

ARUNACHAL PRADESH URBAN AND COUNTRY PLANNING, RULES 2011

The Arunachal Pradesh Gazette No. 148, Vol. XVIII, EXTRAORDINARY PUBLISHED BY AUTHORITY Naharlagun, Wednesday, September 7, 2011 GOVERNMENT OF ARUNACHAL PRADESH CIVIL SECRETARIAT ITANAGAR NOTIFICATION The 7th September, 2011 THE ARUNACHAL PRADESH URBAN AND COUNTRY PLANNING RULES, 2011 Bhadra 16, 1933 (Saka) No. DTP/MUN40/2010-11 .— In exercise of the powers conferred by section-71 of the Urban and Country Planning Act, 2007 (No. 3 of 2008), the Governor of Arunachal Pradesh, hereby make the following rules, namely - I



2. CHAPTER -I PRELIMINARY (1) These rules may be called the Arunachal Pradesh Urban and Country Planning Rules, 2011.(2) It extends to the whole of the State of Arunachal Pradesh. (3) It shall come into force from the date of its publication in the Arunachal Pradesh Gazette. In these rules, unless the context otherwise requires "Application" means application as prescribed under Rules 4(1) ; (ii) "Act" means the Arunachal Pradesh Urban and Country Planning Act, 2007 (Act No. 3 of 2008) ; (iii) "Fee" means the fee prescribed under Rule 4 (3) ; (iv) "Form" means the forms annexed with these rules , (v) "Register" means the register prescribed under rule 5 (3) of these rules , "Rules" means the Arunachal Pradesh Urban and Country Planning Rules framed under section (71) of the Act (viii) "Persons appointed to assist the Chief Town Planner" includes Senior Town Planner, Town Planner, Assistant Town Planners and such other persons with such designations as the Government thinks fit ; "Saving" means exemptions permissible under Rule 7 of these rules. (ix) (x) " Schedule" means the list of items of draft Interim Development Plan kept for inspection under



Form No. I of the rules, "Urban, Sub-Urban, Rural" means classification of development area under the (xi) Master Plan for each development area. CHAPTER - 11 (a) As soon as may be, after an Interim Development Plan is prepared for any Local Planning Area, the Town Planner shall, by giving a notice in Form No. I, in one or more other Local Newspapers circulated in the Local Planning Area and also in the official Website of the Town Planning, make known to the public that an Interim Development Plan (IDP) for the Local Planning Area has been prepared under sub-section (I) of section 23 of the Urban and Country Planning Act, 2007 Short title, extent, and commencement. Definitions Manner of inviting objection and suggestion. 2 Documents to be kept for inspection. Manner of publishing the approval of Development Plan. Modification to Development Plan. The Arunachal Pradesh Extraordinary Gazette, September 7, 2011 (b) (c) (d) and copy Of the same is available for inspection in the Office Of the Town Planner, Town Planning and such other places as specified. The claims objections and suggestions on the Interim Development Plan (IDP), if any, may be submitted to the Town Planner by any person within a period of sixty (60) days of the publication Of the said notice in the Newspapers. Simultaneously the information of inviting claims, objections and suggestions on Interim Development Plan (IDP) may be Broadcasted/Telecasted through the Electronic Media such as TV and Radio for wider publicity and for the participations of general public and others in the process of Development Plan preparation. If the Town Planner considers necessary, he may cause to organize a Workshop/ Seminar for discussion on the Interim Development Plan (IDP) for obtaining views of various Development Agencies of the Government, Elected Representatives, NGOs, Experts in the field and Prominent Citizens of the Town apart from the Secretaries and Heads of the Departments. The claims, objections/suggestions invited under sub-section (I) of section (16) from the General Public and others shall be consolidated by the Town Planner and the same shall be placed before the Local Planning Authority/ constituted under sub-section (3) of section 9 of Urban and Country Planning Act, 2007 and Urban and Country Planning Board constituted under sub-section (2) of section 3 of Urban and Country Planning Act, 2007 for its views. The Local Planning Authority may accept/reject any all suggestions and objections fully/partly. In case substantial modifications are suggested to the Interim Development Plan the same shall be referred to the concerned Development Agencies of the Government and the Local Planning Authority/ Urban and Country Planning Board for their views before such modifications are approved by the Government. (2) (3) (4) The Town Planner shall keep the documents listed below for the inspection of the General Public and others (a) (b) (c) (d) (f) (g) (h) The Existing Land Use Map of the Local Planning Area, to have an idea of relationship between existing and proposed land use ; The proposed land use map of the Local Planning Area ; A narrative report, supported by maps, charts and other documents explaining the provisions of the Interim Development Plan , Provisions for enforcement of the Development Plan and the manner in which permission for Development may be obtained ; The Phasing of implementation of the Development Plan ; An approximate estimate of the cost of land acquisition for public purposes involved in the implementation of the Development Plan ; A note indicating the priorities assigned to the Projects included in the Interim Development Plan ; and A note indicating the role being assigned to different Government Departments and Local Planning Authorities for the enforcement and implementation of the Interim Development Plan.

After the approval of the Entering Development Plan by the Urban and Country Planning Board and Government under section 24 of the Act, a notice in Form No. 11 shall be published in one or more local newspapers circulated in the Local Planning Area and also in the official Website of the Town Planning, Arunachal Pradesh stating that Development Plan has been prepared and approved by the Government for the Local Planning Area and a copy of the Development Plan shall be made available for inspection during office hours, on all working days, in the office of the Town Planner and such other places. The Development Plan shall come into operation from the date of publication of the above notice. The copies of the approved Development Plan shall be printed in English and made available for sale, in the office of the Chief Town Planner/ office of the Town Planner at the Government Press for reference and use of general public and others. When any modification (s) to a Plan is envisaged by the Urban and Country Planning Board/Government of Arunachal Pradesh under sub-section (1) of section 22 of the Urban and Country Planning Act, a notice to the effect shall be published in Form No. III in one or more local newspapers circulated in the Development Area and also in the official Website Of the Town Planning, Arunachal Pradesh, stating clearly the said modification(s) and inviting objections and suggestions with respect to the proposed modification (s) within (60) days of the publication of the above notice. The

objections and suggestions shall be submitted to the Town Planner, who shall forward the same to the Local Planning Authority /Urban and Country Planning Board for consideration. (5) (2) (3) Use The Arunachal Pradesh Extraordinary Gazette, September 7, 2011 As soon as any modification(s) is made under section 26 of the Urban and Country Planning Act, 2007 and the Modifications to the Development Plan is finally approved by the Urban and Country Planning Board and Government, notice to the said effect shall be published in Form-IV in one or more local newspapers circulated in the Local Planning Area and also in the official Website of the Town Planning and the modification (s) shall come into force on the date of publication of the said notice. CHAPTER -III After coming into operation of the Development Plan under sub-section (2) of section 25 of the Act every person/ body (including a department under the central Government or the State Government), desiring to undertake any development in the development area shall obtain the permission, in writing, as contained in sub-section (2) of section 29 of the Act, by making an application in — Form No. V to the Town Planner accompanied by the fee as prescribed under Rule 4(3) provided that no such fee shall be necessary in the case of an application made by a Department under the central Government or of the State Government or Local Authority or Local Planning Authority. The Town Planner shall issue Planning Permission within six (6) months from the date of receipt of the application, failing which, the permission shall be deemed to have been given to the applicant for the respective development and the applicant can start the work. The fee for undertaking any development in the Development Area, as contained in sub-section (1) of section 40 of the Act, shall be as under :-

FEE FOR DEVELOPMENT OR REDEVELOPMENT PER SQUARE METRE OF TOTAL LAND Development Area.

Development Area	Fee per square metre of total land
1 Residential	2 Rs. 5.00
2 Commercial	1000 Rs. 12.00
3 Others	2.00 Rs.
Sub-urban Areas within the development area	3 Rs. 4.00
Rural areas	2.00 Rs. 5.00
Development Area	6.00 Rs. 1.00

FEE FOR CHANGE OF USE

Use	Fee per square metre of total land
1 from agriculture to residence	2 Rs. 15.00
2 from agriculture to industry	20.00 Rs. 15.00
3 from residence to industry	30.00 Rs. 20.00
4 from residence to commerce	20.00 Rs. 15.00
5 from industry to commerce	5.00

* Others include institutional, Recreational, Public and Semi-Public, Parks and Open Spaces and Agricultural related uses.

(2) On receipt of the application, the Town Planner shall issue an acknowledgement of receipt of the application in Form No. VI, and after making such inquiries as the Town Planner considers necessary, he shall, by order in writing, in Form No. VII, either grant the permission, subject to such conditions, if any, as may be specified in the order or refuse to grant such permission. The applicant shall be given an opportunity, to show cause as to why the permission should not be refused. When permission for undertaking or carrying out any development is refused, the grounds of such refusal shall be recorded in form-VII and communicated to the applicant. 4 Register for application. Inspection of Register. Appeal to the Government/ Urban and Country Planning Board/Local Planning Authority. Fee for appeal. Savings. The Arunachal Pradesh Extraordinary Gazette, September 7, 2011 (3) (4) (5) (6) The Town Planner shall keep a Register of Applications received for Planning Permission, in Form No. VIII. The Register of Applications shall be made available for inspection by any member of the public at the working hours of the office of the Town Planner, on payment of rupees twenty only. Any person aggrieved by an order of the Town Planner made under the Act and Rules, may prefer an appeal, in Form No. IX, to the State Government /State Urban and Country Planning Board within thirty days from the date of the order. The fee for preferring an appeal to the State Government [State Urban and Country Planning Board shall be Rs. 100.00 (Rupees One hundred) only. After coming into operation of the Development Plan under sub-section (2) of section 25 of the Act if any lawful use of any land or building exists that is no longer permissible under the Development Plan, such use may be permitted to be continued, so long as it remains otherwise lawful, subject to the following conditions (a) (b) (c) (d) Neither such non-conforming use of any land or building shall be enlarged or increased or extended to occupy a greater area than what was occupied on the date of coming into operation of the Development Plan. No such non-conforming use shall be moved, in whole or part, to any other portion of the land or building occupied by such use on the date of coming into operation of the Development Plan. No existing structure devoted to a use not permitted by the Development Plan shall be

enlarged, extended, constructed, reconstructed, mobbed or structurally altered except in changing the use of the structure to be used has permitted by the Development Plan ; If any structure is destroyed by any means to an extent of fifty (50) per cent of its replacement cost at the time of destruction it shall not be reconstructed except in conformity with the Development Plan ; and If any non-conforming use of any land or building ceases for a period of six months any subsequent use of such land or building shall conform to the requirements specified by the Development Plan. Governor By order and in the name of the Governor K. Kholie, JAS, Secretary (U. D & Town Planning), Government of Arunachal Pradesh, Itanagar. The Arunachal Pradesh Extraordinary Gazette, September 7, FORM-I [See Rule 3 2011 5
 NOTICE OF PUBLICATION OF INTERIM DEVELOPMENT PLAN UNDER SUB SECTION (1) OF SECTION 23 OF THE URBAN AND COUNTRY PLANNING ACT, 2007 (Act No. 3 of 2008) No ...F. No.. NOTIFICATION . .In pursuance to the provisions of sub-section (1) of section 23 of the Arunachal Pradesh Urban and Country Planning Act, 2007 (Act No. 3 of 2008) the Interim Development Plan for Itanagar (Capital region) Planning area/region is hereby published and the notice is given that a copy of the said Interim Development Plan is available for inspection at the following offices apart from the office of the Director Town Planning, Town Planner, during the office hours on all working days:- 1. 2. 3

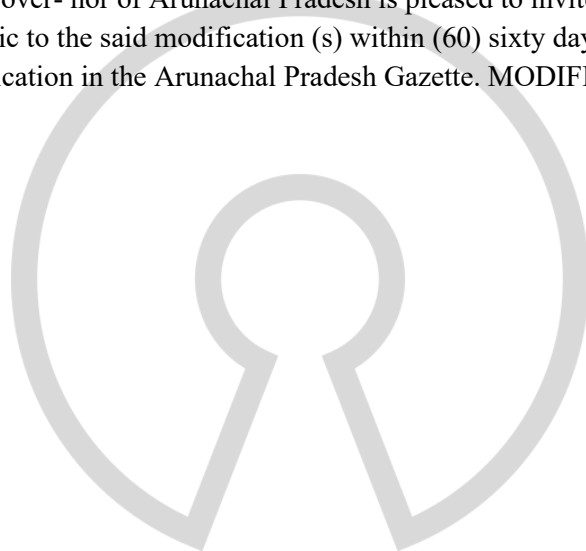
4. The particulars of the said Interim Development Plan have been specified in the Schedule below: If any individual or any department or anybody has any claim objection or suggestion with respect to the Interim Development Plan, the same should be sent to the Town Planner, before the expiry of 60 days from the date of publication of this notice. 1. 2. 3. 4. 5. 6



7. SCHEDULE The Existing Land Use Map , The Proposed Land Use Map; A narrative report, supported by maps and charts, explaining the provisions of the Interim Development Plan; The phasing of implementation of the Interim Development Plan ; The provisions for enforcing the Interim Development Plan and stating the manner in which permission for development or construction or reconstruction may be obtained; An approximate cost of the land acquisition for public purposes and the cost of works involved in implementation of the Interim Development Plan ; Priorities for various Projects of Development Plan and Role assigned to various agencies in the implementation of the Development Plan.Town Planner, Government of Arunachal Pradesh, Itanagar.



FORM -11 [See Rule 3 NOTICE REGARDING APPROVAL OF THE DEVELOPMENT PLAN UNDER SECTION -24 OF THE No.. ARUNACHAL PRADESH URBAN AND COUNTRY PLANNING ACT, 2007 In exercise of the powers conferred by section 24 of the Arunachal Pradesh Urban and Country Planning Act, 2007 (No. 3 of 2008), the Governor hereby approved the Development Plan for.. The Development Plan for .Development area. .Development Area is hereby published and a copy of the same is available for inspection at the office of the Town Planner and at the following offices, during working hours on all working days :- 2.. 3.. The said Development Plan comes into operation with effect from the date of publication of this notification in the Arunachal Pradesh Gazette. The copies of the Approved Development Plan printed in English is available for sale, in the office of the Town Planner and Director, Town Planning, Government of Arunachal Pradesh, Itanagar for reference and use of General Public. Governor Arunachal Pradesh By order and in the name of the Governor. Secretary (Urban Development & Town Planning), Government of Arunachal Pradesh Secretariat Itanagar. 6 The Arunachal Pradesh Extraordinary Gazette, September 7, 2011 FORM - III [See Rule — 3 NOTICE INVITING SUGGESTION/OBJECTION TO THE FORM OF MODIFICATION OF DEVELOPMENT PLAN UNDER SUB SECTION (1) OF SECTION -22 OF THE ACT. No. ENO. .. The Governor, Arunachal Pradesh, in exercise of the powers conferred by sub-section (I) section 22 of the Arunachal Pradesh Urban and Country Planning Act, 2007 is pleased to make the following modification(s) in the interest of general public, to the Development Plan for dated. Development Area, approved and published vide No.. in the Arunachal Pradesh Gazette. Now, therefore, in exercise of the powers under sub-section (I) of section 23 of the said Act, the Governor of Arunachal Pradesh is pleased to invite claims objections the public suggestion from the public to the said modification (s) within (60) sixty days from the date of publication of this notification in the Arunachal Pradesh Gazette. MODIFICATION(S) 2. 3



4. Any claims objection or suggestion with respect to the aforesaid modification(s) may be submitted to the Town Planner in writing within the said period of sixty (60) days.Governor Arunachal Pradesh.
By order and in the name of the Governor Secretary (Urban Development & Town Planning), Government of Arunachal Pradesh Secretariat, Itanagar.



FORM -IV [See Rule -3 MODIFICATION(S) TO THE DEVELOPMENT PLAN SUB-SECTION - (5) OF SECTION 23 OF THE ACT. No. . ENO. . The Governor of Arunachal Pradesh , in exercise of the powers under sub-section — (5) section 23 of the Urban and Country Planning Act, 2007, is pleased to herein under to the Development Plan for make the modification(s) listed . .DevelopmentArea in the interestofthe general public and the same will come into operation from the date of publication of this notification. 2



3. Governor, Arunachal Pradesh.By order and in the name of the Governff Secretary (Urban Development & Town Planning), Government of Arunachal Pradesh Secretariat, Itanagar. The Arunachal Pradesh Extraordinary Gazette, September 7,



FORM -V [See Rule 4 (1) 2011 7 FORM FOR APPLICATION FOR
DEVELOPMENT/REDEVELOPMENT The Town Planner, Local Planning Authority, Sir, I/We hereby
give application that I/We intend to develop / redevelop the land bearing survey No... situated in....
..(Village/town) and in accordance with sub-rule (I) of rule 4 framed under the Urban and Country
Planning Act, 2007 (No.3 of 2008), I/we forward herewith the following plans and statement (Items I to 7
in quadruplicate) duly signed by me / us and (Town Planner/ Architect/Civil Engineer / Consultant) who
will supervise the development, and a copy each of statement/ documents (as applicable). I. 2. 3. 4. 5. 6



7. Key Plan • Site Plan Layout Plan / Building Plan • Statement about the proposed development]redevelopment ; Document of ownership and title ; and Record Entry Sketch Receipt of payment of application fee.l/We request that the scheme/proposal may kindly be approved and permission accorded to me/us to develop/redevelop the land. Yours faithfully, Signature of applicant (s)
Name of Applicant(s) (in full block capital) Address.. Place Date



FORM -VI [See Rule-5(1)] FORM FOR ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION
 Sir, ..preferred under sub-section (2) of section 29 of the I am to refer to your application dated. Arunachal Pradesh Urban and Country Planning Act, 2007 (No.3 of 2008) seeking permission for undertaking development in survey No.. at.. .. and to acknowledge the receipt of the same. Yours faithfully,
 Department of Town Planning, Arunachal Pradesh, Itanagar. 8 Sir, The Arunachal Pradesh Extraordinary Gazette, September 7, 2011 FORM - VII [See Rule- 5 FORM FOR SANCTION OR REFUSAL OF PERMISSION FOR UNDERTAKING DEVELOPMENT/REDEVELOPMENT With reference to your applications dated.. redevelopment in survey no.. ..at.. for undertaking development/ .Area (Town/Village), I am to inform you that the sanction has been granted for the said development on the following conditions/ * sanction could not be granted on the following grounds 2.. 3.. You are hereby given an opportunity to show cause, within 15 days from the date of receipt of this letter, as to why the permission should not be refused. Department of Town Planning, Arunachal Pradesh, Itanagar. * Strike out whichever is not applicable. FORM - VIII [See Rule-5 DETAILS OF CONTENTS OF REGISTER DEALING THE MANNER IN WHICH THE APPLICATION FOR PERMISSIONS IS TO BE MAINTAINED Note . Each application and other relevant details about it shall be entered in two pages only. The register shall contain continuous page numbers. I. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12



13. FORMAT Serial No.. Application No. Diary No. Survey No. Locality Village/Town Sector . District
Nature of permission sought Description of development/ Re-development . Action taken. Permission :
Granted with the following conditions Refused due to following reasons Remarks The Arunachal Pradesh
Extraordinary Gazette, September 7,



FORM - IX [See Rule -5 2011 9 From Sir, FORM FOR PREFERING APPEAL TO THE DIRECTOR, TOWN PLANNING/URBAN AND COUNTRY PLANNING BOARD The Director, Town Planning, Government of Arunachal Pradesh, Itanagar. Sub :- Appeal against order No.....dated.....of the Town Planner — reg. I am to inform you that I had applied for undertaking development/redevelopment in survey No.. -at.. . dated. . The Town Planner vide his order . . has refused the permission. Being aggrieved by the above order I appeal to your honour to kindly consider my request favourably for issue of the planning permission and direct the Town Planner to reconsider his decision to grant the permission. Yours faithfully, Signature of applicant. Published and printed by Directorate of Printing—31512011-DoP-250+Director (Town Planning)-50-9-2011. Published and printed by Directorate of Printing—425!2011 -Director (Town Planning)-200-IO-2011.

