

MANIPUR TOWN AND COUNTRY PLANNING ACT, 1975

THE MANIPUR TOWN AND COUNTRY PLANNING ACT, 1975 (MANIPUR ACT OF 1975) AN ACT to provide for planning the development, and use of rural, hill and urban lands in the State of Manipur and for purposes connected therewith. Enacted by the Legislature of Manipur in the Twenty-sixth Year of Republic of India as follows:— CHAPTER 1 Preliminary (1) This Act may be called the Manipur Town and Country Planning Act, 1975. (2) It extends to the whole of the State of Manipur. (3) It shall come into force in such area and on such date as the State Government may by Notification in the Official Gazette, appoint, and different dates may by such notification be appointed for different areas

2. In this Act, unless there is anything repugnant in the subject or context, (i) "Authority" means the Planning and Development Authority constituted under Section 13 of this Act.(ii) "betterment charge" means the charge prescribed in respect of an increase in the value of land resulting from the execution of a scheme; (iii) "board" means the State Town and Country Planning Board constituted under Section 3 of this Act; "building" means any construction for whatsoever purpose (iv) and of whatsoever materials constructed and every part thereof, whether used for human habitation or not, and includes plinth, walls, chimney, drainage-work, fixed platform, verandah, balcony, cornice, or projection, or part of a building or anything affixed thereto, or any wall, earth-bank, fence or other construction enclosing or delimiting or intended to enclose or delimit any land or space; (v) "building operation" includes rebuilding operations, structural alterations of or additions to buildings and other operations normally undertaken in connection with the construction or reconstruction of buildings; (vi) "Chief Town Planner" means a person appointed by the State Government to perform the duties of a Chief Town Planner of the Town & Country Planning or any other officer empowered by the State Government as such Chief Town Planner under this Act. Short title, extent and commencement. Definitions 2 (vii) "Chief Town Planning Officer" means the Officer appointed under section 14(b) and shall be subordinate to the Chief Planner and shall be under the control and supervision of the Chief Town Planner. (viii) "development", with its grammatical variations, means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change, in any building or land, or in the use of any building or land, and includes sub-division of any land; but does not include • (a) the carrying out of works which affect only the use of a building or which do not materially affect the use and external appearance of the building; (b) the carrying out by a local authority of any works the boundaries of a road for the maintenance or repair of the road, (c) the carrying out by a local authority any works purposes of inspecting, repairing or renewing any main pipes, cables or other apparatus, including the opening of any street or other land for that purpose; (d) the use of any building or other land within the site of dwelling house for any purpose incidental to the use of the dwelling house as such; (e) a plan or plans together with matter, if any, relating to such a scheme; (x) "engineering operation" includes the formation or laying of means of access to a road or the laying out of means of supply or the laying out of means of electric, telegraphic or telephonic connections; (xi) "factory" means a factory to which the provisions of the 63 of 1948. Factories Act, 1948 (Central Act No. 63 of 1948) shall apply; (xii) "hill areas" means such areas in the hill tracts of Manipur as the State Government may, by notification in the Official Gazette, declare to be hill areas; (xiii) "industrial concern" means a factory workshop, mill or any concern of similar nature where materials are manufactured, repaired, altered or processed; (xiv) "land" includes benefits arising out of land, and things attached to the earth or permanently fastened to anything attached to the earth; (xv) "Legislative Assembly" means the Legislative Assembly of Manipur; (xvi) "local authority" means a Municipal Board, Small Town Committee, Gram Panchayat, Hill Areas District Council or any other Village Authority of a village in Manipur; (xvii) "Occupier" means an occupier of a land or building or any portion thereof and includes a tenant, an owner in occupation (or otherwise using) his land, a rent free tenant of any land, a licensee in of any land, and person who is liable to pay to the owner rent or any other charges for the use and occupation of any land; (xviii) "Official Gazette" means the Manipur Gazette; (xix) "open space", means any land, whether enclosed or not, which has been laid out for purposes of public recreation or lies waste or unoccupied, and in which the part covered by buildings, if any, does not exceed one-twentieth of it in area, (xx) "Plan" means a Master Plan prepared under Section 22 of this Act; (xxi) "prescribed" means prescribed by Rules made under this Act; (xxii) "re-constituted plot" means a plot which is in any

way altered by the implementation of a development scheme. (xxiii) "road" means any highway, street, lane, pathway, alley, passage way, carriageway, square, bridge, whether private or public, whether thoroughfare or not, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, drains, culverts, side-walks and traffic islands • (xxiv) "State Government" means the State Government of Manipur; (xxv) "Zone" means any one of the divisions in which the Master Plan areas may be divided for the purposes of uses of land or for the purposes of development under this Act ; (xxvi) '{Zoning Regulation" means a regulation made by the State Governmen: in respect of a zone or a number of zones under a Master Plan- 9 fibe Board —..-Metings of the Board- CHAPTER State Town And Country Planning Board 3. (I) The State Government shaL by notification in the oficial Gazette, constitute a Board to be as the State T0*m and Country Planning Board for the purposes of this Act mnsisting of the following members :— (a) (b) (d) (c) (g) Minister in charge of Town and Country Planning, Manipur. Secretary (Revenue), Manipur. Secretary (Finance), Manipur. Secretary in charge of Town & Country Planning Manipur. Chief Engineer,PWD, Manipu. Director of Medical, Health & Family Planning Services, Manipur. Chief Town Planner of Town & Country Pianning or a Chief T Pianning Officer or Executive Engineer. (Town Planning), Manipur. Such Chairman cf Municipal Board or Town Committees falling within the area coveted by the Master Plan, not exceeding two, as may be co-opted by the Board by notification in the official Q.zette. Ai) Four other on-offical memhgrs, half of whom shal e nominazed by the and the rest by the State Government. (j) Chief Engineer/Superintending Engineer- ing, Department, Manipur. * (k) Two oficers of the State G03enment to be nominated by the State Government. Chairman Member do do do Member Secretary Member do do Members (2) The State Government shau publish,by notification the cficial Gazette, the names of the persons co-opted or norcinated under clause (h), or clause (i), of sub-section (1) of this section. 4 (1) The Board shall meet at such time and at such place and, subject to the provisions of this section, observe such procedure as may be prescribe in regard to the zx-nsaction of its business at such meeting. (2) The Chairman shall preside cver the meetings of the Board, and in the absenæ of the Chairman, members present shall choose one from among themselves to over that particular E•eeting. Added by the Manipur Town and Country Planning (Amendment) Act, 1976 (Manipul Act No.4 of 1976). 5 (3) All questions at a meeting of the Board shall be decided by a majority of votes of the members present and voting, and all members of Board. including the me-opted members, shall have one vote each, and the Chairman or the person p:esiding over a meeting shall have -a seæud or casting vote in the case of equality of votes. (4) The quorum of a meeting of the Board shall ge five, and if at any meeting there is no quorum the Chairman or the p:rsen presiding over meeting shall adjourn the meeting or suspend i: until there is quorum. (5) The Board shall have power to act notwithstanding any vacancy in the membership thereof. (1) The Board may associate with itself, in such manner and for such purposes as may be prescribed, any persens who«e assistance or advice it may require in performing any oi its functions under this Act. (2) Aay person associated with it by the Board under subsection (1) for any purpose shall have the right to take part in ihe discussions in a meeting of the Board. but shall not have the right to vote. 6. (I) Subject to the provisions of this Act znd the Rules made thereunder, the functions cf the Board shall be to guzée. direct. and assist rhe Planning and Deve}cpment to the State Government in matters relating to planning, the evelot r.ent and use of rural, kill and urban land in the State, and to perfect2 suc.h other functions as the Stete Government may, from time to time, assign the Board. (2) In particular and without prejudice to the generality of the forgoing .provisions. the Board may, and shall, if required by the Stace Government. (a) direct the preparation of development schemes by the Authorities; (b) undertake, assist and encourage the collectioc, maintenance, and publication of statistics, bulletins and monographs on planning and its methodology; (c) prepare and furnish rëpprts relating to the working of this Act ; (d) perform any othe- function which is supplemental, incidental OT consequent-ial to any of (he !unctions afore- said or may be prescribed. The State Government may provide the Burd with. such nun-be: o.' staff as is suficient to u. able lhe Boa:d tc disc barge its functions properly I nder such terms and cond;tio-s as may be ecified by Government. S. Aay norz-offical member mav at any t;me I-eggn his office, provi.i:d that his resignation shall nc.t take effect accepted by the Stae Government. this Chapter. "ncn offcia] memrer" means any person cu-opæd or nominated of sub- section (1) of section (3)

9. The term of office of any non-official member Shall be ordinari?v three years, and they may be giver: such a.%owance as may be fix:d- bv the State Government: Ter.mpcnry association of persons the Board for parnicular purposes. ard {-.-.owers of Poard. Staff c.f the Eoer•d. Resignation of nc.35-offi. Cial

members. Term. of office: and conditions of service. at the end of the term once of non-official member. Removal of non-official member vacant - Cies- 6 Provided that the terms of office of the non-official members terminate as soon as they cease to be members of the Legislative Assembly or the authority, as the case may be. 10. (1) The term of office of non-official members shall terminate on such date as may be notified in this the State Government- (2) A person ceasing to be a member by reason of the expiry of his term of office as described in section 9, shall be eligible for re-nomination of The State Government may remove from the Board any member (a) refuses to act, or becomes incapable of acting or absents himself from three consecutive meetings of the Board and is unable to explain such absence to the satisfaction of the Board; or (b) has so flagrantly abused in any manner his position as a member of the Board as to render his continuance detrimental to the public interest. Provided that when the State Government proposes to take action under the foregoing provisions of this section, an opportunity shall be given to the member concerned to represent against the proposed action, and when such action is taken, the reasons thereof shall be placed on record. A member removed under clauses (a) and (b) of sub-section (1) shall not be eligible for re-appointment or re-nomination, as the case may be. 12. (i) the office of a member nominated or co-opted becomes vacant on account of his resignation, removal or death, It shall be filled up as soon as possible by nomination or co-option, as the case may be. (2) The term of office of a member nominated or co-opted under sub-section (1) shall be the remaining term of his predecessor. 1. Numbered the Manipur Town and Country Planning (Second Amendment) Act, 1976 (Manipur Act No. 25 of 1976) 2. Added by -the Manipur Town and Country Planning Amendment) Act, 1975 (Manipur Act NO. 25 of 1975) CHAPTER 111 Planning and Development Authority. (1) The State Government may, by notification in the Official Gazette, constitute an Authority to be known as the Planning and Development Authority (hereinafter referred to as the Authority) with jurisdiction over such area as may be specified in the said notification, and different Authorities may be constituted for different areas. (2) The Authority shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of properties, both moveable and immovable, and to enter into any agreement, and shall, by its name, sue and be sued. 14. namely : (a) (b) (c) (d) (e) (f) (g) The Authority shall consist of the following members, Composition A Chairman to be by the State A Vice-Chairman to be appointed by the State Government. A Chief Engineer of the Authority to be appointed by the State Government. A Chief Town Planning Officer of the Authority to be appointed by the State Government. A Chief Finance Officer to be appointed by the State Government. A Secretary/Administrator to be appointed by the State Government. Deputy Commissioner for the District Head Quarter Town or the Sub-Divisional Officer of the Member Member Member Member Secretary Member Member Member the Revenue Department for other small towns, as the case may be. (b) Senior Architect to be nominated by the Government. (i) Chairman or Chairman of the Local Authority or authorities covered by the Master Plan, as nominated by the State Government. (j) One member representing Commerce and Industry (Private Sector) to be nominated by the State Government. (k) Two MLA's or two prominent social workers during the dissolution of the Assembly if there be any, nominated by the State Government. 8 15. A person shall be disqualified for appointment or nomination Disqualification for appointment as a member, if he — pointment as member. Removal of members. [Terms of Office and conditions of service of the chairman and other members. (a) (b) (c) (d) (e) 16. has been convicted of any offence involving moral turpitude; is an undischarged insolvent or an applicant for being adjudicated and insolvent; holds any office of profit under the Authority other than those mentioned in clauses (a), (b) (c), (d) and (e), of section 14; has, directly or indirectly, by himself or by any member of his family, any share or interest, in any contract or employment with, by or on behalf of, the Authority; or is a Director, or a Secretary, Manager or other salaried Officer of any incorporated company which has any share or interest in any contract or employment, with, by or on behalf of the Authority. (1) The State Government may remove from the Authority any member (including the Chairman and the Vice-Chairman) who— (a) refuses to act or becomes incapable of acting or absents himself from three consecutive meetings of the authority and is unable to explain such absence to the satisfaction of the Authority ; Or, (b) has so flagrantly abused in any manner, his position as a Authority as to render his continuance detrimental to the public interest: Provided that when the State Government proposes to take any action under any of the above provisions, an opportunity shall be given to the member concerned to show cause why such action should not be taken against him. (2) A member removed under clauses (a) and (b) of sub-section shall be eligible for re-appointment or re-nomination, as the case may be.

man, to be. The term of office and conditions of service of the Chairman and the other members of the Authority shall be such as may be prescribed, and they shall be entitled to receive such salaries and allowances as may be fixed by the State Government. (2) The Chairman or Vice-Chairman or any member may resign his office by giving notice in writing to the State Government and, on the resignation being accepted by the State Government, he shall cease to hold his office in the Authority. (3) Any vacancy caused by resignation or removal or otherwise shall be filled by fresh appointment or nomination by the State Government, as the case may be. 18. (t) The functions and powers of the Authority shall be to promote and secure development of the area according to the Master Plan or the development scheme and to carry out building, engineering, mining and other operations to execute works in connection with any local system of water supply, sewerage, drainage, electricity, telephone, telegraph, post and telegraph, and to do anything necessary or expedient for purposes of such development and for any other purpose. (IA) The Authority shall have the power to execute public Housing projects and to dispose of the houses so constructed on terms and conditions approved by the State Government.] (2) On the constitution of the Planning and Development Authority all State Khas lands within the Master Plan area shall be deemed to be transferred to the local body which shall remain status quo till the Government rescinds the transfer. (3) [Provided further that if in the opinion of the State Government, any State Khas lands can be more appropriately used by the State Government it may exempt such Khas lands from the provision of this sub-section.] —49H. (f) Each Authority shall meet at least once a month at such time and place and shall, subject to the provisions of this Section, observe such procedure in regard to the transaction of business at its meetings, as may be prescribed by bye-laws framed under section 91 of this Act. (2) The Chairman, or in his absence, the Vice-Chairman shall preside over any meeting of the Authority and in the absence of both the Chairman and the Vice-Chairman the members present shall choose one from amongst themselves to preside over such a meeting. (3) The quorum for a meeting of the Authority shall be five, and if at any meeting there is no quorum the Chairman or the person presiding over the meeting shall adjourn the meeting or suspend until there is quorum. (4) In the meeting of the Authority shall be decided by a majority of votes of the members present and voting and in the case of an equality of votes, the person presiding shall have a second or casting vote. 20. (1) The Authority may associate with itself, in such manner and for such purposes as may be prescribed, any person whose assistance or advice it may in performing any of its functions under this Act. 1. Added by the Manipur Town and Country Planning (Second Amendment) Act, 1976 (Manipur Act no. 25 of 1976)

2. Deleted by the Manipur Town and Country Planning (Second Amendment) Act, 1976 (Manipur Act no. 25 of 1976)

3. Added by the Manipur Town and Country Planning (Second Amendment) Act, 1976 (Manipur Act no. 25 of 1976). Meetings of the Authority. Temporary Association of persons with the Authority. Staff of the Authority. 10 (21) Any person associated with it by the Authority under sub-section (1) for any purpose shall have right to take part in the discussions in the meeting of the Authority relevant to that purpose but shall not have a right to vote. (1) Subject to such control and restrictions as may be prescribed by Rules the Authority may appoint such number of officers and employees as may be necessary or convenient for the performance of its functions and may determine their designations and grades. (2) The officers and employees of the Authority shall be entitled to receive such salaries and allowances, if any, as may be fixed by the Authority and shall be governed by such terms and conditions of service as may be determined by rules and regulations made in this behalf

CHAPTER IV MASTER PLAN 22. A Master Plan (hereinafter referred to as "Plan" in Act) for the Development of any area within Manipur which State Government may consider necessary, shall be drawn up by Chief Town Planner in consultation with the local authority authorities concerned and submitted to the State Government for approval. 23. (1) On receiving the Plan from the Chief Town Planner, the State Government shall have it, as soon as may be, published in the Official Gazette and in not less than one registered local newspaper to be affected by such Plan in the manner prescribed for wide publicity inviting opinion and objections, if any, to be submitted within a period of not more than two months. (2) After considering all objections, suggestions and representations that may have been received and after getting the advice of the Board, the State Government may approve the Plan and adopt it. (3) The Plan so adopted shall be published by the State Government by notification in the Official Gazette

24. The Plan to be prepared under section 22, may include:—(a) a general land use plan for residential, commercial, industrial, recreational and public and semi-public purposes; (b) zoning plan; (c) transportation plan including roads, railways, canals etc. ; (d) public utilities plan; (e) a report giving relevant data and information in respect of the proposals in the Plan, Zoning Regulation and any other matter which the State Government may deem necessary

25. After the adoption of the Plan by notification in the Official Gazette, the State Government shall send it to the authority for implementation thereof.

26 (1) After the Plan has been adopted by the State Government in the foregoing manner, no person shall use any land, sub-divide any land or set up any new structure on any land, covered by the Plan or change the existing structure of any building or use of any building or land within the area except on the permission of the Authority. (2) Each such application shall be accompanied by the layout plan drawn to scale showing the actual dimension of the parcel of the land and the building to be built upon it, the State Preparation of the Master Plan. Publication of the Master Plan. Contents of Master Plan and Zoning Regulations. Implementation of the Plan. Restrictions on use of land and building Prohibition of allotment of land & registration in certain cases. Power of the State Govt. to modify the plan. 12 and the position of the building to be erected and in case of alteration in the use or structure of the building or land, the nature and extent of such alteration. (3) The Authority may also call for such other information as it may deem necessary to examine the application. (4) The Authority shall not refuse the permission except on the ground of contravention of provisions contained in the Plan or the Zoning Regulation unless the permission has been refused within one month from the receipt of the application or such other information as may be called for by the Authority under sub-section (3), it shall be presumed that the permission has been given. 27. (1) Where any deed or document required to be registered under the Indian Registration Act, 1908 proposes to sub-divide any land covered by the Plan, no registering officer shall register any such document unless the party presenting the deed or document for registration produces a no-objection certificate from the Authority to the effect that the Authority has no-objection to the registration of such deed or document. (2) In Plan area, no land should be allotted without no-objection certificate from the Town Planning Department, Manipur

28. The State Government shall review the Plan once for every ten years, and may modify it at any time, in the prescribed manner

CHAPTER V DEVELOPMENT SCHEME 29. (1) On or after the commencement of this Act, the Authority may, by notification in the official Gazette, declare any area to be a Scheme area and shall thereafter prepare a Scheme. Where no Scheme. Authority has been constituted, the State Government may, by notification in the official Gazette, declare any area to be a Scheme area and the Chief Town Planner shall thereafter prepare a Scheme. (2) Notwithstanding anything contained in sub-section (1) the State Government may, after making such enquiry as it may deem necessary by notification in the Official Gazette, direct any local authority to prepare, and submit a Scheme under this section for an area specified in such notification for sanction before an appointed date. (3) While preparing the scheme, the Authority or, the Chief Town Planner or the local authority, as the case may be, shall issue a notice inviting the names of all the claimants of any interest on any land or building within the area under the scheme to be submitted within a period of not more than one month. (4) Save as provided in this Act, the Authority, the Chief Town Planner or the local authority shall not undertake or carry out any development of land in any area which is not within the area under the scheme. (5) After the commencement of this Act, no development of land shall be undertaken or carried out in the area under the scheme by any person or body of persons except in the manner prescribed under section 30. (1) The Authority, the Chief Town Planner or, the local authority, as the case may be shall have the Scheme and the report if any, published in not less than one registered local newspaper available in the locality to be affected by the Scheme and have a copy of them served on all persons who preferred claims under sub-section (3) of section 29, inviting objections to be filed within a period of not more than two months. (2) After the expiry of the aforesaid period, the Authority, the Chief Town Planner or the local authority, as the case may be, shall examine the Scheme in the light of such objection and shall adopt the Scheme or refuse to adopt it or adopt it with such modification as may be necessary after giving sufficient opportunity for hearing, to all such interested person. (3) After, the Authority, the Chief Town Planner or, the local authority, as the case may be, has adopted the Scheme be forwarded to the State Government, for its approval, and thereafter the Scheme shall come into force from the date on which it

•a•pproved by the.. State Government. 1: -Substituted by TosG1 & Piarfning (second Aniendmeot) Act, 1976 (Mānipur• 'Nd. 25 of }976). Publication of the Deve lopment Scheme. I mplementa• (ion of the Development Scheme. Scope of the)eyelopment Scheme. 14 31. (I) The Scheme approved by the State Government under sub-section (3) of section 30 shall be implemented by the Authority as soon as possible. (2) No person shall within any area where a Scheme has come into force erect or roceed with anv undine or w or remove or alter or ma •e a aitions or make an substantial re air to a building or a part thereo . a compoun wall or any ramage work, or remove any earth or change the use of any' land or building except on permission of the Authority. (I) A Scheme made in accordance with the prm isions of the 32. Act may be in respect of any land which is— (a) in the course of development, (b) likely to be used for building purposes, or (c) already built upon. Explanation:— The e.xpression "Land likely to be used for building purposes" shall include any land likely to be used as, or for the purpose of providing, open spaces, roads, streets, parks. pleasure or recreational grounds. parking spaces. or for the purpose of executing any work upon of under the land incidental to a scheme whether in the nature of a building-work or not. (2) matters (a) (b) (c) (d) The Scheme may make provisions for any of the following the laying-out or re-layiwig-out of land. either vacant or already built upon; the filling up of or reclamation of low-lying swamp •or unhealthy or unhealthy areas or leveling up of land; the laying out Gf ne••, streets or roads, construction, diversion. alteration, mprovement and stopping of streets, roads and communications • the construction, alteration and removal of buildings; Explanation:—The buildings constructed by the Authority can be let out and the expenses for the maintenance of the buildings shall be borne by the Authority. (f) (g) (h) (i) (j) the allotment or reservation of land (or roads, open spaces, gardens, , recreation grounds, schools, markets industrial and commercial activities, green belts and dairies, transport faciilities and public purposes of all kinds; drainage inclusive of sewerage, surface or sub-soil drainage and sewage disposal ; lightihg; water supply; the preservation of objects of hiätorical importance Or natural beauty and ofbofdings actually used for religious purposes; the imposition of conditions and restrictions in regard to the open spaæ to _be maintained about buildings, the Bercentage of building area for a plot, the number, height, and character oföuildings al}owed in specified areas, the purposel to which büildingS or s>ecified areas may or may cot be appro>riate; the (k) (3) (a) (b) (c) (d) (e) (f) (g) (h) 13 sub-division of plots, the discontinuance of objectional uses of land in any area in reasonable periods, parking space and loading and unloading space for any building and the Sizes of projec- tions and advertisement signs; such other matters not inconsistent with the objeéts of this Act, The Scheme shall contain the following particulars:— the area, ownership and tenure of each original plot • the land allotted or reserved under clause (e) of sub-section (2) with a general indication of the uses to which such land is to be put and the terms and conditions subject to which such land is to be put to such cases; the extent to which it is proposed to alter the boundaries of original plots; an estimate of the net cost of the schemes ; a full description of all details of the scheme under such clause of sub-section (2) as may be applicable; the laying out or relaying out of land either vacant or already built upon ; the filling up or reclamation of low-laying swamp or unhealthy areas or levelling up of land; and any other prescribed particulars. (4) In the Scheme, the size and shape of every reconstituted plot shall be determined, so-far as may be to render it suitable for building purposes and where the plot is already built upon, to ensure that the building, as far as possible, complies with the provisions of the scheme as regards open spaces. •In order to render original plots more suitable for building purposes •the Scheme - may further contain proposals: (8) to form a reconstituted plct by the alteration of the boundaries of an original plot ; (b) to provide with the consent of the owners, for holding in common öwnership as reconstituted plot "•ith or without alteration of boundaries, in place of two or more original plots each of which is held in one ownership in severally or in joint ownership. 33. (1) It, after the Scheme has come into force, the Authority considers that the scheme is defective on account of an error or irregularity or for any other reason, it shall refer to the State Govern- ment to modify or withdraw the Scheme and give reasons therefore. (2) The I [State Government] may withhold the modification, •or withdrawal referred to him or in approving it. Amendment & alterations of the Deye• lopment Scheme. l

2. Substituted by •the Manipur .TO*T & Country Planning (Second Amendment) Act; 1976 (Manipur Act No. 25 of 1976). Deleted• by • -the Ma-nipur. Toén• & Country Plannirign (Second Aniendment) Act, 1976 (ManfpUr Act No. 25 of 1976k Power of revoke the Developm:nt Scheme. Po-xer of 16 Provided that in case the State Government approves the modification. it Shail cause the modification to be published in the Official Gazette by the Chief Town Planner, in the prescribed manner ; ProGded further

that in case the State Government approves of the withdrawal, it shall cause the fact to be notified in the Official Gazette by the Chief Town Planner.] (3) Within one month of the date of publication of the modification, any person affected thereby may communicate in writing his objection to the Chief Planner. (4) On receiving the objection under sub-section (3), the Chief Town Planner may, after making such enquiry as he may think fit, • approve the proposed modification with or without any further modification thereof. (5) The Chief Town Planner shall thereafter submit the modified scheme to the State Government for approval and the modified Scheme shall be published after such approval in not less than one registered local newspaper available in the locality to be affected by the modified scheme. (6) Such modification approved and published under sub-section (5) shall be deemed to take effect from the date when the original Scheme was enforced. 34. (1) -Notwithstanding anything contained in Section 33 a Scheme may at any time be modified or revoked by a subsequent Scheme and approved in accordance with this Act. (2) The State Government, may, at its own initiative or on the application of the Authority, at any time, notification in the Official Gazette, revoke a Scheme if it is satisfied that under the special circumstances of the case the scheme should be so revoked. Provided that where revocation or modification under section 41 28 -or, this section is ordered by the State Government after a Scheme has partially or wholly been implemented, compensation shall be paid to the owner of the land in accordance with law for the time being in force.

35. For the purposes of the Master Plan, the Zoning Regulation Authority to of the Scheme, the Authority may impose reasonable restrictions on regulation of the use of the land and building including the height, the number of buildings, the percentage of the area to be covered by buildings, the height and character of building or buildings allowed in specified areas, the purpose for which building or buildings of the specified areas may be used, the sub-division of plots, parking space and loading and-unloading space for buildings and the size of projections and such other matters not inconsistent with the provisions of this Act

3. Added-By: the Manipur Town & Country Planning (Second Amendment) Act, 1976 Act 1976). Substituted, Manipur Town & Country Planning (Second Amendment 1976 (Manipur Act No: 25 of 1976) CHAPTER VI ROADS AND SUB-DIVISIONS 36. (1) The Authority shall, from time to time, with the sanction of the State Government, specify the minimum width for different classes of public roads. And public roads according to the nature of the traffic likely to be carried there, the localities in which they are situated, the heights up to which buildings abutting thereon may be erected and other similar considerations. (2) The width of a public road shall not be less than that prescribed in sub-section (1) or that on the plan for the class to which it belongs if areas for which a plan has been prepared. 37. (1) The Authority may, by bye-laws made in this behalf, prescribe a road line on one side or both sides of any public road: Provided that prior notice of the proposal for prescribing such a road line shall be issued by the Authority in such manner as may be prescribed. (2) No person shall construct or re-construct any building or any portion of a building lying on the land within road-line. 38, (1) If any building or any part of a building abutting on a public road is within the road-line, the Authority may require such building to be set back to the prescribed line, whenever it is proposed— (a) to rebuild such building or to take such building; or (b) to remove, reconstruct or make any addition to or structural alteration in any portion of, such building as is within the regular line of the road. (2) When any building or any part thereof within the road-line falls down or is burnt down or is taken down under the provisions of this Act or otherwise, the road-line formerly occupied by the said building and, if necessary, clear the same. (3) The land taken possession of under sub-section (2) shall henceforward be deemed to be a part of the public road.

39. If any land lies within the prescribed line of a public road and is not occupied by a building, is within the line of such road the Authority may, after the owner of the land has been given notice of the intention to do so, take possession of the said land which is within the prescribed line of the road.

40. If a building or land is partly within the road-line, and if the Authority is satisfied that the building or land remaining after the exclusion of the portion within the said line will not be suitable or fit for human habitation or for construction of an independent building, the Authority shall acquire the remaining portion of the land, if so desired by the owner, and such an acquisition shall be done in accordance with the provisions under Chapter VII of this Act. Power to prescribe road lines. Setting back buildings to the prescribed road line. Acquisition of land within the line of road.

Acquisition of the remaining part of building and land. Sanction "ith or with- out modifica- lions or :cjctions. , a.xout not according to Penalty for violation. Cognizance offences. 18 Su b- Division 41. (1) Every person who intends to sub-divide any plot of land priyate within the Plan area shall give notice in writing to the Authority of his intention to do so, and any such notice shall be accompanied by the layout plans and statements in triplicate. (2) All layout plan for sub-divisions of land shall, subject to the provisions of section 40. be in accordance •Gth the standards pre- scribed by the State Government

42. A layout plan accompanying a notice under section 41 shall be Layout plans accompanyi- drawn to a suitable scale and shall contain the foliosvinz particulars, I.namely: (a) the location of the land; (b) the bonndaries of the proposed land on the layout plan and suficient description to difine it: (c) name and address of the O',i.-ner of the land; (d) location. name and widths of the adjacent roads and lanes ; (e) the major physical characteristics of the land proposed to be sub-divided, including topography, the approximate location and width of and water course and location of any area subject to inundation of flood: (f) the complete layout of the proposed sub-division showing the location and widths all of the proposed roads dimensions and uses of all the plots; (g) the locations of all drains, sewers and ether utilities; (h) building lines permissible; (i) scale and north line: and C) key plan. 43. (I) The Authority may either approve or re_ject the lavout pians or may approve them with such modifications as it may deem fit and thereupon shall communicate its decision to the person giving the notice within three from the date of nctice. (2) No perscn shall be allowed to construct a building on anv plot of land, the sub-division of hich has not been previously approved by the Authority. 4 If the Authority determine at any stage tbal the lavout or the cons- tructi n is not proceeding according to the la_xcut plan approved under section I r 43] or is in violation of any provision of this Act, it shall sene a notice on the applicant requiring him to stay further executition until correction has been effected in accordance with the approved layout plan

45. Whoever contravenes, or resists the enforcement of acy provi- Sion of this Act or any rules or bye-law made thereunder shall, if no other penalty is provided for the offence under any law inforce for the time being, be punishable with fine which may extend to uvo hundred and fifty rupees for every subsequent offence after the first conviction. Substituted by the Manipur Town and Country Planing (Second Amendment) Act, (Manipur Act No. 25 of 1976). Deleted by the Manipur Town and Courllry Planning (Second Amendment) Act, (Manipur Act, No. 25 of 1976). CHAPTER TRANSFER AND ACQUISITION OF LAND 47. The State Government ma)', for the purposes of enabling the he Authority any Authority to execute the Scheme, transf Government land within or adjoining the area covered by the sc en In this section, "Government land " means any land Explanation— belo "ing to the State Government. Vhenever the acquisition of any land. '\hethe.- within or without rea is required to enable an Authority to execute a Scheme, the State Government may at thz request of the Authority and in consultation with the Board. acquire the land and transfer it to the Authority, if so desired by the Authority. tn: provisions of the 49. and Acquisition Act, 1894 relating to acquisition land and payment of compensation shall be applicable to acquisit;on of land under this Act Transfer of ! Government land to the Authority. Power of the nment to ao- quire land. Procedure for acquisil on of land, (1 of IS94 Subject to the •ovisions of this Act and the rules made thereunder, Disposal e prior .concurrence o, t e tate Covernmen•t, an Authority ot' land. and wit may transfer anv land transferred it, by wav of gale, ----- pfidā that in case of a land transgerred to the Authority under Section 48, the person from whose ownership the iand was acquired by the State Government under that section shall have priority to be the transferee under this section. (1) The Authority shall, in the first instane, make reasonable Negotiation efforts to purch?-se by negotiation any land rec uired by it for the before acqui- execution of a Scheme. anv land shall be (2) No request ot' the Authority to acquire entertained by the State Government under section 4S if the State Government not satisfied that the Authority made reasonakie efforus land by negotiation under sub-secticU) to p renas.e the I Payments due to be made to anv person bv the Authority Payments to be owner by ad. as possible, this Act in respect of a plot she justment. un e made' by an adjustment in respect of the plot concerned or of any such adjustment, other plot in which he has an ioterest and shall be paid in cash or in such other as may be agreed upon by the parties. Right to Compensa- (ion. No right to compensa• tion

CHAPTER VIII COMPENSATION AND BETTERMENT 53. Any person whose land or buildings is injuriously affected in value by the implementation of a Scheme under section 31, shall, if he makes a claim for the purpose a period of three months after the said injury is caused, be entitled to compensation

in respect thereof from the State Government. Explanation—For the purposes of this section, a land or building shall not be deemed to have been injuriously affected in value, if it is still fit for human habitation or any other uses.

54. (1) A person shall not be entitled to compensation under section 53 on account of any building erected on, or, contract made or other thing done, with respect to any land within the area included in a Scheme after the date of publication of the Scheme under sub-section of section 30: "Provided that : this sub-section shall not apply to any building erected, contract made or other thing done in accordance with the permission granted under section 26 or section 31 of this Act. (2) No compensation shall be payable in respect of any property which may be injuriously affected by putting into operation of any provision of the Scheme which— (a) prescribes the space about buildings; or (b) limits the number of buildings; or (c) regulates the size, height, design or external appearance of buildings; or (d) prohibits or restricts building-operations permanently or temporarily on the ground that erection of buildings thereon will be likely to be injurious to the health of occupants or the neighbours or likely to cause excessive expenditure of public money in making provision for road, sewers, water supply or other public services; or (e) prohibits or restricts the use of land or buildings for a purpose which may involve danger or injury to public hygiene or the health of the occupants or their neighbours or for a purpose which is against the public policy and morals; or (f) in the interest of safety, regulates the height and position of proposed walls and building, fences or hedges, near the corners or bends of roads; or (g) in the case of the erection of any building intended to be used for purposes of business or industry, requires the provision of parking vehicles.

21 (3) No compensation shall be payable for refusal of permission to make any alteration in any building which is not in conformity with the use specified in the Plan or in the Scheme.

55. (1) The owner of any land which is likely to be acquired for purposes of a Scheme may, at any time after the approval of the Scheme by the State Government under sub-section (3) of section 30, by a written notice to the Authority in the prescribed manner, call upon it to purchase the land or to request the State Government to acquire it. (2) If within six months of the service of the notice under sub-section (1) the land is not purchased or the State Government is not requested to acquire it, the Scheme, in so far as that land is concerned, shall be deemed to have been and all notice and orders in that connection shall lapse.

56. (1) Where, in the opinion of an Authority, as a consequence of a Plan or a Scheme having been implemented in any Zone or in any other area, the value of any immovable property has increased, the Authority shall have power to levy upon the owner of the property or any person having an interest therein a betterment charge in respect of the increase in value of the property resulting from the implementation of the Plan or the Scheme: Provided that no betterment charge shall be levied in respect of the properties owned by the State Government or the Central Government : Provided further that where any such property belonging to any such Government has been let out any person, such person shall be liable to pay betterment charge under this section ; Provided further that no betterment charge shall be levied on any property belonging to public charitable, religious, recreational or educational institutions. Provided also that no betterment charge shall be levied on any property belonging to an individual, if the State Government find him deserving for exemption. (2) The betterment charge leviable under this section shall be— (a) twenty-five percent of the increase in value in respect of residential land. (b) fifty percent of the increase in respect of non-residential land. Explanation—The increase in value for the purpose of this section shall be the increase in the market value in between the date just before the implementation of the plan or the Scheme and the date on which the execution of the works of such implementation has been substantially completed. (3) Such betterment charges shall be assessed in such manner as may be prescribed, and a copy of the order of assessment shall be delivered to the person liable for the betterment charge. Right of owner to require Authority to acquire or purchase land. Levy of betterment charge.

22 (4) Such order of assessment subject to the provisions of section 57 shall be final and shall not be questioned in any court of law.

57. (1) Any person aggrieved by the decision of the Authority Appeal, with respect to matters of compensation and betterment charge, may appeal to the Appellate to be appointed under subsection(1) of section 58 within thirty days of the date on which the decision of the authority fixing the amount is communicated to the person aggrieved. Explanation—In computing the period of one month under this sub-section, the time required for taking out copies of the order appealed against shall be excluded. If the owner of any property objects to the amount of compensation or betterment charge determined by the Authority on any ground he shall also state the amount which he contends, would be correct, and may within thirty days of the date on which the decision of the Authority fixing the amount is communicated to

him, request the Authority to purchase the property, or request the State Government to acquire it, together any bunding or other works that may exist thereon. (3) The Authority shall thereupon purchase the property or request the State Government to acquire it

CHAPTER IX Appeals and the Appellate Authority. 58. (1) Save as otherwise provided, the State Government shall appoint an Appellate Authority to hear all appeals arising out of the provisions of this Act, and the appointment shall be on such terms and conditions as the State Government may decide. (2) The person or persons appointed by the State Government as Appellate Authority shall have the qualifications prescribed by article 233 of the Constitution of India. 59. be— (b) (1) The duties and power of the Appellate Authority shall to hear and decide appeals against the order of the Authority to decide and hear appeals in respect of such other matters and exercise such other powers as may be entrusted to, any conferred upon it by the State Government in accordance with the provisions of this Act. The Appellate Authority shall not entertain appeals preferred after thirty days from the date of the order appeal against. However, the Appellate Authority may, in its discretion condone such delay in filing appeals for sufficient reasons. 60. (1) The Appellate Authority shall conduct its proceedings in the prescribed manner after giving the opposite party or any person interested in the order appealed against an opportunity of being heard. (2) The Appellate Authority may, at any time, call for any record of any proceeding of the State Government or the Authority and call for and return or statement or report concerning or connected with any matter with which the authority has been authorised to deal. (3) The Appellate Authority shall have the powers of a civil court for the purpose of taking evidence on oath and of enforcing the attendance of witness including the parties interested and compelling the production of documents and other things if considered necessary. (4) The Appellate Authority in its direction may make any order regarding the cost to be paid by any of the parties to the proceedings and the Appellate Authority shall have full powers to determine by whom or out of what property and to what extent such costs are to be paid, and the Authority shall be bound to execute the orders of the Appellate Authority in accordance with the direction, if any, contained in the order, and such costs or amounts awarded by the Appellate Authority shall be realised as arrears of land revenue. (5) The decision of the Appellate Authority shall be final. 61. Every party to any proceeding before the Appellate Authority shall be entitled to appear either in person or by his recognised agent. Appointment of Appellate Authority. Duties of the Appellate Authority. Procedure working of the Appellate Authority Right to appear by recognised agent. Development Fund. Powers of borrow. (9 of 1914) Grants. Advances and Loans. Budget of Authority. Accounts & Audit

CHAPTER X Finance, Accounts and Audit

62. The receipts of Authority under this Act shall form a separate development fund and all expenditure under this Act. or any development scheme thereunder, shall be defrayed out of such fund. No portion of the fund shall, except with the sanction of State Government, be expended for purposes not provided for by this Act

63. Subject to the prior approval of the State Government, the Authority shall have the power of borrowing money, and it shall be deemed to be local authority as defined in the local Authorities Loans Act, 1914 for the purpose of borrowing money under that Act, and the making and execution of a Plan and Scheme shall be deemed to be a work which such local authority is legally authorised to carry out. [• provided that the state Government may guarantee the repayment of the principal and the payment of the interest thereof in respect of loans borrowed by the Authority from the Life Insurance Corporation of India and other financial institutions, with the prior approval of the State Government for the execution of a plan and a Scheme". I 64. The State Government may make such grants, advances and loans to the Authority as State Government may deemed necessary for the performance of functions of the Authority under this Act

65. Every Authority shall, every year prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure of Authority and shall forward to the State Government and the Board such number of copies thereof as may be prescribed. 66. (1) Every Authority shall maintain proper accounts and other relevant records. (2) The accounts of the Authority shall be subject to annual audit by the Accountant General of Manipur and any expenditure incurred by him in connection with such audit shall be payable by the Authority to the -

Accountant General, Manipur. (3) The Accountant General of Manipur or any person appointed by him in connection with audit of accounts of the Authority, shall have the same right, privilege and authority in connection with such audit as the Accountant General has in connection with the Government accounts and in particular, shall have the right to demand the production of books, accounts, connected Vouchers, and other documents and papers. (4) The Accountant General of Manipur shall forward the annual audit report, to the State Government.

1. Added by the Manipur Town and Country Planning (Second Amendment) Act, 1976. (Manipur Act No. 25 of 1976)

CHAPTER XI Legal Proceedings. 67. (1) When a Plan or a Scheme has been approved under this Act any person who commits or knowingly permits a breach of any specified provisions of the Plan or the Scheme, or who neglect or fails to comply with, any such provisions shall be punishable under this Section. (2) In case of any such breach or default, the Authority shall send to any such person a notice calling on him to discontinue the breach or cause it to be discontinued or to comply with such provision of the Plan or the Scheme within a time to be specified in the notice. (3) If the person, after the lapse of the time specified in the notice under sub-section (2), continues to neglect or to cause a breach of any specified provisions of the Plan or of the Scheme, such persons shall be prosecuted and, on conviction by a Magistrate, be punishable notwithstanding anything contained in section 45, with fine which may extend to Rs. 500/- (ii) if the breach, neglect or failure continues after such conviction, with fine which may extend to Rs. 30 for every day during which the breach, neglect or failure continues after such conviction

68. If a notice has been given under this Act to a person requiring him to execute a work in respect of any property, movable or immovable or to provide or do or refrain from doing anything within a time specified in the notice and, if such person fails to comply with such notice then the Authority may, without prejudice to the provisions of section 67, cause such work to be executed or such thing to be provided or done and may recover all expenses incurred by it on such account from the said person as an arrear of land revenue

69. When default is made by the owner of a building or land in the execution of any work required under this Act to be executed by him the occupier of such building or land may, with the prior approval of the Authority, cause such works to be executed, and the expenses thereof shall, in the absence of any contract to the contrary, be paid to him by the owner, or the amount may be deducted out of the rent from time to time becoming due from him to such owner. 70. (1) If after receiving information of the intention of owner of any building or land to take any action in respect thereof in compliance with a notice issued under this Act, the occupier refuses to - allow such owner to take action, the owner may apply to the District Magistrate or the Sub-Divisional Magistrate, as the case may be. (2) The District Magistrate or the Sub-Divisional Magistrate upon proof of such refusal, may make an order in writing requiring Penalty for breach of the provisions of the Master Plan or Scheme. Power to execute works on failure to comply notice. Right to occupier to execute works in default of owner. Procedure upon opposition to execution by occupier. 26 the occupier to allow the owner to execute all such works. with respect to such building or land, as may be necessary for compliance with the notice, and may also, if he thinks fit, order the occupier to pay the own the cost relating to such application or order. (3) If after the expiry of eight days Magistrate's order, the occupier continues to refuse to execute such work, the occupier, on conviction, to a fine which may extend during which he has so continued to refuse (4) Every owner, during the continuance discharged from any liability on account 71. Whoever : from the date of the to allow the shall be liable, upon Rs. 30 for every day of such refusal, shall be such breach or default. Penalty for obstructing contractor or removing mark. under the Act to be Public servant (15 of 1860), Authority for prosecution. Offences compoundable. Power to re-fines as arrears of land revenue. (a) obstructs or assaults any person whom the Authority execution of, any Plan has entered into a contract for or Scheme or anything connected therewith or incidental thereto, or for doing anything: Which he is required to do under this Act. purpose of indicating (b) removes any mark set up for the any level or direction necessary the execution of works authorised under this Act, shall be punishable with simple imprisonment for a term which may extend to two months or with fine which may extend to Rs. 500/- or with both

72. Every Officer and servant of (he Authority and every other officer employed by the State Government for the purposes of this Act, shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.] (1) No court inferior to the court of a Judicial Magistrate 1st Class shall take cognizance of offence under this Act.] (2) Unless otherwise expressly provided, no court shall take cognizance of any offence punishable under this act, except on the complaint of, or upon information received from the Authority or some person authorised by the Authority by orders in this behalf. 74. (1) The offences under this Act shall be compoundable. (2) The Authority shall have powers (a) to compound the offences under this Act, and (b) to withdraw any claim made under this Act

75. Any sum recoverable by the Authority under this Act, or any fine imposed under this Act, is not paid on demand, shall be recoverable as an arrear of land revenue. 1 Added by the Manipur Town and Country Planning (Second Amendment) Act, 1976 (Manipur Act No. 25 of 1976). 2 Numbered by the Manipur Town and Country Planning (Second Amendment) Act, 1976 (Manipur Act No. 25 of 1976). 27 76. (1) No suit, prosecution or other legal proceeding shall lie against an Authority or its officer or servant or any person acting under its or his direction.] or any -Govt. servant employed for the purposes of this Act for anything which is in good faith done or intended to be done this Act or rules or bye-laws made thereunder. (2) No suit, prosecution or other proceeding shall lie against the State Government for anything done or purported to be done by it under this Act. (3) No suit or other legal proceeding, not being a criminal proceeding, shall be instituted against an Authority, or any of its officers in respect of any act purporting to be done by such officer in his official capacity, or any person acting under its or his direction, until the expiration of one month next after notice in writing has been properly served on. (a) in the case of a suit against the Authority, the Chairman, (b) in the case of an officer, the officer against whom the suit or proceeding is instituted; and in the case of any person acting under the direction of the Authority or of any of its officers delivered to him at his place of residence or business: stating the cause of action, the name, description and place of residence of the plaintiff and the relief which he claims; and the plaint or the petition shall contain a statement that such notice has been so served. Explanation: -"Officer" in this section includes the Chairman and the Vice-Chairman

77. Every officer or servant of an Authority or of the State Government shall be liable for the loss, waste or misapplication, of any money or property vested in the Authority, if such loss, waste or misapplication is a direct consequence of his wilful neglect or misconduct while such officer or servant was in the service of the Authority, and a civil case for compensation may be instituted against him by the Authority with the prior sanction of the State Government

78. No order made in exercise of any power conferred by or under this Act shall be called in question in any court except as provided in this Act

79. Any order made under this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act. Bar to suits and proceedings. Liability for causing loss, waste or misapplication of money or property of (he Authority. Order under the Act not to be questioned in any Court. Effect of orders in consistent with other enactments. Service of Notice. Method of public notice. Formal decisions & demands. Power and duties of police in respect of assistance to Authorities. Decision of disputes between authorities. Offence by a body of individuals. Power to enter into and for inspection etc

CHAPTER XII Miscellaneous Provisions

80. Every notice issued under this Act shall be served in such manner as may be prescribed

81. Subject to the provisions of this Act, every public notice required under this Act shall be deemed to have been given if it is published in some registered newspaper (if any) and exhibited on a notice board open to the public at the building in which the meetings of the Authority are ordinarily held or if it is published in the official Gazette

82. No assessment list or other list, notice or other such document specifying, or purporting to specify with reference to any charge, or fee, any person's property, thing or circumstances shall be invalid only by reason of a clerical or technical mistake in the name, residence place of business or occupation of the person or in the description of property, thing or circumstances if it is sufficient to identify the person, property, thing or circumstances

83. Every Police Officer, Chowkidar, or every officer of the local authority shall give immediate information to the Authority of the commission of an act coming to his knowledge which is an offence under this Act or under any Rule made thereunder, and shall be bound to assist all members, officers and servants of the Authority in the exercise of their lawful authority. If a dispute arises between the Authority and any local authority on any matter in which they are jointly interested, such dispute whose decision shall be referred to the State Government, final." (III) If a body or individuals commit an offence under this Act, 85. every person, who, at the time the offence was committed, was in charge of, or was responsible to, the body for the conduct of the business of the body, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. Explanation:—For the purpose of this section, "body or individuals" means a company, firm, association, club or any such body by whatever name it is called

86. For the purpose of implementation or execution of any Scheme, the authority or persons appointed by the State Government, their subordinates and contractors may enter into or upon any land, in order—(a) to make any inspection, surveys, measure, valuation or enquiry; (b) to take levels; (c) to dig or bore into the sub-soil; (d) to dig or bore into the sub-soil; (e) to set out boundaries and intended lines of work; (f) to mark levels, boundaries and lines by marks and cutting trenches; or (g) to do any other thing whenever it is necessary to do so, for any of the purposes of this Act or any Rules made or any Scheme approved thereunder or any Scheme which the State Government intends to frame thereunder. Provided that except when it is otherwise specifically provided by Rules made under this Act no such entry shall be made between sunset and sunrise: otherwise specifically provided— Provided further that except when it is directed by such Rules, no building which is used as human dwelling house shall be so entered unless with the consent of the occupier thereof, without giving the said occupier at least 24 hours previous notice in writing of the intention to make such entry: and Provided also that due regard shall always be had, so far as may be compatible with the exigencies of the purposes for which the entry is made, to the social and religious usages of the occupants of the premises entered

87. A Copy of receipt, application, plan, notice, order, entry in a register, or other document in the possession of the Authority shall, if duly certified by the person authorised by the Authority in this behalf shall be admissible in evidence 88. An Authority may enter into and perform any contract necessary for any matter relating to a Plan or a Scheme or for any other purposes of this Act, and such a contract shall be signed by the Chairman on behalf of the Authority and shall be sealed with the common seal of the Authority

89. Whenever any difficulty arises in giving effect to any of the provisions of this Act, the rules, bye-laws and orders made thereunder, the State Government may issue such directions as may appear to it, necessary for the purposes of removing the difficulty. 90. (1) The State Government may, after previous publication in the Official Gazette, make rules for carrying out purposes of this Act. In particular and without prejudice to the generality of the foregoing powers, the State Government shall have power to make rules in respect of the following matters, namely— (i) the manner of publication of notification regarding the Schemes, their modifications, variations, revocations, submissions, and approval by the State Government; (ii) powers that may be delegated to any Authority established under this Act or to any Officer; (iii) procedure to be adopted for securing co-operation of various the owners or other persons or bodies Government Departments, interested in the Schemes; Admissibility of certified copies. Power of Authority to enter into agreements. Power of State Govt to remove difficulties. Power of the State Govt. to make rules. Of Authority (iv) calculation, assessment and payment of compensation in respect of property which is injuriously affected within the meaning assigned to it in Section (53) of this Act; (v) calculation, assessment and collection of betterment charge; (vi) procedure of filing, hearing and deciding objections and appeals under the Act and all matters connected therewith; (vii) the delegation of power to and the duties that shall be discharged by the Chief Town Planner and the manner in which he shall be consulted; (viii) matters other than those referred to in the foregoing clauses which are expressly or by implication required or allowed by this Act to be prescribed by Rules; and (ix) Creation and administration of fund for the purpose of implementing the provisions of this Act. (3) Every Rule made under this Act shall be laid as soon as may be after it is made before the Legislative

has not functioned _ti (I think it, may, by not
ved date may be specified in the notification;
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ceable against the Authority against the State Gov
of the Authority shall the State Government. and
untry Planning in Manipur Act shall, unless incor
Dissolution of the Au- thority. Savings of previo