

**TOWN AND COUNTRY PLANNING DEPARTMENT  
HIMACHAL PRADESH**

No. HIM/TP/Law-VI/Delegation of Powers-2013/

Shimla, Dated: 20-3-15

To

-15269-15314

1. The Town and Country Planner,  
Divisional Town Planning Office,  
Shimla, Solan, Dharamshala, Nahan,  
Mandi, Kullu and Hamirpur.
2. The Assistant Town Planner & Planning Officers,  
Sub-Divisional Town Planning Office,  
Parwanoo, Una, Bilaspur, Rampur and Chamba.
3. The Planning officer  
Town Planning Office,  
Palampur and Manali.
4. The Executive Officer,  
Municipal Council, Chamba, Hamirpur, Rampur,  
Bilaspur, Nahan, Paonta- Sahib, Mandi, Solan,  
Nalagarh, Una, Parwanoo and Palampur.

**Subject:- Regarding delegation of powers.**

This is in supersession of this office letter No. HIM/TP-Delegation of Powers/04-Vol-VI/ 9040-70, dated 10.11.2004 on the subject cited above. The powers under various Sections of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) were delegated to the field officers according to their hierarchy. Now keeping in view the added dimensions on account of the Himachal Pradesh Town and Country Planning (Amendment) Act, 2013 as well as creation of new offices headed by the Planning Officers, the delegation of powers is hereby made as under:-

**1. Powers for deciding planning permission / compounding cases.**

The disposal of planning permission and compounding cases has to be done by the officers at their own level without routing the file to the higher officer as per table below:-

Sr. No.	Particulars	Planning Officer	Assistant Town Planner	Town and Country Planner	Director
1.	(a) Residential Use	Up to plot area of 200 M <sup>2</sup>	Upto 500 M <sup>2</sup>	Individual Residential plots & Layouts below 2500 M <sup>2</sup>	Schemes, Colonies, Apartments, Residential Layouts of 2500M <sup>2</sup> & above
	(b) Sub-Division of land	Upto 500 M <sup>2</sup>	Upto 1000 M <sup>2</sup>	Below 2500 M <sup>2</sup>	2500 M <sup>2</sup> and above.
	(c) Commercial Use	Upto 5 shops	Upto 8 shops only, Dhabas,	Hotels, Petrol Pumps, Cinema	Shopping Complexes.



	(Area upto 100 M <sup>2</sup> )	Restaurants, Guest House (Area upto 500 M <sup>2</sup> ).	Halls, Guest houses, Commercial Layout below 2500 M <sup>2</sup>	Commercial Layouts 2500 M <sup>2</sup> and above
(d) Facilities & Services and Recreational Use	Nursery School, Primary School, Dispensary, Sub-Post Office, Police Post etc. Area upto 250M <sup>2</sup>	Middle to Senior Secondary School, Health Centre, Police Station, Fire Station, Community Hall, Library, Religious Building, Govt./ Semi Govt. Building. Area upto 500 M <sup>2</sup>	College, Hospital etc. and equivalent thereof below 2500 M <sup>2</sup>	University, State Level Institutions etc. 2500 M <sup>2</sup> and above
(e) Industrial Use	Area upto 250 M <sup>2</sup>	Upto 1000 M <sup>2</sup>	Below 2500 M <sup>2</sup> (individual units), Industrial Layouts below 2500 M <sup>2</sup>	Individual units. Industrial Layouts 2500 M <sup>2</sup> and above.
2. Compounding	-	Deviation upto 5%	5-10%	-

Note: -

1. The Executive Officers under Single Window System of plan approval shall exercise the powers at par with the Town and Country Planners of the Department.
2. It shall be ensured by the Town and Country Planners, Assistant Town Planners, Planning Officers of this Department and the Executive Officers of Municipal Councils that no sanction or No Objection Certificate (NOC) in respect of Apartments and Colonies is granted by them.
3. The Commissioner, Municipal Corporation, Shimla for information and to ensure that cases are dealt as per IDP, Shimla. Cases pertaining to Promoter shall be dealt by the Director (TCP) directly.
4. The Assistant Town Planner will ensure the test check of 20% cases decided by the Planning Officers working under them and will submit monthly and quarterly report to the Town and Country Planners concerned. The Town and Country Planner will ensure the test check of 10% cases cleared by the Planning Officers as well as Assistant Town Planners working under them and will submit report to the State Town Planner. The State Town Planner and Director during their field visits may conduct random checking of the cases.



## 2 Powers for Relaxation in norms and Change of Land Use:-

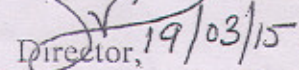
- (i) The Change of Land Use in respect of Planning Areas where Interim Development Plans (IDPs) / Development Plans (DPs) have been notified shall be exercised by the Director (TCP) or the State Government as per the provisions of Interim Development Plans (IDPs)/ Development Plans (DPs) concerned.
- (ii) The relaxation in mandatory setbacks and any other Regulations in the area where land use is frozen but no Interim Development Plans (IDPs)/ Development Plans (DPs) has been prepared shall be granted by the concerned Town and Country Planner.

## 3. Powers regarding issuance of No Objection Certificates (N.O.C.s) for service connections and action against un-authorized constructions.

- (i) The N.O.Cs. for service connections in the non-exempted areas shall be issued by the concerned Planning Officers after clearance of the file in accordance with the procedure meant for deciding planning permission cases given at Sr. No.1 above. The Planning Officers shall be responsible to ensure detection of un-authorized construction cases and requisite action thereon in the Areas under their jurisdictions. However, test check of 20% and 10% will be ensured by the Assistant Town Planners and Town and Country Planners respectively.
- (ii) Any person intending to carryout development activity in exempted areas 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 along with a copy of original Jamabandi and original Tatima to the concerned Panchayat before doing so. The concerned Panchayats after verifying the documents and getting the site inspected shall grant No Objection Certificate (NOC) to the applicant under provisions of Section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and Appendix-8 read with Rules 13, 14 and 18 of the Himachal Pradesh Town and Country Planning Rules, 2014.

Note: -

The powers of registration of Promoters and Estate Agents as well as grant of Licensee shall vest with the underigned only as the Urban Local Bodies and Panchayati Raj Institutions do not have technical competence to deal such cases.

  
Director, 19/03/15

Town and Country Planning Deptt.  
Himachal Pradesh Shimla-171009.

Copy to:-

1. The Principal Secretary (TCP) to the Govt. of Himachal Pradesh, Shimla for information, please.
2. The Principal Secretary (RD&Pk) to the Govt. of Himachal Pradesh, Shimla for information with the request to issue necessary directions to the concerned Panchayat(s) to take action as provided under sub-clause (ii) of clause 6 of



TOWN & COUNTRY PLANNING DEPARTMENT  
HIMACHAL PRADESH

OFFICE ORDER

In supersession of all previous orders and in exercise of the powers vested in undersigned vide Sub-Section (2) of Section 77 of the Himachal Pradesh Town and Country Planning Act, 1977. I hereby delegate powers under Sections 15-A, 16, 28, 29, 30, 30-A, 31, 34, 38, 39, 39-A, 39-B, 39-C, 79, 81 and 83-A of the Act ibid to the to the Planning Officers, Assistant Town Planners and Town and Country Planners of this Department for the Planning Areas under their jurisdiction as per guidelines circulated vide letter No. HIM/TP/Law-VI/Delegation of Powers-2013/15269-15314 Shimla, Dated: 20.3.2015.

The powers under Section 39-A and 39-B of the Act stand already delegated by the State Government vide Notification No. PWB (B&R)(B)24(1)/91-1-Part I/1e dated 2.5.1999. The powers under Section 39-C of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) as delegated vide Govt. Notification No. TCP-2(B) 15-12-12009 dated 17.1.2004 to the Town and Country Planners and Assistant Town Planners shall continue to be enjoyed upon by them.

Director,

Town and Country Planning Deptt.  
Himachal Pradesh, Shimla-171009.

-399-444

Shimla, Dated: 16-4-15

No. HIM/TP/Law-VI/Delegation of Powers-2013/  
Copy forwarded to the following for information and necessary action Please:-

1. The Principal Secretary (TCP) to the Govt. of Himachal Pradesh, Shimla.
2. The Principal Secretary (UD) to the Govt. of Himachal Pradesh, Shimla.
3. The Director, Urban Development Department, Himachal Pradesh, Shimla with the request to issue necessary directions to the concerned Urban Local Bodies for compliance.
4. All the Deputy Commissioners, for information.
5. The Commissioner, Municipal Corporation, Shimla.
6. The Controller, Printing & Stationery Government of Himachal Pradesh for immediate publication in Gazettee (Extra ordinary).
7. All the Town and Country Planner, Divisional Town Planning Office, Shimla, Solan, Dharamshala, Nahan, Mandi, Kullu and Hamirpur.
8. The Assistant Town Planner & Planning Officers, Sub-Divisional Town Planning Office, Parwanoo, Una, Bilaspur, Rampur and Chamba.
9. The Planning Officer, Town Planning Offices, Palampur, Manali and Sundernagar..
10. All other Planning Officers in the Department.
11. PA to the Director, in this Directorate for record.
12. SST to the State Town Planner, in this Directorate for information.
13. All the Branch Officers in this Directorate for information.

Director, 10/04/15

Town and Country Planning Deptt.  
Himachal Pradesh, Shimla-171009.

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