

**THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING  
RULES, 1978\***

**CHAPTER-1**

**PRELIMINARY**

1. (1) These rules may be called the Himachal Pradesh Town & Country Planning Rules, 1978 Short title

(2) These rules shall come into force at once.

Definition

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

(12 of 1977)

(a) "Act" means the Himachal Pradesh Town and Country

(b) "approved development plan" means a plan prepared Under the Act and duly approved by the State Government;

(c) "Authority" means the Town and Country Development Authority or Special Area Development Authority, Constituted under the Act;

(d) "Chief Executive Officer" means the Chief Executive Officer of the Authority;

(e) "form" means a form appended to these rules;

(f) "section" means a section of the Act; and

(g) "Secretary" means the Secretary of the Authority.

(2) The words and expressions, which have not been defined in these rules, but, are defined in the Act, shall have the meanings as have been assigned to them in the Act.

**Chapter-II**

**REGIONAL PLANNING**

Sec. 8 (1)  
Sec 87(2)  
(ii)

3. The notice with respect to the draft regional plan to be Published under sub-section (1) of section 8 shall be in Form-I.

Form of  
Notice

Sec. 8 (i)  
Sec 87(2)  
(ii)

4. The notice prescribed by rule 3 shall be published in the Rajptra, Himachal Pradesh and shall further be published by means of an advertisement in one or more newspapers in circulation within the area of the region. A copy of the notice shall also be pasted at the offices of Town Country Planning Organisation and its concerned regional offices.

Manner of  
publication  
of notice

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**\* Published in the Himachal Pradesh (Extra Ordinary Gazettee), vide Notification No.9-12/72-PW (B) dated 19<sup>th</sup> December 1978.**

Number of publication of Regional Plan	<b>5.</b> The notice under sub-section (2) of Section-9 shall be in Form II and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers in circulation within the area of the region. A copy of the notice shall also be pasted at the offices of the Town and Country Planning Organisation and its concerned regional Offices.	Sec. 9(2), 87 (2)
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Notice of Modifications in Regional Plan	<b>6.</b> Notice of modification in the Regional Plan to be Published in the Rajpatra, Himachal Pradesh under the proviso to Sub-section (2) of section 9 shall be in Form-III.	Sec. 9 (2), Sec 87 (2) (iii)
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**CHAPTER-III**

**PLANNING AREAS AND DEVELOPMENT PLANS**

Manner of publication of existing land use	<b>7.</b> The Notice of preparation of the existing landuse map Under sub-section (1) of Section 15 shall be given in Form IV by Publishing the said notice in the Rajpatra, Himachal Pradesh and in one or more news papers having circulation within the planning area.	Sec. 15 (i), Sec 87 (2) (iv)
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Manner of publication of approved Interim Development Plan	<b>8.</b> The Interim Development Plan, as approved under Sub-section (4) of Section-17, shall be published in the Rajpatra Himachal Pradesh under sub-section (5) of the said section in Form V and the notice of such publication shall be in Form VI.	Sec. 87 (2) (xxiii)
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Manner of publication of Draft Development Plan	<b>9.</b> A copy of the draft development plan, as prepared under section 18, shall be made available for public inspection during office hours at the offices of Director, Town and Country Planning Organisation, Himachal Pradesh Town and Country Planning Development Authority and the local authorities concerned for inviting the public objections/suggestions under sub-section (1) of Section-19. The notice of the preparation of the draft development plan under Section 18 and of making them available for public inspection under Sub-section (1) of Section 19 shall be in Form VII and shall be published in the Rajpatra, Himachal Pradesh and in one or more news papers having circulation in the planning area.	Sec. 19 (1) Sec. 87 (2) (vi)
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Manner of publication of approved development plan	<b>10. (1)</b> Where the State Government approves the development Plan with modifications, the notice to be published in the Rajpatra, Himachal Pradesh under sub-section (2) of section-20 shall be in Form-VIII. 20 (4)	Sec. 20 (4) Sec. 87 (2) (vii)
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(2) A public notice shall be published under sub-section (4) of section 20, in form XI in the Rajpatra, Himachal Pradesh and in one or more news papers having circulation in the planning area to give it due publicity intimating that the development plan has been approved without any modifications under sub-section (1) of section 20 or with modifications under sub-section (3) of section 20, as the case may be, by the State Government and shall be available for inspection during office hours at the offices of Director, Town and Country Planning Organisation, the Town & Country Development Authority if any and local authority concerned.

**\* “10-A. Permission for change of landuse, or development of land, before the preparation of I.D.P./D.P-** In the Planning Areas constituted under section-13, wherein relation thereto, no Interim Development Plan or Development Plan has been prepared either under section 17 or under section 18 of the Act, the Director shall permit the change of landuse or as the case may be of the development of land, inconformity with the guidelines given in Appendix-I to these rules.

**\*10-B. Sub-Division of land-** The Director while according approval for sub-division of land under the Act shall follow:

- (a) in the case of lands, where no I.D.P. or D.P. has been prepared, the guidelines as given in Appendix-I to these rules.
- (b) In the case of lands, where I.D.P. has been prepared under section 17 or D.P. has been prepared under section 18, the provisions contained in the said Interim Development plan or Development Plan as the case may be”.

Interim  
Development  
Plan/  
Development  
Plans

**\*\* 10-C-** In the Planning/ Special Areas wherein the landuse has been frozen and the Planning/ Special Areas for which Interim Development Plans/ Development Plans have been prepared, the provisions for barrier free environment in Public and Semi-Public buildings and recreational areas within the limits of economic capacity and development for persons with disabilities shall be as per guidelines given in **Appendix-III** to these rules”.

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**\*Added vide notification No. PBW (B &R) B24 (19)/90 Dated 24.1. 97**  
**\*\*Added vide Notification No. TCP-A (3)-7/2006 Dated 24.2.2007**

## CHAPTER-IV

### CONTROL OF DEVELOPMENT AND USE OF LAND

Sec. 28 (1),  
Sec. 87 (2)  
(viii)

**11.** The intimation regarding the intention to carry out any Development on any land as envisaged under sub-section (1) of Section 28 shall be accompanied by following documents and Particularly, namely:-

Intention of development under taken on behalf of Union or State Government.

- (i) description of land (location with name of road/roads) on/of which the property and boundaries abuts,
- (ii) Khasra plan ( in the minimum scale 1:4000) showing number of land in question and also adjoining Khasra falling with 200 metres from the outer limits of the land. The land applied for shall be shown in “RED” in Khasra map.
- (iii) Location plan indicating the land in question to the minimum Scale of 1:1000 showing main approach roads and any other Important building(s) in the vicinity;
- (iv) Survey plan to a minimum scale of 1:1000 showing the boundaries of land in question, natural features like nullah, ponds, tress, slopes, contours if the land is undulated, high tension lines passing through or adjoining land upto distance of 200 metres, existing roads showing the right of way and railway lines with their specification and railway boundaries, position of electric and telephone poles and all such other matters which need to be coordinated with the adjoining area;
- (v) A plan showing all development proposals with respect to land in Question with a general report and mode so as to make scheme self explanatory;
- (vi) A plan showing details of utilities and services like water supply, drainage, electric and in case a septic tank is provided the same shall be shown along with the disposal of sludge water;
- (vii) A notice indicating the type of development proposed, namely residential, commercial or industrial;
- (viii) The name and address of registered Architect/ Planner; and
- (ix) Other architectural details as required by the Director.

Form of application for permission for development of land by others (Section 30 (1) and (2), and section 87 (2) (iv) and Fees . .

**\*12** (1) Any person not being the Union Government, State Government, a local authority or any other Authority constituted under the Act, shall apply under sub-section (2) of section 15 (A), section 16 (a) and (b) and sub-section (1) of section 30 in Form-X and XI for development of land alongwith the schedule and specification sheet attached with the application form. It shall include all those Planning and Special Areas where the existing land use stand frozen”.

**\*Added vide notification No. TCP-A (3) 1/2005 , dated 26.2.2007**

**(2) Fees-** Every application submitted under sub-section (2) of Section-15 (a) and section 16 (a) and (b) sub-section (1) of section-30 shall be accompanied by fee specified below:-

(a) For development of land other than erection of a building or part thereof.

Sr. No.	Component	Inside M.C. rates in Rs. Per Sqm. of plot area	Outside M.C. rates in Rs. per Sqm. of plot area.
1.	Development of land	5	2

**(b) For building operation.**

**1. Residential Use:-**

Sr. No.	Component	Rates in Rs. Per Sqm. Floor Space	
		Municipal Area	Outside Municipal Area.
1.	Economic Weaker Section upto 120 Sqm. Row or semi-detached plot	6	3
2.	Low Income Group 120 to 150 Sqm. Semi-detached plot	12	5
3.	Medium Income Group 150 to 250 Sqm. plot	20	10
4.	High Income Group more than 250 Sqm. plot	30	15

**2. Commercial Use:**

Sr. No.	Commercial Floor Space including corridor	Rates in Rs. Per Sqm. Floor Space	
		Municipal Area	Outside Municipal Area.
1.	Upto 10 Sqm.	15	10
2.	11 to 20 Sqm.	20	15
3.	21 to 40 Sqm.	30	20
4.	41 to 80 Sqm.	40	30
5.	More than 80 Sqm.	60	40

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### 3. Tourism Use

Sr. No.	Component	Rates in Rs. Per Sqm. Floor Space	
		Municipal Area	Outside Municipal Area.
1.	Upto 200	15	10
2.	201 to 400	20	15
3.	401 to 800	25	20
4.	More than 800	30	25

### 4. Private Institutions, Clinics and Hospitals.

Sr. No.	Floor Space Sqm.	Rates in Rs. Per Sqm. Floor Space	
		Municipal Area	Outside Municipal Area.
1	Upto 200 Sqm.	20	15
2.	201-400	30	20
3.	401-750	40	30
4.	Above 750	50	40

### 5. Industrial use:

Rates in Rs., Per sqm. of Plot Area

High Potential Zone	Medium Potential Zone	Low Potential Zone
Sirmour and Solan Districts	Una and Kangra District	Bilaspur, Mandi, Hamirpur, Chamba, Shimla, Kullu, Kinnaur and Lahaul & Spiti District.
20/-	15/-	10/-

#### (c) For change of existing building use:

Sr. No.	Landuse	Floor Area	Rates in Rs. Per Sqm. Floor Space	
			Municipal Area	Outside Municipal Area.
1.	Residential	Upto 40 Sqm.	20	10
		41-80 Sqm.	25	12
		Above 80 Sqm.	40	20
2.	Commercial	Upto 40 Sqm.	100	75
		41 to 80 Sqm./	150	100
		Above 80 Sqm.	200	150

3	Private Institutions	Upto 100 Sqm.	40	30	
		101 to 200 Sqm.	50	40	
		201-400 sqm.	60	50	
		401 to 800 Sqm.	75	60	
		Above	100	75	
			High Potential	Medium Potential Zone	Low Potential Zone
4	Industrial	Upto 100 Sqm.	50	40	30
		101-200 Sqm.	75	50	40
		201 to 500 Sqm.	100	75	50

- (e) For change of landuse from prescribed landuse in Development Plan/ Interim Development Plan.

In case change of landuse in a prescribed landuse in the Development Plan is involved then the rates for change against the predominant use will be subject to double the rates as prescribed under para (d) above for change from the original use of the site.

**(f) For Revalidation of Sanction**

Sr. No.	Landuse	Rates in Rs. Per Sqm. of floor space
1	Residential	15/-
2.	Commercial	25/-
3.	Tourism	25/-
4.	Public & Semi-Public Commercial Amenities	25/-
5.	Industrial	20/-

**Note:** “These charges will be increased by 5% after a block of 5 years”.

\*“(3) All the plans attached with the applications submitted under sub-rule (1) shall be prepared/ designed/signed/by Architect/ Planner/ Engineer/ Draughtsman licensed and registered in accordance with the provisions of appendix-II of these rules”.

**\*Added vide notification No. TCP-F(6) , dated 6.2.2001 appeared in Rajpatra o 31.3.2001**

Sec. 31 (3),  
Sec. 87 (2)  
(x)

**13.** The permission for development of land shall be granted and communicated to the person(s) concerned under sub-section (3) of Section 31 in Form-XII and copies thereof shall be sent to the local authorities concerned. Town and Country Development Authority or Special Area Development Authority concerned and any other office concerned with the development works along with the copy of the approved plan. The plan shall be approved and signed by the Director, modifications if any shall be shown in red lines and two copies of approved plan shall be sent to the applicant(s). In case the modifications area excessive, a fresh plan shall be demanded in incorporating the revised plan showing all the modifications communicated by the Director.

Form of  
permission.

Manner of  
communication  
of under sub-  
section (4) of  
Section-31

**14** Every order passed under sub-section (2) of Section 31 granting permission with or without conditions or refusal of permission with grounds shall be communicated in Form XII and XII. Such order shall either be handed over to the applicant(s) if he/ they is/are present and his/their acknowledgement shall be obtained. In case her/they is/ are present, such reply shall be sent to him/them under registered post.

Sec. 31 (4),  
87 (2) (xi)

Appeal

**15.** (1) The appeal shall be preferred under sub-section (1) of Section -32 in writing in the following manner, namely: -

(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.

(iv) It shall contain the following verification certificate duly signed by the applicant(s):

“I \_\_\_\_\_do 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. 50.00 through Treasury Challan.

Sec. 32,  
sec.87 (2)  
(xii)

**\*15-A Obtaining of copy of record-** (1) On an application, copy of order/ record may be supplied to an individual having interest in the Proceedings before the Director, appellate authority or the Government; and

(2) The application under sub-rule (1) shall be accompanied by a fee of Rs. 5.00 per page of copy applied”.

**\*Added vide notification No. PBW (B&R) (B) 24-18/90, dated 15.11.2000**



Notice by owner to purchase interest in land	<p><b>16</b> The notice shall be served on the State Government under Sub-section (1) of section 35 in Form-XIV so as to reach it within a period of 60 days from the date of publication and designation of land as subject to compulsory acquisition by the development plan together with documentary proof of ownership, location plan and site plan.</p>	Sec. 35 Sec. 87 (2) (xiii)
Manner of communication of revocation and modification permission to development.	<p><b>17</b> Every order of revocation and modification of permission to development passed under sub-section (1) of section 37 shall be communicated in Form XV and shall be handed over to the owner (s) if He/they is /are present and his/their acknowledgement shall be obtained. In case he/they is/are not present such order shall be sent to him/them under registered post.</p>	Sec. 37 (1), Sec. 87 (2) (xiii)
Sec. 37(2), Sec. 87 (2) (xiv)	<p><b>18</b> The manner in which amount in lieu of expenditure incurred after the grant of permission may be assessed under section 39 (i)-</p> <ol style="list-style-type: none"> <li data-bbox="427 852 1386 995">(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 the service of the order of revocation or modification.</li> <li data-bbox="427 1001 1386 1688">(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 because of to order of revocation or modification of permission originally granted both being prepared by a Registered Planner/ Architect. 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 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, such amount to the owner (s) as it thinks fit.</li> <li data-bbox="427 1694 1386 1837">(3) 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 owners within thirty days from the date of receipt of the offer.</li> </ol>	

(4) Every order regarding claims preferred by the owners and passed under sub-section (2) of Section-37 shall be communicated in Form-XVI and shall be handed over to the owner(s) if he/they is/are present and is/their acknowledgement shall be obtained. In case he/they is/are not present such order shall be sent to him/them under registered post.

**\*18-A.** The notice under sub-section (1) of section 39 shall be in Form-XVI-A”

Form of notice for demolition alteration. discor Sec. 37 (1), of u. Sec. 87 (2) devel (xiii)

Permission for retention of land

**19** The application under sub-section (3) of section 39 Shall be in Form-XVII.

Form of order for stopping the development

**\*19-A.** The order to stop unauthorized development under Sub-section (1) of Section 39-A shall be in Form-XVII-A.

Police Assistance

**\*19-B.** Where any development after the service of the order under sub-section (1) of Section 39-A is not stopped in pursuance of the notice served in Form-XVII-A, the Officer empowered by the State Government or the competent authority as the case may be, shall by an order in Form-XVII-B, 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 and 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-section (3) and (4), of section 39-A.

Order of stoppage and deployment of Police by the State Government.

**\*\*19-C.** 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 to stoppage has been made, has failed to requisition Police assistance under sub-section (2) for a period of sixty days, the State Government may, after calling, for the report of the Competent Authority concerned, direct the competent authority or any other officer as the State Government may deem fit, to make the order to stop the development under sub-section (1), 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.

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**\*Added vide notification No. TCP-F (6)4/95, dated 13.9.1996.**

Sealing of unauthorized development.

**\*19-D.** 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 State Government empowered in this behalf, or as the case may be, the competent authority shall afford, in Form-XVII-C the reasonable opportunity of being heard to the persons against whom the order is purported to be made

**\*\*19-E (1) Composition offences.-** Any person, not being the Union Government, State Government or a local authority constituted under Act ibid, may apply, under sub-section (1) of section 39-C in form XVII-D, to the Director for composition of offences alongwith the schedule attached with application form.

2. Application fee-Every application submitted under sub-section (1) of section-39-C, shall be accompanied by a fee of Rs. 100/- deposited into the Government Treasury, under the appropriate head of account through treasury Challan.

3. Composition Fee- Composition fee shall be charged from the applicant at the rate specified below:-

<u>Sr.</u>	<u>Offence</u>	<u>Composition fee</u>
1	Deviation to the extent of 10% in the set within the backs from the approved plan (floor wise).	(i) In the case of building falling jurisdiction of Municipal Corporation/ Municipal Council @ Rs. 400/- per sq.m. for each subsequent floor level; and (ii) In case of building falling outside the jurisdiction of Municipal Corporation/ Municipal Council, @ Rs. 200/- per sq.m. for ground floor level and @ Rs. 100/- per sq.m. for each subsequent floor level.

\* Added vide notification No. TCP-F (6) 4/95, dated 13.9.1996.  
\*\*Added vide notification No. TCP-2 (B) 15-12/2001 Dt.15.5.2002

**In case of buildings where plans were not approved-**

2. (a) Construction carried out conform to the Development Plan/ Interim Development Plan and other rules prescribed under sections 15-A and 16 of the Act ibid
- (a) (i) In case of building falling within the jurisdiction of Municipal Corporation/ Municipal Council, Rs. 5000/- upto 100/- Sq.m. plinth area and @ 100/- per sq.m. for over 100 sq.m. plinth area; and  
(iii) In case of building falling outside the jurisdiction of Municipal Council, @ 2000/- upto 100sq.m plinth area.
- (b) Excess coverage of set backs to extent of 10% of permissible set backs (floor-wise)
- (b)(i) In case of building falling within the jurisdiction of Municipal Corporation/ Municipal Council, Rs. 400/- per sq.m. for ground floor level and @ Rs. 200/- per sq.m. for each subsequent floor level; and  
(ii) In case of building falling outside the jurisdiction of Municipal Corporation/ Municipal Council, @ 200/- sq.m. for ground floor level and @ Rs. 100/- per sq.m. for each subsequent floor level.
- (c) Building constructed on an under size plot than prescribed under the rules and regulations
- (c) (i) In case of building falling within the jurisdiction of Municipal Corporation/ Municipal Council, Rs. 5000/- ; and  
(ii) In case of building falling outside the jurisdiction of Municipal Corporation/ Municipal Council, Rs. 2000/-
- (d) Actual land use of land is different from the land use prescribed in the Interim Development Plan/
- (d) (i) In case of land use changed to residential from any other use, @ Rs. 30/- per sq.m.  
(ii) In case of land use changed to

Development Plan.

Provided further that for offence covered under 2 (b), 2 (c) and/or 2 (d), the compounding fee provided under 2 (a) shall also be charged.

Commercial or Industrial from any other use @ Rs. 50/- per sq.m., and

- (iii) In case of land use changed to any other use not covered above, @ Rs. 30/- per sq.m.
- (iv) in case of offence relating to change of landuse of Hotel and medium industry, the compounding shall be @ Rs. 100/- per sqm. and for heavy industry the same shall be @ Rs. 200/- per sqm. \*

3. Deviation in Floor Area Ratio to the extent of 10% from the permissible Floor Area.

Provided that no extra storey than permissible under the provisions of Development Plan, Interim Development Plan or rules under section 15-A and 16 of the Himachal Pradesh Town and Country Planning act, 1977 shall be allowed (Basement and Attic shall be counted as an independent storey;

- (i) In case the use of building is Commercial or Hotel, @ Rs. 5000/- per sq.m.
- (ii) In case of any other use of the building than mentioned in clause (i) above,  
(a) Rs. 2000/- per sq.m.

Provided further that the increase in Floor Area Ratio on account of excess coverage of set backs shall be considered deviation in the Floor Area Ratio and in such case, the deviation upto 15% may be permitted.

4. Extra Coverage of plot to the extent of 10% than permissible:

@ Rs. 100/- per sq.m.

**\*Added vide notification No.**

**TCP-A(3)-1/2006 Dt. 9.2.2007**

Provided that extra area of plot covered on account of extra coverage of set backs shall be excluded while charging composition fee;

Provided further that the Government may exempt certain areas from the application of these rules if the Local Authorities of such areas have framed their own rules for this purpose:

Provided further that each offence shall be compounded separately.

Sec. 52, Sec.,  
87 (2) (xvi)  
(xvii), (xviii)

**20** (1) The Town and Country Development Authority shall publish a notice under sub-section (2) of section 25 in Form-XVIII declaring intention of making a town development scheme in the Rajpatra, Himachal Pradesh and by means of an advertisement in one or more news papers having circulation in the locality. Copies there of shall also be made available for inspection in the office of the Town and Country Development Authority.

Preparation  
of town  
development  
scheme

(2) Notice under sub-section (3) of sub-section (7) of Section-52 shall be in Form-XIX and Form-XX respectively and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation in the locality.

Sec.58, Sec. 7  
(2) (xix)

**21** The land acquired by the State Government under section 58 shall vest in the Town and Country Development Authority, on the following terms and conditions:-

Acquisition  
of land

- (i) The power of the Authority with respect to the disposal of the land acquired shall be so exercised as to secure, as far as practicable, to the person(s) who are living or carrying on business or other activities on the land if they desire to obtain accommodation on the land belonging to the Town and Country Development Authority concerned and are willing to comply with any requirement of the Authority as to its development and rules in operation to obtain thereon accommodation suitable to their reasonable requirement.
- (ii) If the Town and Country Development Authority concerned proposes to dispose off any land, without any development having been under taken or carried out thereon, it shall transfer the land in the first instance to the persons from whom it was

acquired if they desire to purchase it at such price as may be fixed by the State Government.

- (iii) The Town and Country Development Authority shall not dispose off any land by way of gift, mortgage or any other like means.
- (iv) The Town and Country Development Authority may dispose off any land on leasehold basis only.
- (v) The Town and Country Development Authority shall pay the amount to the Government which has been awarded to the owner(s) of any land by the Government.
- (vi) The Town and Country Development Authority shall pay other charges to the Government which has been incurred by the State Government in connection with the acquisition.
- (vii) The Town and Country Development Authority shall execute an agreement with the Government for transfer of acquired land.

Mode of levy.

**22** (1) Notice of intention of levy development charges under sub-section (1) of Section 62 shall be in Form-XXI and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation in the area. Copies of the said notice shall also be affixed in the concerned offices of the Town and Country Development Authority.

Sec 62, Sec.  
87 (2) (xx)

(2) Notice under sub-section (4) of the section 62 for the assessment of development charges shall be in Form-XXII.

Power to  
borrow money

**23** The Town and Country Development Authority may borrow money under section 65 subject to the following terms and conditions namely:-

- (i) The Town and Country Development Authority may with the prior sanction of the State 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 State 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 State 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 State 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-XXIII.
- (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 per cent 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 unrecognizable has been advertised by the clamant and in the manner specified by the authority and is not claimed by any other person.
- (xvi) The re-issue of the debenture shall be made for the same amounts under the same number with the addition of the word 'Renewed'. A fee of rupees ten shall be charged for every renewed debenture to be issued.



Sec. 72 (3),  
Sec. 87 (2)  
(xxii)

**24.** (1) the Special Area Development Authority may for the purpose of the Act raise loans under sub-section (3) of section-72 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 State 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 State 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 funds 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.

Terms and conditions subject to which loan may be raised by the Special area Development Authority

**FORM-I**

(See rule-3 )

**NOTICE OF THE PUBLIC PUBLICATION OF DRAFT REGIONAL PLAN**

Notice is hereby given that the draft regional plan for .....  
.....area has been prepared in accordance with the provisions contained in Chapter-II of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) and a copy thereof is available for inspection at the following offices during office hours:-

- 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 to the Director, Town and Country Planning Organisation, Himachal Pradesh, Shimla before the expiry of sixty days from the date of publication of this notice in the Rajpatra, Himachal Pradesh.

Any objection or suggestion, which may be received in writing from any person before the expiry of the period specified above will be considered by the Director.

**SCHEDULE**

- (a) Existing land use map and its narrative report.
- (b) Narrative report explaining the provisions of the draft plan supported by the maps and charts.

Place.....

Date.....

Sd/-

Director,  
Town and Country Planning Orgn.  
Himachal Pradesh, Shimla-171001.

**Form-II**

**(See rule 5)**

**NOTICE OF THE APPROVAL OF THE REGIONAL PLAN**

Notice is hereby given that the State Government has approved the regional plan for .....(area) under sub-section(1) of section 9 of Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) and a copy of the said plan may be inspected at the following offices during office hours, namely:-

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

2. The said regional plan shall come into operation with effect from.....

By order and in the name of the Governor of Himachal Pradesh.

Sd/-

Secretary, (TCP)  
Government of Himachal Pradesh,  
Town and Country Planning Orgn.

-----

### **Form-III**

#### **NOTICE OF THE MODIFICATION IN THE REGIONAL PLAN**

It is hereby noticed for public information under the provision to sub-section (2) of section 9 of the Himachal Pradesh Town and Country Planning Act, 1977 ( No. 12 of 1977) that the State Government proposes to approve the draft regional plan for .....(area) submitted to it by the Director, Town and Country Planning Himachal Pradesh, Shimla with modification as specified in the schedule below.

Any objection and suggestion with respect to the said modification may be submitted by any person to the State Government in writing within a period of thirty days from the date of publication of this notice in the Rajpatra, Himachal Pradesh and such objections or suggestions which may be received before the expiry of the period specified above, will be considered by the State Government.

#### **SCHEDULE**

By order and in the name of the Governor of Himachal Pradesh

Sd/-

Secretary (TCP)  
Government of Himachal Pradesh,  
Town and Country Planning Orgn.

**Form-IV**

**(See rule 7)**

**NOTICE OF PUBLICATION OF EXISTING LANDUSE MAP**

Notice is hereby given that the existing land use map for  
.....  
(planning area ) has been prepared under sub-section(1) of section 15 of the Himachal Pradesh Town and country Planning Act, 1977 ( No. 12 of 1977) and a copy thereof is available for inspection during office hours in the offices of the Town and Country Planning Organization, Himachal Pradesh, Town and Country Development authority if any, and local authorities concerned.

If there be any objection or suggestion with respect to the existing landuse map so prepared it should be sent in writing to the Director, Town and Country planning Organization, Himachal Pradesh Shimla within a period of thirty days from the date of publication of this notice in Rajpatra, 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 & Country Planning Orgn.  
Himachal Pradesh, Shimla-171001.

-----

**Form-V**

**(See rule 8)**

**NOTIFICATION FOR APPROVAL OF INTERIM DEVELOPMENT PLAN**

In exercise of the powers vested in him vide section 17 (5) of the Himachal Pradesh Town and Country Planning Act, 1977 ( Act No. 12 of 1977) the Governor, Himachal Pradesh is pleased to publish the Interim Development Plan ..... for general information which has been approved under section 17 (4) of the aforesaid Act. It shall come into operation from the date of its publication in the Official Gazette. The Plan can be inspected at the following places during the office hours :-

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

Sd/-  
Secretary(TCP),  
to the Government of Himachal Pradesh,  
Town and country Planning Orgn..

-----

**Form-VI**

**(See rule 8)**

**NOTICE OF PUBLICATION OF APPROVED INTERIM DEVELOPEMTN  
PLAN**

Notice is hereby given that the Interim Development Plan for ..... (Planning Area) has been approved by the State Government under the provision of sub-section (4) of section 17 of the Himachal Pradesh town and country planning Act, 1977 ( No. 12 of 1977) as required by sub-section (5) of the said section, the same has been published vide notification No..... dated .....in the Rajprtra, Himachal Pradesh and a copy thereof is available for inspection at my office and ..... during office hours.

Place .....

Date.....

Sd/-

Director,  
Town & Country Planning Orgn.  
Himachal Pradesh, Shimla-171001.

-----

**Form-VII**

**NOTICE OF PUBLICATION OF DRAFT DEVELOPMENT PLAN**

In pursuance to the powers conferred under sub-section (1) of section 19 of the Himachal Pradesh Town and Country Planning Act, 1977 ( No. 12 of 1977), the draft development plan for .....(Planning Area) is hereby published and the notice is given that a copy of the said draft development plan is available for inspection at the following offices during the office hours:-

- 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 said draft plan, it should be sent to the Director, Town and Country Planning, Himachal Pradesh, Shimla, before the expiry of thirty days from the date of publication of this notice in the Himachal Pradesh Rajptra.

**SCHEDULE**

- (i) The existing land-use maps;
- (ii) A narrative report, supported by maps and charts explaining the provisions of the draft development plan;
- (iii) The phasing of implementation of the draft development plan as suggested by the Director;
- (iv) The provisions for enforcing the draft development plan and stating the manner in which permission to development may be obtained;
- (v) An approximate estimate of the cost of land acquisition for public purposes and the cost of works involved in the implementation of the plan.

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

Sd/-  
Director,  
Town & Country Planning Orgn.  
Himachal Pradesh, Shimla-171001.



**FORM-VIII**

**(See rule 10 (1) )**

Whereas the State Government in exercise of the powers vested in it under sub-section(1) of section 20 of the Himachal Pradesh Town and Country Planning Act, 1977 ( No. 12 of 1977) the State Government proposes to approve the draft development plan for .....(Planning Area) submitted to it by the Director, Town and Country planning Organization, Himachal Pradesh, Shimla, with modification specified in the schedule below.

Now, therefore, in exercise of the powers vested in him under sub-section (2) of section 20 of the said Act, the Government of Himachal Pradesh to invite the public objections to the said modifications within a period of 30 days from the date of publication of this notification in the Rajpatra, Himachal Pradesh.

Any objection and suggestion with respect to the said modification may be submitted by any person to the Secretary, Town and Country Planning Organisation, Himachal Pradesh Shimla-171002 in writing within the said period of thirty days and such objections and suggestions which may be received before the expiry of the period specified above will be considered by the State Government.

**SCHEFULE**

Sd/-

Secretary (TCP)  
to the Government of Himachal Pradesh,  
Town and country Planning Orgn..

-----

**FORM-IX**

(See rule 10(2) )

**NOTIFICATION AND NOTICE OF APPROVAL OF THE DEVELOPMENT PLAN**

Whereas the State Government in exercise of the powers vested in it vide sub-section (1)/sub-section (3) of section 20 of the Himachal Pradesh Town and Country Planning act, 1977 (No. 12 of 1977) has approved the Development Plan for .....(Planning Area).

2. Now, therefore, in exercise of the powers vested in him vide sub-section (4) of section 20 of the said Act, the Governor of Himachal Pradesh is pleased to publish the development plan as approved by the State Government and gives the notice that a copy of the said development plan may be inspected at the following offices during office hours, namely:-

1.....

2.....

3.....

4.....

3. The said development plan shall come into operation with effect from the date of the publication of this notification in the Rajpatra, Himachal Pradesh.

Sd/-

Secretary  
to the Government of Himachal Pradesh,  
Town and country Planning Orgn.

---

**Foot Note:- Where the notification pertains to the Development Plan approved without modifications reference to sub-section (3) of section 20 may be omitted and in case the development Plan is approved with modifications the reference to sub-section (1) of section 20 may omitted.**

**FORM-X**

**(See rule 12)**

**FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (1) OF SECTION 30 FOR DEVELOPMENT OF LAND**

From

.....  
.....  
.....

To

The Director,  
Town and Country Planning Orgn;  
Himachal Pradesh, Shimla-171001.

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

Sir,

I/We beg to apply for permission to undertake/carry out the development of the under-mentioned land:

- (a) Description of land (location with name of road(s) on/off which the property abuts and boundaries).
- (b) Area..... Sqm.....acres/hectares.

2. I/we attach herewith the following documents in triplicate, namely:-

- (i) Description of the land (location with the name of road(s) on/off, which the property abuts, and boundaries).
- (ii) Khasra plan showing Nos. of land in question and also adjoining Khasra falling within 200 meters from the outer limit of the land. The land applied for is shown in 'red' in Khasra maps..
- (iii) Location plan indicating the land in question main approach roads, important public buildings like hospitals, school, cinema, petrol pump and the existing uses surrounding the land.
- (iv) the existing landuse is Residential/commercial/Industrial/ Public Purposes/Open spaces/ Vacant land.

- (v) A general report showing all development proposals with respect to land in question.
- (vi) a plan showing details of utilities and services like water supply, drainage, electricity, sewerage/ septic tank, rain harvesting, parking etc. is provided and is shown along with the disposal of sludge water.
- (vii) Other architectural details.
- (viii) a note indicating the type of development proposed namely residential, commercial or industrial.

**\*3** "The plans have been prepared, designed and signed by  
 .....  
 ....."

(Name, Registration No. and Address of the Architect/Planner/Engineer/Draughtsman).

4. I/We have deposited a fee of Rs.....  
 .....(Rupees.....) in accordance  
 with the scale prescribed.

Yours faithfully,

(Signature of the applicant(s),

Address.....

.....

---

**\*Added vide notification No. TCP-F(6), dated 6.2.2001 appeared in Rajpatra 31.3.2001**

**FORM-XI**  
**(See rule 12)**  
**FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (1) OF**  
**SECTION 30 FOR DEVELOPMENT OF LAND**

From

.....  
.....  
.....

To

The Director,  
Town and Country Planning Orgn;  
Himachal Pradesh, Shimla-171001.

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

Sir,

I/We beg to apply for permission to rerect /re-erect /make addition and/ or alteration to/ undertake repairs to a building on piece of land measuring .....sq. meters.....over which I/we possess the necessary ownership rights, situate at ..... Street/Road, Ward No.....Block No.....Plot No..... Name of ..... Scheme.....(if any).....

1. I/We attach in triplicate.

- (a)..... sheets of plans, elevation and sections stated in the enclose schedule.
- (b) a specification of the proposed building on the prescribed form.

\*2 "the plans have been prepared, designed and signed by.....  
.....  
.....

(Name, Registration No. and Address of the Architect/Planner/Engineer/Draughtsman).

3. I/We have deposited a fee of Rs.....in accordance with the scale..... prescribed in sub rule(2) of rule 12 of the Himachal Pradesh, Town and Country Planning Rules, 1978 made under sub-section (2) of section 30 of the Himachal Pradesh Town and Country planning Act, 1977.

Yours faithfully,  
(Signature of the applicant(s),  
Address.....  
.....

---

**\*Added vide notification No.TCP-F(6), dated 6.2.2001 appeared in Rajpatra dated 31.3.2001**

**SPECIFICATION SHEET**

**SPECIFICATION OF THE PROPOSED BUILDINGS**

- (1) Total plot area.....sqm.
- (2) Total built up area:
  - Ground floor existing .....sqm.
  - Proposed.....sqm.
  - Ist Floor Existing.....sqm.
  - Proposed.....sqm.
- (3) The purpose for which it is intended to use the building.....  
.....
- (4) Specification to be used in construction of :-
  - (i) Foundation .....
  - (ii) Walls .....
  - (iii) Floors .....
  - (iv) Roads .....
- (5) Number of storeys of which the building will consist.....  
.....
- (6) Approximate number of persons proposed to be accommodated.....
- (7) The number of latrines to be provided.....
- (8) whether the site has been built up on before or not, if so, when did the previous building case to be fit for occupation.....
- (9) Source of water to be used for building purposed.....

Signature of applicant(s).

**SCHEDULE**

**PLANS-**

(1) Site plan in 1:200 scale showing all drainage lines, sewage connection/or location of septic tank, sock pit, rain water harvesting, house drainage and parking .

(2) Building plans to the scale of 1:100 scale showing:-

- |   |  |
|---|--|
| (i) Ground floor plan<br>(ii) Other floor plans<br>(iii) Typical cross section<br>(iv) Longitudinal section<br>(v) Two elevations | These drawings must be in the form of working drawing showing all the dimensions of rooms, openings, thickness of walls, roofs, flooring, foundations and damp proof course. |
|---|--|

(3) SCHEDULE OF AREA-

Built up Area.	.....Sqm.
Open Area	.....Sqm.
Total Plot Area	.....Sqm.

(4) SCHEDULE OF OPEN SPACES-

Front Set back	.....meters
Side Set back	.....meters
Rear Set back	.....meters

.....  
Signature of Applicant(s)

**FORM- XII**  
**(See rule 13)**

**TOWN AND COUNTRY PLANNING ORGANISATION**  
**HIMACHAL PRADESH, SHIMLA**

**ORDER**

No..... Dated Shimla-171001, the .....

To

Shri.....  
.....  
.....

Subject:- Application for permission for development.

Reference:- Your application No..... Dated.....

You are hereby granted permission under sub-section (1) to carry out the development works as mentioned in your application under reference subject to the following conditions, namely:-

- (1) Building permission shall be obtained from the Local Authority concerned before the commencement of the development.
- (2) the building operations shall be carried on strictly in accordance with the approved building plan.
- (3) .....
- (4) .....

Director,  
Town and Country Planning Orgn.  
Himachal Pradesh, Shimla-17001.

No. .... Dated Shimla-171001, the.....

(1)The Commissioner, Municipal Corporation/ Executive Officer, Municipal Council/ Secretary, Nagar Panchayat-----along with a copy of the approved plan for information.

(2)The Chairman, Town and Country Development Authority.....  
along with a copy of the approved plan for information.

Director,  
Town and Country Planning Orgn.  
Himachal Pradesh, Shimla-17001.

-----



**FORM- XIII**

(See rule 14)

**TOWN AND COUNTRY PLANNING ORGANISATION  
HIMACHAL PRADESH, SHIMLA**

**ORDER**

No.....

Dated Shimla-171001, the .....

To

Shri.....  
.....  
.....

Subject:- Application for permission for development.

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 clause© of sub-section (1) of section 31 of the Himachal Pradesh, Town and Country Planning Act, 1977 (No. of 1977) on the grounds given below:-

- (1) .....
- (2) .....
- (3) .....

Director,  
Town and Country Planning Orgn.  
Himachal Pradesh, Shimla-17001.

-----

**FORM- XIV**

**(See rule 16)**

**NOTICE**

No.....

Dated.....

From

.....  
.....  
.....

To

The Secretary (TCP) to the  
Government of Himachal Pradesh,  
Shimla-171002

Sir,

I/We beg to submit that I/we am/are owner(s) of land.....  
..... designated as.....in the Development Plan  
published vide Notice .....

- (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:-

.....  
.....

I/we pray that the Government may 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 ( No. 12 of 1977).

Encl:- As above.

Yours faithfully,

(Signature of the Applicant).

-----

**FORM -XV**

**TOWN AND COUNTRY PLANNING ORGANISATION  
HIMACHAL PRADESH, SHIMLA**

**ORDER**

No.....

Shimla-1, the.....

Whereas permission under sub-section(1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 to develop land was granted in favour of Shri.....vide..... this 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 and to other material considerations, that the permission to develop and should be revoked or modified.

Now, therefore the undersigned in exercise of the powers vested in him vide sub-section (1) of section 37 hereby revoked/ modified the permission to the extent as given below:-

(1).....

(2).....

(3).....

Chairman,  
Town and Country Development Authority.

Shri.....

.....

.....

-----

**FORM- XVI**

**( See rule 18 (4) )**

**TOWN AND COUNTRY PLANNING ORGANISATION HIMACHAL PRADESH,  
SHIMLA**

**ORDER**

No.....

**Dated, Shimla-1, the.....**

Whereas a claim under sub-section (1) of section- 37 for revocation or modification of permission to development land was filed before the undersigned by Shri..... 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 in him under sub section (2) of section- 37 hereby assess a award for an amount of Rs.....in favour of Shri..... in respect of his aforesaid claim.

Chairman,  
Town and Country Development Authority.

Shri.....

.....

.....

-----

**\*FORM- XVI-A**

**( See rule 19-A )**

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

No.....

Dated, Shimla-1, the.....

To

Shri.....

.....

.....

(Owner/Occupier)

**Subject:- Notice under 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/are carrying out/development on the land or you have changed or are changing the use of land i.e.....(Description of Land) ..... situated in Khasra No..... Ward/Mohal/Village..... Tehsil.....District.....Himachal Pradesh.

- (a) without the permission required under Section-15-A/16/31 of the above cited Act;
- (b) in contravention of the permission granted under Section.....vide letter/order No..... dated.....
- (c) in construction of the permission duly modified under section..... vide letter/order No.....dated.....
- (d) after the permission for development has been duly revoked under section..... dated.....vide letter/order No.....

You are hereby directed:

- (i) to restore the land to the condition existing before the development took place.
- (ii) to comply with the conditions of the permission granted or modifications approved and conveyed to you vide

- letter/order No.....  
dated.....
- (iii) to demolish the development made by you in contravention of the provisions of the Act and Rules made there under .e.g.....
  - (iv) to alter the development to conformity with the condition subject to which permission has been granted to you e.g.....
  - (v) to stop/discontinue the development operations e.g.....

Within a period of.....from the date of service of this notice. If within the period specified in this notice you fail to comply with the above direction(s) you shall be liable for action under section..... of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

.....(Signature)  
.....  
.....(Designation)

---

**(Strike off which is not applicable).**

---

**\*Added vide Notification No. TCP-F(6)-4/95, dated 13.9.96.**

**FORM-XVII**

**(See rule 19 )**

From

.....  
.....  
.....

To

The Director,  
Town and Country Planning Orgn.  
Himachal Pradesh, Shimla-171001.

Subject:- .....

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

With reference to your notice referred to above I/We beg to submit I/we may kindly be granted permission under sub-section (3) of Section-39 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12, of 1977) for retention on the land of .....building or works..... or continuance of the use of land for .....purpose.

2. The reason for retention on the land are as follows:-

.....  
.....  
.....  
.....

Yours faithfully,

Place.....

Dated.....

.....  
Applicant(s)

**\*FORM- XVII-A**

( See rule 19-A )

**TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH**

No.....

Dated, Shimla-1, the.....

**Subject:- Order under Section 39-A(1) to discontinue or to stop the development on land comprised of Khasra No..... Ward/Mohal/Village.....Tehsil..... District.....situated in the Planning Area/Special Area.**

Whereas it has been brought to the notice of the undersigned, pursuant to the inspection conducted on .....that unauthorized development is being or has been carried out by Sh.....on the land as detailed in Annexure-A to this order.

And whereas the said unauthorized development falls within.....Planning area/Special Area is being or has been carried out in contravention of the provisions of the Himachal Pradesh Town and Country Planning Act, 1977/violation of the permission approval and sanction/ completion accorded vide letter No.....

It is hereby directed that the said development shall discontinued forthwith on the above-referred land.

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

Shri.....  
Address.....  
.....  
.....

---

\* (Added vide Notification No. TCP-F(6)-4/95, dated 13.9.1996).



**ANNEXURE-A**

**Details of un-authorized Development**

**\*FORM XVII-B**

**(See Rule 19-B)**

**No.....**

**Dated.....**

Whereas it had been noticed that Sh.....  
s/o .....r/o.....who  
carrying out/had carried out unauthorized development on the Inad situated in Kh.  
No.....Ward/Mohal/Village.....  
Tehsil.....District.....to  
contravention of the provisions of the Himachal Pradesh Town and Country Planning  
Act, 1977 or in contravention of the conditions of the permission/ approval granted to  
him under the said Act:

And whereas the undersigned in pursuant to the powers vested in me  
under sub-section (1) of Section 39-A has ordered the discontinuance/stoppage of the said  
development vide this office order No.....dated.....

And whereas, the said development has not been discontinued by the said  
person in pursuance of the order under sub-section(1) of Section 39-A of the Act (ibid).

Now, therefore, the under signed, being the authorized officer in this  
behalf, in pursuance of the provisions contained in sub-section (2) of Section 39-A of the  
Act (ibid) required you to deploy adequate police force to remove, within  
..... days the said person by whom the development has been  
commenced and all this 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  
Government of Himachal Pradesh.

Shri.....  
Address.....  
.....  
.....

---

**\*(Added vide Notification No. TCP-F(6)-4/95. dated 13.9.1996).**

**\*FORM- XVII-C  
( See rule 19-D )**

**TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH**

**NOTICE UNDER SECTION 39(B) OF THE H.P. TOWN AND COUNTRY  
PLANNING ACT, 1977 (ACT NO. 12 OF 1977)**

No.....  
To

Dated, Shimla-1, the.....

.....  
.....  
.....

Whereas it has been brought to the notice of the undersigned, pursuant to the inspection conducted on..... that unauthorized development is being or has been carried out by you on the land situated in Kh. No..... Ward/Mohal/Village.....District.....in contravention of the provisions of section (15-A), 16 and 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act of 12 No. 1977) or in violation of the conditions of the permission/approval given to you vide letter No..... dated .....

Now, therefore, 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, it is proposed to make an order sealing the said unauthorized development under section 39-B of the Himachal Pradesh Town and country Planning Act, 1977.

Now, therefore, you are hereby called upon to show cause within a period..... 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 H.P. Town and Country Planning Act, 1977.

Take further notice that on.....(date) between.....(time) you and /or your contentions, failing which you shall be proceeded against exparte.

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 you contentions.

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

---

**\*(Added vide Notification No. TCP-F(6)-4/95, dated 13.9.1996).**

**\*FORM- XVII-D**  
**( See rule 19-E )**

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

No.....

Dated:.....

From

.....  
.....  
.....

To

The Director,  
Town and Country Planning Department,  
Himachal Pradesh, Shimla-171009.

Sir,

I/We beg to apply for composition of offences having carried out unauthorized construction on Khasra No.....Khata Khatauni No..... measuring.....situated at Mauza.....Pargana..... Tehsil.....District.....Himachal Pradesh. Detail of the unauthorized construction are as follow:-

1. (a) In case of deviation from the approved plan:-
  - (i) Original plan approved vide No.....dated.....
  - (ii) Deviation in the set backs (Floor wise).  
Ground floor .....sqm.  
First floor.....sqm.  
Second floor.....sqm.
  - (iii) Deviation in Floor Area Ratio.....sqm.
  - (iv) Extra coverage of plot.....sqm.
  
- (b) In case of total unauthorized construction:-
  - (i) No. of storeys of the building.....
  - (ii) Whether the construction carried out is as per Development Plan/Interim Development Plan regulations and other prescribed rules under section 15-A and 16 of the Act.....Yes/No.
  - (iii) Excess coverage of set backs than permissible.  
Ground floor .....sqm.  
First floor.....sqm.  
Second floor.....sqm.

- (iv) Whether building constructed on an under size plot.....Yes/No.
- (v) Whether the landuse of the land has been changed .....Yes/No If yes, changed from.....to.....
- (vi) Excess coverage than the permissible Floor Area Ratio.....sqm.
- (vii) Extra coverage of plot than permissible.....sqm.

2. I/We attach,

- (a) .....Sheets of plans, elevation and sections stated in the enclosed schedule.
- (b) Photographs of building from front and one side showing clearly the No. of storeys.
- (c) Jamabandi/Sale Deed.
- (d) Tatima showing access to the plot.
- (e) Location Plan
- (f) site Plan.
- (g) No. objection certificate from the collector in case the building or a part thereof, falls within the controlled area under the provisions of the Himachal Pradesh Road Side Land control Act, 1968.

3. The Plans have been prepared by.....(Name of the Registered) Architect/ Planner/Engineer/Draughtsman), Registration No.....Address.....  
.....

4. I/We have deposited a sum of Rs. 100/-towards the application fee vide treasury Challan, dated.....(Original attached).

Yours faithfully,

Address.....  
.....  
.....

## SCHEDULE

### PLANS:-

1. Site Plan in 1:200 scale showing all drainage lines, sewage connection/or location of septic tank, soak pit, house drainage, rain water harvesting and parking.
2. Building Plans to be scale of 1:100 scale showing:
  - (i) Ground floor Plan
  - (ii) Other floor plans
  - (iii) Typical Cross Section
  - (iv) Longitudinal section
  - (v) Two elevations.

These drawings must be in the form of working drawing showing all the dimensions of rooms openings, thickness of walls, roofs, flooring, foundations and damp proof course.
3. Schedule of Area:

Built up Area	.....sqm.
Open area	.....sqm
Total Plot Area	.....sqm.
4. Schedule of Open Spaces:

Front set back	.....metres
Side set back	.....metres
Rear set back	.....metres.

Signature of Applicant(s)

**FORM- XVIII**

**(See Rule 20(1) )**

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY**

**NOTICE**

It is hereby declared and published for the information of the general public under sub-section (2) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 ( No. 12 of 1977), that the .....Town and Country Development authority intends to prepare Town development Scheme for  
.....  
.....

Town and Country development Authority,  
Himachal Pradesh.

Place.....

Date.....

**FORM-XIX**

**(See rule 20 (2) )**

**NOTICE OF PUBLICATION OF DRAFT TOWN DEVELOPMENT SCHEME**

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

(1).....

(2).....

(3).....

(4).....

Any objection or suggestion which may be received in writing from any person(s) likely to be affected thereby within 30 days of the publication of this notice in the Himachal Pradesh Rajpatra 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.

Chairman,  
Town and Country development authority,  
Himachal Pradesh.

Place.....

Date.....

**FORM- XX**  
**(See rule 20 (2) )**

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY**

The Town Development Scheme for the area.....as approved under sub-section (4) by the committee constituted under sub-section (5) of section-52 of the Himachal Pradesh, Town and Country Planning Act, 1977 ( No. 12 of 1977) is hereby published for the information of the general public and copies of the said scheme are available for inspection during office hours at the following offices, namely:-

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

The said Town Development Scheme shall come in operation with effect from.....

Chairman,  
Town and Country Development authority,  
Himachal Pradesh.

Place.....

Dated.....

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**FORM-XXI**

(See rule 22 (1) )

**NOTICE UNDER SUB-SECTION-62 OF HIMAHCAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (NO 12 OF 1977)**

1. It is hereby notified and declared for the information of general public that the Town Development Scheme for .....has been completed.
2. The Town and Country Development Authority intends to levy development charges (as per schedule given below) in the .....area affected by the scheme adjacent to it.
3. The owner(s) of land falling within the aforesaid area are liable to pay the development charges specified under para above.
4. The objections, if any, in this behalf are invited, by the undersigned by .....date ( not later than 30 days from the date of publication of this notice).

<b>Sr. No.</b>	<b>Name of owner</b>	<b>Original Plot Area</b>	<b>Plot Value</b>	<b>Incremental value due to implementation of scheme</b>	<b>Incremental difference in value Col. 1,4,5.</b>	<b>amount payable by plot owner as development charges</b>	<b>Remarks</b>
1	2	3	4	5	6	7	8

Town and Country Development Authority,  
Himahcal Pradesh.

Place.....

Dated.....

**FORM-XXII**

**(See rule 22 (2))**

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY**

To

Shri.....

Son of Shri.....

Your landed property bearing Khasra No.....Property Nos.....of village/Town is affected by Town Development Scheme.....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 ( No. 12 of 1977) that the development charges of Rs.....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 30 days from the date of receipt of this notice.

Chairman,  
Town and Country Development authority,  
Himachal Pradesh.

**FORM-XXIII**

(See rule 23 (ix) )

**APPLICATION FOR.....PER CENT DEBENTURE(S) ISSUED BY  
THE TOWN AND COUNTRY DEVELOPMENT AUTHORITY  
YEAR.....200**

(Broker's Stamp to be affixed here).

To

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

Dear Sir,

I/We.....hereby apply for the debentures of  
the face value of Rs..... of the above issue and tender  
cash/cheque/draft for Rs.....for the purchase of .....  
percent, Town and Country Development Authority, debentures.....of the  
nominal value of Rs..... The debentures may kindly be  
issued to me/us in the denomination stated below:-

- \*Debenture of Rs.....(Rupees.....)
- \*Debenture of Rs.....(Rupees.....)
- \*Debenture of Rs.....(Rupees.....)
- \*Debenture of Rs.....(Rupees.....)

Yours faithfully,

.....  
Name/Names of applicant(s) in full  
(in Block letters.....  
Full address (in block letters).....  
.....  
Dated.....

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\*To be given in the figures and words.

- Note:-(1) The debentures will be issued in the denominations of 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) signature is by thumb marks, it should be witnessed by two persons. The full names, occupations and addresses of the witnesses 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 and Regulations, Bye-laws of the body/company; and
- (iii) Certified copy of the resolution in favour of the persons(s) authorized to deal in Government securities on behalf of the body/company.

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### APPLICATION RECEIPT

Development authority .....percent Town and Country  
 Debentures.....received from  
 Shri/Smt./Messers..... the sum of  
 Rs.....  
 (Rupees.....) By cash/cheque/ draft subject to  
 realization being application money for the above mentioned debentures.

.....  
 Town and Country Development Authority,  
 Signature and designation of the officer receiving money

N.B.-This receipt must be carefully preserved to be surrendered to the Authority duly discharged at the time of taking delivery of debentures.

By order,

Secretary,

**\*APPENDIX-I**

(See rule 10-A and 10-B)

**GUIDELINES FOR PERMISSION TO CHANGE LANDUSE, OR TO DEVELOP LAND OR TO SUB DIVIDE OF LAND IN AREAS WHERE LANDUSE IS FROZEN AND INTERIM DEVELOPMENT PLAN OR DEVELOPMENT PLAN HAS NOT BEEN PREPARED.**

**1. Application for permission:-**

- (1) After the boundaries of the land in question are marked, the applicant shall make an application addressed to the Director, and such application shall be accompanied by:-
- (a) a tatima;
  - (b) a copy of latest Zamabandi indicating ownership of the land accompanied by sale deed, if any;
  - (c) a copy of location plan, in the scale 1:1000 and four copies of site plan in the scale 1:200 showing access/road services, adjoining and use duly signed by the owner;
  - (d) a copy of treasury challan evidencing the deposit of fee; and
  - (e) such other documents as the Director may call for.

**II. Coverage, set back and height of buildings etc.-** Change of landuse or development of land shall subject to the following conditions:-

1. Coverage- Maximum permissible coverage of residential building in plots of different sizes shall be as under:-
- (a) On plots upto 90sqm. 65%
  - (b) On plots of 91 to 250sqm. 60%
  - (c) On plots of 251 to 250 sqm. 55% and
  - (d) On plots above 500sqm. 50%
2. **Front set back-** Minimum from set back of residential building on main road/path shall be 3 metres and minimum set backs on other sides shall be **2 meters.**

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**Added vide notification No. PBW(B&R) (B), 24(18)/90, dated 24.1.1997.**

3. **Row houses set back-** In row houses, where common wall is constructed rear set back shall be 2 meters; and side set backs shall be 2 metres after maintaining set backs with reference to the size of plat when the same lies in between the two roads.
4. **Set backs in between two road-** No construction shall be permitted on a piece of land left with buildable width less than 5 metres after maintaining set backs with reference to the size of plot when the same lies in between the two roads.
5. **Set backs for arterial roads-** Front set back of arterial roads with right of way of 24 and 18 metres shall be 7.5 metres and 5 metres respectively. Set back on other roads shall be as given in clause (2).
6. **Set backs in case of public utility services-** The set backs shall not be applicable to the services like petrol pump, electric sub-stations, road side infrastructures/ facilities such as rain shelter, landscaping, auto-services etc. which are specifically permitted on the acquired width of the road by the Government in the case of the Government land or the local authority of the area in the case where land belongs to a local authority.
7. **Parking-(a) Residential buildings-** where vehicular path or road exists or is proposed to be constructed, provision for car parking space/garage shall be compulsory. One car parking space/garage shall be provided for each of the storeys either on the ground floor or at any storey where the road connects the building. The owner of the building who do not possess any vehicle can use garage(s) as habitable room(s) and car parking space as a lawn. One garage upto 5.00mts. length can be permitted to the plot covering the space left for set back.  
  
**(b) Hotel buildings-** where vehicular path/ road exists, or is proposed to be constructed provision of car parking/garage shall be compulsory. The parking/garage can be allowed in front set back. The rate of provision of car parking space/garage shall be as under:-
  - (i) for Hotels within Municipal area Ground floor.
  - (ii) for Hotels outside Municipal area Ground floor.

(c) The height of garage shall not be more than 2.20 mtrs

(e) The maximum number of storey for Hotel shall not exceed three exceed three excluding parking floor.

8. **Height of buildings-** Minimum and maximum floor height for residential buildings shall be 2.70 metres. and 3.50 metres. respectively.
9. **Projections-** Uncovered balcony projection upto 1 metre shall be allowed over front set back of 3 metres; roof/slab projections and sun shades shall be allowed upto 45 cms. over set backs on all sides.
10. **Storeys-** Maximum number of storeys shall be four including basements and attic. Columns below basement or ground floor shall not be exposed and shall be covered by retaining wall. However, public and semi public, Govt. buildings can be allowed upto five storeys, if feasible as per site conditions and also subject to the conditions that there is sufficient open space available.
11. **Drainage-** the roadside drain shall be on hillside. However, I plain areas where there are buildings on either side of road, drain may be provided on both sides.
12. **Reconstruction of existing buildings-** Regulations regarding reconstruction of houses/ building in the existence shall be on predominantly existing building lines; provided minimum width of road as per rules is available and roof projections, sun shades upto 45cms. shall be permitted over street or paths, as the case may be.
13. **Change of land use for commercial purposes-** Change of existing land use for commercial, industrial, public and semi-public, Government and semi-Government offices shall be on existing pattern of development and side conditions.
14. **Basic Services-** where basic services like paved roads, drainage, water supply, sewerage disposal, electrical supply line, street lighting etc. do not exist, change of landuse, or development of land shall not be permitted unless the applicant undertakes that these services shall be provided at his own cost.
15. **Ecology not to be disturbed-** (1) Change of landuse or the development of land shall be made in such a manner that natural that natural profile of the land is least disturbed.  
  
(2) where, it is essential to development a plot by cutting, it shall be the responsibility of the plot owner to provide according to the engineering specifications, retaining and breast walls so that such cutting of natural profile of the land may not harm the adjoining uphill side properties. However, cutting of natural profile shall not exceed more than on storey

( 3 metres in any case having a provision of diaphragm wall for step housing).

(3) Change in the use of land or the development of land shall be made in the manner so as to achieve maximum air, light and sun where it is needed most.

**16. Carving of plots-**(1) 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.

(2) Layout of plots shall be governed by easy access having acceptable grades minimum 1.15 and which may not obstruct view or vista.

(3) For group of plots exceedings 10 in number on one particular access, minimum vehicular access shall be of 5 metres width. However, 3 metres minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.

(4) Minimum area:

Minimum area of a plot with set backs shall be :-

(i) In case of plots with four sides set backs	150 sqm.
(ii) In case of plots with for row housing:	
(a) Plots with one common wall	120sqm.
(b) Plots with two common walls	90 sqm

Provided that in exceptional circumstances, for the benefit of economically weaker sections and where the site conditions permit to do so, the Director may fix 60sq.mtrs. the minimum area of plots with two common walls.

(5) One common walls construction shall be allowed in plots upto 250 sqm. and two common walls construction in plots upto 120 sqm. subject to the condition that maximum number of such plots does not exceed 8 in row, after which a gap of 7 metres shall be left.

**17. Registration of sale deed etc.-** No registrar of the Sub-Registrar, appointed under the Indian registration Act, 1908 shall in any planning aea constituted under Section-13, register any deed or document of transfer of any sub-division of land by way of sale, gift, exchange, lease or mortgage with possession, unless the sub-division of land is duly approved by the Director, and an attested copy of the said approval is enclosed with deed or document, as the case may be."



## 'APPENDIX-II

(See rule-12(3) )

### LICENCING OF ARCHITECTS/ PLANNERS/ ENGINEERS/ DRAUGHTSMEN, THEIR QUALIFICATIONS AND COMPETENCY:

- 1. Essential requirements** - Every Plan / Design within the limits of Planning Area/ special Area shall be prepared/ designed/ signed by an Architect/ Planner/ engineer/ Draughtsman belonging to an appropriate class of Architect/ Planner/ Engineer/ Draughtsman and duly registered and licensed by the Director.
- 2. Categorization-** The licensed and registered Architects/ Planners/ Engineers/ Draughtsman 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 with 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/design/sign by such class of the registered and licensed Architect/ Planner/Engineer/Draughtsman shall be as under.

Class	Plot Area	Area for sub-division of plot
A-Class	No. limit	No limit
B-Class	500 sq. mtrs.	5000 Sq. mtrs.
C-class	250 sq. mtrs.	Nil

- 3. Class-wise Qualification-** The minimum qualification necessary for the registration and licensing of Architects/ Planners/ Engineers/ Draughts men of an appropriate class shall be as under:-

**Class-A-** A degree or equivalent qualification in architecture from a recognized University of Institute, making the holder eligible for Associate ship or Fellowship of the Royal Institute of British Architects or Institute of Architects (India) and registered with council of Architecture.

or

A degree or equivalent qualification in Town Planning or Regional Planning from a recognized university or Institute making the holder eligible for the Associate ship or Fellowship of the I Institute of Town Planners (India) or Royal Institute of Town Planners(London).

or

A degree or equivalent qualification in Civil Engineering from a recognized University or Institute, making the holder eligible for the Associate Membership of Institute of Engineers (India).

**Class-B-** three years diploma in Civil engineering or equivalent recognized for recruitment to the Himachal Engineering Service Class-III or three years diploma course in Architectural assistantship awarded by the State Board of Technical Education or Inter mediate in Architecture or equivalent.

**Class-C-** Diploma in civil Draughtsman ship/surveyor or equivalent from a recognized polytechnic/ Industrial Training Institute and recognized for recruitment to the Service of civil Draughtsman/ Surveyor.

**4. Registration/ Renewal Fee-** the non-refundable Registration/licensing fee and annual fee for renewal of license is given in the following table:-

Sr.No.	Category of License	Registration/Licensing fee(Rs.)	Annual license renewal fee (Rs.)
1.	Class-A :		
	(a) Architect/Planner/Engineer	1000/-	500/-
	(b) Group or Company of Architects/Planners	3000/-	1500/-
2.	Class-B	500/-	250/-
3.	Class-C	300/-	150/-

**Provided that Architects registered with council of Architects New Delhi under the Architects Act, 1972 shall not require registration under these rules:**

Provided further that for the area under the jurisdiction of Municipal Corporation, Class-A license shall be entitled to prepare the plans, and for the areas under the jurisdiction of Municipal Council. A and B class licensees shall be entitled to prepare the plans.

**5. Cancellation of Registration Certificate-** The director may suspend or cancel the registration/ license of any Architect/ Planner engineer/ Draughtsman 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 given in Appendix-I appended to the Himachal Pradesh Town and Country Planning Rules, 1978 properly provided that before the license is cancelled , an opportunity of being heard shall be afforded to the concerned Architect/Planner/Engineer/Draughtsman.

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**\*Added vide Notification No. TCP-F(6), Dated 6.2.2001**

## **\*APPENDIX-III**

**(See rule 10-C)**

### **Barrier free environment for the persons with disabilities.**

- (3) **Site Planning:** Every public and semi-public building shall have at least one access to main entrance/exist that 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 metres run and in front of the doorway. Minimum size of landing shall be 1000x2000 mm.
- (4) **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 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.
- (5) **Parking Provision:** (a) Surface parking for two equivalent car spaces shall have to be provided near entrance with maximum travel distance of 30 metres from building entrance. Width of parking bay shall be minimum 3.6 metres.  
  
(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.
- (6) **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 metres having 800 mm high handrail on both sides extending 300 mm beyond the ramp. Minimum gap from the adjacent wall to be 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.

**\*Added vide Notification TCP-A (3), 7/2006 Dated 24.2.2007**

- (2) **Entrance Door:** Minimum clear opening for the entrance door shall be 1000 mm.
- (3) **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:-

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

## **VII Lift:**

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

Clear internal depth	1100 mm
Clear internal width	2000 mm
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 1800mx2000 mm or more. Operation details of lift shall conform to the National Building Code of India.

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

- (a) Provision of washbasin 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 W.C. Seat shall be 500 mm from the floor.

## **IX 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 900 and 1200 mm from the floor level.

