

MUNICIPAL CORPORATION OF HYDERABAD (DEVELOPMENT PLAN) RULES, 1967

CONTENTS

1. Short title and commencement
2. Definitions
3. Explanatory report
4. .
5. .
6. .
7. .
8. .
9. .
10. .
11. .
12. .
13. .
14. .
15. .
16. .

MUNICIPAL CORPORATION OF HYDERABAD (DEVELOPMENT PLAN) RULES, 1967

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1. Short title and commencement :-

- (a) These rules may be called the Municipal Corporation of Hyderabad (Development Plan) Rules, 1967.
- (b) They shall come into force on the date of publication in the Andhra Pradesh Gazette (i.e., from 21-12-1967).

2. Definitions :-

(1) In these rules, unless the context otherwise requires

- (a) "Act" means the Hyderabad Municipal Corporations Act, 1955, (Act II of 1956).
- (b) "Commerce" means carrying on any trade or business, sale or exchange of goods of any type whatsoever and include the running

with a view to make profit of hospitals, nursing homes, infirmaries and educational institutions and running of eating houses and lodging houses, not attached to any educational institutions and sarais and the word "Commercial" shall be construed accordingly.

(c) "Commercial use" in relation to land and building included the use of such land or building or part thereof for storage of goods, or as an office in connection with commerce and for other purposes of commerce as defined.

(d) "Development" with its grammatical variations includes

(i) the carrying out of building, engineering, mining or other operations in, on, over or under land; or

(ii) the making of any material change in the use of any building or other lands.

(e) "Director" means the Director of Town Planning of the Government of Andhra Pradesh.

(f) "Form" means, a form appended to these rules.

(g) "Government" means the Government of Andhra Pradesh.

(h) "Industry" includes the carrying of any manufacturing process as defined in the Factories Act, 1945 (Central Act, 63 of 1945), and the word industrial' shall be construed accordingly.

(i) "Industrial use" includes the use of any land or building or part thereof for purpose of industry.

(j) "Plan" means development plan prepared under the provisions of Section 464 of the Act.

(k) "Regulation" means a regulation made under the Act by the Municipal Corporation of Hyderabad and includes zoning and other regulation made as part of a Development Plan.

(2) The words used but not defined in these rules shall have the meaning assigned to them in the Act.

(3) As soon as may be after the publication of the notification under Sub-section (1) of Section 464 of the Act the Commissioner shall, in consultation with the Director or as the Government may direct prepare and submit to the Corporation a development plan in respect of the area specified in the notification. The Development plan shall consist of the following, namely Map No.1 indicating the

present land use of every piece of land comprised within the boundaries of the whole or any part of the plan area as per Clause (a) of Sub-section (2) of Section 464 of the Act, showing, General map for the area included in the development plan drawn to a scale of not less than 1:10,000 showing

(a) the boundaries of the Corporation and of the area for which the development plan is proposed;

(b) all streets-public and private, railways and bus routes with the average width of main streets;

(c) buildings used for public and religious purposes;

(d) lands belonging to the Government the Corporation or other public bodies and religious institutions;

(e) lands used for burying, cremating or otherwise disposing of dead;

(f) industrial rental business, whole sale business, banks and firms; godowns and warehouses and residential areas;

(g) parks, water courses, drains and public wells;

(h) public urinals; and

(i) dry and wet cultivation, garden waste and rocky lands.

(ii) Map No.2, shows the proposed lines of development of the areas with the development plan if prepared and such other details as may be necessary to indicate the pattern of the city intended to be secured under the plan. Map No.2 shall be accompanied by an explanatory report. All proposals made in the explanatory report shall, as far as possible, be distinctly and clearly exhibited on the map showing

(a) the construction, diversion, exclusion, allocation, improvement or closure of streets, roads, communications to the extent required for the needs of the public generally;

(b) determination of residential, commercial, industrial and public and semi-public areas; and

(c) the preservation of objects and buildings of archaeological or historic interest or of natural beauty which are actually used for religious purposes or regarded by the public with special religious veneration:

(d) Agriculture.

3. Explanatory report :-

(1) It shall be as comprehensive as possible giving the necessary information in regard to the following matters:-

(a) such information as may be considered desirable with respect to Map No.1

(b) information with respect to land value;

(c) requirements of the area or areas of the draft development plan with respect to-

(i) housing

(ii) public health and sanitation

(iii) education and recreation

(iv) industrial sites, markets and remunerative enterprises, and

(v) roads, communication and traffic

(2) The explanatory report shall also consist of the following three statements, namely

(a) a statement in Form No.III showing the lands proposed to be reserved for streets, roads, open spaces, parks or recreation grounds, schools, hospitals, Government and Municipal;

(b) a statement in Form No.IV showing the lands proposed to be acquired; and

(c) programme with regard to the development to be undertaken as per the proposals;

(d) Regulations including zoning. (vi) The maps shall be drawn to a scale of not less than 1:10,000 and shown in as clear and complete a manner as possible all details and information.

4. . :-

The Corporation as soon as may be and not later than one month after the land use map referred to in Sub-rule (i) of Rule 3 is submitted to it by the Commissioner, shall publish a notice in Form No.1 inviting objections in writing, from any person residing or owning land in the notified area, within thirty days of the publication of such notice. The notice in Form I shall be published

on the notice board of the office or offices of the Corporation and in one or more local daily newspapers indicating the place and time where such map may be inspected.

5. . :-

Within thirty days after the expiry of the period mentioned in Rule 4, the Commissioner shall after allowing a reasonable opportunity of being heard to all persons who have filed objections, make a report to the Corporation in Form No.II with the objections received and his recommendations.

6. . :-

Within thirty days after the receipt of the report under Rule 5 the Corporation shall consider the report and approve the land-use map with such modifications as it may deem necessary, if the Corporation fails to accord its approval to the map within the said thirty days, it shall be deemed that the map has been approved by the Corporation.

7. . :-

As soon as after the approval of the map by the Corporation, the Commissioner shall publish a notice of the approval of the land-use map on the notice board of the office or offices of the Corporation and one or more local daily newspapers indicating the place where the copies of the map may be inspected by the public. The publication of the notice shall be conclusive proof that the land-use map has been duly prepared and approved.

8. . :-

The Commissioner shall forward copies of the land-use map as approved by the Corporation to the Director and the Government for their reference and record.

9. . :-

Within six months, or such time, as the Government may from time to time, extend after the approval of the land use map by the Corporation, the Commissioner shall in consultation with the Director, submit to the Government Map No.2 referred to in Rule 3 (ii) for the areas specified in the notification.

10. . :-

The Commissioner, within a period of thirty days from the date of receipt of Map No.2 with explanatory report from the Director shall place it before the Corporation for its adoption and forward a copy of the plan to all the councillors to their last known address. The

corporation shall within thirty days from the date of receipt of the plan in the office of the Secretary adopt the same with or without modifications, failing which it shall be deemed that the Corporation has no objection to the plan.

11. . :-

After the expiry of the period of thirty days, referred to in Rule 10 the Commissioner, shall submit the draft development plan with Maps No.1 and 2 referred to in Rule 3 (i) and (ii) along with the explanatory report referred to in Rule 3 (iii) to the Government with his remarks on the modifications or changes if any proposed by the Corporation.

12. . :-

The Government shall publish a notice of the preparation of the draft development plan as received from the Commissioner under Rule 11 in the Andhra Pradesh Gazette and in one or more local news-papers specifying the place or places where the draft development plan and copies thereof may be inspected and invite objections in writing from any person residing or owning land within the boundaries of the draft development plan within thirty days.

13. . :-

After the expiry of the period of thirty days specified in Rule 12 the Government after considering the objections or suggestions received in the Corporation may sanction Map No.2 referred to in Rule 3 (ii) with or without modifications as they deem fit and publish the same in the Andhra Pradesh Gazette.

14. . :-

As soon as the plan is sanctioned by the Government under Section 464 of the Act, the Commissioner shall publish the plan in the Andhra Pradesh Gazette, on the notice board of the office or offices of the Corporation and in one or more local news papers specifying the place where and the time where the copies of the sanctioned development plan may be inspected by the public.

15. . :-

Any plan published under Section 465 (1) of the Act, shall be conclusive proof that the plan has been duly made and sanctioned. Such plan shall have the effect from the date of publication of such notice and the execution of the scheme shall be commenced forthwith.

16. . :-

The entire expenditure on the preparation of the development plan shall be borne by the Corporation or in such manner as the Government may direct.