the proposed order of

- (i) removing etc., should to be made; or
- (ii) Why the work should not be executed by the undersigned.

You are hereby further informed that if you fail to remove, pull down, etc., the work or if you fail to execute any work which it is your duty to executed under the scheme or if you fail to show cause against the proposed action the development authority shall remove, pull down, or alter the building or other work or shall execute any work where delay in the execution of work would prejudice the efficient operation of the scheme.

Any expenses incurred by the appropriate authority shall be a sum due to appropriate authority and will be recovered from you.

SCHEME
(Description of work)

Signature of the Authorized Officer,
Area/Urban Development Authority.

NAME OF THE REGISTER

FORM-M

(See rule 41IDR_41)

Bonds, debentures and other securities

| Sr. | Name of the party and address | Number and date | Whether security bond/ debenture | Purchase price value | Face value | Market | Remarks |
|-----|-------------------------------|-----------------|-------------------------------------|----------------------|------------|--------|---------|
|-----|-------------------------------|-----------------|-------------------------------------|----------------------|------------|--------|---------|

FORM-N

[See rule 47IDR_47 (2)]

Annual Financial Statement

| Sub-Head | Actuals for the previous three years | Budget for the current year | Revised estimates for the current year | Budget estimates for 19__ | Remarks (explanation for the increase/decrease) |
|---|--|-----------------------------|--|---------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| I. Budget estimates of an Appropriate Authority (Revenue Receipts) | | | | | |
| | 1. Recoveries of expenditure | | | | |
| | 2. Sale of tender form | | | | |
| | 3. Recoveries of fine etc. | | | | |
| | 4. Hire charges of tools and plants supervision charges on sale of material and the other similar receipts | | | | |
| | 5. Annual rent of land leased | | | | |
| | 6. Annual rent of building | | | | |
| | 7. Forfeiture of deposits | | | | |
| | 8. Development charges for any development work | | | | |
| | 9. Amount of incremental contribution in Town Planning Scheme | | | | |
| | 10. Miscellaneous | | | | |
| | 11. Subventions from the State Government Deduct refunds, Net receipts | | | | |
| II. Budget estimates of an Appropriate Authority (Revenue Expenditure) | | | | | |
| I-A Establishment (Administration)- | | | | | |
| | (a) Pay of Officers | | | | |
| | (b) Pay of Establishment | | | | |
| | (c) Allowances and honoraria | | | | |
| | (d) Contingencies | | | | |
| | Total | ----- | | | |
| I-B Establishment (Executive)- | | | | | |
| | (a) Pay of Officers | | | | |
| | (b) Pay of Establishment | | | | |

| | | |
|--------------|--|-------------|
| | (c) Allowances and honoraria | |
| | (d) Contingencies | |
| | | Total ----- |
| I-C | Establishment (Accounts)- | |
| | (a) Pay of Officers | |
| | (b) Pay of Establishment | |
| | (c) Allowances and honoraria | |
| | (d) Contingencies | |
| | | Total ----- |
| II. | Pension and Leave Contribution | |
| III. | Contribution of an Appropriate Authority to the Staff Provident Fund and Other Services funds. | |
| IV. | Interest on Capital | |
| V. | Expenditure connected with the Issue of new loans | |
| VI. | Depreciation :- | |
| | (a) Special tools and plants | |
| | (b) Vehicles | |
| | (c) Building | |
| | (e) Other Items | |
| VII. | Maintenance and Repairs- | |
| | (a) Repairs to tools and Plants (Special) | |
| | (b) Repairs to tools and Plants (Ordinary) | |
| VIII. | Municipal and other Taxes | |
| IX. | Miscellaneous Expenditure-Net Expenditure on Revenue Account | |
| | | Total ----- |
| III. | Budget estimates of an Appropriate Authority. | |
| | (1) Balance with an Appropriate Authority as on the beginning of the year. | |
| | (2) Loans from Government during the year. | |
| | (3) other Loans (Public or Private) | |
| | (4) Sale of plots | |
| | (5) Sale of building | |
| | (6) Other capital receipts | |
| | (7) Suspense Account | |
| | | Total ----- |

IV. Budget Estimates of an Appropriate Authority-

- (1) Work in progress
- (2) Cost of land
- (3) (a) New Work exclusive of land
(b) Cost of land
- (4) Establishment Charges transferred from revenue account charged to capital
- (5) Tools and Plants
- (6) Amount transferred to depreciation fund
- (7) Amount transferred to other funds
- (8) Suspense Account

Total -----

V BUDGET ESTIMATES OF AN APPROPRIATE AUTHORITY DETAILS OF WORK IN PROGRESS.

NEW WORKS

| Name of Work or Project | Item of Capital Expenditure | Estimated cost of work or project | Expenditure to the end of last year | Account for the year before last | Budget for the current year | Revised estimates for the current year | Budget estimates for 19____ | 19____ | Remarks (Explanation for increase/decrease) |
|-------------------------|-----------------------------|-----------------------------------|-------------------------------------|----------------------------------|-----------------------------|--|-----------------------------|--------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | |

V. Budget estimates of an appropriate authority details of work in progress.

1. Land Acquisition.
2. Survey and Demarcation.
3. Road.
4. Water work.
 - (a) Head work.
 - (b) Pipe line.
5. Drainage.
 - (a) Drainage line.
 - (b) Drainage disposal Plants.
6. Electricity.
 - (a) Laying out underground cables.
 - (b) Street Lighting.
7. Buildings.

FORM-O

[See rule 47IDR_47 (2)]

Annual Programme of work

| Sr. No. | Name of the Work or Project | Estimated cost of work or Project | Estimated Expenditure in the year for which programme is proposed | Estimated receipts | Salient Features amenities and facilities provided in the area |
|---------|-----------------------------|-----------------------------------|---|--------------------|--|
| 1 | 2 | 3 | 4 | 5 | 6 |

FORM-P

[See rule 47IDR_47 (3)]

Statement of Honoraria, Salaries and Allowances

| Name of member/ Officer Servant. | Scale of Pay. | Present Pay. | Hono- Raria. | Traveling allowance & daily allowance. | | |
|-------------------------------------|-----------------------|---|----------------------------|--|---------|--|
| 1 | 2 | 3 | 4 | 5 | | |
| <hr/> | | | | | | |
| <hr/> | | | | | | |
| Conveyance Allowance | Dearness allowance | Compen- satory Local Allowance | House rent allowance | Total columns 4 to 9 | Remarks | |
| 6 | 7 | 8 | 9 | 10 | 11 | |

- Vehicles
- Furniture
- Telephone
- Typewriter and Duplicating Machine.
- Amonia Printing Machine.
- Photo machine.
- Cycle
- Franking Machine
- Less Transferred to-
(excluding depreciation on tools, plants given
on hire).
- Development Expenditure.

- IV. To miscellaneous expenditure
To excess o f Income over expenditure
transferred to balance sheet.

An Appropriate Authority
Balance Sheet as at 31st March, 19.....

| Figures for the previous year (Rs) | Liabilities | Rs. | Rs. | Figures for the previous year (Rs) | Assets | Rs. | Rs. |
|---|---|-----|-----|---|---|-----|-----|
| 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| | Reserves and Surplus (Income and expenditure account if any). | | | | Fixed Assets. (At cost as per Schedule (I) Gross Value. | | |
| | Receipts on Capital Account. Premium price on lease of plots as Per Schedule IV. | | | | Less : Depreciation. | | |
| | Loans. From Government. Interest accrued on above. From others (including interest Accrued thereon). | | | | Capital : Expenditure (a) Towards development area as Per Schedule-II. (b) Towards construction of building as per Schedule-III. | | |
| | Deposits Towards cost of construction from Government. | | | | Current Assets, Loans and Advances. A. Current Assets. (i) Stocks-as Certified by Ex-Engineer. (ii) Sundry Debtors- a. Debtors considered good. b. Debtors considered doubtful. | | |
| | Current Liabilities and provisions. Current Liabilities. (1) Deposits. a. From Contractors. b. From other Sources. (A) Towards Premium price for the plot or land. (B) Sundry Deposits. (ii) Liabilities for construction and other capital expenditure (iii) Liabilities for establishment and other including other deductions. | | | | Less : Provisions. (iii) Cash and Bank Balance. a . Cash with Banks. (i) In Deposit A/c.. (ii) In current A/c. | | |
| | Provisions. (i) For expense. (ii) For contingent liabilities. | | | | B. Loans and Advances. a. Loans. b. Advances for purchase and expenditure. c. Advances to staff member. d. Miscellaneous advances recoverable in cash or kind. e. Sundry advances including Other deposits. | | |
| | | | | | Income and Expenditure A/c.(if any) Deficit to the end of the Previous Year. | | |
| | | | | | Total..... | | |

AN APPROPRIATE AUTHORITY
SCHEDULE-I
Fixed Assets forming part of the Balance Sheet as at

| Sr. No. | Description | Cost Price At | Additions during the year | Total | Deductions | Depreciation upto the end of the previous year. | Depreciation for the year | Total Depreciation. | Net Balance. |
|---------|--|---------------|---------------------------|-------|------------|---|---------------------------|---------------------|--------------|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. |
| 1. | Scientific Instruments. | | | | | | | | |
| 2. | Ordinary tools and Plants. | | | | | | | | |
| 3. | Vehicles. | | | | | | | | |
| 4. | Furniture. | | | | | | | | |
| 5. | Telephones. | | | | | | | | |
| 6. | Typewriter, Duplicating Machines and Photo Machines. | | | | | | | | |
| 7. | Cycles. | | | | | | | | |
| 8. | Franking Machine etc. | | | | | | | | |
| 9. | Other Assets. | | | | | | | | |
| 10. | Amonia Printing Machine. | | | | | | | | |
| TOTAL | | | | | | | | | |

AN APPROPRIATE AUTHORITY
SCHEDULE-II.
Capital expenditure towards development of Development Area forming part of Balance sheet at

| Sr. No. | Description | Expenditure to the end Of the year. | Expenditure during the Year. | Total expenditure | Deduction (Written back) | Net |
|------------|---------------------------|-------------------------------------|------------------------------|-------------------|--------------------------|-----|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. |
| 1. | Development Expenditure | | | | | |
| 2. | Establishment Expenditure | | | | | |
| 3. | Interest | | | | | |
| 4. | Depreciation | | | | | |
| TOTAL..... | | | | | | |

AN APPROPRIATE AUTHORITY
SCHEDULE-III.
Capital expenditure towards development of Development Area forming part of
Balance sheet at

| Sr. No. | Description | Expenditure to the end Of the year. | Expenditure during the Year. | Deduction (Written back) | Net |
|------------|---------------------------|-------------------------------------|------------------------------|--------------------------|-----|
| 1. | 2. | 3. | 4. | 5 | 6 |
| 5. | Development Expenditure | | | | |
| 6. | Establishment Expenditure | | | | |
| 7. | Interest | | | | |
| 8. | Depreciation | | | | |
| TOTAL..... | | | | | |

AN APPROPRIATE AUTHORITY
SCHEDULE-IV.
Capital Receipts : Premium on lease of plots, recovery of development charge and
incremental contribution in the area forming part of balance sheet as at

| Sr. No. | Name of area or Town Planning Scheme | Receipts to the end of the year | Receipts during the year. | Total receipts | Deductions | Net |
|---------|--------------------------------------|---------------------------------|---------------------------|----------------|------------|-----|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. |

FORM-R

[See rule 53IDR_53(3)]

THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT,1976.

Certificate of Tenure and Title

Town Planning Scheme.

No.

(Sanctioned under Government Notification.....Department
No.....DATED.....and published at
Page.....of Official Gazette, dated.....)

Final Plot No. Area H. A. Sq.M.or Sq. Mt.

Reputed owner

Present occupant holding the land on.....years lease since
date.....M.....

Sketch of Final Plot No.

(here enter the sketch on scale)

Tenure : Tenure with reference to Original Plot if shown in column No. 3 of Form F of the final scheme (If there are different tenures for different portions of the whole plot these will be shown separately on the plan being divided by a thick chain line).

Title : (Here describe the nature of owner's title as decided by the Town Planning Officer or Special Officer appointed under Section 46 of the said Act.)

Rights : (If the owner of the plot has any special rights transferred to his final plot from the original plot or any new rights given to him under the scheme these may be entered here).

Disabilities : (Rights of any other owner or person over this plot such as mortgage or easement etc. may be entered here).

Note : (1) The above plot shall be held subject to all restrictions and regulations specified in the above Town Planning scheme as

finally sanctioned and published by Government under Notification of.....Department.

No.....Dated.....and as regards assessment subject to provision of the Bombay Land Revenue Code, 1879 as amended from time to time and of the Rules and orders from time to time issued thereunder.

- (2) No buildings or excavations or any other alterations shall be carried out in the above plot except with the special written permission of the Appropriate Authority in accordance with the provision of the said scheme and on payment of development charge that may be assessed under Section 101 of the Act.
 - (3) The holder of this certificate of Tenure and Title may apply to the Collector to have the amount and nature of assessment and the period of guarantee shown on the certificate. The Collector's endorsement shall declare that non-agricultural assessment is, except in case of inam land liable to revision should the land be appropriated to any nonagricultural use (Section 48 of the Bombay Land Revenue Code, 1879).
- (c) Any other Special regulation in respect of the above plot.

This Certificate is granted under Rule 53(3) of the rules under the Gujarat Town Planning and Urban Development Act,1976, as a prima facie proof of the tenure, and title of the owner above named and shall be valid unless declared otherwise by a decree from a Civil Court with the period of limitation from the date hereof, by and under the hand of the seal of the head of Town Planning and Valuation Department, Gujarat State, this.....day of..... one thousand nine hundred.....A.D.

Head of Town Planning and Valuation Deptt.

Gujarat State.

By order and in the name of the Governor of Gujarat,

K.D.BUDDHA,

Secretary to Government.

