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राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

सोमवार, 1 दिसम्बर, 2014 / 10 अग्रहायण, 1936

हिमाचल प्रदेश सरकार

चिकित्सा शिक्षा एवं अनुसंधान विभाग

अधिसूचना

शिमला-2, 22 नवम्बर, 2014

संख्या:एचएफडब्ल्यू-बी (ई)3-86/2013.—प्रारूप हिमाचल प्रदेश विष (कब्जा और विक्रय) नियम, 2014 को, इस विभाग की समसंख्यांक अधिसूचना तारीख 14.7.2014 द्वारा, तद्द्वारा इससे संभाव्य प्रभावित होने वाले व्यक्तियों से, विष अधिनियम, 1919 की धारा (8) की उप धारा (2) के अधीन यथा अपेक्षित इस अधिसूचना के प्रकाशन की तारीख से तीस दिन की अवधि के भीतर आक्षेप और सुझाव आमन्त्रित करने के लिए राजपत्र, हिमाचल प्रदेश (आसाधरण) में तारीख 16-07-2014 को प्रकाशित किया गया था;

[Authoritative English text of this Department Notification No. TCP-A (3)-1/2014 dated 2014. as required under clause (3) of Article 348 of the Constitution of India.]

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Shimla-2, the 1st December, 2014

No.TCP-A(3)-1/2014-I.—Whereas the draft Himachal Pradesh Town and Country Planning Rules, 2014 were published in the Official Gazette, Himachal Pradesh (Extra Ordinary) vide this department notification of even number dated 30.7.2014 for inviting objection(s) and suggestion(s) from the person likely to be affected thereby, as required under sub-section (1) of section 87 of the Himachal Pradesh Town and Country Planning Act, 1977(Act No.12 of 1977);

And whereas, objection(s) and suggestion (s) have been received within the stipulated period by the State Government in this behalf and the same have been considered;

Now, therefore, in exercise of powers conferred by section 87 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Governor, Himachal Pradesh is pleased to make the Himachal Pradesh Town and Country Planning Rules, 2014 and to repeal the Himachal Pradesh Town and Country Planning Rules, 1978 published in the Official Gazette, Himachal Pradesh (Extra Ordinary) dated 6.4.1979, vide Notification No. 9-12/72 –PW (B) dated 19.12.1978, namely:-

CHAPTER-I PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Town and Country Planning Rules, 2014.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.— (1) In these rules, unless the context otherwise requires,-

- (a) “Act” means the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) ;
- (b) “amenity” includes roads, water supply, street lighting, drainage, sewerage, public parks, schools, hospitals, community centers and other community building, landscaping and any other public utility service;
- (c) “approved development plan” means a plan prepared under the Act and duly approved by the State Government;
- (d) “Authority” means the Town and Country Development Authority or Special Area Development Authority, as the case may be, constituted under the Act;
- (e) “Chief Executive Officer” means the Chief Executive Officer of the Authority;
- (f) “Director” means the Director of Town and Country Planning Department, Himachal Pradesh;

- (g) “field office” means the Divisional and Sub-Divisional Town and Country Planning offices of the Department;
- (h) “form” means a form appended to these rules;
- (i) “Government” means the Government of Himachal Pradesh;
- (j) “layout plan” means a plan of the colony depicting the division or proposed division of land into plots, roads, open spaces, amenities, etc. and other details as may be necessary;
- (k) “local authority” means a Municipal Corporation constituted under section 3 of the Himachal Pradesh Municipal Corporation Act, 1994 or a Municipal Council or a Nagar Panchayat constituted under section 3 of the Himachal Pradesh Municipal Act, 1994 or Panchayati Raj Institutions constituted under the Himachal Pradesh Panchayati Raj Act, 1994 or Cantonment Board or any other authority notified by the State Government for the purposes of the Act;
- (l) “section” means a section of the Act; and
- (m) “Secretary” means the Secretary (Town and Country Planning) to the Government of Himachal Pradesh.

(2) All the words and expressions used in these rules but not defined shall have the same meanings as have been assigned to them respectively in the Act.

CHAPTER-II

REGIONAL PLANNING

3. Form of notice.—The notice with respect to the draft Regional Plan to be published under sub-section (1) of section 8 of the Act shall be in **form-1**.

4. Manner of publication of notice.—The notice specified in rule 3 shall be published in the Official Gazette and shall further be published by means of advertisement in one or more newspapers having wide circulation within the area of the Region. A copy of the notice shall also be pasted at the office of the Director and the concerned field office(s).

5. Manner of publication of Regional Plan.—The Notification under sub-section (2) of section 9 of the Act shall be in **form-2** and shall be published in the Official Gazette and in one or more newspapers having wide circulation within the area of the Region. A copy of the notice shall also be pasted at the office of the Director and field office(s) concerned.

6. Notice of modifications in Regional Plan.—In case, the draft Regional Plan is approved by the Government with modifications, a notice to this effect shall be published in the Official Gazette and in one or more newspapers having wide circulation within the area of Region under the proviso to sub-section (2) of section 9 of the Act in **form- 3**.

7. Consideration of modifications in Regional Plan.—The objection(s) and suggestion(s), if any, received after publication of notice under rule 6 shall be considered by the Government and after giving reasonable opportunity of being heard to the persons affected thereby, a notification to the effect that the Regional Plan has been approved, shall be published in **form-4** in the Official Gazette and in one or more newspapers having wide circulation within the area of Region. A copy of the said notification shall also be pasted at the office of Director and field office(s) concerned.

CHAPTER-III
PLANNING AREAS, DEVELOPMENT PLANS AND SECTORAL PLANS

8. Manner of publication of Existing Land Use Map.—A public notice of preparation of the Existing Land Use Map inviting objection(s) and suggestion(s) under sub-section (1) of section 15 of the Act shall be given in **form-5** by publishing the said notice in the Official Gazette and in one or more news papers having wide circulation within the Planning Area/ Special Area.

9. Adoption of Existing land Use.—A public notice shall be published under sub-section (3) of section 15 of the Act, in **form-6** in the Official Gazette and in one or more newspapers having wide circulation within Planning Area/ Special Area intimating that the Existing Land Use Map has been duly prepared and adopted and shall be available for inspection during office hours in the office of Director, its field offices, office of the Authority (if any) and the office of the local authority.

10. Manner of publication of approved Interim Development Plan or Sectoral Plan.—The Interim Development Plan, as approved under sub-section (4) of section 17 of the Act, shall be published in the Official Gazette under sub-section (5) of section 17 of the Act and the notice of such publication shall be in **form-7**.

11. Manner of publication of draft Development Plan or Sectoral Plan.—A copy of the draft Development Plan, as prepared under section 18 or Sectoral Plan as prepared under section 21 of the Act, shall be made available for public inspection during office hours at the office(s) of the Director, the Authority(if any), the local authority and the field office(s) concerned for inviting the public objection(s) and suggestion(s) under sub-section (1) of section 19 or section 23 read with section 19 of the Act, as the case may be. The notice of the preparation of the draft Development Plan or the Sectoral Plan, as the case may be, and of making them available for public inspection shall be in **form- 8** and shall be published in the Official Gazette and in one or more newspapers having wide circulation in the Planning Area/ Special Area.

12. Manner of publication of approved Development Plan or Sectoral Plan.— (1) Where the State Government approves Development Plan under sub-section (2) of section 20 of the Act or Sectoral Plan under section 23 of the Act with modifications, the notice inviting objection(s) and suggestion(s) to be published in the Official Gazette and in one or more newspapers having wide circulation within the Planning Area /Special Area shall be in **form-9**.

(2) A public notice shall be published under sub-section (4) of section 20 or section 23 of the Act, in **form- 10** in the Official Gazette and in one or more newspapers having wide circulation in the Planning Area/ Special Area to give it due publicity intimating that the Development Plan or the Sectoral Plan has been approved without any modifications under sub-section (1) of section 20 or section 23 of the Act or with modifications under sub-section (3) of section 20 or section-24 of the Act, as the case may be, by the Government and shall be available for inspection during office hours at the office of the Director, its field office(s), the offices of the Authority (if any) and local authority concerned.

13. Permission for development before the preparation of Interim Development Plan or Development Plan.—In the Planning Areas constituted under section 13 of the Act and the Special Areas designated under section 66 of the Act, where no Interim Development Plan (I.D.P.) or Development Plan (D.P.) has been prepared either under section 17 or under section 18 of the Act, the Director shall permit the sub-division of land or change of land use or the development of land or construction of buildings, apartments, colonies, as the case may be, in conformity with the Regulations as given in **Appendix-1 to 9** of these rules.

14. Permission for development after preparation of of Interim Development Plan or Development Plan.—In the Planning Areas constituted under section 13 of the Act and the Special Areas designated under section 66 of the Act, where Interim Development Plan or Development Plan has been prepared either under section 17 or section 18 of the Act, the Director shall permit sub-division of land or change of land use or development of land or construction of buildings, apartments, colonies, as the case may be, in conformity with the Regulations contained in the Interim Development Plan or Development Plan. In case Regulations as given in **Appendix-1 to 9** are not contained in the said Interim Development Plan or Development Plan, the same shall be considered in addition to the Regulations as contained in the Interim Development Plan or Development Plan while granting permission by the Director.

CHAPTER-IV CONTROL OF DEVELOPMENT AND USE OF LAND

15. Intention of development undertaken on behalf of Union Government or State Government or local authority or any authority constituted under the Act.—The intimation by Union Government, State Government, a local authority or any Authority constituted under the Act regarding the intention to carry out any development on any land as envisaged under sub-section (1) of section 28 or section 29 of the Act, shall be on simple paper accompanied by following documents and particulars:-

- (i) a copy of title/ownership documents i.e. latest jamabandi in original;
- (ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for shall be shown in red, in the tatima;
- (iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land;
- (iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, trees, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal, and all such other matters which need to be co-ordinated with the adjoining area;
- (v) for sub-division of land into plots, three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, set backs, parks and open spaces, community buildings such as schools, dispensary, post office, bank etc. and all development proposals including a general report and mode so as to make scheme self explanatory;
- (vi) for construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment, colony etc. and other architectural details and Specifications of proposed building, apartment, colony etc. alongwith Schedule of Area including built up and open area, set backs, structural stability certificate and soil investigation report as specified in rule 21 of these rules and any other information or document or plan or design, as may be required by the Director;

- (vii) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc; and
 (viii) the name and address of the registered Town Planner/ Architect/ Engineer/ Draughtsman/ Surveyor.

Note:- The Location Plan, Site Plan and Drawings can be drawn on single sheet or in multiple sheets depending upon the size and area of the land or building or apartment or colony, as the case may be.

16. Form of application for permission for development.—(1) Any person not being the Union Government or the Government, a local authority or any Authority constituted under the Act, shall apply for development under sub-section (2) of section 15-A or clause (a) of section 16 or of sub-section (1) of section 30 or section 30-A (beyond the limits as specified under section 30-A) of the Act, as the case may be, in **form-11** for sub-division of land and **form-12** for construction of building alongwith the Specifications and Schedule of Area attached with the application form.

(2) Every application submitted under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 30 or section 30-A (beyond the limits as specified under section 30-A) of the Act shall be accompanied by fee as specified below:-

(a) **For development / sub-division of land:-**

Sr. No.	Component	Municipal limits Rs. per M ² of Plot Area	Outside Municipal limits Rs. per M ² of Plot Area
1.	Development of land	2.50	1.00

(b) **For building operation:-**

1. Residential Use.

Sr. No.	Plot Area	Rates in Rs. per M ² of Floor Area	
		Municipal limits	Outside Municipal limits
1.	Upto 120 M ²	3.00	1.50
2.	Above 120 M ² to 150 M ²	6.00	2.50
3.	Above 150 M ² to 250 M ²	10.50	5.00
4.	More than 250 M ²	16.00	8.00

2. Commercial Use.

Sr. No.	Floor Area (including corridor)	Rates in Rs. per M ² of Floor Area	
		Municipal limits	Outside Municipal limits
1.	Upto 10 M ²	12.00	8.00
2.	Above 10 M ² to 20 M ²	16.00	12.00
3.	Above 20 M ² to 40 M ²	24.00	16.00
4.	Above 40 M ² to 80 M ²	31.50	24.00
5.	More than 80 M ²	47.00	31.50

3. Public and Semi-Public Use.

Sr. No.	Floor Area	Rates in Rs. per M ² of Floor Area	
		Municipal limits	Outside Municipal limits
1.	Upto 200 M ²	10.50	8.00
2.	Above 200 M ² to 400 M ²	16.00	10.50
3.	Above 400 M ² to 750 M ²	21.00	16.00
4.	Above 750 M ²	26.00	21.00

4. Industrial Use.

High Potential Zone	Medium Potential Zone	Low Potential Zone
Sirmour and Solan Districts	Una and Kangra Districts	Bilaspur, Mandi, Hamirpur, Chamba, Shimla, Kullu, Kinnaur and Lahaul & Spiti Districts
Rates in Rs. Per M ² of Plot Area	Rates in Rs. per M ² of Plot Area	Rates in Rs. Per M ² of Plot Area
10.50	8.00	5.00

(c) For Change of Existing Building Use:-

Sr. No.	Building Use changed to	Floor Area	Rates in Rs. per M ² of Floor Area	
			Municipal limits	Outside Municipal limits
1.	Residential	Upto 40 M ²	10.50	5.00
		Above 40 M ² to 80 M ²	13.00	6.00
		Above 80 M ²	21.00	10.50

2.	Commercial	Upto 40 M ²	79.00	59.00	
		Above 40 M ² to 80 M ²	118.00	79.00	
		Above 80 M ²	157.50	118.00	
3.	Public and Semi Public	Upto 100 M ²	21.00	16.00	
		Above 100 M ² to 200 M ²	26.00	21.00	
		Above 200 M ² to 400 M ²	31.50	26.00	
		Above 400 M ² to 800 M ²	39.00	31.50	
		Above 800 M ²	52.50	39.00	
4.	Industrial	Floor Area	High Potential Zone	Medium Potential Zone	Low Potential Zone
			Sirmour and Solan Districts	Una and Kangra Districts	Bilaspur, Mandi, Hamirpur, Chamba, Shimla, Kullu, Kinnaur and Lahaul & Spiti Districts
		Upto 100 M ²	26.00	21.00	16.00
		Above 100 M ² to 200 M ²	39.00	26.00	21.00
		Above 200 M ² to 500 M ²	52.50	39.00	26.00
		Above 500 M ²	70.00	52.00	35.00

Note:- The fee for open spaces surrounding the building proposed for change of Building Use will be paid on the rates of pre-dominant Building Use. The change of Building Use will only be allowed subject to fulfillment of prescribed Regulations for particular use.

(d) For change of Land Use from the original use of site or as specified in the revenue record or from the Existing /frozen/ adopted Land Use pending preparation of Interim Development Plan or Development Plan.

Sr. No.	Land Use Changed to	Plot Area	Rates in Rs. per M ² of Plot Area	
			Municipal limits	Outside Municipal limits
1.	Residential	150 M ² to 250 M ²	5.00	2.50
		Above 250 M ²	8.00	5.00
2.	Commercial	Upto 200 M ²	79.00	59.00
		Above 200 M ²	157.50	118.00

3.	Public and Semi Public	Upto 1000 M ²	16.00	10.50	
		Above 1000 M ²	26.00	18.00	
4.	Industrial	Plot Area	High Potential Zone	Medium Potential Zone	Low Potential Zone
			Sirmour and Solan Districts	Una and Kangra Districts	Bilaspur, Mandi, Hamirpur, Chamba, Shimla, Kullu, Kinnaur and Lahaul & Spiti Districts
		Upto 1000 M ²	10.50	7.90	5.25
		Above 1000 M ² to 5000 M ²	15.75	13.50	10.50
		Above 5000 M ²	21.00	15.75	13.15

Note:- The change of Land Use Fee for Residential Use only shall not be applicable for bonafide residents i.e. original inhabitants of the Planning Area or Special Area who were owning the property at the time of applicability of the Act and their natural heirs only. The change of Land Use Fee shall be applicable for the persons who purchased land after the commencement of the Act. No fee will be charged from the Below Poverty Line (BPL) families, Economically Weaker Sections of the society and from the applicants of Social Housing Schemes notified by the Government from time to time.

(e) For change of Land Use from the Land Use as specified in the Interim Development Plan or Development Plan to other Land Use:-

Sr. No.	Land Use Changed to	Plot Area	Rates in Rs. per M ² of Plot Area		
			Municipal limits	Outside Municipal limits	
1	Residential	150 M ² to 250 M ²	10.00	5.00	
		Above 250 M ²	16.00	10.00	
2	Commercial	Upto 200 M ²	158.00	118.00	
		Above 200 M ²	315.00	236.00	
3.	Public and Semi Public	Upto 1000 M ²	32.00	21.00	
		Above 1000 M ²	52.00	36.00	
4.	Industrial	Plot Area	High Potential Zone	Medium Potential Zone	Low Potential Zone

		Sirmour and Solan Districts	Una and Kangra Districts	Bilaspur, Mandi, Hamirpur, Chamba, Shimla, Kullu, Kinnaur and Lahaul & Spiti Districts
	Upto 1000 M ²	21.00	16.00	10.50
	Above 1000 M ² to 5000 M ²	31.50	26.00	21.00
	Above 5000 M ²	42.00	31.50	26.00

(e) For re-validation of permission:-

The re-validation fee shall be @ 10% of fee as specified under clauses (a) to (e) of sub-rule (2).

Note: (i) The charges from clauses (a) to (f) will be increased by 10% after a block of 5 years from the date of applicability of these rules. It will be rounded off to the nearest rupee.

(ii) The fee as prescribed above shall be charged as per particular slab in which the total floor area falls.

17. Registration, Qualification and Duties of Private Professionals.—All the plans attached with the applications submitted under rule 15 and sub-rule (1) of rule 16 shall be prepared, designed and signed by Registered Private Professionals in accordance with the provisions of **Appendix- 10** of these rules.

18. Prescribed limits.—The prescribed limits for the development activities exempted from permission under section 30-A of the Act shall be as given in **Appendix-8** of these rules. For carrying out all the development activities by Union Government or State Government or Authority or a Local Authority or any person which are beyond the prescribed limits shall apply for permission to the Director under rule 15 and sub-rule (1) of rule 16 of these rules.

19. Form of permission and manner of communication.—The permission for development of land applied under sub-section (2) of section 15-A or clause (a) of section 16 or section 28 or section 29 or section 30 or section 30-A (beyond the limits as specified under section 30-A) of the Act shall be granted in accordance with the provisions of the Act and these rules and shall be communicated to the person(s) concerned under section 31 of the Act in **form-13** and copies thereof shall be sent to the Authority, Local Authorities and any other office concerned with the development works alongwith a copy of the approved plan. In case of observations, the same shall be handed over to the applicant(s) failing which, the same shall be sent through registered (AD) or by speed post. The plan shall be approved and signed by the Director, modifications, if any, shall be shown in red lines and one copy of approved plan shall be sent to the applicant(s). In case of excessive modifications, fresh plan shall be demanded incorporating the revised plan showing all the modifications communicated by the Director. Such order shall be handed over to the applicant(s). If applicant (s) is present, his acknowledgment shall be obtained. In case applicant(s) is not present, such order shall be sent to him under registered (AD) or by speed post. In case of

deemed permission, intimation on simple paper alongwith total period of application retained by the Director shall be given by the applicant to the Director and the deemed permission shall be communicated to the applicant by the Director, provided it is in conformity to the provisions of the Act, rules and regulations of the Interim Development Plan or Development Plan.

20. Form of refusal and manner of communication.—The refusal for development of land applied under sub- section (2) of section 15-A or clause (a) of section 16 or section 28 or section 29 or section 30 (beyond the limits as specified under section 30-A) of the Act shall be communicated to the person(s) concerned under section 31 of the Act in **form-14**. Such order shall be handed over to the applicant(s). If applicant(s) is present his acknowledgment shall be obtained. In case applicant(s) is not present, such order shall be sent to him under registered (AD) or by speed post.

21. Structure Stability Certificate.—Structural Stability Certificate shall be furnished by the applicant while applying for permission under sub- section (2) of section 15-A or clause (a) of section 16 or section 28 or section 29 or section 30 or section 30-A (beyond the limits as specified under section 30-A) of the Act, and shall be in **form-15**. Soil Investigation Report (for the areas falling in sliding and sinking zones as defined in the respective Interim Development Plans or Development Plans or for any re-claimed piece of land by Promoters) shall be mandatory. The Soil Investigation Report shall be given by the Geologist and the Structural Stability Certificate shall be given by the Civil Engineer.

22. Appeal, Form and manner of filing appeal.— (1) Any applicant aggrieved by any order granting permission on conditions or refusing permission under section 31 of the Act or any order passed under any of the provisions of the Act may, within 30 days from the date of communication of such order to him, prefer an appeal in writing to an Officer not below the rank of Secretary, appointed by the State Government in this behalf in the following manner on **form-16**.

- (i) It shall specify the date of order against which the appeal is made. A copy of the order thereof shall be attached;
- (ii) It shall specify a clear statement of facts and the grounds on which the appeal is made;
- (iii) It shall specify precisely the relief prayed for; and
- (iv) It shall contain the following verification certificate duly signed by the applicant(s):-

“Ido hereby declare that the fact and contents stated above are true to the best of my knowledge and belief”.

- (2) The appeal under sub-rule (1) shall be accompanied by a fee of Rs. 100/- through Treasury Challan or through e-payment.

Note: These charges will be increased by 10% after a block of 5 years from the date of commencement of these rules. It will be rounded off to the nearest rupee.

23. Supply of copies of order or proceedings of record.—(1) A copy of the order passed by the Appellate Authority shall be given to all the parties in the appeal, free of cost. However, additional copies may be supplied to an individual having interest in the proceedings before the Director, Appellate Authority or the Government, on an application submitted by the applicant.

(2) The application under sub-rule (1) shall be accompanied by a fee of Rs. 10/-. Further, the copies in A4 size shall be given @ Rs. 2/- per page of copy applied. The fee may be paid through Treasury Challan or through e-payment.

Note: These charges will be increased by 10% after a block of 5 years from the date of commencement of these rules. It will be rounded off to the nearest rupee.

24. Notice by owner to purchase interest in land.—The notice shall be served on the Government under sub-section (1) of section 35 of the Act, in **form -17** so as to reach it within a period of 60 days from the date of publication of notice for compulsory acquisition for the purpose of the Development Plan together with documentary proof of ownership, location plan and site plan.

25. Manner of communication of revocation and modification or permission to development.—Every order of revocation and modification of permission to development passed under sub-section (1) of section 37 of the Act, shall be communicated in **form -18** and shall be handed over to the owner (s). If owner (s) is present his acknowledgment shall be obtained. In case owner (s) is not present, such order shall be sent to him under registered (AD) or by speed post.

26. Manner in which amount in lieu of expenditure incurred to be paid.—The manner in which amount in lieu of expenditure incurred after the grant of permission may be assessed under section 37 of the Act, as under:-

- (1) Every claim under sub-section (2) of section 37 of the Act shall be made to the Town and Country Development Authority or the Special Area Development Authority within 90 days from the date of service of the order of revocation or modification.
- (2) The claim shall be made in writing supported by details of expenditure incurred in carrying out development according to the permission granted and a further detailed estimate of such of the expenditure as has been rendered abortive on account of an order of revocation or modification of permission originally granted both being prepared by a Registered Private Professional. A certified copy of the commencement certificate under which permission for development was originally granted shall accompany such claim. The Town and Country Development Authority or the Special Area Development Authority, as the case may be, shall forward such claim to the Town Planning Officer who after giving the owner(s) reasonable opportunity of being heard shall send his report to the Town and Country Development Authority or the Special Area Development Authority, as the case may be. The Town and Country Development Authority or the Special Area Development Authority, as the case may be, after considering the report of the Town Planning Officer shall assess and award, subject to provision of section 11 of the Act, such amount to the owner (s) as it thinks fit.
- (3) Every order regarding claims preferred by the owners and passed under sub-section (2) of section 37 of the Act, shall be communicated in **form-19** and shall be handed over to the owner(s). If owner (s) is present his acknowledgment shall be obtained. In case owner (s) is not present, such order shall be sent to him under registered (AD) or by speed post.
- (4) The notice of refusal to accept the amount offered by the Town and Country Development Authority or the Special Area Development Authority, as the case may be, shall be given by the owner(s) within 30 days from the date of receipt of the offer.

27. Form of notice for demolition.—A show cause notice to afford reasonable opportunity of being heard shall be served upon the defaulter by the Director in **form- 20** before issuing notice in form 21.

28. Form of notice for demolition, alteration, discontinuation of unauthorized development.—The notice under sub-section (1) of section 39 of the Act shall be in **form-21**

29. Form of notice to stop or seal the un-authorized development.— The notice under sub-section (2) of section 39 of the Act shall be in **form - 22**. However, the notice under this rule may be given only after the non-compliance of the notice given under rule 28.

30. Application for composition of offences.—The application under sub-section (3) of section 39 of the Act, shall be on the form as specified under sub-rule (1) of rule 35 of these rules.

31. Form for order for stopping the deployment.—The order to stop unauthorized development under sub-section (1) of section 39-A of the Act, shall be in **form -23**.

32. Police Assistance.—Where any development after the service of the order under sub-section (1) of section 39-A of the Act is not stopped in pursuance of the notice served under rule 31 of these rules, the Officer empowered by the Government or the Competent Authority, as the case may be, shall, by an order in **form-24**, request the Station House Officer of the nearest Police Station to deploy adequate Police force to remove the person(s) by whom development has been commenced and all his assistants and workman from the place of development and seize the construction materials, tools, machinery, scaffolding or the things used in such development and article so seized shall be dealt with or disposed of in accordance with the provisions of sub-sections (3) and (4) of section 39-A of the Act.

33. Order of stoppage and deployment of Police by the State Government.—Where the Competent Authority has failed to make an order to stop the development under sub-section (1) of section 39-A of the Act, and in case such order of stoppage has been made, has failed to requisition Police assistance under sub-section (2) of section 39-A of the Act, for a period of sixty days, the Government may, after calling, for the report of the Competent Authority concerned, direct the Competent Authority or any other Officer as the Government may deem fit, to make the order to stop the development under sub-section (1) of section 39-A of the Act, or as the case may be, requisition the Police assistance under sub-section (2) of section 39-A of the Act and such Competent Authority or the Officer shall carryout such directions.

34. Sealing of unauthorized development.—Wherever it is considered expedient to seal any unauthorized development under sub-section (1) of section 39-B of the Act, the Officer of the Government empowered in this behalf, or as the case may be, the Competent Authority shall afford, in **form- 25**, the reasonable opportunity of being heard to the persons against whom the order is purported to be made.

35. Composition of offences.—(1) Any person, not being the Union Government or Government or a Local Authority or an Authority constituted under the Act, may apply, under sub-section (1) of section 39-C of the Act, in **form- 26** to the Director for composition of offences. The permission for composition of offences shall be conveyed in **form- 27**.

(2) Every application submitted under sub-section (1) of section 39-C of the Act, shall be accompanied by a fee of Rs.200/- deposited into the Government Treasury, under the appropriate Head of Account through Treasury Challan or through e-payment.

(3) Composition fee shall be charged from the applicant at the rates specified below:-

Sr. No.	Offence	Composition Fee
1.	<p>In case of building where plan was approved and deviations have been carried out from the approved plan beyond the permissible limits as specified under rules and Regulations to the extent of 10% over any or all the set backs on ground floor and all the subsequent floors.</p> <p>(If the deviations are within the permissible limits, applicant need to get revised plan approved by paying the fee as specified and applicable under sub-rule (2) of rule 16 of these rules.)</p>	<p>(i) In the case of building falling within jurisdiction of Municipal Area @ Rs. 800/-per M² for ground floor level and @ Rs. 400/-per M² for each subsequent floor level; and</p> <p>(ii) In the case of building falling outside the jurisdiction of Municipal Area @ Rs. 400/-per M² for ground floor level and @ Rs. 200/- per M² for each subsequent floor level.</p>
2.	<p>In case of building where plan was not approved but construction carried out is as per the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations of Interim Development Plan or Development Plan.</p>	<p>The structure so constructed shall be regularized on payment of composition fee equal to 2 times of fee as specified and applicable under sub-rule (2) of rule 16 of these rules.</p>
3.	<p>In case of building where plan was not approved and deviations have also been carried out beyond the permissible limits as specified under rules and Regulations to the extent of 10% over any or all the set backs on ground floor and all the subsequent floors.</p>	<p>The structure so constructed shall be regularized on payment of composition fee equal to 3 times of fee as specified and applicable under sub-rule (2) of rule 16 of these rules and the composition fee as prescribed at Serial No. 1 above.</p>
4.	<p>Building constructed on an under size plot to the extent of 10% less than the permissible plot size as specified under rules and Regulations.</p>	<p>(i) In the case of building falling within the jurisdiction of Municipal Area, @ Rs. 5000/- lump sum in addition to fee as specified and applicable under sub-rule (2) of rule 16 of these rules; and</p> <p>(ii) In the case of building falling outside the jurisdiction of Municipal Area, @ Rs. 2000/- lump sum in addition to fee as specified and applicable under sub-rule (2) of rule 16 of these rules.</p>

Note: The charges under rule 35 will be increased by 10% after a block of 5 years from the date of commencement of these rules. It will be rounded off to the nearest rupee:

Provided that the Government may exempt such areas from the application of this rule, if the Local Authorities of such areas have framed their own rules, for this purpose. The offender shall be levied composition fee under such rules, wherein the rates of composition fee are on higher side but shall not be levied composition fee under both such Rules. The Government may direct the Municipal Authorities to amend its building Bye-Laws as per the Himachal Pradesh Town and Country Planning Act, 1977 and these Rules:

Provided further that each offence shall be compounded separately.

CHAPTER-V TOWN AND COUNTRY DEVELOPMENT AUTHORITY

36. Preparation of Town Development Scheme.—(1) The Town and Country Development Authority shall publish a notice under sub-section (2) of section 52 of the Act, in **form -28** declaring intention of making a Town Development Scheme in the Official Gazette not later than thirty days from the date of declaration of intention to make Scheme and by means of an advertisement in one or more news papers having wide circulation in the locality. Copies thereof shall also be made available for inspection in the office of the Town and Country Development Authority concerned.

(2) Notice under sub-section (3) and sub-section (7) of section 52 of the Act, shall be in **form -29** and **form- 30** respectively and shall be published in the Official Gazette and in one or more news papers having wide circulation in the locality.

37. Acquisition of land.—The land acquired by the State Government under section 58 of the Act, shall vest in the Town and Country Development Authority, subject to the law for the time being in force.

38. Mode of levy.—(1) Notice of intention to levy development charges under sub-section (1) of section 62 of the Act, shall be in **form -31** and shall be published in the Official Gazette and in one or more news papers having wide circulation in the area. Copies of the said notice shall also be affixed in the concerned offices of the Town and Country Development Authority.

(2) Notice under sub-section (4) of section 62 of the Act, for the assessment of development charges shall be in **form -32**.

39. Power to borrow money.—The Town and Country Development Authority may borrow money under section 65 of the Act, subject to the following terms and conditions, namely:-

- (i) the Town and Country Development Authority may with the prior approval of the Government borrow money by issuing debentures for the purpose of the Act;
- (ii) the amount of money to be borrowed by issue of debentures. The issue price of debenture and terms and maturity shall be determined by the Authority with the prior approval of the Government;
- (iii) the rate of interest which debentures would carry shall be such as may, be fixed by the State Government;

- (iv) no debentures shall be issued, except with the guarantee by the Government as to the repayment of principal and payment of interest;
- (v) a sinking fund shall be constituted for the redemption of debentures and in case of any failure on this account an immediate report with reasons for such failure shall be made to the Government. The Authority shall be bound by such directions as may be issued by the Government in this behalf;
- (vi) debentures shall be negotiable by endorsement and delivery;
- (vii) the Authority may with the sanction of the Government reserve the debenture bound for issuing to any particular person or institution or have the debenture(s) under written;
- (viii) brokerage and underwriting commission at such rate as may be fixed by the Authority from time to time shall be paid to banks, brokers and others on their applications and also on applications received through them, bearing their seal;
- (ix) applications for the issue of debenture(s) shall be made to the Authority in **form- 33**;
- (x) subscriptions to the debentures may be made by cheques or demand drafts drawn in favour of the Town and Country Development Authority;
- (xi) if the subscriptions exceed the total amount of the debentures issued, partial allotment may be made and the balance of the sum paid at the time of applications, shall be refunded as soon as possible. No interest shall be paid on the amount so refunded. The Authority may reserve the right to retain the subscriptions, received upto ten percent in excess of the sum floated;
- (xii) the debentures shall be issued in the denomination of Rs. 100/-, Rs. 500/-, Rs. 1,000/-, Rs. 5,000/-, Rs. 25,000/-, Rs. 50,000/-, Rs.1, 00,000/- and Rs. 5, 00,000/-;
- (xiii) the interest on debentures shall be paid half yearly. The interest is subject to the payment of income tax;
- (xiv) the debentures shall be redeemable on dates noted therein and the holder(s) shall have no claim(s) upon the Authority for the interest accruing after the expiry of the term;
- (xv) debentures which by reasons of damage sustained have become unfit for circulation shall be replaced at the request to the holder(s) on surrendering the damaged or defaced debentures, provided that the essential marks for genuineness and identity such as the number, the amount, the rate of interest, the date and signature of the Chairman and the member of the Authority are still recognizable. Fresh debentures shall also be issued to replace the lost or destroyed debentures when in the opinion of the Authority the fact of destruction is proved beyond doubt. When such proof is not produced or when in case of damage the essential marks in the debentures are lost and are no longer recognizable or the debentures has been lost or has been mislead, a new debenture may be issued only after the debenture which is alleged to be missing or un-recognizable has been advertised by the claimant and in the manner specified by the Authority and is not claimed by any other person; and
- (xvi) the re-issue of the debenture shall be made for the same amounts under the same number with the addition of the word "Re-newed". A fee of Rs10/- shall be charged for every renewed debenture to be issued.

CHAPTER-VI SPECIAL AREAS

40. Terms and conditions subject to which loan may be raised by the Special Area Development Authority.—(1) The Special Area Development Authority may for the purpose of the Act, raise loans under sub-section (3) of section 72 of the Act, in pursuance of a resolution passed at a special meeting convened for the purpose:

Provided that:

- (i) no loan shall be raised without the prior sanction of the Government; and
- (ii) the terms upon, the period within, and the method by which the loan is to be raised and repaid shall be subject to these rules and the approval of the Government.

(2) The Special Area Development Authority shall maintain a sinking fund for the repayment of loans raised under sub-rule (1) and shall pay every year in the sinking fund, such, as may be sufficient for repayment, within the period fixed for all loans so raised.

(3) The sinking fund or any part thereof shall be applied in or towards the discharge of the loan for which such fund was operated and until such loan is wholly discharged, it shall not be applied for any other purpose.

CHAPTER- VII REGISTRATION OF PROMOTERS AND ESTATE AGENTS

41. Certificate of Registration.—(1) An application for registration as Promoter or as an Estate Agent, shall be made in **form-34** and **form-35** respectively and shall be accompanied by a fee of Rupees fifty thousand in the case of a Promoter and Rupees ten thousand in the case of an Estate Agent by way of e-challan or challan or in the form of a demand draft drawn in favour of the Director.

(2) The Certificate of Registration shall be issued by the Director in the case of a Promoter in **form -36** and in the case of an Estate Agent in **form-37**.

(3) In case applicant intends to withdraw his application for registration at the processing stage, he shall be entitled to the refund of 75% of fee paid.

(4) No fee shall be refunded in case the registration is cancelled on account of contravention of any of the provisions of the Act or these rules and the security deposit shall be forfeited.

(5) Before cancellation of registration, a public notice shall be given in leading newspapers for information of the general public.

Note : These charges will be increased by 10% after a block of 5 years from the date of commencement of these rules. It will be rounded off to the nearest rupee.

42. Qualifications for Registration as Promoter and Estate Agent.—(1) In case the application is for registration as a Promoter, the applicant himself, if he is an individual or one of his employees or one of the partners in case of a firm, or one of the employees of the firm or one of the Director(s) in the case of a company, or one of the employees of the company or one of the members of the managing committee in case of a co-operative society or one of the employees of co-operative society, as the case may be,-

- (a) should not be less than eighteen years of age;
- (b) should have at least five years experience in the field of development of colonies or construction of buildings whether as a construction Engineer, Architect, Town Planner possessing degree from a recognized institution or as a Class-A contractor registered with the appropriate authority;
- (c) should not be an un-discharged insolvent;

- (d) should not be of an un-sound mind;
- (e) should not have been black listed by any authority under any law for the time being in force;
- (f) should not have been convicted of an offence under the Act or under any law involving moral turpitude, or, if convicted a period of five years has elapsed since his conviction;
- (g) should not be in the employment of the Government or a State undertaking or a local authority; and
- (h) should not have been dismissed or removed from the service of a Government or a State undertaking or a local authority.

(2) The following desirable information is to be disclosed wherever applicable:-

- (a) should submit statement of affairs clearly indicating the detail of Assets and Liabilities duly certified by the Chartered Accountant.
- (b) in case of a company, the applicant has furnished a Certificate of Registration of incorporation with the Registrar of Companies;
- (c) in case of a firm, Certificate of Registration under the Partnership Act, 1932 from the competent authority;
- (d) has produced an attested copy of Permanent Account Number (PAN) alongwith Income Tax returns of preceding 3 years; and
- (e) has furnished the details of previous projects executed during the preceding 5 years alongwith their completion certificate, if any.

(3) In case the application is for registration as an Estate Agent, the applicant,-

- (a) should not be less than eighteen years of age;
- (b) should not be in the employment of the Government or a State undertaking or a local authority;
- (c) should not have been dismissed from the service of a Government or a State undertaking or a local authority;
- (d) should not be an un-discharged insolvent;
- (e) should not be of an un-sound mind;
- (f) should have atleast one year experience as an Estate Agent;
- (g) should not have been convicted of an offence under the Act or under any law involving moral turpitude, or, if convicted a period of five years has elapsed since his conviction;

(4) The following desirable information is to be disclosed wherever applicable:-

- (a) in case of a company, the applicant has furnished a Certificate of Registration of incorporation with the Registrar of Companies;
- (b) in case of a firm, Certificate of Registration under the Partnership Act, 1932 from the Competent Authority; and
- (c) has produced an attested copy of Permanent Account Number (PAN) alongwith Income Tax returns of preceding 3 years.

(5) The application for registration of Promoter shall be accompanied by an undertaking that while executing the project, the Promoter shall engage the services of qualified technical experts namely construction Engineer or Architect or Town Planner possessing degree from the recognized institution till the completion of project, if he himself does not possess the said qualification.

(6) The applicant shall furnish to the Director a Bank guarantee or fixed deposit duly pledged in the name of Director as refundable security of Rupees one lakh for registration as a Promoter and Rupees twenty five thousand for registration as Estate Agent.

43. Fee for renewal of registration.—(1) The fee for renewal of registration as a Promoter or an Estate Agent, shall be Rupees twenty five thousand and Rupees five thousand respectively and shall be payable by way of e-challan or challan or demand draft.

(2) In case applicant intends to withdraw his application for renewal of registration at the processing stage, he shall be entitled to the refund of 75% of fee paid.

Provided that the application is made in **form -38** in the case of a Promoter and in **form- 39** in the case of an Estate Agent at least three months before the expiry of the period of Certificate of Registration.

44. Form and manner of maintaining accounts, reregister and records.— (1) Every registered Promoter after grant of Licence shall maintain,-

- (a) a separate ledger account of each of the allottees of the apartment or plot specifying the name and postal address of the allottees, amount realized from each apartment owner or plot holder;
- (b) a separate ledger showing the details of the allottees belonging to Economically Weaker Section or Low Income Group of society or bonafide Himachalis to whom 25% of developed land (residential apartments and residential plots) has been allotted;
- (c) accounts showing the details of expenses incurred by him on constructing the buildings or apartments or on development works in the colony with the details thereof in accordance with the provisions of section 78 h of the Act; and
- (d) a register in **form- 40** containing the details of plots or apartments sold by him to the allottees, including the allottees belonging to Economically Weaker Section or Low Income Group of society or bonafide Himachalis to whom 25% of developed land (residential apartments and residential plots) has been allotted, date of the agreement of sale of such plots or apartments, details of the payment of the sale price and date of handing over the possession and execution of the conveyance deed.

(2) Every Estate Agent shall maintain a register in **form-41** indicating category of plot and apartment, area of plot and apartment, name and address of sellers and buyers, consideration money, date of sale and registration of sale deed.

(3) The Director shall maintain registers in **form-42** showing particulars of all cases in which licence under sub-section (3) of section 78p of the Act, is granted or refused and in **form-43** and **form-44** showing the particulars of all cases in which Certificate of Registration is granted or refused to Promoters and Estate Agents respectively under section 78a of the Act.

(4) The Director shall provide copy of the extract of register on payment of fee of Rupees five per page of copy, if applied for.

45. Audit.— (1) Every Promoter and Estate Agent shall get his accounts audited after the close of every Financial Year by a Chartered Accountant and shall furnish a statement of accounts duly certified and signed by such Chartered Accountant alongwith the audit report to the Director within a period of six months of the close of the Financial Year.

(2) While auditing the accounts, the Chartered Accountant shall also verify that amounts collected by the Promoter for a particular purpose have not been utilized for any other purpose as provided in section 78r of the Act, and a certificate to that effect shall be recorded by the Chartered Accountant and a copy of the certificate so recorded, shall be sent by the Promoter to the Director as under:-

Certified that the amount collected by Sh./Smt./
M/s.....(the Promoter) for a particular purpose have not been
utilized for any other purpose. It is further certified that the accounts of Sh./
Smt./ M/s.....have been audited by me/us and found in order as per
Act and Rules.

Chartered Accountant

46. Returns.—(1) The Promoter shall furnish to the Director half yearly return within three months from the date of completion of six months in **form- 45** showing the amount received from the prospective allottees of apartments and plot holders during that period, and amount spent on construction of apartments and on the development of plots, and the balance amount deposited in a Bank for development works in the colony or for construction of apartment or for apartments constructed and sold, plots developed and sold and apartments under construction and colonies under development.

(2) The Estate Agent shall furnish annual return to the Director in **form-46** within a period of three months of the close of Financial Year indicating the names and addresses of the sellers and purchasers of the plots and apartments and dates of execution of conveyance deeds.

CHAPTER –VIII

REGULATION OF PROMOTION, CONSTRUCTION, SALE, TRANSFER AND MANAGEMENT OF APARTMENTS, PLOTS AND PROPERTIES

47. Disclosure regarding design and material to be used.—The Promoter shall disclose the following particulars on reasonable notice or demand in respect of designs and materials to be used in the construction, namely:-

- (a) In respect of designs used,-
 - (i) location plan of the building;
 - (ii) plan of the building and of the apartment;
 - (iii) elevation;
 - (iv) cross-sections; and
 - (v) structural design.
- (b) In respect of materials to be used in the construction of,-
 - (i) foundation;
 - (ii) super-structure;
 - (iii) flooring;
 - (iv) joineries; and
 - (v) electric and sanitary fittings.

48. Supply of copies of documents.—The Promoter on demand in writing shall supply true copies of the documents/information referred to in sub-section (2) of section 78n of the Act, on payment of application fee of Rs. 100/- and subsequent charges of Rs. 10/- per page of A4 size.

49. Additional information to be supplied by the Promoter.—The Promoter, alongwith the information specified under sub-section (3) of section 78o of the Act, shall also disclose the information regarding the following matters in the advertisement or prospectus to be issued under sub -section (1) of section,78o of the Act, namely:-

- (i) registration number and licence number.
- (ii) the earnest money to be deposited;
- (iii) the mode of allotment;
- (iv) the mode and schedule of payment by the prospective buyer;
- (v) the interest to be charged on delayed payment of installment by the prospective buyers;
- (vi) the general specifications as approved by the Director;
- (vii) the common areas, amenities and facilities to be provided as approved by the Director including its maintenance and management;
- (viii) the infrastructure to be provided;
- (ix) the likely date by which the possession shall be handed over and in case of delay, payment of interest to be paid by the Promoter; and
- (x) Registration of sale deed and implication of section 118 of the Himachal Pradesh Land and Tenancy Reforms Act, 1972.

50. Disclosure regarding registration and licence.—The Promoter shall disclose the number of his Certificate of Registration granted under sub-section (2) of section 78a of the Act, and also the validity of license issued under sub-section (3) of section 78p of the Act and display the Certificate of Registration and the licence so granted at a conspicuous place in his office and make it available for inspection to the persons taking or intending to take an apartment or a plot in the colony and to a person authorized by the Director.

51. Application for licence and documents to be used and fee to be paid for granting of licence.—(1) Every Promoter who desires to develop any land into a colony or desires to construct apartment or building upon any land shall make an application in writing in **form-47** to the Director for granting a licence under section 78p of the Act and shall furnish therewith:-

- (a) proof/receipt of e-challan or copy of Challan or a demand draft drawn in favour of the Director, for a sum calculated at the rate of Rupees one hundred per square Metre of plot area as licence fee;
- (b) copy of Permanent Account Number (PAN) and Income Tax returns of the preceding 3 years;
- (c) statement of affairs clearly indicating the detail of Assets and Liabilities duly certified by the Chartered Accountant.
- (d) the following Plans, Drawings and other documents shall be submitted, namely:-
 - (i) a copy of latest jamabandi in original showing the title/ownership of the Promoter in the land under the colony or apartment or building;
 - (ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra numbers falling on all the outer limits/ boundaries of the land in question. The land applied for shall be shown in red, in the tatima;

- (iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land;
- (iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, trees, slopes, contours at an interval of 5.00 Metre if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal, and all such other matters which need to be co-ordinated with the adjoining area;
- (v) for sub-division of land into plots, three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, set backs, parks and open spaces, community buildings such as school, dispensary, post office, bank etc. and all development proposals including a general report and mode so as to make scheme self explanatory. In case of colony, clearly indicating the mode and manner to reserve 25% of developed land including plot or building or apartment reserved for Economically Weaker Section, Low Income Group of society and bonafide Himachalis, with area of each plot or building or apartment earmarked clearly on the Drawings;
- (vi) for construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment, colony etc. and other architectural details and specifications of proposed building, apartment, colony and all development proposals including general report etc. alongwith schedule of built up and open area, set backs, area calculation sheet of each plot or apartment and any other information or document or Plan or Design, as may be required by the Director;
- (vii) an explanatory note explaining the salient features of the proposed colony, in particular the source of whole some water supply arrangements and site for disposal and treatment of storm and sullage water. Detailed specifications and designs of water supply schemes, storm water, sullage, sewage and sewerage with estimated costs of each component with cost analysis thereof;
- (viii) three sets of Drawings showing the cross-sections of the proposed roads indicating, in particular the width of the proposed drainage ways, cycle tracks and footpaths, green verges, position of electric poles, telephone poles and of any of other works connected with such roads. These Drawings shall indicate the position of sewers, storm water channel, water supply and any other public health services. The detailed specifications and designs of roads, works and component wise estimated cost with cost analysis thereof;
- (ix) a set of detailed specifications and structural design of buildings or apartments with the detailed component wise estimated cost of buildings or apartments and an undertaking in the shape of affidavit regarding the structural design and soil investigation report and construction thereof;

- (x) a set of detailed specification and design for electric supply including street lighting with component wise estimated cost with cost analysis of each component;
- (xi) an undertaking in the shape of affidavit to the effect that while constructing the building or apartment, the Promoter shall abide by and conform to the Himachal Pradesh Public Works Department's specification(s) for the quality of material to be used and quality of constructions;
- (xii) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc; and
- (xiii) the name and address of the registered Town Planner/ Architect/ Engineer.

Note:- The Location Plan, Site Plan and Drawings can be drawn on single sheet or in multiple sheets depending upon the size and area of the land or building or apartment or colony, as the case may be.

- (2) The Plans and Drawings specified in clause (d) of sub-rule (1) shall be clear and legible on A0 prints.
- (3) If the Promoter wants to be exempted from providing any one or more of the amenities in a colony, he shall furnish detailed explanatory note in duplicate alongwith the application and if necessary indicating the reasons as to why the said amenity or amenities need not or can not be provided.
- (4) In cases where the Promoter applies for withdrawal of application before the issue of letter of intent under rule 52 of these rules, licence fee to the extent of 10% or Rupees fifty thousand whichever is more, shall be retained as processing fee in the office of the Director and the remaining amount shall be refunded to the Promoter within one month from the receipt of application. In case where letter of intent has been issued to the Promoter and he fails to complete the formalities or is not interested for the grant of licence, 20% of the licence fee or Rupee one lac only which ever is higher, not exceeding entire deposited licence fee, shall be retained as processing fee in the office of the Director and remaining amount shall be refunded to the Promoter.
- (5) In case where the Promoter surrenders a license or a license is cancelled otherwise, before starting a project, in such case, only development charges as deposited under section 78p of the Act shall be refunded. In case where the Promoter has not paid the service charges under section 78zd of the Act and his license is cancelled, in such case, the service charges shall be made good from the development charges. Before cancellation of registration, a public notice shall be given in leading newspapers for information of the general public, to invite objections against cancellation.
- (6) The information regarding cancellation shall be sent to the Government.

52. Inquiry by the Director.—(1) On receipt of the application in specified form and complete in all respects under rule 51 of these rules, the Director shall enquire into the following matters and such other matters, as it may consider necessary, namely:-

- (a) the title/ownership of the Promoter to the land which is proposed to be converted into a colony/apartments;

- (b) extent and situation of land;
- (c) layout plan of the colony/apartments;
- (d) financial and managerial capacity of the Promoter to develop the colony/apartments;
- (e) plan regarding the development works to be executed in the colony/apartments; and
- (f) conformity of development of the colony/apartments with neighboring areas.

(2) The Director may after making inquiry as specified in sub-rule (1) and after giving the Promoter a reasonable opportunity of being heard, and also taking into consideration the opinion of the officer vested with the powers of the Director having jurisdiction for the purpose of sub-section (2) of section 78p of the Act, shall pass an order in writing either granting or refusing to grant licence if it does not conform to the requirement of these rules.

(3) After scrutiny of the plans and other necessary inquiries which the Director may deem fit, where an order is passed under section 78 p (2) of the Act, and if the Director is satisfied that the Promoter is fit for the grant of licence, it shall, before granting licence, call upon the Promoter to fulfill the conditions laid down in rule 53 of these rules, within a period of thirty days from the date of the service of notice in **form- 48**;

Provided that on an application within the aforesaid period of thirty days, for the extension of time limit, the Director, if satisfied, may extend such time limit further upto thirty days.

(4) If the Promoter fails to fulfill the conditions referred to in sub-rule (3) within the specified or extended period, if any, the grant of licence shall be refused and intimation of such refusal shall be communicated to the applicant in **form-49** personally failing which through registered (AD) or by speed post.

(5) The Director shall finalize the process of rejecting the application as provided in sub-rule (2) or for the grant of licence as provided in sub-rule (3) within a period not exceeding three months from the date of receipt of the application complete in all respect.

53. Application and conditions required to be fulfilled by the Promoter.— (1) The Promoter, who is found fit for the grant of a license under sub-section (2) of section 78 p of the Act, shall be asked by the Director to,-

- (a) deposit 25% of development charges assessed at the rate of Rupees seven hundred per square Metre in the shape of a Bank draft in order to ensure that the desired infrastructure facilities for provision of basic services of water, sanitation, solid waste, parking, street lighting etc. have been provided as contained in the project for which concerned local body has given its approval.
- (b) furnish an undertaking to enter into an agreement in **form-50** for carrying out and completion of development works in accordance with the conditions of the licence to be granted as under:-
 - (i) to maintain a separate account in any scheduled Bank of all sums, taken by him from the persons intending to take or who has taken the plot or apartment or building, as an advance or deposit towards the sale price or for any other purpose as required under section 78r of the Act, and utilize this amount for meeting the cost of development works in the colony and

- shall, on demand, in writing, by the Director make full and true disclosure of all transactions in respect of that account;
- (ii) to pay development charges, if the main lines of roads, drainage, sewerage, water supply and electricity are to be laid out and constructed by the Government or any Local Authority;
 - (iii) to construct or to get constructed at his own cost schools, hospitals, community centers and other community buildings, sewerage, street lights, water supply, lifts as per the approved plan on the land set apart for this purpose or transfer such land to the Government or Local Authority free of cost. The Government shall be at liberty to transfer such land to any Local Authority or person or Institution on such terms and conditions, as it may deem fit and to be utilized for the above purposes;
 - (iv) take responsibility for maintenance and upkeep of all roads, open spaces, public parks and public health services for a period of five years from the date of the issue of completion certificate under the building Regulations unless earlier relieved of this responsibility and thereupon to transfer such roads, open spaces, public parks and public health services free of cost to the Local Authority or Institution or registered Resident Welfare Association, as the case may be;
 - (v) to permit the Director or any other officer authorized by him to inspect the execution of layout and development works in the colony and to carry out all directions issued by him for ensuring due compliance of execution of layout and development works in accordance with the licence granted; and
 - (vi) the Promoter shall give undertaking to establish a colony/apartment after obtaining necessary approval/ no objection certificate required under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and Environment Protection Act, 1986 (wherever applicable) after the grant of Licence from the Himachal Pradesh State Environment Protection and Pollution Control Board within one year of issuance of Licence. Consent to operate a colony/ apartment shall be submitted from the Himachal Pradesh State Environment Protection and Pollution Control Board to the Director at the time of applying for part or completion of the project.

(2) If the Director having regard to the amenities which exist or are proposed to be provided in the locality on an application from Promoter, decides that it is not necessary or possible to provide such amenities, the applicant will be informed accordingly and sub-clauses (ii), (iii) and (iv) of clause (b) of sub-rule (1) shall be deemed to have been modified to that extent.

54. Grant of license.—(1) The Director shall grant a licence in **form-51** after the Promoter has deposited 25% of development charges assessed at the rate of Rupees seven hundred per square Metre in the shape of a Bank draft which shall be refunded to the Promoter without any interest on completion of development works. The Promoter shall enter into an agreement with the Director in Form-50 for the completion of development works.

(2) The licence granted under sub-rule (1) shall be valid for a period of three years and shall be renewed for a period of two years at a time on payment of the specified fee.

55. Renewal of license.—(1) In case the Promoter fails to complete the project as per terms and conditions of Licence within a period of three years as specified in sub-section (4) of

section 78p of the Act, he may make an application to the Director in **form--52** for the renewal of his licence at least one month before the expiry period of the licence and shall be accompanied by :-

- (i) a demand draft or proof of e-challan or copy of Challan for a sum calculated at the rate of 50% of the fee prescribed in rule 51 for issuing a licence as renewal fee in favour of the Director;
- (ii) Income Tax returns of the preceding 3 years;
- (iii) an explanatory note clearly indicating the details of development works, which have been completed or are in progress or are yet to be undertaken in conformity with approved plan;
- (iv) the original licence; and
- (v) reasons for non-completion of development works as required as per terms and conditions of the licence granted.

(2) On receipt of an application under sub-rule (1), the Director, shall, if satisfied, after making such enquiry that there has been delay in execution of development works by the Promoter and there has been no violation of any provision of the Act and rules made thereunder, renew the licence for a period of two years by speaking order.

(3) In case the Director is not satisfied, he shall reject the application by speaking order and in that case, intimation in this regard shall be sent to the Promoter in **form-53**;

Provided that before rejecting the application, the Director shall give the Promoter an opportunity of being heard.

56. Reservation of Residential apartments and plots for person belonging to Economically Weaker Section, Low Income Group of the society and bonafide Himachalis.—(1) For the purpose of sub-section (8) of section 78p of the Act, a person whose family income from all sources does not exceed to such limits, as may be fixed by the Government from time to time, shall be deemed to be a person belonging to the Economically Weaker Sections, Low Income Groups of the society and bonafide Himachalis.

(2) No person belonging to the Economically Weaker Section, Low Income Group of the society and bonafide Himachalis shall be eligible for allotment of a residential apartment or a residential plot in a colony if,-

- (i) he himself or his spouse or minor child owns a free hold or lease hold or on hire purchase basis a residential plot or a residential apartment in a colony developed in the State of Himachal Pradesh under the Himachal Pradesh Housing and Urban Development Authority Act, 2004 or under a housing scheme of a Local Authority or under the Act;
- (ii) he is less than eighteen years of age on the date of applications invited for such allotment; and
- (iii) his family income from all sources exceeds the income limit specified in sub-rule (1).

(3) The Promoter including any Development Authority owned or controlled by the Government shall earmark atleast 25 % of developed land (residential apartments and residential plots) in all Housing Projects for Economically Weaker Sections, Low Income Groups of society and bonafide Himachalis, in the following manner, terms and conditions:-

- (i) a person belonging to Economically Weaker Sections , Low Income Group of society and bonafide Himachalis shall be a person as specified under sub-rule (1) above;
- (ii) the distribution of developed land (residential apartments and residential plots) in all Housing Projects for Economically Weaker Sections, Low Income Groups of society and bonafide Himachalis shall be distributed proportionally.
- (iii) Rate for disposal of developed reserved apartments shall be @ Rs.21, 500 per M² of built up area for plain areas and @ Rs.32, 300 per M² of built up area for hilly areas plus escalation @ 5% per year and for developed reserved plots @ 25 % less than the selling price to others, for the Economically Weaker Sections, Low Income Groups and bonafide Himachalis categories.
- (iv) Wide publicity for availability of developed reserved plots/ apartments shall be made by the concerned Promoter through various means of communication at his own cost, atleast three times within a period of six months and will be allotted in the manner as specified under Clause (ii) above. In case there is no taker of such reserved plots/ apartments, then the Promoter shall have right to apply for de-reservation of such reserved developed plots/ apartments to the Director. The 10 % of the sale price of de-reserved plots and apartments shall be deposited in the Development Fund so constituted under section 78 zd of the Act.
- (v) In case of plotted colonies or in case of combination of plotted colonies and apartments, the promoter may construct proportionate number of apartments for the Economically Weaker Sections, Low Income Groups of society and bonafide Himachalis.
- (vi) The plots or apartments reserved for the Economically Weaker Sections, Low Income Groups of society and bonafide Himachalis shall be provided within the project area or within a radius of 5 Kilometres of project area or within a radius of 5 Kilometres of nearest Municipal limits or within the nearest Municipal limits.

(4) The constructed area of the apartment to be reserved for being sold to the persons belonging to the Economically Weaker Sections shall not be less than 25 square Metre and to the Low Income Groups of society and bonafide Himachalis shall not be less than 48 square Metre respectively. The minimum area of the plot reserved for being sold to the persons belonging to the Economically Weaker Sections shall not be less than 45 square Metre and to the Low Income Groups of society and bonafide Himachalis shall not be less than 80 square Metre respectively or such area, as may be determined by the Director from time to time with prior approval of the Government.

(5) The reserved plots or flats shall not be further sold by the Economically Weaker Sections, Low Income Groups of society and bonafide Himachalis to any person for a period of 20 years after possession.

57. Mode of allotment of reserved apartments and plots.— (1) The Promoter shall invite applications for allotment of residential apartments or residential plots reserved for the persons belonging to the weaker sections of the society under rule 56 by publishing a public notice in atleast two newspapers having wide circulation in the area where the apartments or plots are situated and a copy of the public notice so published, shall be pasted in the office of the Director.

(2) All applications received by the Promoter in response to the public notice published under sub-rule (1), shall be entered serially in a register maintained for this purpose in the office of the Promoter and acknowledgement of the receipt thereof, shall be sent to the applicant.

(3) No application shall be rejected merely on the ground that it is incomplete in any respect and the defect or deficiency, if any, found in the application shall be got rectified by the Promoter from the applicant.

(4) The allotment of plots or apartments, as the case may be, to the eligible applicants, shall be made by draw of lots under the supervision of the Competent Authority or any of its representatives duly authorized by it in this behalf.

58. Price to be paid for allotment of apartments and plots.—The price payable for allotment of plots and apartments reserved for Economically Weaker Sections, Low Income Groups of society and bonafide Himachalis shall be as provided under clause (iii) of sub-rule (3) of rule 56 of these rules.

59. Recovery of charges incurred on development works.—After the development works caused to be carried out, at the risk of the Promoter by the Director under sub-section (12) of section 78p, of the Act, charges incurred by it for carrying out such development works, shall be recovered by adjusting the amount received as a result of enforcement of the demand draft or security, as the case may be, and the balance, if any, shall be recovered from the Promoter, subject to the condition that the amount so recovered, shall not exceed the amount, the Promoter has actually recovered from the allottees by deducting the amount actually spent on development works, and on the allottee subject to condition that the amount so recovered, shall not exceed the amount, which they have to pay to the Promoter towards the expenses of such development works under the terms of the agreement of sale or transfer.

60. Release of security.—After the layout and the development works in a colony or a building have been completed, and a completion certificate in respect thereof has been issued, the Director, may, on an application in this behalf from the Promoter, release within a period of three months of the date of application, the demand draft or security furnished by the Promoter after adjusting the amount incurred by the Director under sub-section (12) of section 78p of the Act:

Provided that 30% of the security shall be kept un-released to ensure the up keep and maintenance of the colony or building for a period of five years from the date of issue of the completion certificate or till such time, as the Promoter is relieved of the responsibilities in this behalf, by the Government or a Local Authority, as the case may be, whichever is earlier.

61. Agreement of sale.—The agreement of sale to be executed by the Promoter with the intending purchasers under sub-section (1) of section 78q of the Act, shall be in **form- 54** and shall be accompanied by the following documents, namely:-

- (i) the certificate of title to land having been duly certified by the Assistant Collector First Grade or Second Grade, as the case may be, of the concerned area;
- (ii) certified copy from the relevant revenue record showing the nature of title of the Promoter to the plot of land on which the building or apartment is constructed or is to be constructed and if the land is owned by another persons, the consent of the owner of such land to the development of colony or construction of the building; and
- (iii) the plans and specifications of the apartments as approved by the Director, which is required so to do under any law.

62. Rate of interest or refund of advance money of agreement after cancellation.— The Promoter shall refund full amount collected from the prospective buyers under sub-section (2) of section 78q of the Act, together with interest thereon at the rate of 12% per annum payable from

the date of receipt of amount so collected till the date of re-payment, in case Promoter is unable to fulfill his commitment as per agreement with buyer or in case of contravention of terms and conditions of allotment order.

63. Fee for settlement of dispute to rectify the defects or change.—The application under sub-section (2) of section 78t of the Act, for referring the dispute to the Director, shall be accompanied by a fee of Rupee one hundred in the form of a demand draft or through e-challan or Challan in favour of the Director.

64. Completion and Occupation Certificate.—The Completion Certificate and the Occupation Certificate shall be issued in **form -55** and **form -56** respectively. Completion Certificate in respect of the entire project or part thereof shall be granted by the Director after satisfying himself about completion of development works to be carried out by the Promoter.

65. Particulars to be given and documents to be attached with conveyance deed.—The conveyance deed to be executed under section 78x of the Act, shall contain the following particulars and shall be accompanied by the following documents, namely:-

- (a) the name, address and other particulars of the allottees;
- (b) the description of the land on which the building and the common area and facilities are located, and whether the land is free hold or lease hold and if lease hold, the period of such lease;
- (c) a floor plan of the building showing the layout and location of the apartment, alongwith the verified statement of an Architect certifying that it is an accurate copy of the portions of the plans of the building as filed with and approved by the Local Authority within whose jurisdiction the building is located;
- (d) the description of the building, stating the number of storeys and basement, the number of apartments in that building and the main material of which it is constructed;
- (e) the apartment number or statement of the location of the apartment, its approximate area, number and dimensions of the rooms, immediate common areas to which it has access, and any other details necessary for its proper identification;
- (f) the description of the common areas and facilities appurtenant to such apartment;
- (g) the description of the limited common areas and facilities, if any, stating as to which apartments, their use is reserved;
- (h) the value of the property and of the apartments and percentage of undivided interest respectively, in the common areas and facilities and the limited common areas and facilities, if any, appurtenant to such apartment and a settlement that the apartment and such undivided interest, are not encumbered in any manner whatsoever on the date of execution of the conveyance deed of apartment;
- (i) the statement of the purposes for which the building and each of the apartments are intended and restricted as to use;
- (j) the name of the person to receive service or process, together with the residence of place of business of such persons; and
- (k) any other particulars or documents, which the parties to the conveyance deed of apartment, may deem desirable to set forth.

66. Form of application for enforcement of conveyance deed.— The application for enforcement of conveyance deed under sub-section (1) of section 78y of the Act, shall be made in **form- 57**.

67. Application of building Regulations.—The Regulations for development of apartments and colonies shall be as specified in **Appendix-7**.

68. Utilization of Development Fund.—The Development Fund received in the shape of demand draft shall, in addition to the purposes specified in sub-section (4) of section 78zd of the Act, may also be utilized by the Director for,-

- (i) the upgradation and modernization of technology in town planning, housing and urban affairs;
- (ii) providing training facilities in urban management, housing and town and country planning;
- (iii) organizing and participating in seminars, workshops and conferences on town and country planning, housing, urban affairs and urban management within and outside the country; and
- (iv) development of affordable housing by the Government through Public Housing Government Agency as and when required:

Provided that for the purpose of sub-section (1) of section 78zd of the Act, the net plotted area, shall mean the net plotted area available for development of apartments or buildings and shall not include the area under circulation, parks and open spaces.

CHAPTER –IX RULES AND REGULATIONS

69. Repeal and savings.— (1) The Himachal Pradesh Town and Country Planning Rules, 1978 and the Himachal Pradesh Apartment and Property Regulation Rules, 2005 (herein after referred to as aforesaid rules) are hereby repealed.

(2) The repeal of the aforesaid rules shall not affect:-

- (a) The previous operation of, or anything duly done or suffered under the aforesaid rules, or
- (b) Any right, privilege or obligation or liability acquired, accrued or incurred under the aforesaid rules, or
- (c) Any penalty, forfeiture or punishment incurred in respect of any offence under the aforesaid rules, or
- (d) Any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the aforesaid rules had not been repealed.

NOTICE OF PUBLICATION OF DRAFT REGIONAL PLAN

No.....

Dated.....

In exercise of the powers vested under sub-section (1) of section 8 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) the Notice is hereby given that the draft Regional Plan for (Region) has been prepared in accordance with the provisions contained in aforesaid sub-section and a copy thereof is available for inspection during office hours in the following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

The particulars of the said draft plan have been specified in the Schedule below.

If there be any objection or suggestion with respect to the draft plan, it should be sent in writing to the Director, Town and Country Planning Department, Himachal Pradesh, Shimla before the expiry of sixty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh.

SCHEDULE

1. The Existing Land Use Map and its narrative report thereon.
2. A narrative report explaining the provisions of the draft plan supported by necessary maps and charts.
3. A notice indicating the priorities assigned to works included in the draft plan and the phasing of the programme of development as such.
4. A notice on the role being assigned to different Departments of Government, the Town and Country Development Authority, the Special Area Development Authorities and the Local Authorities in the enforcement and implementation of draft plan.

Place.....

Dated.....

Director

Town and Country Planning Department

Himachal Pradesh, Shimla

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Region.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. All the Town and Country Planners in Town and Country Planning Department, Himachal Pradesh.
4. All the Assistant Town Planners in Town and Country Planning Department, Himachal Pradesh.
5. Notice Board.

Director

Town and Country Planning Department

Himachal Pradesh, Shimla.

GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT
 FORM -2
 (See rule 5)

NOTIFICATION OF APPROVAL AND NOTICE OF PUBLICATION OF APPROVED REGIONAL PLAN

No.....

Dated.....

Whereas, the Regional Plan for.....(Region) was published by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla vide Notice No.....dated.....for inviting objection(s) or suggestion(s).The objection(s) or suggestion(s) received were duly considered and the modifications were made, wherever required / no objection or suggestion was received.

Now, in exercise of the powers vested under sub-section (1) of section 9 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Governor, of Himachal Pradesh is pleased to approve the Regional Plan for(Region) without modifications and the said Regional Plan is hereby published as required under sub-section (2) of section 9 of the Act ibid and a copy of the said plan is available for inspection during office hours in the following offices:-

- 1
- 2
- 3

4

The said Regional Plan shall come into operation with effect from the date of its publication in the Official Gazette of Himachal Pradesh.

Place.....

Dated.....

Secretary (TCP), to the
Government of Himachal Pradesh.

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notification in one or more newspapers in circulation in the Region.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notification in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department Himachal Pradesh, Shimla.
4. Notice Board.

Secretary (TCP), to the
Government of Himachal Pradesh

GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT
FORM-3
(See rule 6)
NOTICE OF MODIFICATIONS IN THE REGIONAL PLAN

No.....

Dated.....

Whereas, the draft Regional Plan for(Region) was published by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla under Rule 2 of the Himachal Pradesh Town and Country Planning Rules, 2014 vide Notice No.....dated.....for inviting objection(s) and suggestion(s), which were duly considered and the modifications were made, wherever required/ no objection or suggestion was received and the draft Regional Plan was submitted to the Government for approval.

Now, in exercise of the powers vested under sub-section (1) of section 9 of Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977), the Governor, Himachal Pradesh proposes to approve the aforesaid Regional Plan for(Region) with modifications as specified in the Schedule below and the same is hereby published for inviting objection(s) and suggestion(s) thereon, as required under the proviso to sub-section (2) of section 9 of the Act *ibid*.

Any objection or suggestion with respect to the said modifications may be submitted by any person to the Secretary (Town and Country Planning) to the Government of Himachal Pradesh, Shimla in writing within a period of thirty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh and such objection or suggestion which may be

received before the expiry of the period specified above, will be considered by the State Government.

SCHEDULE

1

2

3

4

Place.....

Date.....

Secretary (TCP), to the
Government of Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Region.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department Himachal Pradesh, Shimla.
4. Notice Board.

Secretary (TCP), to the
Government of Himachal Pradesh

GOVERNMENT OF HIMACHAL PRADESH TOWN AND COUNTRY PLANNING DEPARTMENT

FORM-4

(See rule 7)

NOTIFICATION OF APPROVAL OF THE REGIONAL PLAN

No.....

Dated.....

Whereas, the Regional Plan for(Region) was published by the Secretary, (Town and Country Planning) to the Government of Himachal Pradesh, Shimla vide Notice No.....dated..... for inviting objection(s) and suggestion(s) on the modifications, which were duly considered and further modifications have been made, wherever required/no objection or suggestion was received on the modifications.

Now, in exercise of the powers vested under sub-section (1) of section 9 of Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977), the Governor, Himachal Pradesh is pleased to approve the Regional Plan for(Region) with modifications and the said Regional Plan is hereby published as required under sub-section (2) of section 9 of the Act *ibid*. A copy of the said plan is available for inspection during office hours in the following offices:-

1

2

3

4

The said Regional Plan shall come into operation with effect from the date of its publication in the Official Gazette of Himachal Pradesh.

Place.....

Date.....

Secretary (TCP), to the
Government of Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Region.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department Himachal Pradesh, Shimla.
4. Notice Board.

Secretary (TCP), to the
Government of Himachal Pradesh

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

FORM -5

(See rule 8)

NOTICE OF PUBLICATION OF EXISTING LAND USE MAP

No.....

Dated.....

In exercise of the powers vested under sub-section (1) of section 15 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), Notice is hereby given that the Existing Land Use Map for(Planning/ Special Area) has been prepared under sub-section (1) of section 15 of the Act ibid and a copy thereof is available for inspection during office hours in the following offices:-

- 1
- 2
- 3
- 4

If there be any objection or suggestion with respect to the Existing Land Use Map so prepared, it should be sent in writing to the Director, Town and Country Planning Department, Himachal Pradesh, Shimla within a period of thirty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh.

Any objection or suggestion which may be received from any person with respect to the said Existing Land Use Map before the period specified above will be considered by the Director.

Place.....

Date.....

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. All the Town and Country Planners in Town and Country Planning Department, Himachal Pradesh.
4. All the Assistant Town Planners in Town and Country Planning Department, Himachal Pradesh.
5. Notice Board.

Director

Town and Country Planning Department

Himachal Pradesh, Shimla

TOWN AND COUNTRY PLANNING DEPARTMENT

HIMACHAL PRADESH

FORM -6

(See rule 9)

NOTICE OF ADOPTION OF EXISTING LANDUSE MAP

No.....

Dated.....

Whereas, objections and suggestions were invited vide Notice No.....dated..... with respect to the Existing Land Use Map for.....(Planning/ Special Area) under sub-section (1) of section 15 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977); and whereas, no objection or suggestion has been received.

Or

Whereas, objections and suggestions were received which were considered and rejected.

Or

Whereas, objections and suggestions were received and the modifications have been made in the said Existing Land Use Map, wherever, required.

Now, therefore, in exercise of the powers vested under sub-section (3) of section 15 of the Act *ibid*, Notice is given that the Existing Land Use Map for (Planning/Special Area) is hereby adopted with modifications/ without modifications and a copy thereof is available for inspection during office hours in the following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

The said Existing Land Use Map shall come into operation with effect from the date of publication of this Notice in the Official Gazette of Himachal Pradesh and it shall be conclusive evidence of the fact that the Map has been duly prepared and adopted.

Place.....

Date.....

Director

Town and Country Planning Department
Himachal Pradesh, Shimla

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. All the Town and Country Planners in Town and Country Planning Department, Himachal Pradesh.
4. All the Assistant Town Planners in Town and Country Planning Department, Himachal Pradesh.
5. Notice Board.

Director

Town and Country Planning Department
Himachal Pradesh, Shimla.

**GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT**

FORM -7
(See rule 10)

**NOTIFICATION OF APPROVAL AND NOTICE OF PUBLICATION OF APPROVED
INTERIM DEVELOPMENT PLAN**

No.....

Dated.....

In exercise of the powers vested under sub-section (4) of section 17 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), the Governor, Himachal Pradesh is pleased to approve the Interim Development Plan for(Planning/ Special Area).

Now, as required under sub-section (5) of section 17 of the Act ibid, the Governor, Himachal Pradesh is pleased to publish the said Interim Development Plan which shall come into operation from the date of publication of this Notification in the Official Gazette of Himachal Pradesh and shall be binding on all local authorities within the said Planning/ Special Area. Notice is hereby given that a copy of the said Interim Development Plan is available for inspection during office hours in following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

Place.....

Date.....

Secretary (TCP), to the
Government of Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notification in one or more newspapers in circulation in the Region.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notification in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.
4. Notice Board.

Secretary (TCP), to the
Government of Himachal Pradesh.

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
(See rule 11)
FORM-8**

NOTICE OF PUBLICATION OF DRAFT DEVELOPMENT PLAN OR SECTORAL PLAN

No.....

Dated.....

In exercise of the powers vested under sub-section (1) of section 19 or section 23 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the draft Development Plan for(Planning / Special Area) or draft Sectoral Plan for Sector.....of Development Plan for..... (Planning / Special Area), is hereby published and the Notice is given that a copy of the said draft Development Plan or draft Sectoral Plan is available for inspection during the office hours in the following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

The particulars of the said draft Development Plan or draft Sectoral Plan have been specified in the Schedule below.

If there be any objection or suggestion with respect to the said draft Development Plan or draft Sectoral Plan, it should be sent in writing to the Director, Town and Country Planning Department, Himachal Pradesh, Shimla within thirty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh.

SCHEDULE

1. The Existing Land Use Maps.
2. A narrative report, supported by maps and charts explaining the provisions of the draft Development Plan or draft Sectoral Plan.
3. The phasing of implementation of the draft Development Plan or draft Sectoral Plan as suggested by the Director.
4. The provisions for enforcing the draft Development Plan or draft Sectoral Plan and stating the manner in which permission for development may be obtained.
5. An approximate estimate of the cost of land acquisition for public purposes and the cost of works involved in the implementation of the draft Development Plan or draft Sectoral Plan.

Place.....

Date.....

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. All the Town and Country Planners in Town and Country Planning Department, Himachal Pradesh.
4. All the Assistant Town Planners in Town and Country Planning Department, Himachal Pradesh.

5. Notice Board.

Director

Town and Country Planning Department,

Himachal Pradesh, Shimla.

GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT
FORM-9
(See rule 12(1))

**NOTICE OF MODIFICATIONS IN THE DEVELOPMENT PLAN OR
 SECTORAL PLAN**

No.....

Dated.....

Whereas, the draft Development Plan for.....(Planning/Special Area) or draft Sectoral Plan for Sector.....of Development Plan for(Planning/Special Area) was published by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla under Rule 11 of the Himachal Pradesh Town and Country Planning Rules, 2014 vide Notice No.....dated.....for inviting objection(s) and suggestion(s), which were duly considered and the modifications were made, wherever required and the draft Development Plan or draft Sectoral Plan was submitted to the Government for approval.

Now, in exercise of the powers vested under sub-section (1) of section 20 or section 23 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Governor, Himachal Pradesh proposes to approve the aforesaid Development Plan for.....(Planning/Special Area) or Sectoral Plan for Sector.....of Development Plan for(Planning/Special Area) with modifications as specified in the Schedule below and said modifications are hereby published in the Official Gazette of Himachal Pradesh.

As required under sub-section (2) of section 20 or section 23 of the Act, *ibid*, Notice is hereby given to invite objection (s) or suggestion(s) to the said modifications within a period of thirty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh.

Any objection or suggestion with respect to the said modifications may be submitted by any person to the Secretary, (Town and Country Planning) to the Government of Himachal Pradesh, Shimla in writing within a period of thirty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh and such objection or suggestion which may be received before the expiry of the period specified above will be considered by the State Government.

SCHEDULE

1.
2.
3.

4.

Place.

Dated
Secretary (TCP) to the
Government of Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.
4. Notice Board.

Secretary (TCP) to the
Government of Himachal Pradesh.

**GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT**

**FORM-10
(See rule12(2))**

**NOTIFICATION FOR APPROVAL AND NOTICE OF PUBLICATION OF
DEVELOPMENT PLAN OR SECTORAL PLAN**

No.....

Dated.....

Whereas, the draft Development Plan for.....(Planning/Special Area) or draft Sectoral Plan for Sector.....of Development Plan for(Planning/Special Area) was published by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla under Rule 11 of the Himachal Pradesh Town and Country Planning Rules, 2014 vide Notice No.....dated.....for inviting objection(s) and suggestion(s), which were duly considered and the modifications were made, wherever required /no objection or suggestion was received on the modifications and the Development Plan or Sectoral Plan was submitted to the Government for approval.

Or

Whereas, objections and suggestions were invited on modifications by the undersigned under Rule 12(1) of the Himachal Pradesh Town and Country Planning Rules, 2014 vide Notice

No.....dated.....with respect to the draft Development Plan for.....(Planning/Special Area) or draft Sectoral Plan for Sector.....of Development Plan for(Planning/Special Area); and whereas no objection or suggestions has been received.

Or

Whereas, objections and suggestions were received which were considered and rejected.

Or

Whereas, objections and suggestions were received and the modifications have been made in the said draft Development Plan or draft Sectoral Plan.

Now, in exercise of the powers vested under sub-section (1) of section 20 or section 23 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), the Governor, Himachal Pradesh is pleased to approve the Development Plan for.....(Planning/Special Area) or Sectoral Plan for Sector.....of Development Plan for(Planning/Special Area), with modifications/ without modifications and the same is hereby published in the Official Gazette of Himachal Pradesh as required under sub-section (4) of section 20 or section 23 of the Act *ibid*. A Notice is hereby given that a copy of the said Development Plan or Sectoral Plan is available for inspection during office hours in the following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

The said Development Plan or Sectoral Plan shall come into operation from the date of the publication of this Notification in the Official Gazette of Himachal Pradesh.

Place...

Dated...

Secretary (TCP) to the
Government of Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notification in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notification in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.
4. Notice Board.

Secretary (TCP) to the
Government of Himachal Pradesh.

FORM-11
(See rule 16(1))

FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (2) OF SECTION 15-A OR CLAUSE (a) OF SECTION 16 OR SUB-SECTION (1) OF SECTION 30 OR

SECTION 30-A (BEYOND THE LIMITS AS SPECIFIED UNDER SECTION 30-A) OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977) FOR SUB-DIVISION /DEVELOPMENT OF LAND

No.....

Dated.....

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I/We hereby apply for permission to undertake/carry out the sub-division / development of land under Khasra No.....Hadbast No.....measuringsquare Metre, over which I/we possess the necessary ownership rights, situated at Street/ Road/ Ward No.....Block No.....Plot No.....of Scheme,.....(Name of the Scheme, if any) Village.....Post Office..... Tehsil..... District..... Himachal Pradesh.

I/We hereby submit the following documents:-

- (i) a copy of title/ownership documents i.e. latest jamabandi in original.
- (ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the tatima.
- (iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.
- (iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, tress, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal and all such other matters which need to be co-ordinated with the adjoining area.
- (v) for sub-division of land into plots, three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, set backs, parks and open spaces, community buildings such as schools, dispensary, post office, bank etc. and all development proposals including a general report and mode so as to make scheme self explanatory.
- (vi) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc.

Certified that the plans have been prepared, designed and signed by Sh./Smt./M/s.....(Name and address of the registered Town Planner/ Architect/ Engineer/ Draughtsman/ Surveyor) having Registration No.....dated.....

I/We have deposited a fee of Rs.....only (Rupees.....only) in accordance with the scale as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014.

Enclosers: As above.

Yours faithfully,

(Signature of the Applicant(s))
Address.....
.....
.....
Phone No.....

FORM-12
(See rule 16(1))

FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (2) OF SECTION 15-A OR CLAUSE (a) OF SECTION 16 OR SUB-SECTION (1) OF SECTION 30 OR SECTION 30-A (BEYOND THE LIMITS AS SPECIFIED UNDER SECTION 30-A) OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977) FOR DEVELOPMENT OF LAND / CONSTRUCTION OF BUILDING

No.....

Dated.....

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I/We hereby apply for permission to erect/ re-erect, to make addition or alteration, to undertake repairs to a building on a piece of land under Khasra No.....Hadbast No.....measuringsquare Metre, over which I/we possess the necessary ownership rights, situated at Street/Road/ Ward No.....Block No.....Plot No.....of Scheme,..... (Name of the Scheme, if any)Village.....Post Office..... Tehsil..... District..... Himachal Pradesh.

I/We hereby submit the following documents:-

- (i) a copy of title/ownership documents i.e. latest jamabandi in original.
- (ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the tatima.
- (iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.
- (iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, tress, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines

passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal and all such other matters which need to be co-ordinated with the adjoining area.

- (v) for construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment, colony etc. and other architectural details and Specifications (enclosed herewith) of proposed building, apartment, colony etc alongwith Schedule of Area (enclosed herewith) including built up and open area, set backs.
- (vi) A copy of Structural Stability Certificate and a copy of Soil Investigation Report (for the areas falling in sliding and sinking zones as defined in respective Interim Development Plans or Development Plans or for any re-claimed piece of land). (Strike out which is not applicable).
- (vii) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc.

Certified that the plans have been prepared, designed and signed by Sh./Smt./M/s.....(Name and address of the registered Town Planner/ Architect/ Engineer/ Draughtsman/ Surveyor) having Registration No.....dated.....and the Structural Stability Certificate has been issued by Sh./ Smt./ M/s(Name and address of the registered Civil Engineer) having Registration No.....dated.....and the Soil Investigation Report has been issued by Sh./Smt./M/s.....(Name and address of the registered Geologist) having Registration No.....dated.....(Strike out which is not applicable).

- (viii) I/We have deposited a fee of Rs.....only (Rupees.....only) in accordance with the scale as specified under sub-rule (2)of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014.

Enclosures: As above.

Yours faithfully,

(Signature of the Applicant(s))

Address.....

.....

.....

Phone No.....

SPECIFICATIONS

- 1. Total plot area = M²
- 2. Total built up area of each floor:-
 - (i) Ground floor = M²
 - (ii) First floor = M²
 - (iii) Second floor = M²
 - (iv) Third floor = M²
 - (v) Fourth floor = M²
 - (iv) = M²

- 3. The purpose for which it is intended to use the building.....

4. Specification to be used in the construction of:-
- (i) Foundation.....
- (ii) Walls.....
- (iii) Floors.....
- (iv) Roofs.....
5. Number of storeys of which the building will consist = Nos.
6. Approximate number of persons proposed to be accommodated = Nos.
7. The number of toilets proposed to be provided = Nos.
8. Whether the site has been built upon before or not, if so, when did the previous building cease to be fit for occupation.....
9. Source of water to be used for purposed building

Signature of Applicant(s)

SCHEDULE AREA

1. Schedule of Area:-

- (i) Built up area = M^2
- (ii) Open area = M^2
- (iii) Total plot area = M^2

2. Schedule of Open Spaces:-

- (i) Front Set Back = M
- (ii) Left Side Set Back = M
- (iii) Right Side Set Back = M
- (iv) Rear Set Back = M

Signature of Applicant(s)

Registered (AD) /Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH

FORM- 13 (See rule 18 and 19)

FORM OF PERMISSION FOR DEVELOPMENT/ SUB-DIVISION OF LAND/ CONSTRUCTION OF BUILDING

No.....

Dated

ORDER

To

Sh./Smt./M/s.....

.....

Subject:- Permission for development/Sub-division of land/ construction of building.

Reference:-Your Application No..... Dated.....

You are hereby granted permission under section 31 as applied by you under section 28 or section 29 or section-30 or section 30-A (beyond the limits as specified under section 30-A) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to carry out the development/ sub-division of land/ construction of building as mentioned in your Application under reference, subject to the following conditions, namely:-

1. Building permission shall be obtained from the local authorities concerned before the commencement of the development.
2. The building operations shall be carried on strictly in accordance with the approved building plan.
3. The permission is valid for a period of three years. After lapse of permission you shall have to apply for extension of permission.
4. One copy of the approved plan is enclosed herewith.

Please acknowledge the receipt of this order.

Enclosers: As above.

Director
 Town and Country Planning Department
 Himachal Pradesh, Shimla

Copy to:-

1. The Commissioner, Municipal Corporation/ Executive Officer, Municipal Council / Secretary, Nagar Panchayat.....alongwith a copy of the approved plan for information and further necessary action.
2. The Chairman, Town and Country Development Authority..... alongwith a copy of the approved plan for information and further necessary action.
3. The Registrar/ Sub-Registrar, Sub-Tehsil/ Tehsil.....District.....Himachal Pradesh alongwith a copy of the approved plan for information and making necessary entries in the Revenue record.

Enclosers: As above.

Director
 Town and Country Planning Department
 Himachal Pradesh, Shimla.

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

**FORM- 14
(See rule 20)**

**FORM OF REFUSAL FOR DEVELOPMENT/ SUB-DIVISION OF LAND/
CONSTRUCTION OF BUILDING**

No.....

Dated

ORDER

To

Sh./Smt./M/s.....
.....
.....

Subject:- Refusal for development /Sub-division of land/ construction of building.

Reference:-Your Application No..... Dated.....

You are hereby informed that the permission to carry out the development works as mentioned in your Application under reference, is refused under clause (c) of sub-section (1) of section 31 of the Himachal Pradesh, Town and Country Planning Act 1977, (Act No. 12 of 1977) on the following grounds:-

1.
2.
3.

One copy-of refused plan is enclosed herewith.

Please acknowledge the receipt of this order.

Enclosures : As above.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

FORM 15
(See rule 21)

FORM OF STRUCTURAL STABILITY CERTIFICATE AND SOIL INVESTIGATION REPORT

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Subject:- Structural Stability Certificate.

I/We hereby certify that the building of Sh./ Smt./ M/s..... proposed over Khasra No Mauja /Ward No..... Tehsil..... District Himachal Pradesh has been designed by me / us, as per the Indian Standards Codes for general structural safety against natural hazards including earthquake protections and after soil investigations. The building is structurally safe.

Name
(Civil Engineer)

Registration No.....dated.....
Address.....

I/We hereby certify that the soil and strata of the land over which building of Sh./ Smt./ M/s.....has been proposed to be constructed on Khasra No.. Mauja /Ward No..... Tehsil..... District Himachal Pradesh falling in sliding and sinking zones as defined in respective Interim Development Plan or Development Plan or in re-claimed piece of land has been geologically investigated by me / us, as per the Indian Standards Codes. The bearing capacity of soil and strata can sustain the load of the proposed building and it is safe.

Name
(Geologist)

Registration No.....dated.....
Address.....

(Strike out which is not applicable)

FORM-16
(See rule 22)

FORM OF APPLICATION FOR APPEAL

No.

Dated.....

To

The Secretary (TCP) to the,
Government of Himachal Pradesh,
Shimla.

Subject: Appeal against the Orders of refusal of permission/ licence.

Reference: Order No.....dated..... against which the appeal is filed.

Sir,

My /our application for grant of permission for development/ sub-division of land/ construction of building/ grant of licence has been refused by the Director vide Order No.dated..... A certified copy of the Order is attached herewith. Against this Order, I am making this appeal. The clear statement of facts of the case and the grounds on which this appeal is made, is as under:-

- 1.....
- 2.....
- 3.....
- 4.....

In view of above stated grounds, precisely the relief prayed for is as under:-

- 1.....
- 2.....
- 3.....
- 4.....

I/ we have deposited a sum of Rs.....only (Rupees only) through Treasury Challan (original copy attached herewith) or through e-payment, as the prescribed fee for making this appeal.

I/ we.....do hereby declare that the facts and contents stated above are true to the best of my/our knowledge and belief.

Place.....

Date.....

Yours faithfully,

Enclosures: As above.

(Signature of the Applicant(s))

Address.....

.....

.....

Phone No.....

FORM- 17
(See rule 24)

NOTICE TO THE GOVERNMENT TO PURCHASE INTEREST IN THE LAND

No.....

Dated.....

To

The Secretary (TCP) to the,
Government of Himachal Pradesh,
Shimla.

Sir,

I/We beg to submit that I/we am/are owner(s) of land measuring.....square Metre situated on Khasra No..... Mauja.....Tehsil.....District.....Himachal Pradesh which has been designated as..... (Land Use) in the Development Plan of.....(Planning/Special Area) as published in the Official Gazette of Himachal Pradesh vide Notification No..... dated.....

It is further submitted that:-

1. The land has become incapable of reasonably beneficial use in its existing state; or
2. The land cannot be rendered capable of reasonably beneficial by carrying out the permitted development in accordance with the permission; or
3. The sale value has been diminished due to the reasons given below:-

In view of the above mentioned reasons, I/we pray the Government to acquire the necessary interest in land, in accordance with the provisions of sub-section (5) of Section 35 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

I/ we/am/are enclosing herewith following documents for taking further action in the matter:-

1. Proof of ownership.....
2. Location Plan.....
3. Site Plan.....
4.
5.

Enclosures: As above.

Yours faithfully,

(Signature of the Applicant(s))

Address.....

.....

.....

Phone No.....

Registered (AD) /Speed Post

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY/SPECIAL AREA
DEVELOPMENT AUTHORITY HIMACHAL PRADESH**

**FORM -18
(See rule 25)**

**ORDER OF REVOCATION/ MODIFICATION OF DEVELOPMENT
PERMISSION**

No.....

Dated

Whereas, permission under sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to develop land was granted in favour of Shri/Smt./M/s.....vide Office Order No.dated.....;

And, whereas it appears to the undersigned that it is expedient, having regard to the Development Plan prepared or under preparation for..... Planning/ Special Area and to other material considerations, that the permission for development should be revoked or modified;

Now, therefore, the undersigned in exercise of the powers vested under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), hereby revoke or modify the development permission granted vide Office Order referred to above, to the extent as given below:-

- 1.....
- 2.....
- 3.....

Chairman
Town and Country Development Authority/
Special Area Development Authority.....

Shri/ Smt./ M/s.....
.....
.....

Registered (AD)/Speed Post

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY/SPECIAL AREA
DEVELOPMENT AUTHORITY HIMACHAL PRADESH**

**FORM-19
(See rule 26 (3))**

ORDER

No.....

Dated.....

Whereas, a claim under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for revocation or modification of permission for development was filed before the undersigned by Shri/Smt./M/s..... on dated.....;

And, whereas the said claim was sent to the Town Planning Officer for adjudication and giving his report after affording the owner(s) reasonable opportunity of being heard qua the claim;

And, whereas the report of the Town Planning Officer has been received and duly considered;

Now, therefore, the undersigned in exercise of the powers vested under sub-section (2) of section 37 of the Act ibid, hereby assess and award an amount of Rs.....only(Rs.....only) in favour of Shri/Smt./M/s..... in respect of his/her/their aforesaid claim.

Chairman
Town and Country Development Authority
Special Area Development Authority.....
Shri Smt./M/s
.....

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM-20
(See rule 27)**

NOTICE UNDER SECTION 38 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)

No.....

Dated,

To

Shri /Smt./M/s
.....
.....
(Owner/Occupier)

Subject:- Show Cause Notice under the provisions of section 38 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act 12 of 1977).

Whereas you have commenced/ carried on/ completed development of land or erection of building consisting ofstoreys and situated on Khasra No.....Ward/Mohal/Village.....Tehsil.....District.....Himachal Pradesh:-

(a) without the permission as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-section (1) of section 30 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

OR

(b) in contravention of the permission granted under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) vide Order No.....dated.....

OR

(c) in contravention of the permission duly modified under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or Section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) vide Order No.....dated.....

OR

(d) after the permission for development has been duly revoked under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), vide Order No.....dated.....

OR

(e) in contravention to the provisions specified under sections 39, 39-A, 39-B and 39-C of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

As such, you are hereby required to show cause either personally or through your duly authorized agent within thirty days from the receipt of this Notice, as to why action under section 38 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) be not initiated against you.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

(Strike out which is not applicable).

Registered (AD)/Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH

(See rule 28)

FORM-21

NOTICE UNDER SUB-SECTION (1) OF SECTION 39 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)

No.....

Dated,

To

Shri/Smt./M/s

.....

.....

(Owner/Occupier)

Subject:- Notice under sub-section (1) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

Whereas, it has been observed that you have commenced / carried out/carrying out the development on the land or you have changed or are changing the use of land i.e.....(Description of Land) situated on Khasra No.....Ward/Mohal/Village.....Tehsil.....District.....Himachal Pradesh:-

(a) without the permission as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-section (1) of section 30 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

OR

(b) in contravention of the permission granted under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of

section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) vide Order No.....dated.....

OR

- (c) in contravention of the permission duly granted under sub-section (2) of Section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) vide Order No.....dated.....

OR

- (d) after the permission for development has been duly revoked under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), vide Order No.....dated.....

OR

- (e) in contravention to the provisions specified under sections 39, 39-A, 39-B and 39-C of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

Now, therefore, you are directed:-

- (a) to restore the land to the condition existing before the development took place.

OR

- (b) to comply with the conditions of the permission granted or modified and conveyed to you vide Order No.....dated.....

OR

- (c) to alter the development in conformity with the condition(s) subject to which permission has been granted to you as under:-

(i).....

(ii).....

(iii).....

- (d) to stop and discontinue the development operations as under:-

(i).....

(ii).....

(iii).....

Within a period of fifteen days from the date of service of this Notice. If within the period as specified in this Notice, you fail to comply with the above direction(s), subject to the provisions to sub-sections (3), (4) or (5) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), you shall be liable for action under sub-section (6) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

(Strike out which is not applicable).

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla / District Public Relation Officer, DistrictHimachal Pradesh for information and circulation of this news item so that public may not go for purchase of illegal plot / flat / apartment /building as referred to above.
2. The Executive Engineer, Division No. ..., Himachal Pradesh State Electricity Board Ltd..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
3. The Executive Engineer, Division No..... , Himachal Pradesh Irrigation and Public Health Department, with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
4. Notice Board.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

Registered (AD)/Speed Post

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
Form No- 22
(See rule 29)**

**NOTICE UNDER SUB-SECTION (2) OF SECTION 39 OF THE HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)**

No.....

Dated.....

Subject:- Notice under sub-section (2) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977)

Whereas, a Notice was issued under rule 28 of the Himachal Pradesh Town and Country Planning Rules, 2014 to Shri/Smt./M/s; and

Whereas, the directions issued vide aforesaid Notice have not complied with.....;

Now, therefore, a Notice is served under sub-section (2) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to Shri/ Smt./M/s.....and he / she/ them is /are directed to stop or to seal the un-authorized development on the land situated on Khasra No.....Ward/Mohal/Village.....Tehsil.....District.....Himachal Pradesh in the following manner:-

- 1.....
- 2.....

3.....

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Shri/Smt./M/s

.....

.....

(Owner/Occupier)

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla / District Public Relation Officer, DistrictHimachal Pradesh for information and circulation of this news item so that public may not go for purchase of illegal plot / flat / apartment /building as referred to above.
2. The Executive Engineer, Division No. ..., Himachal Pradesh State Electricity Board Ltd..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
3. The Executive Engineer, Division No....., Himachal Pradesh Irrigation and Public Health Department,..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
4. Notice Board.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

Registered (AD)/Speed Post**TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH****FORM-28
(See rule 31)****ORDER UNDER SUB-SECTION (1) SECTION 39-A OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)**

No.....

Dated.....

**Subject:- Order under sub-section (1) of section 39-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to discontinue or to stop the development on land bearing KhasraNo.....Ward/Mohal/Village.....Tehsil.....
...District..... Himachal Pradesh, situated in the..... Planning /Special Area.**

Whereas, it has been brought to the Notice of the undersigned, pursuant to the inspection conducted on dated.....,that un-authorized development is being or has been

carried out by Shri/Smt./M/s.....on the above referred land, as detailed in **Annexure-A** to this order;

And, whereas the said un-authorized development falls withinPlanning /Special Area and is being or has been carried out, in contravention of the Interim Development Plan/ Development Plan / Sectoral Plan/ Himachal Pradesh Town and Country Planning Rules, 2014 or without permission or approval or sanction as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) or in contravention of any conditions subject to which such permission, approval or sanction has been granted vide Order No.....dated.....;

Now, therefore, in exercise of the powers vested under sub-section (1) of section 39-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), it is hereby ordered that the said development be discontinued/stopped forthwith on the above referred land.

.....(Signature)
 (Designation)
 for on behalf of the State
 Government of Himachal Pradesh

Shri/Smt./M/s.....
 Address.....

ANNEXURE-A

(Details of un-authorized constructions)

- 1.....
- 2.....
- 3.....
- 4.....

.....(Signature)
 (Designation)
 for on behalf of the State
 Government of Himachal Pradesh.

TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH

FORM 24

(See rule 32)

FORM FOR POLICE ASSISTANCE

No.....

Dated.....

Whereas it has been noticed that Shri/Smt./M/s.....S/o/W/o Shri/Smt.....resident of is/ are carrying out/had carried out un-

authorized development on the land situated on Khasra No.....Ward/Mohal/Village.....Tehsil.....District.....
Himachal Pradesh, in contravention of the Interim Development Plan/ Development Plan / Sectoral Plan/ Himachal Pradesh Town and Country Planning Rules, 2014 or without permission or approval or sanction as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) or in contravention of any conditions subject to which such permission, approval or sanction has been granted vide Order No.....dated.....;

And, whereas the undersigned in pursuant to the powers vested under sub-section (1) of section 39-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) had ordered the discontinuance/stoppage of the said development vide this Office Order No.....dated.....;

And, whereas the said development has not been discontinued /stopped by the said person, in pursuance of the orders issued under sub-section (1) of section 39-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977);

Now, therefore, the undersigned, being the authorized Officer in this behalf, in pursuance of the provisions contained in sub-section (2) of section 39-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) requires you to deploy adequate Police force to remove, within days, the said person by whom the development has been commenced and all his/her/their assistants and workmen from the place of development and to seize all construction material, tools, machinery, scaffolding or other things used in such development.

.....(Signature)

.....(Designation)

for on behalf of the State Govt. of Himachal Pradesh

Station House Officer,(S.H.O.)

.....

Registered (AD)/Speed Post

**TOWN AND COUNTRY PLANNING DEPARTMENT
 HIMACHAL PRADESH**

**FORM- 25
 (See rule 34)**

NOTICE TO SEAL UN-AUTHORISED DEVELOPMENT UNDER SECTION 39-B OF THE
 HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977

(ACT NO. 12 OF 1977)

No.....

Dated.....

To

Sh./Smt./M/s.....

.....

Whereas, it has been brought to the notice of the undersigned, pursuant to the inspection conducted on dated..... that un-authorized development is being or has been carried out by you on the land situated on Khasra

No.....Ward/Mohal/Village.....Tehsil.....District.....Himachal Pradesh, in contravention of the Interim Development Plan/ Development Plan / Sectoral Plan/ Himachal Pradesh Town and Country Planning Rules, 2014 or without permission or approval or sanction as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) or in violation of the conditions of the permission/approval/sanction given to you vide Order No.....dated; and

In order to prevent any dispute as to the nature and extent of the un-authorized development and for the purpose of carrying out the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), it is proposed to make an order sealing the said un-authorized development under section 39-B of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977); and

Therefore, you are hereby called upon to show cause within a period ofdays from the service of this Notice to the satisfaction of the undersigned, as to why the said un-authorized development be got directed to be sealed under section 39 (B) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977); and

Take further notice that on.....(date) between.....(time) you and /or your authorized representative shall appear for hearing in my below referred office in support of your contentions, failing which you shall be proceeded against ex-parte; and

At the time of hearing you may also, in addition to the above, produce such evidence, as you may desire to produce in support of your contentions.

..... (Signature)

..... (Designation)

for on behalf of the State Government of Himachal Pradesh.

FORM 26

(See rule 35(1))

FORM OF APPLICATION FOR COMPOSITION OF OFFENCES UNDER SECTION 39-C READ WITH SUB-SECTION (3) OF SECTION 39 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977).

No.....

Dated.....

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Subject:-

Reference:-Your Notice No.....dated.....

Sir,

With reference to your Notice referred to above, I/we beg to submit that I/we may kindly be granted permission under section 39-C read with sub-section (3) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12, of 1977) for composition of offences i.e. deviations / un-authorized constructions/ developments having carried out on land

bearing Khasra No.....Khata/Khatauni No.....measuring.....square Metre situated at Mauza..... Pargana.....Tehsil.....District.....Himachal Pradesh. My /our original map was approved vide order No.....dated..... (strike out if no map was approved).

The reasons for composition of offences i.e. deviations / un-authorized constructions/developments are as under:-

- 1.....
- 2.....
- 3.....
- 4.....

The details of offences i.e. deviations / un-authorized constructions/ developments are as under:-

1. In case of building where plan was approved and deviations have been carried out from the approved plan, beyond the prescribed limits, as specified under Rules and Regulations. Details of deviations /developments carried out are as under:-

(I) Schedule of Area:

(i) Built up Area	=	M^2
(ii) Open area	=	M^2
(iii) Total Plot Area	=	M^2

(II) Schedule of Open Spaces:

(i) Front Set Back	=	M
(ii) Left Side Set Back	=	M
(iii) Right Side Set Back	=	M
(iv) Rear Set Back	=	M

(III) Number of storeys of the building = Nos.

(IV) Deviations in the Set Backs (Storey wise)

(i) Ground Storey	=	M^2
(ii) First Storey	=	M^2
(iii) Second Storey	=	M^2
(iv) Third Storey	=	M^2
(v) Fourth Storey	=	M^2
(vi) Fifth Storey	=	M^2
(vii)	=	M^2

2. In case of building where plan was not approved and construction carried out is as per the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12, of 1977), the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations of the Interim Development Plan or Development Plan. Details of developments carried out are as under:-

(I) Schedule of Area:

(i) Built up Area	=	M^2
(ii) Open area	=	M^2
(iii) Total Plot Area	=	M^2

(II) Schedule of Open Spaces:

(i) Front Set Back	=	M
(ii) Left Side Set Back	=	M
(iii) Right Side Set Back	=	M

(iv) Rear Set Back	=	M
(III) Number of storeys of the building	=	Nos.

3. In case of building where plan was not approved and deviations have also been carried out plan, beyond the prescribed limits, as specified under Rules and Regulations. Details of deviations /developments carried out are as under:-

(I) Schedule of Area:		
(i) Built up Area	=	M^2
(ii) Open area	=	M^2
(iii) Total Plot Area	=	M^2
(II) Schedule of Open Spaces:		
(i) Front Set Back	=	M
(ii) Left Side Set Back	=	M
(iii) Right Side Set Back	=	M
(iv) Rear Set Back	=	M
(III) Number of storeys of the building-	=	Nos.
(IV) Deviations in the Set Backs (Storey wise)		
(i) Ground Storey	=	M^2
(ii) First Storey	=	M^2
(iii) Second Storey	=	M^2
(iv) Third Storey	=	M^2
(v) Fourth Storey	=	M^2
(vi) Fifth Storey	=	M^2
(vii)	=	M^2

4. In case of building constructed on an under size plot i.e. less than the permissible plot size, as specified under Rules and Regulations. Details of deviations/ development carried out are under:-

(I) Schedule of Area		
(i) Plot Area as specified under Rules and Regulations	=	M^2
(ii) Minimum Plot Area over which building has been constructed	=	M^2
(iii) Total area of under size Plot (i)-(ii)	=	M^2
(iv) Percentage of under size Plot Area	=	%

The following documents are enclosed herewith:

- (i) A copy of title/ ownership documents i.e. latest jamabandi in original.
- (ii) A copy of latest original tatima showing dimensions of plot and width of access to the plot.
- (iii) Two sets of Location Plan in the scale of 1:1000 showing North direction, land/building in question, abutting path, approach road, important buildings.
- (iv) Two sets of Site Plan in the scale of 1:200, clearly showing the building within tatima dimensions and also showing all drainage lines, sewerage connection or location of septic tank, soak pit, rain water harvesting tank, solar passive arrangements and house drainage.
- (v) Two sets of detailed architectural drawing of the existing building showing each storey with two cross- sections and two elevations of the building in the scale of 1:100. These

- drawings are in the form of working drawing showing all the dimensions of rooms, openings, thickness of wall, floor and slab etc.
- (vi) Two sets of photographs taken from all sides of the building, clearly showing the number of storeys.
- (vii) A copy of Affidavit to the effect that building has been constructed on own land and has not encroached upon any Government or other's land.
- (viii) A copy of Structural Stability Certificate as per Section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No 12 of 1977).
- (ix) A copy of No Objection Certificate (NOC) of competent authority. (In case building or a part thereof abuts or falls within the controlled area of National Highways/ State Highways / Scheduled Roads as per provisions of the Himachal Pradesh Road Side Land Control Act, 1968).

Certified that the Plans have been prepared, designed and signed by Sh./Smt./M/s (Name and address of the registered Town Planner/ Architect/ Engineer /Draughtsman/ Surveyor), having Registration No.....dated.... and the Structural Stability Certificate has been issued by Sh./Smt./M/s.....(Name and address of the Registered Architect/ Planner/ Engineer /Draughtsman), having Registration No.....dated....

I/We have deposited a sum of Rs...../- only (Rs.only) towards the Application Fee and a sum of Rs..... only (Rs..... only), on account of Composition Fee in accordance with the scale as specified in sub-rule (3) of Rule 35 of the Himachal Pradesh Town and Country Planning Rules, 2014, vide Treasury Challan No....., dated.....(Original copy attached)/e-payment.

Enclosures: As above.

Yours faithfully,

Signature of applicant(s)
Address.....
.....
.....
Phone No.....

Registered (AD)/Speed Post

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM-27
(See rule 35(1))
FORM OF PERMISSION FOR COMPOSITION OF OFFENCES**

No.....

Dated.....

To

Sh./Smt./M/s.....
.....
.....

Subject:- Permission for Composition of Offences.

Reference:-Your Application No.dated.....

This is in reply to your Application under reference on above cited subject. You are hereby granted permission under sub-section (5) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for Composition of Offences carried out on the land bearing Khasra No.Mauja.....Tehsil.....District.....Himachal Pradesh.

A copy of map duly compounded is enclosed herewith.

Please acknowledge the receipt of this Order.

Enclosers: As above.

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH
FORM 28
(See rule 36(1))**

NOTICE OF DECLARATION OF INTENTION TO PREPARE TOWN DEVELOPMENT SCHEME

No.....

Dated.....

It is hereby declared and published for the information of the general public as required under sub-section (2) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), that the Town and Country Development Authority intends to prepare Town Development Scheme forPlanning/Special Area. A copy of the said Scheme is available for inspection office of the undersigned.

Place.....

Chairman

Date

Town and Country Development Authority
Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.
4. Notice Board.

Chairman
Town and Country Development Authority
Himachal Pradesh.

TOWN AND COUNTRY DEVELOPMENT AUTHORITY**HIMACHAL PRADESH****FORM 29**

(See rule 36(2))

NOTICE OF PUBLICATION OF DRAFT TOWN DEVELOPMENT SCHEME

No.....

Dated.....

Notice is hereby given that a draft Town Development Scheme has been prepared for the(Planning/Special Area) under sub-section (3) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and a copy thereof is available for inspection during office hours in the following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

Any objection or suggestion with respect to the draft Scheme, which is received in writing from any person(s) likely to be affected thereby within thirty days of the publication of this Notice in the Official Gazette of Himachal Pradesh, will be considered, by the Town and Country Development Authority after having been given him/them opportunity of being heard in person, if he/ they so desire.

Place.....

Chairman

Date

Town and Country Development Authority
Himachal Pradesh**Copy to:-**

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.
4. Notice Board.

Chairman

Town and Country Development Authority
Himachal Pradesh.**TOWN AND COUNTRY DEVELOPMENT AUTHORITY****HIMACHAL PRADESH****FORM 30**

(See rule 36(2))

NOTICE OF PUBLICATION OF FINAL TOWN DEVELOPMENT SCHEME

No.....

Dated.....

Whereas, objections and suggestions were invited vide Notice No.....dated..... with respect to the draft Town Development Scheme for.....(Planning/ Special Area) under sub-section (3) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977);and whereas, no objection or suggestion has been received.

Or

Whereas, objections and suggestions were received which were considered and rejected.

Or

Whereas, objections and suggestions were received and the amendments have been made in the said draft Scheme.

And, whereas the Town Development Scheme for the(Planning/Special Area), has been approved under sub-section (4) of section 52 of the Himachal Pradesh, Town and Country Planning Act, 1977 (Act No. 12 of 1977) by the Committee constituted under sub-section (5) of section 52 of the Act ibid;

Now, the Town Development Scheme for the (Planning/Special Area), is hereby published for the information of the general public and copies of the said Scheme are available for inspection during office hours in the following offices:-

- 1.....
- 2.....
- 3.....
- 4.....

The said Town Development Scheme shall come in operation with effect from the date of publication of this Notice in the Official Gazette of Himachal Pradesh.

Place.....
Date.....

Chairman
Town and Country Development Authority
Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.
3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.
4. Notice Board.

Chairman
Town and Country Development Authority,
Himachal Pradesh.

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH**

FORM-31

(See rule 38(1))

NOTICE OF INTENTION TO LEVY DEVELOPMENT CHARGES UNDER SUB-SECTION (1) OF SECTION 62 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO 12 OF 1977)

No.....

Dated.....

It is hereby notified and declared for the information of general public that the Town Development Scheme for(Planning/Special Area) has been completed. The Town and Country Development Authority intends to levy Development Charges, as per Schedule given below, in the (Planning/Special Area) affected by the Scheme adjacent to it.

The owner(s) of land falling within the aforesaid area are liable to pay the aforesaid development charges.

The objections, if any, in this behalf are invited, by the undersigned bydate (not later than thirty days from the date of publication of this Notice) in the Official Gazette of Himachal Pradesh.

Sr.No.	Name of Owner	Original Plot		Incremental value effected due to implementation of Scheme	Incremental difference in value (Col. 4&5).	Amount payable by plot owner as Developmental Charges	Remarks
		Area	Value				
1	2	3	4	5	6	7	8

Place.....

Date.....

Chairman
Town and Country Development Authority
Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.
2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.

3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla.

4. Notice Board.

Chairman
Town and Country Development Authority
Himachal Pradesh.

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH
FORM 32
(See rule 38 (2))
NOTICE FOR ASSESSMENT OF DEVELOPMENT CHARGES**

No.....

Dated.....

To

Sh./Smt./M/s.....

.....
.....

Your landed property bearing Khasra No.....Mauja
.....Village/Town.....Tehsil.....District..... Himachal Pradesh,
is affected by the Town Development Scheme for(Planning /Special Area) of this
Authority.

You are hereby given Notice under sub-section (4) of section 62 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) that the development charges of Rs.....only (Rs..... only) have been assessed to be due from you.

You are hereby called upon to deposit the Development Charges as mentioned above with the Town and Country Development Authority within a period of thirty days from the date of receipt of this Notice.

Chairman
Town and Country Development Authority
Himachal Pradesh.

**FORM-33
(See rule 39)
APPLICATION FOR..... PERCENT DEBENTURE(S) ISSUED BY THE TOWN AND
COUNTRY DEVELOPMENT AUTHORITY**

(Broker's Stamp to be affixed here).

To

The Chairman,
Town and Country Development Authority,
Himachal Pradesh.

Sir,

I/We.....hereby apply for the debentures of the face value of Rs.....only (Rs. only) of the above issue and tender Cash/Cheque/Draft for Rs.....only (Rs. only) for the purchase ofpercent debentures of the Town and Country Development Authority, of the nominal value of Rs..... only (Rs. only). The debentures may kindly be issued to me/us in the denomination stated below:-

*Debenture of Rs.....only (Rs..... only)

*Debenture of Rs..... only (Rs..... only)

*Debenture of Rs..... only (Rs..... only)

*Debenture of Rsonly (Rs..... only)

Yours faithfully,

Dated.....

Name of Applicant(s) (in Block letters)

Address (in Block letters).....

*To be given in the figures and words.

Note:- 1 The debentures will be issued in the denominations of Rs 100, Rs.500, Rs. 1000, Rs.5000, Rs.10,000, Rs. 25,000, Rs.50,000, Rs.1,00,000 and Rs.5,00,000.

2 If the Applicant(s)'s signature is by thumb marks, it should be witnessed by two persons. The full name(s), occupation(s) and address (es) of the witness (es) should be appended to their signatures.

3 If the Application is made in the name of a Registered Body excepting Trusts, the under noted documents, if not already registered at the Public Debt Office, should be enclosed with the investment application:-

(i) Certificate of Registration Incorporation.

(ii) Memorandum and Articles of Association or a certified copy of the Rules, Regulations and Bye-laws of the Body/Company.

(iii) Certified copy of the Resolution in favour of the person(s) authorized to deal in Government securities on behalf of the Body/Company.

APPLICATION RECEIPT

Received..... percent debentures of the Town and Country Development Authority from Shri/Smt./M/s..... for the sum of Rs..... only (Rs.....only) by Cash/Cheque/ Draft subject to realization, being Application money for the above mentioned debentures.

(Signature and designation of the Officer receiving money)
Town and Country Development Authority, Himachal Pradesh

Note:- This Receipt must be carefully preserved, as it is to be surrendered to the Authority duly discharged at the time of taking delivery of debentures.

FORM -34
(See rule 41(1))

APPLICATION FOR CERTIFICATE OF REGISTRATION BY PROMOTER

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Affix latest
stamp size
photograph
duly attested

Sir,

I/We beg to apply for registration as a Promoter under sub-section (1) of section 78a of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977). My/ Our particulars are given below:-

1. Name.....
2. Father's Name.....
3. Address for correspondence.....
.....
4. Permanent Address
.....
5. Status of the applicant, whether individual or a Firm with list of partners or a Company with list of Director(s) or a Co-operative Society with list of Executive Members or a joint family with list of family members.....
6. Whether applicant is Income Tax payee/ assessee, if so, give Permanent Account Number (PAN) No.....
7. Whether the applicant had ever been registered as Promoter under any other law for the time being in force, in the State of Himachal Pradesh if so, details thereof.....
8. Whether the applicant has ever conducted or is conducting any business as a Promoter in the State of Himachal Pradesh or in any other States, if so, details thereof.....
9. Whether the applicant possesses the requisite qualification and experience as a Promoter,.....,if yes, attach attested copy of requisite certificate(s).

10. Any other information, the applicant desires to furnish:-

- (i).....
(ii).....
(iii).....
(iv).....

I/We enclose herewith the following documents, namely:-

1. Receipt in the shape of e-Challan or Challan or demand draft drawn in favour of the Director amounting to Rs.....only (Rsonly) on account of Registration Fee.
2. Receipt in the shape of Bank guarantee or fixed deposit duly pledged in the name of Director amounting to Rs.....only (Rs.....only) on account of Security.
3. Income Tax clearance certificate.
4. Statement of affairs clearly indicating the detail of Assets and Liabilities duly certified by the Chartered Accountant.

5. List of other documents:-

- (i) Self certified statement regarding conditions prescribed under clause (a) to (h) of sub-rule (1) of Rule 42 of the Himachal Pradesh Town and Country Planning Rules, 2014.
- (ii) In case the prospective Promoter does not possess himself the prescribed qualification, then he will furnish an undertaking as prescribed under sub-rule (5) of Rule 42 of the Himachal Pradesh Town and Country Planning Rule, 2014.
- (iii).....
- (iv).....
- (v).....

6. The applicant shall, affix on the space provided for the purpose (at top), a latest stamp size photograph duly attested by any Gazetted Officer or Magistrate First Class and also add two attested copies of the same with this Form for official use.

I/We certify that the particulars given above are correct and true to the best of my/our knowledge and belief.

Place.....

Date.....

Yours faithfully,

Signature of applicant(s)

Address.....

.....

Phone No.....

FORM -35
(See rule 41(1))

APPLICATION FOR CERTIFICATE OF REGISTRATION AS ESTATE AGENT

To

The Director,
Town and Country Planning Department
Himachal Pradesh, Shimla.

Affix latest stamp size photograph duly attested

Sir,

I/We beg to apply for registration as an Estate Agent under sub-section (1) of section 78a of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977). My /our particulars are given below:-

1. Name.....
2. Father's Name.....
3. Address for correspondence.....
.....
4. Permanent Address
.....
5. Status of the applicant, whether individual or a Firm with list of partners or a Company with list of Director(s) or a Co-operative Society with list of Executive Members or a joint family with list of family members.....
6. Whether applicant is Income Tax payee/ assessee, if so, give Permanent Account Number (PAN) No.....
7. Whether the applicant had ever been registered as Estate Agent under any other law for the time being in force, in the State of Himachal Pradesh or in any other States, if so, details thereof.....
8. Whether the applicant possess the requisite qualification and experience as an Estate Agent....., if yes, attach attested copy of the requisite Certificate (s).
9. Any other information, the applicant desires to furnish:-
(i).....
(ii).....
(iii).....
(iv).....

I/We enclose herewith the following documents, namely:-

1. Receipt in the shape of e-Challan or Challan or demand draft drawn in favour of the Director amounting to Rs.....only (Rsonly) on account of Registration Fee.
2. Receipt in the shape of Bank guarantee or fixed deposit duly pledged in the name of Director amounting to Rs.....only (Rsonly) on account of Security.
3. Income Tax clearance certificate.
4. List of other documents:-

- (i) Self certified statement regarding conditions prescribed under clause (a) to (g) of sub-rule (3) of Rule 42 of the Himachal Pradesh Town and Country Planning Rules, 2014.
- (ii)
- (iii)
- (iv)
- (v)

5. The applicant shall, affix on the space provided for the purpose, (at top) a latest stamp size photograph duly attested by any Gazette Officer or Magistrate First Class and also add two attested copies of the same with this Form for official use.

I/We hereby certify that the particulars given above are correct and true to the best of my/ our knowledge and belief.

Place:.....
Date:.....

Yours faithfully,

Signature of applicant(s)
Address.....
.....
Phone No.....

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM-36
(See rule 41(2))
CERTIFICATE FOR REGISTRATION AS PROMOTER**

No..... Dated.....

To
Sh./Smt./M/s.....
.....
.....

Affix latest stamp size
photograph duly
attested

Reference: Registration Number.....Dated.....

This Certificate of Registration is hereby granted to Shri/Smt./M/s.....(Name) son of Shri..... resident of Village/Town..... Tehsil..... District.....State..... for conducting business as a Promoter for developing a Colony or constructing Apartments under section 78a of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and the Rules and Regulations made thereunder subject to following conditions:-\

1. This Certificate shall remain valid for a period of three years from the date of its issue.
2. It may be renewed for two years only on submission of fresh application alongwith specified fee. Provided that the application has been submitted three months before the expiry date of previous Registration.

3. This Certificate shall be operative in the State of Himachal Pradesh only.
4. It will not be used for the purpose other than the purpose of conducting business as a Promoter, as specified under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations made thereunder.
5. The Director has the right to withdraw or cancel this Certificate at any time during the tenure of Registration, if it is found that:-
 - (i) the Promoter has given any wrong information in his Application for Registration; or
 - (ii) the Promoter has been adjudicated as insolvent or is un-discharged insolvent; or
 - (iii) the Promoter has been convicted under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) or any other law involving moral turpitude; and
 - (iv) the Promoter has contravened any of the terms and conditions of the Certificate of Licence or any of the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) or the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations made thereunder.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

FORM 37

(See rule 41(2))

CERTIFICATE FOR REGISTRATION AS ESTATE AGENT

No.....

Dated.....

To

Sh./Smt./M/s.....

.....
.....

Reference: **Registration Number.....Dated.....**

Affix latest stamp size photograph duly attested

This Certificate of Registration is hereby granted to Sh./Smt./M/s (Name) son of Shriresident of Village/Town.....Tehsil.....District.....State..... for conducting business as an Estate Agent under section 78a the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations made thereunder subject to following conditions:-

1. This Certificate shall remain valid for a period of three years from the date of its issue.
2. It may be renewed for two years on submission of fresh application alongwith prescribed fee. Provided the application has been submitted three months before the expiry date of previous Registration.
3. This Certificate shall be operative in the State of Himachal Pradesh only.
4. It will not be used for the purpose other than the purpose of conducting business as an Estate Agent, as specified under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations made thereunder.

5. The Director has the right to withdraw or cancel this Certificate at any time during the tenure of Registration, if it is found that:-
- (i) the Estate Agent has given any wrong information in his Application for Registration; or
 - (ii) the Estate Agent has been adjudicated as insolvent or is un-discharged insolvent and
 - (iii) the Estate Agent has been convicted under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) or any other law involving moral turpitude.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

FORM-38
(See rule 43)

**APPLICATION FOR RENEWAL OF CERTIFICATE OF
REGISTRATION BY THE PROMOTER**

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I/ We beg to apply for renewal of Registration Certificate Number
dated which expires on.....

I/We enclose herewith the following documents, namely:-

1. Receipt in the shape of e-Challan or Challan or demand draft drawn in favour of the Director amounting to Rs.....only (Rsonly) on account of renewal of Registration Fee.
2. Income Tax clearance certificate, if any.
3. Receipt in the shape of Bank guarantee or fixed deposit duly pledged in the name of Director amounting to Rs.....only (Rsonly) on account of Security, provided earlier Bank guarantee and Security is not over.
4. Self certified statement regarding conditions prescribed under clause (a) to (h) of sub-rule (1) of Rule 42 of the Himachal Pradesh Town and Country Planning Rules, 2014.

Place.....

Date.....

Yours faithfully,

(Promoter)

Address.....

.....

.....

Phone No.....

1.	2.	3.	4.	5.	6.	7.

Amount received as Earnest Money	Amount received as Allotment Money	Total of Col. 8 & 9	Amount received in installments (if any)	Total amount received as full payment of price	Balance amount	Remarks
Rs. - P	Rs. - P	Rs. - P	Rs. - P	Rs. - P	Rs. - P	
8.	9.	10.	11.	12.	13.	14.

(Promoter)

FORM- 41
(See rule 44(2))

REGISTER TO BE MAINTAINED BY THE ESTATE AGENT

Sr. No.	Category of Plot/ Apartment whether Residential or Commercial or Industrial	Details of Plot/ Apartment with location etc.	Area of Plot/ Apartment	Name and Address of the Seller
1.	2.	3.	4.	5.

Name and address of the Buyer	Date of sale	Amount of sale Rs. - P	If sale deed executed, the date and place of the execution of the sale deed
6.	7.	8.	9.

(Estate Agent)

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

FORM - 42

(See rule 44(3))

REGISTER FOR KEEPING RECORD OF THE LICENCE GRANTED UNDER SECTION 78p OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977) TO THE PROMOTER BY THE DIRECTOR

Sr. No.	Name of Licensee	Address of Licensee	Description of Colony for which Licence has been issued	Fee paid Rs. - P	Licence Number
1.	2.	3.	4.	5.	6.

Detail of Bank guarantee or security	Date of issue of Licence	Date on which Licence expires	Date of renewal with period of renewal	Detail of Licenses refused	Remarks
7.	8.	9.	10.	11.	12.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM-43
(See rule 44(3))

REGISTER FOR KEEPING RECORD OF THE REGISTRATION CERTIFICATE GRANTED UNDER SECTION 78a OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO 12 OF 1977) TO PROMOTER BY THE DIRECTOR

Sr. No.	Name of Promoter	Address of Promoter	Registration fee paid Rs. - P	Detail of Bank guarantee or Security
1.	2.	3.	4.	5.

Registration Number	Date of issue of Registration Certificate	Date on which Registration Certificate expires	Date and period of renewal of Registration Certificate	Detail of Registration Certificates refused	Remarks
6.	7.	8.	9.	10.	11.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM- 44
(See rule 44(3))

REGISTER FOR KEEPING RECORD OF THE REGISTRATION CERTIFICATE GRANTED UNDER SECTION 78a OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO 12 OF 1977) TO ESTATE AGENT BY THE DIRECTOR

Sr. No.	Name of Estate Agent	Address of Estate Agent	Registration fee paid Rs. - P	Detail of Bank guarantee or Security	Registration Number	Date of issue of Registration Certificate	Date on which Registration Certificate expires
1.	2.	3.	4.	5.	6.	7.	8.

Date and period of renewal of Registration Certificate	Detail of Registration Certificates refused	Remarks
9.	10.	11.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

FORM-45
(See rule 46(1))

RETURN TO BE FURNISHED BY THE PROMOTER

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I/ we hereby furnish the statement of amount received from the Plot holders/
Apartment owners during the six months from ending with
.....and the amount deposited in Account
No.....Bank..... as under:-

Sr. No.	Name of Allottee to whom Plot/ Apartment is being sold alongwith Address	Particulars of Plot / Apartment	Opening Balance	Amount received during the period	Amount spent on the development works in the Colony / construction of Apartment	Closing Balance
			Rs. - P	Rs. - P	Rs. - P	Rs. - P
1.	2.	3.	4.	5.	6.	7.

Yours faithfully,

(Promoter)

Address.....

.....

Phone No.....

FORM- 46
(See rule 46(2))
ANNUAL RETURN TO BE FURNISHED BY THE ESTATE AGENT

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I/ we hereby furnish the statement of annual return fromto
.....for the Financial Year.....as under:-

Sr. No.	Number of Plots/ Apartments	Category of Plot/ Apartment, whether Residential or Commercial or Industrial	Area of Plot/ Floor Area of Apartment	Name and Address of the Seller
1.	2.	3.	4.	5.

Name and Address of the Purchaser	Price of Plot/ Apartment	Date of sale	Date of execution of Conveyance Deed
6.	7.	8.	9.

Yours faithfully,

(Estate Agent)
Address.....

FORM -47
(See rule 51)
APPLICATION FOR GRANT OF LICENCE

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Affix latest stamp size photograph duly attested
--

Sir,

I/We beg to apply for the grant of Licence to set up a Residential or Commercial or Industrial Colony or intend to construct a Building or Apartment at Khasra No.....Hadbast No.....Mauja.....Tehsil.....District.....Himachal Pradesh.

1. The requisite particulars are as under:-

- (i) Status of the applicant, whether individual or Firm or Co-operative Society or Company or joint family.....
- (ii) In case of individual or joint family:-
 - (a) Name
 - (b) Father's Name
 - (c) Occupation
 - (d) Permanent Address
- (iii) In case of Firm or Co-operative Society or Company:-
 - (a) Name
 - (b) Address
 - (c) Copy of Registration Certificate.....
 - (d) Major activities.....
 -
 - (e) Name and Address of Partners/ Chief Executive/ Full time Directors.....
- (iv) Whether applicant is Income Tax payee/ assesses, if so, give Permanent Account Number (PAN) No.....
- (v) Name and address of the Bank or Banker with which Account in terms of section 78 r of the Himachal Pradesh Town and country Planning Act,1977 (Act No. 12 of 1977) will be maintained.....
- (vi) Particulars about financial position:-
 - (a) Latest audited Accounts in the case of Company/ Firm/ Co-operative Society/ a joint family; and
 - (b) Income Tax return of the preceding 3 years.
- (vii) Statement of affairs clearly indicating the detail of Assets and Liabilities duly certified by the Chartered Accountant.
- (viii) Whether the applicant had ever been granted permission to set up a Colony or Building or Apartment under any other law, if yes, details thereof.....
- (ix) Whether the applicant has ever established a Colony or is establishing a Colony, if, yes details thereof.....
- (x) Agency to take up external development works.....(Self / Local Authority / Development Authority).

- (xi) Agency to take up internal development works.....(Self /Local Authority / Development Authority).
- (xii) Any other information, the applicant may like to furnish:-
.....
.....

2 The following Plans, Drawings and other documents are enclosed, namely:-

- (i) a copy of latest jamabandi in original showing the title/ ownership of the Promoter in the land under the colony or apartment or building.
- (ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra numbers falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the tatima.
- (iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.
- (iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, trees, slopes, contours at an interval of 5.00 Metre if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal and all such other matters which need to be co-ordinated with the adjoining area.
- (v) for sub-division of land into plots, three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, set backs, parks and open spaces, community buildings such as school, dispensary, post office, bank etc. and all development proposals including a general report and mode so as to make scheme self explanatory. In case of colony, clearly indicating the mode and manner to reserve 25% of developed land including plot or building or apartment reserved for Economically Weaker Section, Low Income Group of society and bonafide Himachalis, with area of each plot or building or apartment earmarked clearly on the Drawings.
- (vi) for construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment, colony etc. and other architectural details and specifications of proposed building, apartment, colony and all development proposals including general report etc. alongwith schedule of built up and open area, set backs, area calculation sheet of each plot or apartment.
- (vii) an explanatory note explaining the salient features of the proposed colony, in particular the source of whole some water supply arrangements and site for disposal and treatment of storm and sullage water. Detailed specifications and designs of water supply schemes, storm water, sullage, sewage and sewerage with estimated costs of each component with cost analysis thereof.

- (viii) three sets of Drawings showing the cross-sections of the proposed roads indicating, in particular the width of the proposed drainage ways, cycle tracks and footpaths, green verges, position of electric poles, telephone poles and of any of other works connected with such roads. These Drawings are indicating the position of sewers, storm water channel, water supply and any other public health services. The detailed specifications and designs of roads, works and component wise estimated cost with cost analysis thereof.
- (ix) a set of detailed specifications and structural design of buildings or apartments with the detailed component wise estimated cost of buildings or apartments and an undertaking in the shape of affidavit regarding the structural design and soil investigation report and construction thereof;
- (x) a set of detailed specification and design for electric supply including street lighting with component wise estimated cost with cost analysis of each component.
- (xi) an undertaking in the shape of affidavit to the effect that while constructing the building or apartment, the Promoter shall abide by and conform to the Himachal Pradesh Public Works Department's specification(s) for the quality of material to be used and quality of constructions.
- (xii) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc;
- (xiii) Name, address and qualification of Engineer or Architect or Town Planner and the consent to execute the development works where the Promoter himself does not possess the qualification as prescribed under clause (b) of sub-rule (1) of Rule 42 of the Himachal Pradesh Town and Country Planning Rules, 2014.
- (xiv) Document(s) showing Managerial and Financial Capability of Promoter.
3. I/We hereby enclose further the following documents, namely:-

LICENCE FEE

- (i) Receipt in the shape of e-Challan or Challan or demand draft drawn in favour of the Director amounting to Rs.....only (Rsonly) calculated at the rate of Rupees one hundred per square Metre of plot area as licence fee in favour of the Director.
- (ii) A copy of the latest statement of annual accounts duly audited by a Chartered Accountant in the case of a Company or a Firm or a Co-operative Society and a joint family, disclosure of the account maintained alongwith the name of the Bank in the case of an individual.
- (iii) Income Tax returns of the proceeding 3 years.
4. It is further submitted that I /we may be exempted from providing the following amenity or amenities in the proposed Colony and an explanatory note, in duplicate alongwith plans marked A.B.C. (so on) as to why the said amenity or amenities are not required to be provided in the Colony are enclosed herewith:-

- (i).....
- (ii).....

(iii).....

5. I/We solemnly affirm and declare that the particulars given in para 1 to 4 above are correct to the best of my/our knowledge and belief.

Enclosers: As above.

Yours faithfully,

Dated:.....
Place:.....

Signature of Applicant(s)
alongwith full Name(s)
Address.....
.....
Phone No.....

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM-48
(See rule 52(3))**

**NOTICE FOR CALLING UPON THE APPLICANT TO FULFIL
CONDITIONS**

No.....

Dated.....

To

Sh./Smt./M/s.....
.....
.....

This is with reference to your Application No.dated.....for the grant of Licence to set up a Colony on Khasra No.....Mauja.....Tehsil.....District.....Himachal Pradesh.

In this regard, it is proposed to grant Licence to you for setting up a Colony on Khasra No.....Mauja.....Tehsil.....District.....Himachal Pradesh.

You are, therefore, called upon to fulfill the conditions as laid down in Rule 53 of the Himachal Pradesh Town and Country Planning Rules, 2014 within a period of thirty days from the date of the service of this Notice.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM- 49
(See rule 52(4))**

REFUSAL TO GRANT LICENCE

No.....

Dated.....

To

Sh./Smt./M/s.....

.....

.....

This is with reference to your Application No..... dated.....for the grant of Licence.

It is regretted that the grant of Licence is refused for the reasons given below:-

1.
2.
3.
4.

Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

FORM- 50

(See Rule 53(1) (b) and Condition No. (ii) of the Licence appended to Form 51)

AGREEMENT BY A PROMOTER TO SET UP A COLONY

This Agreement made on theday ofTwo thousand and.....between Sh./Smt./M/s(hereunder called the Promoter which term shall include his legal heirs, legal representatives, successors and assigns) on the one part and the Director, Town and Country Planning Department, Himachal Pradesh, Shimla (hereunder called the Director) on the other part;

Whereas, the Director has agreed to grant a Licence to the Promoter, for setting up a Colony on Khasra No.....MaujaTehsil.....District.....Himachal Pradesh, subject to the conditions that the Promoter shall enter into an Agreement with the Director for carrying out, completion and maintenance of development works in the Colony, in accordance with the Licence granted to him;

Now this deed witness as follows:-

1. In consideration of the Director having agreed to grant Licence to the Promoter to set up the Colony or Building on the land mentioned in the Schedule hereto, the Promoter hereby covenant as follows:-
 - (a) to maintain a separate Account in any scheduled Bank of all sums taken by him from the person intending to take or who has taken the Plot or Apartment or Building, as an advance or deposit towards sale price or for any other purpose as required under section 78 r of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and utilize this amount for meeting the cost of development works in the Colony and shall, on demand, in writing, by the Director, make full and true disclosure of all transactions in respect of that Account;
 - (b) that the Promoter shall pay development works charges for development works, as prescribed under sub-section (5) of section 78 p of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), if the main lines of roads, drainage, sewerage, water supply and electricity are to be laid out and constructed by the Government or any Authority constituted under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), or any Local Authority on payment of charges worked out by the Director on pro-rata basis at the time of applying for Completion Certificate and Occupancy Certificate. This will also apply in case the existing services are to be utilized by the Promoter;
 - (c) that the Promoter shall construct or get constructed at his own cost schools, hospitals, community centers and other community buildings, sewerage, street lights, water supply, lifts as per the approved plan on the land set apart for this purpose or transfer such land to the State Government or Local Authority free of cost. The State Government shall be at liberty to transfer such land to any Local Authority or person or Institution on such terms and conditions, as it may deem fit and to be utilized for the above purposes;
 - (d) that the Promoter shall be responsible for maintenance and upkeep of all roads, open spaces, public parks and public health services for a period of five years from the date of issue of Completion Certificate under the Building Regulations unless earlier relieved of this responsibility and thereupon shall transfer such roads, open spaces, public parks and public health services free of cost to the Local Authority or Institution or registered Resident Welfare Association, as the case may be;
 - (e) that the Promoter shall permit the Director or any other Officer authorized by him, to inspect the execution of layout and development works in the Colony during office hours and to carry out all directions issued by him for ensuring due compliance of execution of layout of and development works in accordance with the Licence granted;
 - (f) the Promoter shall give undertaking to establish a Colony/Apartment after obtaining necessary approval/no objection certificate required under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act 1981 and Environment Protection Act, 1986 (wherever applicable) after the grant of Licence from the Himachal Pradesh State Environment Protection and Pollution Control Board within one year of issuance of Licence. Consent to operate a Colony/ Apartment shall be submitted from the Himachal Pradesh State Environment Protection and Pollution Control Board to the Director at the time of applying for part or completion of the project; and
 - (g) that without prejudice to anything contained in this Agreement, all the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and the Himachal Pradesh Town and Country Rules, 2014 and Regulations made thereunder, shall be binding on the Promoter.

2. Provided always and it is hereby agreed that if the Promoter commits any breach of the terms and conditions of this Agreement or violate any provisions of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) or the Himachal Pradesh Town and Country Rules, 2014 or the Regulations made thereunder, then, and in any such case, and notwithstanding the waiver of any previous cause or right, the Director may, revoke the Licence granted to him.
3. That stamp and Registration charges on this deed shall be borne by the Promoter.

In witness thereof the Promoter and the Director have signed the deed on the day and year first written above.

(Director) (Promoter)

1. Witness.....dated.....
2. Witness..... dated.....

—————

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM- 51
(See rule 54(1)
GRANT OF LICENCE**

No.....

Dated.....

This Licence No..... dated.....is granted under sub-section (3) of section 78 p of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) to:-

1. In the case of an individual, Sh./Smt.son of Sh.....Village/Town.....Tehsil.....DistrictState.....; and
2. In the case of a Firm / Co-operative Society/ Company to M/s.....of Firm/ Co-operative Society/ Company..... having its headquarters at Village / Town.....Tehsil.....District.....State..... for developing land as Residential / Commercial/ Industrial Colony at Village/ Town..... Tehsil.....District.....Himachal Pradesh.

This Licence is granted subject to the following conditions, namely:-

- (i) The design and the specification of the development works to be provided in the Colony shall include:-
- (a) metalling of roads and paving of footpaths, in accordance with the Himachal Pradesh Public Works Department's specifications prevailing at relevant time;
- (b) turfing and plantation of trees;
- (c) street lightings; and
- (d) any other work.
- (ii) The Licensee shall enter into an Agreement with the Director in **Form 50** within a period of thirty days of the grant of Licence.
- (iii) The Promoter shall deposit with the Director service charges under section 78 zd of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977)

- failing which the Licence granted to him under the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) shall be deemed to be cancelled.
- (iv) In the Drawings of the Colony, the land reserved for roads, open spaces, schools, public and community buildings and other common uses shall not be less than percent of the gross area of the land under the Colony.
- (v) The Licensee shall not contravene the provisions of any other law for the time being in force, in the area where the Colony is being developed.
- (vi) The Promoter shall maintain a separate Account in any schedule Bank of all sums, taken by him from the persons intending to take or who has taken the Plot or Apartment or Building, as an advance or deposit towards sale price or for any other purpose and shall utilize this amount for meeting the cost of development works in the Colony and shall, on demand, in writing, by the Director, make full and true disclosure of all transactions in respect of that Account.
- (vii) This Licence is valid for a period of three years commencing fromand ending withand the Licensee shall complete the development works within that period failing which penalty equivalent to the renewal fee as prescribed under clause (i) of sub-rule (1) of Rule 55 of the Himachal Pradesh Town and Country Planning Rules,2014 shall be imposed.
- (viii) The Licensee shall comply with the provisions of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) and the Himachal Pradesh Town and Country Rules, 2014 and Regulations made thereunder.

Dated.....

Place.....

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Sr. No.	Date of renewal of Licence	Date upto which renewed	Signature of Director
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			

FORM-52
(See rule 55(1))

APPLICATION FOR RENEWAL OF LICENCE

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I/We beg to apply for renewal of Licence No.....
.....dated.....which expires on As required, I /we hereby
submit the following documents and information as under:-

- (i) Receipt for a sum of Rs..... only (Rs..... only, as prescribed under clause (i) of sub-rule (1) of Rule-55 of the Himachal Pradesh Town and Country Planning Rules, 2014, deposited by way of e-challan or Challan or demand draft drawn in favour of the Director as renewal fee;
- (ii) A copy of the Plan of the Colony showing the stage of development works undertaken till date;
- (iii) An explanatory note clearly indicating the details of development works which have been completed or are in progress or are yet to be undertaken in conformity with the approved plan and reasons for not completing the development works within the stipulated period as per terms and conditions of the Licence granted;
- (iv) The original Licence;
- (v) Income Tax return of the preceding 3 years;and
- (vi) Any other information:-

.....
.....

Yours faithfully

Applicant (s)

Address.....

Phone No.....

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM -53
(See rule 55(3))

INTIMATION FOR REJECTION OF APPLICATION FOR
RENEWAL OF LICENCE

No.....

Dated.....

To

Shri/Smt./M/s.....

.....
.....

This is with reference to your Application No..... datedfor the renewal of Licence No..... dated.....

It is regretted that renewal of Licence No.....dated.....is rejected for the reasons given below:-

- 1.....
- 2.....
- 3.....

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

FORM-54
(See Rule 61)

AGREEMENT OF SALE

This Agreement of sale made on theday of Two thousand.....between Promoter namely Shri./Smt./M/sholder of Licence No.....dated.....for setting up Colony namely.....on land measuring.....square Metre bearing Khasra No.....Hadbast No.....at Village / Town.....Tehsil.....District.....State.....(hereinafter called the Promoter which expression shall include his legal heirs, legal representatives, successors and assignees) of the one part and Shri/ Smt. / M/s.....Son/ Wife of Shri.....resident of House No.....Village/Town..... Tehsil.....District.....State.....(hereinafter called the Purchaser which expression shall include his legal heirs, executive administrators, legal representatives and assignees) of the other part;

Whereas, the Promoter intends to construct or has constructed a Building or Apartment inColony on Khasra No..... Mauja..... Tehsil DistrictHimachal Pradesh which are to be sold on ownership basis;

OR/AND

Whereas, the Promoter intends to offer for sale of Plots in..... Colony on Khasra No..... Mauja..... Tehsil.....District..... Himachal Pradesh;

And, Whereas the Purchaser has applied for purchase of an Apartment/ Plot in theColony on Khasra No..... Mauja..... Tehsil DistrictHimachal Pradesh and has deposited the Earnest Money of Rs..... only (Rs. only) with the Promoter;

Now, this Agreement witnesses as follows:-
The Promoter agrees-

1. In the case of Apartment-

- (i) That if the Building or Apartment is to be constructed, the Promoter shall construct the Building according to the Plans and specifications approved by the Director, Town

and Country Planning Department Himachal Pradesh, Shimla who is competent to do so under any law for the time being inforce;

- (ii) That the possession of the Apartment shall be handed over to the Purchaser by.....;
- (iii) That the area of the Apartment including the area of the balconies shall be, as shown in the Plan appended to this Agreement, as **Annexure-I**;
- (iv) That the price of Apartment (inclusive of the price of the common areas and facilities) shall be Rs.....only (Rs.....only);
- (v) That the Association to be constituted for the administration of the Apartments shall consist of.....;
- (vi) That the nature, extent and description of the common areas and facilities and the limited common areas and facilities shall be as shown in **Annexure-II** to this Agreement;
- (vii) That the percentage of un-divided interest in the common areas and facilities and in the limited common areas and facilities, if any, appurtenant to the Apartments, agreed to be sold shall be the ratio of the built up area of the Apartments to the total built up area of the Apartment; and
- (viii) That the Apartment shall be used for the purpose ofand not for any other purpose.

2. In the case of Plot-

- (i) That the possession of the Plot shall be handed over to the Purchaser by.....;
- (ii) That the area of the Plot issquare Metre and the price of the Plot is Rs.....only (Rs.....only);
- (iii) That the Plot shall be used for the purpose ofand not for any other purpose;
- (iv) That the Certificate of title to the land having been duly certified by an Assistant Collector First Grade or Second Grade, as the case may be, as required under clause (a) of sub-section (2) of section 78n of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977), has been obtained and appended with this Agreement as **Annexure-I**;
- (v) That a certified copy of the revenue record showing the nature of the title of the Promoter to the Plot or the land on which the Building or Apartment is constructed or to be constructed is appended with this Agreement as **Annexure-II**; and
- (vi) That the Plans and specifications of the Apartments as approved by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla who is competent to do so under any law for the time being inforce, are appended to this Agreement as **Annexure-III**.

In witness whereof, the parties hereto, have signed this Agreement on the date and year respectively mentioned against their signature(s).

Signature of the Purchaser

Signature of the Promoter

Witness.....dated.....

Witness.....dated.....

Witness.....dated.....

Witness.....dated.....

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

**FORM-55
(See rule 64)**

COMPLETION CERTIFICATE

No..... Dated.....

To

Shri/Smt./M/s.....

.....

.....

Subject: Completion Certificate.

Reference: Your Application No..... dated

This is in reply to your Application under reference for issue of Completion Certificate. This Completion Certificate is hereby granted in your favour for the Building/Apartment /Flat No..... Block No..... situated at Village/Town..... Tehsil District..... Himachal Pradesh or to the Colony No..... (Name of Colony) situated at Village/Town..... Tehsil District..... Himachal Pradesh, as the development works have been completed by you, in all respects, as per terms and conditions of the Licence granted to you under section 78p of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

**FORM-56
(See rule 64)**

OCCUPATION CERTIFICATE

No..... Dated.....

To

Shri/Smt./M/s.....

.....

.....

Subject: Occupation Certificate.

Reference: Your Application No..... dated

This is in reply to your Application under reference for issue of Occupation Certificate. This Occupation Certificate is hereby granted in your favour for the Building/Apartment /Flat No..... Block No..... situated at Village/Town..... Tehsil District..... Himachal Pradesh or to the Colony No..... (Name of Colony) situated at Village/Town..... Tehsil District..... Himachal Pradesh, as it is in accordance to the Regulations and as per the Agreement of sale entered into between you and the Promoter.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla.

FORM- 57
(See rule 66)

APPLICATION FOR ENFORCING CONVEYANCE DEED

To

The Director,
Town and Country Planning Department,
Himachal Pradesh, Shimla.

Sir,

I /We beg to apply for issuing a Certificate to be produced before the Registering Authority concerned for enforcing the Registration of Conveyance Deed of the Apartment or Plot in my /our name, in pursuance of the Agreement of the sale made between the Promoter and me/us.

The particulars are as under:-

1. Name.....
2. Father's Name
3. Address for correspondence.....
.....
4. Number and location of Apartment or Plot.....
5. Area of Apartment or Plot under possession of Applicant in square Metre
6. Consideration money paid Rs..... only (Rs..... only)
7. Details of Agreement of sale (enclose copy of the Agreement of sale):-
 - (a) Name of Promoter.....
 - (b) Date of Agreement.....
 - (c) Name and designation of Authority verifying or Certifying the Agreement.....
 - (d) Any other particular.

Enclosures: As above.

Yours faithfully,

	Building							
6.	Govt and Semi- Govt. Buildings	-do-	-do-	-do-	-do-	-do-	-do-	-do-

Industrial Use									
Sr. No.	Type of Industry	Plot area in M ²	Minimum Set Back in Metres				Max. FAR	Max. Height in Metres from Mean Sea Level upto 1000 M	Max. Height in Metres from Mean Sea Level above 1000 M
			Front	Left	Right	Rear			
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Small Scale Industries	250 to 500	3.00	2.00	2.00	2.00	1.75	15.00	12.00
2.	Services/ Light scale Industries	Above 500 to 1000	5.00	2.00	2.00	3.00	1.50	15.00	12.00
3.	Medium Scale Industries	Above 1000 to 5000	10.00	5.00	5.00	5.00	1.25	20.00	15.00
4.	Large and Heavy Scale Industries	Above 5000	15.00	7.50	7.50	7.50	1.00	20.00	15.00

3. General Regulations

The following Regulation shall be applicable in all areas where no specific mention is made, namely:-

1. Maximum acceptable slope for development shall be 45 degrees.
2. Maximum height of plinth level shall be 2.00 M.
3. One parking floor shall be mandatory wherever feasible. Maximum height of parking floor shall be 3.00 M including depth of beam below the ceiling of the slab and it shall be over and above the permissible Floor Area Ratio limit. However, the fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. The shear walls shall be constructed on all the three sides of parking floor so that it is not a soft storey.
4. In case, space as per requirement for parking is available in open, over and above the set backs, condition of parking floor shall not be insisted. The closed floors in a building at any level, if proposed and feasible for parking, shall be allowed over and above the permissible Floor Area Ratio (FAR), irrespective of height restriction, subject to structural stability. The fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. In case any person intends to construct parking floor, if feasible for parking, in addition to the number of storeys approved, will be allowed over and above the permissible Floor Area Ratio (FAR) subject to structural stability. The fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. The said parking floors shall be used exclusively for parking only.

5. Multilevel parking floors shall be allowed in Government & public undertaking buildings and in Commercial Uses wherever feasible. The Regulations of Public & Semi-Public Use shall be applicable for Government & public undertakings where multilevel parking floors are proposed. The Regulations of Commercial Uses shall be applicable for multilevel parking floors proposed in Commercial Uses. Though, one parking floor is mandatory yet, second parking floor can be constructed which will be optional.
6. Minimum and maximum height of floor shall be 2.70 M and 3.50 M respectively (for all uses) and variations in floor heights, if required for specific functional/operational requirement of an activity shall be permissible with restriction of overall height of the structure. The chimneys, elevators, poles, tanks and other projections not used for human occupancy may extend above the prescribed height limits. The cornices and window sills may also project into any required set backs.
7. Sloping roof shall be mandatory in hill areas. The CGI sheets on roof top and MS sheet 0.24 M wide Facia shall be painted in post office red or grey green colour or any other colour conforming to the natural roofing material. Height of sloping roof zero at eaves and maximum 2.70 M at centre shall be permissible. The continuous Dormer on any side of sloping roof shall not be allowed. Maximum 2 Dormers on the either side of sloping roof at a reasonable distance between eaves and ridge shall be allowed. The 1/3rd area of the top floor shall be allowed as open terrace wherever sloping roof is provided.

8. **Set backs:-**

Minimum front set back from the line of controlled width of Highways and other Himachal Pradesh Public Works Department's scheduled roads falling within the Planning Area or Special Area limits (excluding the land, included in the inhabited sites of an village as entered and demarcated in the Revenue record or on sites in notified Municipal area that are already built up) shall be 3.00 M. Minimum front set back for non-scheduled roads and Municipal roads shall be 3.00 M.

9. For the plots abutting Highways, Bye-pass and other Himachal Pradesh Public Works Department's scheduled roads, No Objection Certificate from the Himachal Pradesh Public Works Department shall be mandatory, in the cases where plot is directly abutting to these roads and there is direct access through connecting bridge and by constructing ramps to such roads.
10. Maximum hill cut of 3.50 M height shall be permissible.
11. Submission of Structural Stability Certificate on completion of building shall be mandatory.
12. Competency for preparation of structural design and its certification:-
Registered Civil Engineer having experience in Engineering Structure practice with design and field work.
13. Issuance of No Objection Certificate (NOC) for water supply and electricity connection:-

(i)	Temporary	At plinth level
(ii)	Permanent	On completion of dwelling unit / floor /whole building.

14. Any subsequent deviations made in the building constructed after getting the plan approved and after grant of No Objection Certificate (NOC) issued by the Department shall entail the entire building unauthorized and NOC so issued shall be withdrawn and the services shall be disconnected.
15. Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained. The No Objection Certificate (NOC) of the Competent Authority shall also be required, if HT/LT line is crossing through the site.
16. Minimum permissible distance between two blocks constructed on a plot shall be 5.00 M.
17. Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no construction shall be allowed in parcel of land prone to floods.
18. No development shall be permissible on land having buildable width less than 5.00 M after leaving set backs.
19. No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.
20. Construction on sandwich plots shall be permissible as per existing building lines, only in existing built up areas.
21. In new sub-division of land :-

(i)	Minimum width of vehicular access, if number of plots is above 5.	5.00 M (with cul-de-sac) at the end.
(ii)	Minimum width of pedestrian links to smaller cluster of plots, not exceeding 5 in number.	3.00 M.
(iii)	Minimum area for open/green space for the scheme having more than 5 plots.	10%
(iv)	Minimum area for soak pit etc. (irrespective of number of plots).	5% of the scheme area
(v)	Orientation of the plots shall be provided in such a manner so as to be in conformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface drainage to allow un-obstructed rain water discharge.	-
(vi)	Layout of plots shall be governed by easy access having acceptable grades minimum 1 in 15 and which may not obstruct view or vista.	-
(vii)	In exceptional circumstances, for the benefit of Economically Weaker Sections and where the site conditions permit to do so, the Director may fix 60 M ² , the minimum area of plots with two common walls.	-

22. Permissible Area Standard/Norms for different parts of a Building shall be as under:-

Habitable room	Minimum floor area Minimum width	9.50 M ² 2.40 M
Kitchen	Minimum floor area Minimum width	4.50 M ² 1.80 M
Bath room	Minimum floor area Minimum width	1.80 M ² 1.20 M
Water Closet (WC)	Minimum floor area Minimum width	1.10 M ² 0.90 M
Toilet (WC+ Bath)	Minimum floor area Minimum width	2.30 M ² 1.20 M
Minimum width of corridor	For Residential use For Other uses	1.00 M 1.20 M
Minimum width of stairs	For Residential use For Other uses	1.00 M 1.50 M
Maximum width of treads without nosing	For Residential use For Other uses	25 centimeter wide for internal stairs 30 centimeter wide for internal stairs case
Maximum height of riser	For Residential use For Other uses	19 centimeter 15 centimeter
Provision of spiral stair case	For Other uses except Residential use	Provision of spiral stair case not less than 1.50 M dia with adequate head height for fire escape in addition to regular stair case
Openings	For sufficient air and light, windows and ventilators should have minimum area equivalent to 1/6 th of Floor area.	
Projections over doors, windows and ventilators.	0.60 M	-
Balcony Projections	1.20 M wide Balcony complete open on two sides with restriction of 50 % of Building frontage where minimum front Set-Back is 3.00 M shall be permissible .Balcony of 1.00 M width shall be allowed over set back of 2.50 M.	

23. The habitable basement and attic shall be counted as independent storey.

24. No plot size restriction shall be applicable for the plots existing prior to enforcement of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No 12 of 1977) and to the plots carved out after inheritance and to such plots carved out for social housing schemes of Government.

25. Drainage:-

The road side drain shall be on hill side. However, in plain areas where there are buildings on either side of road, drain may be provided on both sides.

26. Re-construction of existing buildings:-

Regulations regarding re-construction of houses/ buildings in the existence shall be on predominantly existing building lines, provided minimum width of road as per Rules and Regulations is available and roof projections, sun shades upto 0.60 M shall be permitted over streets or paths, as the case may be.

4 Change of Land Use:-

Change of existing land use for Residential, Commercial, Public and semi-public and Industrial uses, shall be on existing pattern of development and site conditions subject to the conditions that where basic services like paved roads, drainage, water supply, sewerage disposal, electrical supply line, street lighting etc. do not exist, change of land use or development of land shall not be permitted unless the applicant undertakes that these services shall be provided at his own cost.

5. Relaxation:-

In case of any constraints as per the site conditions in maintaining set backs or any other Regulations, the concerned Officer vested with the powers of the Director may relax the same.

APPENDIX-2
(See rules 13 and 14)

REGULATIONS FOR INDUSTRIAL USE

For Industrial use/activities, following Regulations shall be applicable:-

1. Minimum area of plot:-

- (a) For small scale industry shall be 250 M² to 500 M².
- (b) For services/light scale industry shall be above 500 M² to 1000 M².
- (c) For medium scale industry shall be above 1000 M² to 5000 M².
- (d) For large and heavy scale industry shall be above 5000 M².
- (e) The plot area as mentioned in clauses (a) to (d) above would not be applicable in the cases where the sub-division of land has taken effect before the commencement of the Himachal Pradesh Town and Country Planning Rules, 2014.
- (f) The plot area as mentioned under clauses (a) to (d) above would not be applicable for the individual plots, if any, created/allotted by the Himachal Pradesh Industries

Department or the Himachal Pradesh State Industrial Development Corporation (HPSIDC) or the Himachal Pradesh Housing and Urban Development Authority (HIMUDA) or any Local Authority or any Authority constituted under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) or any other Authority prior to coming into force of the Himachal Pradesh Town and Country Planning Rules, 2014.

- (g) The layout and design of industrial area, if any, shall be as per requirement of the Industry and shall be got approved from the Director.

2. Height of floor/storey:-

The minimum floor/ storey height of industrial building shall be 3.00 M and sloping roof height shall be in accordance with volume of the structure. In case of roof trusses, height of building should be adjusted /relaxed accordingly.

3. Type of Industry, minimum Plot Area, minimum Set Backs, maximum Floor Area Ratio (FAR) and maximum height of building:-

The minimum plot area, minimum set backs, maximum Floor Area Ratio (FAR) and maximum height of building for different type of Industry shall be governed by the following Table:-

Sr. No.	Type of Industry	Plot area in M ²	Minimum Set Back in Metres				Max. FAR	Max. Height in Metres from Mean Sea Level upto 1000 M	Max. Height in Metres from Mean Sea Level above 1000 M
			Front	Left	Right	Rear			
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Small Scale Industries	250 to 500	3.00	2.00	2.00	2.00	1.75	15.00	12.00
2.	Services/ Light scale Industries	Above 500 to 1000	5.00	2.00	2.00	3.00	1.50	15.00	12.00
3.	Medium Scale Industries	Above 1000 to 5000	10.00	5.00	5.00	5.00	1.25	20.00	15.00
4.	Large and Heavy Scale Industries	Above 5000	15.00	7.50	7.50	7.50	1.00	20.00	15.00

Note:-

- (i) Minimum width of path/road abutting one side of plot shall be 5.00 M.
- (ii) Service area required for pharmaceutical units or such type of Industries under requirement of Goods Manufacturing Practice (G.M.P) shall not be included for calculation of FAR, provided it is only used for utilities and services but not in any case for production.
- (iii) For ancillary uses like security post/room shall be allowed in set back area i.e. one wall shared with the boundary wall and shall be counted in the FAR.

4. Construction of Cellar:-

- (a) Construction of cellar shall not be counted as a storey and should be constructed within the prescribed set backs and prescribed building lines and subject to maximum coverage on floor i.e. entrance floor and may be put for following uses:-
 - (i) storage of household or other goods of ordinarily combustible material;
 - (ii) strong rooms, bank cellars etc;
 - (iii) air conditioning equipment and other machines used for services and utilities of the building; and
 - (iv) parking spaces.

(b) The cellar shall have following requirements:-

- (i) All the walls shall be kept dead and below the natural ground level except the portion kept for ventilation purpose;
- (ii) Every cellar shall be, in every part, at least 2.40 M in height from the floor to the underside of the roof slab or ceiling;
- (iii) Adequate ventilation shall be provided for the cellar and any deficiency in ventilation requirements may be met by providing mechanical ventilation in the form of blowers, exhaust fans and air conditioning system etc;
- (iv) The minimum height of the ceiling of any cellar shall be 0.90 M and the maximum 1.20 M above the average surrounding ground level;
- (v) Adequate arrangements shall be made such that surface drainage does not enter the cellar;
- (vi) The walls and floors of the cellar shall be watertight and be so designed that the effects of the surrounding soil and moisture if any, are taken into account in design and adequate damp proofing treatment is given;
- (vii) The access to the cellar shall be separate from the main and alternative staircase providing access and exit from higher floor. Where the staircase is continuous in the case of buildings served by more than one staircase, the same shall be enclosed type, serving as a fire separation from the cellar floor and higher floors. Open ramps shall be permitted, if they are constructed within the building line subject to the provision of clause (v) above;

- (viii) In case partition in the cellars is allowed by the Authority, no compartment shall be less than 50.00 M² in area and each compartment shall have proper ventilation provision and the cellar partition shall however, conform to the norms laid down by the Fire Services; and
- (ix) In no circumstances, construction of Toilet, Bath, Kitchen etc. shall be allowed in the cellar.

APPENDIX-3

(See rules 13 and 14)

REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY PARK

1. Slope

Buildings of Information Technology (IT) Park shall be allowed upto 30⁰ slope. The infrastructural services including roads shall be developed in accordance with the slope of the area.

2. Land Use structure of complex

Sr. No.	Land Use Structure	Maximum limit
1.	Total Covered Area	50%
	(i) IT related activities	22% to 44%
	(ii) Commercial	1% to 5%
	(iii) Recreational (Indoor)	1% to 3%
	(iv) Residential	9% to 15 %
2.	Parks and Tot Lots	8% to 12%
3.	Area under Traffic and Transportation	16% to 20%
4.	Area under Set Backs and other Open Spaces	20% to 24%

3. Means of Access

(i) The access to the site of IT Park area shall not be less than 5.00 M wide.

(ii) Provisions of internal roads shall be as under:-

Sr. No.	Width	Length
1.	9.00 M	Up to 1000.00 M
2.	12.00 M	Above 1000.00 M

4. Parking Provision

1. Residential = @ 1.00 car space per 75 M² floor area
2. Commercial = @ 1.50 car space per 75 M² floor area
3. Office Use = @ 1.25 car space per 75 M² floor area
4. Hardware Manufacturing Unit = @ 1.00 car space per 60 M² floor area
5. Software development/ITES = @ 1.00 car space per 40 M² floor area

Maximum height of parking floor shall be 3.00 M including depth of beam below the ceiling of the slab.

5. Maximum Floor Area Ratio (FAR)

Maximum Floor Area Ratio (FAR) shall be 1.75.

6. Maximum height of buildings

Maximum height of buildings for IT and related activities shall be 21.00 M.

7. Set Backs

- (i) Block to Block distance shall be 2/3rd of average height of the Blocks.
- (ii) Distance of structures from the adjoining properties and side Set Backs shall not be less than 1/3rd of the height of the Blocks.
- (iii) Minimum 3.00 M distance from internal roads shall have to be maintained.

8. Expansion Joints

The structures exceeding 45.00 M in length shall be divided by one or more expansion joints as per the Structural Design calculations.

9. Structural Stability

The Structural Stability provisions including Soil Investigation Report have to be strictly adhered, as enshrined in section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and under Rule 21 of the Himachal Pradesh Town and Country Planning Rules, 2014.

10. Environment and Health

- (i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least three hours sun may be available for each building during winters. In case of residential structures, kitchen and services shall have to be provided along the external walls. However, if the water closets and bath rooms are not opening to the front, sides, rear and interior open spaces, these shall open to the ventilation shaft. The maximum size of ventilation shaft shall be 4.00 M^2 with minimum one dimension of 1.50 M.
- (ii) The Developer shall ensure prior environmental clearance under the provisions of the Environment Protection Act, 1986 from the Competent Authority, besides consent of the Himachal Pradesh State Environment Protection and Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

11. Safety Measures

- (i) In case of buildings above 15.00 M height, No Objection Certificate from the Director of Fire Services or Chief Fire Officer, as the case may be, shall be required.
- (ii) The provision of stair cases shall be as per clause 8.6.2 of Part-IV of the National Building Code of India i.e. minimum two stair cases for floor area of more than 500 M^2 . At least one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in each flight.
- (iii) Provision for lift shall be optional upto 3 storeys and 1 parking floor. However, for more than 3 storeys and one parking floor, it shall be mandatory requirement. The Developer shall make provision of power back up for the lift and general lighting within and outside the building at his own cost.
- (iv) Provision for proper Fire Hydrants shall have to be made in the Complex and the layout, showing position and location of the same. It shall be made available to the nearest Fire Office.

12. Potable Water Supply and Rain Water Harvesting

- (i) No Objection Certificate (NOC) from the Himachal Pradesh Irrigation and Public Health Department (HPI&PH) regarding availability of adequate water supply and viability of design of rain water harvesting structure shall have to be furnished.
- (ii) Adequate provision for rain water harvesting structure, @ 20 Liters per M^2 of the roof top area, shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

13. Parks and Tot Lots

Area under parks and tot lots shall have to be properly developed in regular shape by providing retaining walls, railings, plantation etc. and amidst the Blocks, proper landscaping of the IT Park area in accordance with the design shall be ensured by the Developer.

14. Existing trees and plantation

- (i) No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.
- (ii) Plantation shall be ensured @ 125 trees per Hectare.

15. Distance from Natural drainage

Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no construction shall be allowed in parcel of land prone to floods.

16. Distance from Roads

Minimum distance of structures from National Highways, State Highways, Himachal Pradesh Public Works Department (HPPWD)'s Scheduled roads, Bye-Passes and other District roads shall be 15.00 M.

17. Distance from Electric Lines

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained. The No Objection Certificate (NOC) of the Competent Authority shall also be required, if HT/LT line is crossing through the Complex.

18. Assessment of Power requirement

In case power requirement assessment exceeds 50 KW, proper space for installation of electric Transformer and Transmission Lines of 11 KV shall be provided in the layout plan. The proposed space is to be got verified from the concerned Officer of the HPSEB Ltd. and accordingly No Objection Certificate (NOC) alongwith verification at site shall have to be furnished.

19. Development of Infrastructure and its maintenance

- (i) The Developer shall construct roads and drains, lay electric and sewerage lines and shall make provision for disposal of solid waste etc. Suitable site has to be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct to be constructed on the sides of the internal roads.
- (ii) The Developer shall provide street light poles each at a distance of 30.00 M on either side of the roads.
- (iii) The provision of community water reservoir has to be made in the Complex.
- (iv) All the infrastructural services shall be maintained by the Developer, till such time when a Society is formed and got registered by the stakeholders and residents of the Complex or a Municipality or Gram Panchayat takes over the maintenance pursuits of the area.

20. Supervision

The registered Architect from the Council of Architecture and Structural Engineer, Graduate in Civil Engineering with 3 years experience in Structural Engineering and the Town Planner shall be competent for supervision of development of land as per provisions of Annexure-A of Part II of the National Building Code of India, 2005.

21. Integration

Proper integration of the IT park area shall have to be ensured with the surrounding uses and infrastructural provisions like roads, drainage, sewerage etc.

22. Preservation of local Heritage and Hill Architecture

As far as possible local Heritage and Hill Architecture imperatives shall have to be ensured and incorporated in the designs in terms of facades, sloping roof, windows, doors etc. in hilly areas.

23. Other Regulations and instructions as issued by the Government from time to time shall be adhered strictly.

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APPENDIX-4
(See rules 13 and 14)

REGULATIONS FOR SOLAR PASSIVE BUILDING DESIGN**1. Scope**

The Solar Passive Building Design shall be required in the following type of buildings:-

- (i) All the Government and Semi-Government buildings.
- (ii) Public and Semi-Public Institutions including Educational, Health, Community Centres, Banquet Halls, Inns and buildings of Autonomous Bodies.
- (iii) Urban Local Bodies and Panchayati Raj Institutions.
- (iv) Residential buildings in Urban and Urbanisable Areas.
- (v) Residential Colonies and Apartments.
- (vi) Commercial complexes and buildings related thereto including Hotels, Resorts, Lodges and Guest Houses.
- (vii) Industrial buildings and complexes thereof.
- (viii) Transport buildings such as Airport Terminals, Bus Terminals, Railway Stations etc.
- (ix) New Townships.

2. Building Map

The map for the proposed building should accompany a statement giving detail of specifications of solar passive heating and cooling system, day lighting features, solar photovoltaic panels, energy efficient and other renewal energy devices as shown in the drawing and proposed to be installed where required. Expected energy saving in the building should also be mentioned.

3. Site Selection

The site should preferably be selected on southern slopes or sunny side. Availability of sun shine duration during the winter months of December to March should also be mentioned.

4. Orientation

The longer axis of the building should preferably lie along east-west directions to trap maximum solar energy during winters.

5. **Planning of Spaces**

The main habitable spaces of a building may be planned and designed in such a manner, so that natural day light is available. The stair cases, garages, toilets and stores may be planned preferably on northern side. Minimum door and window openings on north side be proposed to avoid heat losses. In order to capture maximum heat in winters, maximum glazing be proposed on southern side. Glazing in proportion to total surface area of outer wall should not exceed more than 50% in mid-altitude regions i.e. 1500 M to 2200 M and not more than 70% in high altitude regions i.e. 2200 M and higher.

6. **Integrating Solar Heating Systems in Building Designs**

6.1 Passive solar heating systems like solar air heating, water heating, sun space, solar walls, space heating, green houses and solar trombe wall etc. shall be integrated in the building design, wherever possible on southern side, so as to allow maximum direct solar access to these systems.

6.2 The suitability of space heating systems to be installed or incorporated in the design of a solar passive building is to be decided by the registered Town Planner/Architect/Engineer/Designer/Solar Expert in accordance with building site, climate and space heating requirements.

7. **Solar Photovoltaic Panel (SPV) for Lighting**

Wherever possible and required, the solar photovoltaic panels may be integrated preferably in the building design for providing light in the building, emergency lighting and street lighting, so that use of electricity is minimized.

8. **Solar Passive Cooling Design Features**

The ventilation and Solar Passive cooling features may be incorporated wherever required as follows:

8.1 **Cross Ventilation:** Windows on opposite sides of rooms may be provided for proper circulation and ventilation of fresh and cool air in summers. Windows on southern side may be fixed with overhangs of adequate height and width to provide shade during the summers.

8.2 **Colour and Shading:** The external surface of the wall may be painted with white or light colours to reflect instant solar radiation.

8.3 **Ground Embankments:** Ground floor may be provided with earth berming upto a height of around 1.00 M for taking the advantage of constant temperature of the earth through out the year.

8.4 **Outside Temperature:** Outside temperature may be modified by landscaping.

9. **Reducing Thermal Losses**

The local building materials including stone, slate and mud may be utilized to meet the heating and cooling requirements by storing warmth and keeping the building cool.

10. Outer Wall Thickness

Outer walls of the building should be made atleast 0.23 M thick or with cavity with air or with insulation for thermal comfort and to avoid the transfer of heat from outer environment to inner environment and vice-versa.

11. Installation of Solar assisted Water Heating System in Buildings

11.1 The capacity of the Solar hot water system is to be determined as per the requirement of particular building. The following building plans shall be submitted alongwith provision of solar water heating system.-

- (a) Hospitals and Nursing Homes.
- (b) Hotels, Lodges, Guest Houses, Group Housing or Apartments on an area of more than 1000 M².
- (c) Hostels of Schools, Colleges, Training Centres and other Institutions.
- (d) Barracks of Police.
- (e) Functional Buildings of public institutions like Airports, Bus Stands and Railway Stations.
- (f) Community Centres, Banquet Halls and buildings for similar use.

11.2 (a) New buildings should have open space on the roof top which receives direct sun light. The load bearing capacity of the roof should at least be 50 Kg. per M². All new buildings of above categories must complete installation of solar water heating system before putting the same in use.

- (b) Installation of solar assisted water heating systems in the existing building as given in Regulation 11.1 shall be required at the time of change of building use to above said categories, provided there is a system or installation, for supplying hot water.

11.3 Installation of solar assisted water heating systems shall conform to the Bureau of Indian Standards (BIS) specifications. The solar collectors used in the system shall have the Bureau of Indian Standards (BIS) certification mark.

11.4 All solar water heating systems may have an automatic electric backup system, so that the same is functional during cloudy or low / non-sunshine days.

11.5 Provision in the building design itself may be kept for an insulated pipeline from the roof top in the building to various distribution points where hot water or hot air is required.

11.6 The solar water heating system has to be integrated preferably in roof of the building, wherever possible, so that the panels become integral part of the roof. The solar air /water collectors/ green houses / sunspaces on the roof for receiving maximum solar radiation will be allowed.

APPENDIX 5**(See rules 13 and 14)****REGULATIONS FOR DEVELOPMENT OF BARRIER FREE ENVIRONMENT FOR THE PERSONS WITH DISABILITIES IN PUBLIC AND SEMI-PUBLIC BUILDINGS AND RE-CREATIONAL AREAS WITHIN THE LIMITS OF ECONOMIC CAPACITY****1. Site Planning:**

Every public and semi-public building shall have at least one access to main entrance/exist to the disabled, which shall be indicated by proper signage. This entrance shall have approach through a ramp together with stepped entry. The ramp should have a landing after 9 M run and in front of the doorway. Minimum size of landing shall be 1000 mm x 2000 mm.

2. Access Path/Walkway:

Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm wide having even surface without any step. The slope, if any shall not be greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to floor material whose colour texture is conspicuously different from that of the surrounding floor material or the material that emit different sound to guide visually impaired persons). Finishes shall have a non-slip surface with texture traversable by a wheel chair. Curbs wherever provided should blend to common level.

3. Parking Provision:

- (a) Surface parking for two equivalent car spaces shall have to be provided near entrance with maximum travel distance of 30 M from building entrance. Width of parking bay shall be minimum 3.60 M.
- (b) Guiding floor materials shall be provided or a device which guides visually impaired persons with audible signals or other devices which serves the same purpose shall be provided.

4. Approach to Plinth Level:

- (a) Ramp shall be provided with non-slip material to enter the building. Minimum clear width of ramp shall be 1800 mm with maximum gradient of 1:12 between top and bottom of the ramp. Length of ramps shall not exceed 9.00 M having 800 mm high handrail on both sides extending 300 mm beyond the ramp. Minimum gap from the adjacent wall to the handrail shall be 50 mm.
- (b) For stepped approach, size of tread shall not be less than 300 mm and maximum riser shall be 150 mm. Provision of 800 mm high handrails on both sides of the stepped approach similar to the ramped approach shall be provided.

5. Entrance Door: Minimum clear opening for the entrance door shall be 1000 mm.

6. Corridor connecting the Entrance/Exit:

The corridor connecting the entrance/exit for handicapped, leading directly outdoors to a place where information concerning the overall views of the specific building can be

provided to visually impaired persons either by a person or signs shall be provided as follows:-

- (a) Guiding floor materials shall be provided or devices that emit sound to guide visually impaired persons.
- (b) The minimum width shall be 1500 mm.
- (c) In case there is a difference of level, slope ways shall be provided with a gradient of 1:12.
- (d) Handrails shall be provided for ramps/slope ways.

7. **Lift:**

For the buildings with more than 15.00 M in height, one lift shall be provided for the wheel chair user with the following clear dimensions:-

- | | |
|--------------------------|---------|
| (a) Clear internal depth | 1100 mm |
| (b) Clear internal width | 2000 mm |
| (c) Entrance door width | 910 mm |

A handrail not less than 600 mm long at 900 mm above floor level shall be fixed adjacent to the control panel. The lift lobby shall be of an inside measurement of 1800 mm x 2000 mm or more. Operational details of lift shall conform to the National Building Code of India.

8. **Toilets:**

One special toilet in a set of toilets shall be provided for use of handicapped with following specifications:-

- (a) Provision of wash basin near the entrance.
- (b) The minimum size shall be 1500 mm x 750 mm.
- (c) Minimum clear opening of the door shall be 900 mm and the door shall be swinging/sliding type.
- (d) Suitable arrangements for vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.
- (e) The Water Closet (WC) seat shall be 500 mm from the floor.

9. **Refuge Area:**

Refuge area shall have to be provided at the fire protected stair landing on each floor having doorways with clear opening width of 900 mm that can safely hold one or two wheelchairs. The alarm switch should be installed between 900mm and 1200 mm from the floor level.

APPENDIX 6 (See rules 13 and 14)

REGULATIONS FOR COLLECTION OF RAIN WATER

1. The collection of rain water from the roof tops of the buildings shall be compulsory where the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) is in operation in the State as under :-

- (a) For all the buildings existing or proposed for construction in future; and

(b) The Guidelines for capturing, storage, integration and distribution of rain water shall be as under:-

- (i) The Rain Water Harvesting Structures are allowed to be constructed in set backs below ground level. If the storage is desired at any level above ground level, it has to be away from set backs within the permitted covered area.
- (ii) The community Rain Water Harvesting Structure shall also be permissible.
- (iii) Proper system for rain water capturing, storage as well as integration and distribution shall be ensured.
- (iv) The stored rain water shall be utilized regularly for non-drinking usages including fire fighting, landscaping, gardening apart from domestic usages.
- (v) No water supply connection shall be given to any building till Rain Water Harvesting System is put in place and subsequently operationalised.
- (vi) The minimum capacity of Rain Water Harvesting Structure shall be worked out @ 20 Liters per square Metre of the roof top area.
- (vii) Violator shall be liable for disconnection of Public Water Supply connection.
- (viii) The owners of existing buildings without Rain Water Harvesting System shall have to install Rain Water Harvesting System within eighteen months after coming into the operation of these Regulations.

APPENDIX 7
(See rules 13, 14 and 67)

REGULATIONS FOR DEVELOPMENT OF APARTMENTS AND COLONIES

1. Site selection

The site may be selected in such area which is going to be proposed for Residential Use and the same is not having non-conforming uses like obnoxious uses, industrial and dumping ground etc. in its vicinity.

2. Check List

A Check List showing Regulatory provisions and fulfillment thereof shall have to be submitted alongwith the proposal for Apartments as under:-

Sr. No.	Description	As per Regulations	As proposed
1.	Scheme Area.		
2.	Slope of Area.		
3.	Means of Access.		
4.	Land Use Structure.		
5.	Coverage (i) Under Flats (Block wise). (ii) Under other uses (Block wise).		
6.	Total Built up Area.		
7.	Floor Area Ratio (FAR).		
8.	No. of storeys in each Block.		
9.	Height of each floor.		
10.	Total Height of Block.		
11.	No. of Flats/Dwelling Units in each Block.		

12.	Total Population.		
13.	Density per Hectare.		
14.	Detail of facilities like school, health services etc. with respect to population.		
15.	Parking provision.		
16.	Structural Stability Certification.		
17.	Distance of structures from natural drainage.		
18.	Distance of structures from Highways and other District Roads.		
19.	Distance of structures from HT/LT lines.		
20.	No Objection Certificate of competent authority of the Himachal Pradesh State Electricity Board Limited in case HT/LT line is crossing over/ nearby proposed site.		
21.	No Objection Certificate of the competent authority of National Highway / Himachal Pradesh Public Works Department or Local Bodies for approach to the proposed project as the case may be.		
22.	No Objection Certificate of the competent authority of Himachal Pradesh Forest Department.		
23.	No Objection Certificate of the competent authority of Himachal Pradesh Irrigation and Public Health Department or consent of Central Ground Water Authority regarding use of ground water.		
24.	No Objection Certificate of the competent authority of Himachal Pradesh Fire Services Department.		
25.	No Objection Certificate of the competent authority of Urban Local Bodies/Panchayats.		
26.	Provision of Rain Water Harvesting Structure.		
27.	Arrangement for disposal and treatment of solid waste, sullage, sewage, sewerage and storm water.		
28.	Provision for street lighting.		
29.	Name of the registered Town Planner / Architect/Engineer with full correspondence address, appointed for the job.		
30.	Name of the registered Structural Engineer with full correspondence address, appointed for the job.		

3. Size and shape of Scheme Area

The cases for permission of Apartments shall be considered in the form of complexes and not on ribbon development pattern along Highways/Major Roads.

4. Slope

Apartments shall be allowed upto 30° slope.

5. Land Use structure of Apartments in a Colony:-

Sr. No.	Land Use	Percentage to Total Area
1.	Area under Apartments	30 – 35 %
2.	Commercial	02 – 05 %
3.	Public and Semi- Public	05 – 10 %
4.	Traffic and Transportation	20 – 30 %
5.	Parks and Open Spaces	10 – 15 %
6.	Area under Set Backs, pavement, plantation and landscaping etc.	12 – 25 %

Note :-

Under Commercial Use, convenient shops @ of one shop per 150 persons shall have to be provided. These will include service shops like vegetable, shoe repair, dry cleaning, tailor, barber, general merchandise etc. The purpose of these shops should clearly be mentioned in the Plan and should be accordingly allotted after completion. In case Public and semi-Public amenities like schools, health centres etc. are available in the vicinity and the same are adequate to cater for the requirements of inhabitants, detail thereof shall have to be given in the **Check List** at Regulation 2. However, provision of toilets and urinals @ two toilets, one for ladies and one for gents, per 1000 persons and provision for Kindergarten/ tot lots etc. shall have to be made in every Scheme.

6. Means of Access

- (i) The minimum access/approach from main road to the project site for construction of colony or apartments with a population of 1000 persons shall not be less the 5.00 M and for population above 1000 persons shall not be less than 6.00 M.
- (ii) Width and length of means of internal access for Colonies of more than 1000 persons shall be as under:-

(a) For plain areas:-

Sr. No.	Width (in Metre)	Length upto (in Metre)
1.	5.00	250.00
2.	7.50	400.00
3.	9.00	1000.00
4.	12.00	Above 1000.00

(b) For hilly areas:-

Sr. No.	Width (in Metre)	Length upto (in Metre)
1.	5.00	400.00
2.	7.50	1000.00
3.	9.50	Above 1000.00

7. Parking Provision

Parking provision shall have to be provided @ one vehicle i.e.18.00 M² area per 100 M² floor area. Maximum height of parking floor shall be 3.00 Metre including the depth of beam below the ceiling of the slab.

8. Maximum Floor Area Ratio (FAR)

(i) Maximum permissible FAR shall be 1.75. However, the maximum FAR with respect to Apartments shall be 1.50. The rest 0.25 FAR shall, however be meant for Public and Semi-Public and Commercial purposes in view of the requirements of locality as well as surrounding areas.

(ii) In case of a Colony where independent Plots, Apartments and Cottages are proposed to be developed and constructed, the calculation of FAR shall be as under:-

(a) For independent Plots-

The FAR shall be calculated for whole of the Plot area.

(b) For Apartments -

The FAR shall be calculated for the built up area available after leaving prescribed Set Backs.

(c) For Cottages -

The FAR shall be calculated for whole of the land over which cottages are proposed to be constructed.

9. Floor Height and Maximum Height of Building

The minimum floor height of Apartments may vary from 3.00 Metres to 3.50 M. However, the overall height of the building shall not exceed 30.00 Metres in plains areas and 25.00 M including sloping roof in hilly areas of the State. Maximum height of sloping roof shall be in accordance with the volume of structure and the same shall not be less than 30⁰ slope of the roof. The height of the Block shall be measured from plinth of the Block to the ridge of the roof including parking and roof. The minimum slope of the roof/ dormer shall not be less than 30⁰. The colour of the roof shall be in post office red or grey green or any other colour conforming to the colour of the natural roofing material.

10. Set Backs

The Block to Block distance shall be 1/3rd of average height of Blocks subject to minimum of 6.00 M. Distance of Apartments from the adjoining properties and side Set Backs for plain area shall not be less than 1/3rd and for hilly area 1/4th of the height of the respective adjacent Block subject to minimum of 3.00 M.

11. Structural Stability

The Structural Stability provisions including Soil Investigation Report have to be strictly adhered as enshrined under section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) and under Rule 21 of the Himachal Pradesh Town and Country Planning Rules,2014. Monitoring of the same shall have to be ensured at each floor level and Completion Certificate in this regard shall be furnished to the Director, Town and Country Planning Department, Himachal Pradesh, Shimla.

12. Environment and Health

- (i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least 3 hours sun may be available for each flat during winters. Kitchen and services shall have to be provided along the external walls. However, if the Water Closets (WCs) and bath rooms are not opening on to front, side, rear and interior open spaces, these shall open on to the ventilation shaft. The minimum size of which shall be as under:-

Sr. No.	Height of Buildings (in Metre)	Size of Ventilation Shaft (in square Metre)	Minimum one dimension of the Ventilation Shaft (in Metre)
1.	Upto 10.00	1.20	0.90
2.	Upto 12.00	2.80	1.20
3.	Upto 18.00	4.00	1.50
4.	24.00 & above	5.40	1.80

- (ii) In view of Notification No. S.O. 801 (E) dated 7.7.2004 of the Ministry of Environment and Forests, Government of India, New Delhi and accordingly further directions of the State Government circulated vide letter No. STE-A (3)-11/2003 dated 28.3.2005, in case of population more than 1000 persons or discharging sewage more than 50 Kilo Liter per Day (KLD) or above or with an investment of Rs.50 Crores or above, the Promoter has to ensure the Environmental Clearance from the Government of India, besides consent of the Himachal Pradesh State Environment Protection and Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

13. Safety Measures

- (i) In case of buildings above 15.00 M of height, No Objection Certificate (NOC) from the Director, Fire Services or Chief Fire Officer, as the case may be, shall be required.
- (ii) The provision of stair cases shall be as per clause 8.6.2 of Part-IV of National Building Code of India i.e. minimum of 2 stair cases for floor area of more than 500 M². At least one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in one flight.
- (iii) Upto 4 storeys and 1 parking floor, provision for a lift shall be optional. However, for more than 4 storeys and one parking floor, it shall be mandatory requirement. The Promoter has to make provision of power back up for the lift and general lighting within and outside the building at his own cost.

14. Potable Water Supply and Rain Water Harvesting

- (i) No Objection Certificate (NOC) from the Himachal Pradesh Irrigation and Public Health Department (HPI & PH), regarding availability of adequate water supply and viability of design of rain water harvesting structure shall have to be furnished.

- (ii) Adequate provision for rain water harvesting structure @ 20 Liters per M² of the roof top area shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

15. Parks and Open Spaces

Area under parks and tot lots shall have to be properly developed in regular shape by providing retaining walls, railings, plantation etc. and amidst the Blocks, proper landscaping of the Apartment area in accordance with the design shall be ensured by the Promoter.

16. Existing Trees and Plantation

- (i) No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.
- (ii) The Promoter shall ensure plantation of trees at least equivalent to the anticipated population of the area and the same shall have to be monitored by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla. Local varieties of trees with exotic impact and attraction shall have to be planted.

17. Distance from Natural Drainage

Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no construction shall be allowed in parcel of land prone to floods.

18. Distance from Roads

Distance of structures from roads shall have to be adhered as under:-

- | | | | |
|-------|---|---|---------|
| (i) | National/ State Highways/ Himachal Pradesh Public Works Department's Scheduled Roads and Bye-passes | = | 15.00 M |
| (ii) | Other District Roads. | = | 10.00 M |
| (iii) | Other Roads | = | 5.00 M |

19. Distance from Electric Lines

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd) Rules shall have to be maintained. The No Objection Certificate (NOC) of the competent authority shall also be required, if HT/LT line is crossing through the Scheme.

20. Assessment of Power Requirement

In case, power assessment exceeds 50 KW, proper space for installation of electricity Transformer is required to be provided in the layout plan and provision has to be made for coming 11 KV line. The proposed space is to be got verified from the concerned Officer of the Himachal Pradesh State Electricity Board Limited (HPSEB Ltd) and accordingly No Objection Certificate (NOC) alongwith verification at site shall have to be furnished.

21. Reservation for Economically Weaker Sections, Low Income Groups of Society and Bonafide Himachalis

The promoter shall have to ensure the reservation for Economical Weaker Section (EWS), Low Income Group (LIG) of the society and Bonafide Himachalis as prescribed in the Rule 56 of the Himachal Pradesh Town and Country Planning Rules, 2014.

22. Development of Infrastructure and its Maintenance

The Promoter shall construct roads, drains, lay electricity lines, sewerage and make provision for disposal of solid waste etc. Suitable site has to be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct to be constructed on sides of the road and the same have to be ascertained by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla during the course of development at site. The Promoter has to provide street light poles, each at a distance of 30.00 M on either side of the roads. The provision of community water reservoir has to be made in the Scheme. All the infrastructural services shall be maintained till such time that a Society is formed and got registered by the residents of the Scheme or Municipal Corporation or Municipal Council or Nagar Panchayat or Special Area Development Authority (SADA) or Panchayat, undertakes the maintenance pursuits of the area.

23. Control on Registration of Apartments and release of service connections

The Sub-Registrar shall not register sale deed of a Flat/ Apartment which has been constructed in violation of an approved plan. Similarly, the Himachal Pradesh State Electricity Board Limited as well as Himachal Pradesh Irrigation and Public Health Department shall not release any service connection without obtaining No Objection Certificate (NOC) of the Director, Town and Country Planning Department, Himachal Pradesh, Shimla under provision of section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977).

24. Supervision

The registered Architect from the Council of Architecture and Structural Engineer, Graduate in Civil Engineering with 3 years experience in Structural Engineering and the Town Planner shall be competent for supervision of development of land as per provisions of Annexure-A of Part II of the National Building Code of India, 2005.

25. Integration

Proper integration of the Apartment area shall have to be ensured with the surrounding uses and infrastructural provisions like roads, drainage, sewerage etc.

26. Preservation of local Heritage and Hill Architecture

As far as possible local Heritage and Hill Architecture imperatives shall have to be ensured and incorporated in the designs in terms of facades, sloping roof, windows, doors etc. in hilly areas.

27. Urban Development Plan Formulation and Implementation (UDPFI) Guidelines.

In case of any clarification with reference to any proviso or if there is no any specific provision, the provisions as envisaged in the Urban Development Plan Formulation and

Implementation (UDPFI) Guidelines of the Government of India or the National Building Code of India shall have to be adhered to.

APPENDIX 8
(See rules 13, 14 and 18)

REGULATIONS OF PRESCRIBED LIMITS FOR DEVELOPMENT ACTIVITIES EXEMPTED UNDER SECTION 30-A OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)

1. Residential Buildings and Farm Houses

- (i) Maximum floor area = 600.00 M²
(ii) Maximum number of storeys = 3 Nos +1 Parking floor wherever feasible.

Note:- The applicant may have a maximum floor area of 600.00 M² distributed over not more than three storeys.

2. Commercial Use

- (i) Maximum floor area = 100.00 M²
(ii) Maximum number of storeys = 2 Nos.
(iii) Minimum access = 3.00 M
(iv) Parking = For loading, un-loading and parking purpose suitable community parking space has to be arranged by the Shop owners.

Note:- The applicant may have a maximum floor area of 100.00 M² distributed over not more than two storeys.

3. Service Industries

- (i) Maximum floor area = 100.00 M²
(ii) Number of storeys = 1 No.
(iii) Minimum access = 3.00 M
(iv) Parking = For loading, un-loading and parking purpose suitable community parking space shall have to be ensured by the Industrialists.

4. Public Amenities

- (i) Maximum floor area = As per requirement of the particular amenity.
(ii) Maximum Number of storeys = 3 Nos.
(iii) Minimum access = 3.00 M
(iv) Parking = @ 0.50 to 1.50 equivalent car space per 100 M² of floor area.
(v) Play fields in case of Educational buildings. = 0.20 Hectare to 1.60 Hectare is desirable, however, as per availability of land.

5. Other Imperatives

- (i) Structural safety and seismic proofing including soil investigation should be ensured.
- (ii) Attic and basement shall be counted as a storey.
- (iii) Sloping roof shall have to be ensured in hilly areas.
- (iv) No construction shall be raised within a distance of 5.00 M from the centre of the roads in respect of all other village roads.
- (v) No construction shall be raised within the controlled width of major District roads.
- (vi) Minimum front Set Back of 3.00 M from the controlled width of National Highways, State Highways and Scheduled Roads under the Himachal Pradesh Road Side Land Control Act, 1968 shall be kept.
- (vii) Minimum Set Back of 2.00 M in front and 1.50 M in sides and rear side and from the adjoining property, Government land and 5.00 M from Forest land shall have to be maintained.
- (viii) Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd) Rules shall have to be maintained. The No Objection Certificate (NOC) of the competent authority shall also be required, if HT/LT line is crossing through the Scheme.
- (ix) Hill side cutting may be done upto 3.50 M height.
- (x) Provision of Rain Water Harvesting structure @ 20 Liters per M² of roof area should be made.
- (xi) Septic Tank and Soak Pit should be constructed.
- (xii) Preference shall be given for Solar Passive Building Design.
- (xiii) Locational attributes, aesthetics, local building material, heritage and environmental aspects should also be taken into account.

6. Remarks :

- (i) The benefit of above exemptions shall only be available to the residents and original inhabitants of the areas, who owned the property at the time of commencement of the Act and their natural heirs only and not to the persons who purchased land in rural areas.
- (ii) Any person intending to carry out development activities exempted under section 30-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) shall give information on simple paper alongwith a copy of original jamabandi and original tatima to the concerned Panchayat before carrying out development activities. The concerned Panchayat after verifying the documents, shall grant No Objection Certificate (NOC) to the applicant under section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for obtaining service connections.
- (iii) In case of any constraints as per the site conditions in maintaining set backs or any other Regulations, the concerned Officer vested with the powers of the Director may relax the same.

APPENDIX 9 (See rules 13 and 14)

REGULATIONS FOR INSTALLATION OF COMMUNICATION TOWERS

1. Definition

Communication Tower- shall include Antenna, fabricated Antenna, Antenna fixtures, tower erected on ground to install the telephone lines including transmission lines. This will not include the Antennas installed for domestic purpose, namely Television Antennas or Dish Antennas or Cable Antennas.

2. Application for Permission

Any person or stakeholder who intends to erect any communication tower shall make an application to the competent authority alongwith the following documents and requisite fee as prescribed:

- (i) Latest copy of Revenue documents namely tatima and jamabandi in original.
- (ii) Two copies of Location Plan in the scale of 1:1000 and Site Plan in the scale of 1:200. Location Plan should show the adjoining buildings and open spaces.
- (iii) Two copies of drawing of tower with complete details including the specifications of foundations and design parameters showing clearly the height of the tower alongwith its elevation.
- (iv) Affidavit from owner of the land containing his consent alongwith proof of ownership.
- (v) Structural Safety Certification of tower including its base by registered Civil Engineer, who should be Graduate in Civil Engineering from a recognized Indian or Foreign University or Corporate Member of Civil Engineering Division of the Institute of Engineers (India) with 3 years experience in Structural Engineering practice in designing and field work. The Soil Investigation Report from a registered Geologist.
- (vi) In case the tower is in the vicinity or adjoining to high or low voltage lines, then its horizontal and vertical distance from the same shall be clearly indicated in the drawings, which shall conform to the distances as prescribed in the National Building Code of India, 2005.
- (vii) Indemnity Bond to take care of any loss or injury due to accident caused by the tower to a person or property (including a declaration to the effect that the applicant shall take special precaution for fire safety and lightning and shall be solely responsible for paying all kinds of compensation and damages and would be responsible for any civil or criminal case arising therefrom) shall be submitted.
- (viii) Mobile Companies (duly registered) shall indicate the capacity of tower or Antennas in Mega Watt.
- (ix) In case the tower is proposed to be installed in the residential area or in vicinity thereof or near school or hospital or public or semi-public buildings, No Objection Certificate (NOC) from owners of adjoining buildings or the concerned Institution or requisite stakeholders, as the case may be, shall be submitted.
- (x) No Objection Certificate for noise pollution from the Himachal Pradesh State Environment Protection and Pollution Control Board shall be submitted.
- (xi) In case the Mobile tower is proposed to be installed in the vicinity of any Airport, No Objection Certificate from the Airport Authority of India shall be submitted.
- (xii) In the case of erection of towers in the border areas of the State, No Objection Certificate from the Defense or the Police Authorities as the case may be, shall be submitted.

3. Fee

Installation and renewal fee shall be deposited at the following rates:-

- (i) **Municipal Corporation, Areas:-** One time installation Fee @ Rs. 20,000/- per tower and Annual Renewal Fee @ Rs. 10,000/- per annum per tower.
- (ii) **Urban Areas:-** One time installation Fee @ Rs. 15,000/- per tower and Annual Renewal Fee @ Rs. 8,000/- per annum per tower.

- (iii) **Rural areas of Planning Areas and Special Areas:-** One time installation Fee @ Rs. 10,000/- per tower and Annual Renewal Fee @ Rs. 5,000/- per annum per tower.
- (iv) **Areas located in Tribal or Difficult Areas:-** One time installation Fee @ Rs. 4,000/- per tower and Annual Renewal Fee @ Rs. 2,000/- per annum per tower.
- (v) There shall be an option for lump sum payment of renewal fee given in a block of 5 years (with 40% discount for upfront payment of the entire amount including renewal fees for 5 years).
- (vi) An additional amount @ 60% shall be levied for every additional Antenna which shares the same tower.

Note:

The renewal fee shall be increased by 25% after every five years. The period of five years shall be counted from the date of commencement of The Himachal Pradesh Town and Country Planning Rules, 2014.

4. Location

Location of communication towers is governed by the Radio frequency system. The Cellular Operators shall avoid residential areas for erection of the same. The location for erection of towers shall be decided as follows:-

- (i) First preference shall be given to the location of tower in the open or public areas away from the residential locations.
- (ii) Where it is not possible to avoid the location in residential area, the same shall be erected in open space or park, with prior consent of owners of adjoining residential houses.
- (iii) Erection of tower shall not be allowed within a radius of 100 M from residential buildings, schools and hospitals.

5. Installations

- (i) In order to avoid any eventuality due to thunder storm, lightning conductors have to be installed with proper earthing.
- (ii) Generator set installed at the tower site to cater to the power requirements of the Antenna shall conform to the noise and emission norms prescribed by the Himachal Pradesh State Environment Protection and Pollution Control Board.

6. Set Backs

- (i) The distance equivalent to the height of tower shall be left as set backs around the tower.
- (ii) The distance of communication tower from electric lines or poles or electric transmission towers thereof shall not be less than the height of tower plus requisite distance from respective high or low voltage lines. The horizontal and vertical distance from high or low voltage lines shall conform to the distances as prescribed in the National Building Code of India, 2005.

7. Sharing of Towers.

The Telecom Operators may share the towers for fixing their respective Antennas subject to structural safety to be certified by the registered Civil Engineer. The Telecom operators

shall adhere to the prescribed technical requirements, so as to curtail multiplicity of towers as well as to optimize the use of the existing ones.

8. Deemed Approval

A final decision for allowing permission or rejection for erection of a communication tower shall be taken within 30 days from the date of submission of all the documents by the applicant. In case the documents submitted for permission are complete in all respects and decision is not conveyed within 30 days, deemed permission shall be assumed, provided that the same is in accordance with these Rules and Regulations.

APPENDIX 10

(See rule 17)

REGISTRATION OF PRIVATE PROFESSIONALS NAMELY TOWN PLANNERS/ ARCHITECTS/ ENGINEERS/ DRAUGHTSMEN / SURVEYORS, THEIR QUALIFICATIONS AND COMPETENCY

1. Essential requirements-

Every Plan / Design within the limits of Planning Area/ Special Area shall be prepared/ designed/ signed by the Town Planner/ Architect / Engineer/ Draughtsman /Surveyor belonging to an appropriate class of Town Planner/ Architect / Engineer/ Draughtsman/Surveyor duly registered by the Director.

2. Categorization-

The registered Town Planner/ Architect / Engineer/ Draughtsman/Surveyor for the purpose of preparation of Plans/Design/sign shall be classified into following 3 classes namely A, B and C. The classification being based on the plot area for which they will be eligible to prepare Plans/ Design and sign the same within Planning Area/Special Area. The limit of the plot area for the preparation of Plans /Design/sign by such class of the registered Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor shall be as under:-

Class	Plot Area for Building Plan	Area for Sub-Division of land	Class of Town where entitled to function
A-Class	No limit	No limit	Municipal Corporation, Municipal Councils, Nagar Panchayats and Rural Areas
B-Class	500 M ²	5000 M ² .	Municipal Councils, Nagar Panchayats and Rural Areas
C-Class	250 M ²	Nil	Nagar Panchayats and Rural Areas

3. Class wise Qualification-

The minimum qualification necessary for the registration of Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor of an appropriate class shall be as under:-

(i) Class-A-

- (a) A Degree or equivalent qualification in Town Planning or Regional Planning from a recognized University or Institute making the holder eligible for the Associateship or Fellowship of the Institute of Town Planners (India) or Royal Institute of Town Planners(London).
- (b) A Degree or equivalent qualification in Architecture from a recognized University or Institute, making the holder eligible for Associateship or Fellowship of the Royal Institute of British Architects or Institute of Architects (India) and registered with the Council of Architecture.
- (c) A Degree or equivalent qualification in Civil Engineering from a recognized University or Institute, making the holder eligible for the Associate Membership of the Institute of Engineers (India).

(ii) Class-B

Three years Diploma in Civil Engineering or equivalent or three years Diploma in Architectural Assistantship awarded by the State Board of Technical Education or Intermediate in Architecture or equivalent.

(iii) Class-C

Two years Diploma in Civil Draughtsmanship /Surveyor or equivalent from a recognized Polytechnic/ Industrial Training Institute and recognized for recruitment as a Civil Draughtsman/ Surveyor.

4. Registration and Renewal Fee-

The non-refundable Registration Fee and Renewal Fee after a period of five years of initial Registration shall be as given in the following Table.

Sr. No.	Category of Registered Private Professionals	Registration Fee (Rupee)	Renewal Fee (Rupee)
1.	Class-A :		
	(a)Town Planner /Architect/ Engineer.	2000.00	2500.00
	(b) Group or Company of Town Planners/ Architects/ Engineers.	6000.00	7500.00
2.	Class-B	1000.00	1250.00
3.	Class-C	600.00	750.00

The Renewal Fee shall be payable every five years after the initial Registration.

Provided that the Architects registered with the Council of Architecture, New Delhi under the Architects Act, 1972 shall not require Registration under these Rules. However, such Architects shall require to be empanelled with the Director without paying any Fees. Such Architect once empanelled, shall not required any renewal of empanelment.

5. Cancellation of Registration-

the Director may suspend or cancel the Registration of any Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor, who in the opinion of the Director is not carrying out the requirements of the Zoning Regulations framed under Interim Development Plan, Development Plan and the Guidelines issued under the Himachal Pradesh Town and Country Planning Act, 1977 and the Himachal Pradesh Town and Country Planning Rules, 2014.

Provided that before the Registration is cancelled, an opportunity of being heard shall be afforded to the concerned Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor.

Provided further that three opportunities shall be given to a professional before finally cancelling the Registration.

By order,

Pr. Secretary (TCP) to the
Govt. of Himachal Pradesh.

Endst. No. TCP- A(3)-1/2014-I Dated, Shimla-2,

1.12.2014

Copy forwarded for information and necessary action to:-

1. The Chief Secretary to the Government of Himachal Pradesh, Shimla.
2. All the Divisional Commissioners in Himachal Pradesh.
3. All the Deputy Commissioners in Himachal Pradesh.
4. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla-9.
5. The Director, Urban Development Department, H.P. Shimla-2.
6. The CEO-cum-Secretary, HIMUDA, Nigam Vihar, Shimla-2.
7. The Commissioner, Municipal Corporation, Shimla-1.
8. The Chief Executive Officer, BBND, Distt. Solan, H.P.
9. The Under Secretary (Law) to the Government of Himachal Pradesh, Shimla.
10. The Town and Country Planner, Divisional Town Planning Office, Dharamshala, Nahan, Solan, Shimla, Hamirpur, Kullu and Mandi.
11. The Assistant Town Planner, Sub-Divisional Town Planning Office, Parwanoo, Rampur, Una, Chamba and Bilaspur.
12. The Executive Officer, Rampur, Solan, Parwanoo, Nalagarh, Nahan, Paonta Sahib, Hamirpur, Chamba, Una, Mandi, Bilaspur and Palampur.
13. The District Public Relation Officer, Shimla, Distt. Shimla-2 for advertisement of this Notification in the local newspapers.
14. Guard file.

(Pushpa Patial)

Joint Secretary (TCP) to the
Govt. of Himachal Pradesh.

Ph.No. 2880537