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

GOVERNMENT OF HIMACHAL PRADESH

TOWN AND COUNTRY PLANNING DEPARTMENT

No.TCP-A(3)-1/2014 Dated Shimla-2, 1st December, 2014.

NOTIFICATION

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

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

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

CHAPTER-I

PRELIMINARY

Short title and commencement.

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

Definitions.

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

(a)"Act" means the Himachal Pradesh Town and Country Planning Act, 1977 *(*Act No. 12 of 1977) ;

(b)"amenity" includes roads, water supply, street lighting, drainage, sewerage, public parks, schools, hospitals, community centers and other community building, landscaping and any other public utility service;

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

(d)"Authority" means the Town and Country Development Authority or Special Area Development Authority, as the case may be, constituted under the Act;

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

(f)"Director" means the Director of Town and Country Planning Department, Himachal Pradesh;

(g)*"field office" means the Divisional, Sub-Divisional or Town Planning Office of the Town and Country Planning Department;"

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

(i)"Government" means the Government of Himachal Pradesh;

(j)"layout plan" means a plan of the colony depicting the division or proposed division of land into plots, roads, open spaces, amenities, etc. and other details as may be necessary;

(k)"local authority" means a Municipal Corporation constituted under section 3 of the Himachal Pra Act, 1994 or a Municipal Council or a

Nagar Panchayat constituted under section 3 of the Himachal Pradesh Municipal Act,1994 or Panchayati Raj Institutions constituted under the Himachal Pradesh Panchayati Raj Act,1994 or Cantonment Board or any other authority notified by the State Government for the purposes of the Act;

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

(m)"Secretary" means the Secretary (Town and Country Planning) to the Government of Himachal Pradesh.

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

CHAPTER-II

REGIONAL PLANNING

Form of notice.

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

Manner of publication of notice.

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

Manner of publication of Regional Plan.

5. The Notificationunder sub-section (2) of section 9 of the Actshall be in shall be published in the Official Gazette and in one or more newspapers having wide circulation within the area of the Region. A copy of the notice shall also be pasted at the office of the Director and fieldoffice(s) concerned.

Notice of modifications in Regional Plan.

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

Consideration of modifications in Regional Plan.

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

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

CHAPTER-III

PLANNING AREAS, DEVELOPMENT PLANS AND SECTORAL PLANS

Manner of publication of Existing Land Use Map.

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

Adoption of Existing Land Use.

9. A public notice shall be published under sub-section (3) of section 15 of the Act, in **form-6** in the Official Gazette and in one or more newspapers having wide circulation within Planning Area/ Special Area intimating that the Existing Land Use

Map has been duly prepared and adopted and shall be available for inspection during office hours in the office of Director, its field offices, office of the Authority (if any) and the office of the local authority.

Manner of publication of approved Interim Development Plan.

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

Manner of publication of draft Development Plan or Sectoral Plan.

11.A copy of the draft Development Plan, as prepared under section 18 or Sectoral Plan as prepared under section 21 of the Act, shall be made available for public inspection during office hours at the office(s) of the Director, the Authority(if any), the local authority and the field office(s) concerned for inviting the public objection(s) and

suggestion(s) under sub-section (1) of section 19 or section 23 read with section 19 of the Act, as the case may be. The notice of the preparation of the draft Development Plan or the Sectoral Plan, as the case may be, and of making them available for public inspection shall be in

form- 8 and shall be published in the Official Gazette and in one or more newspapers having wide circulation in the Planning Area/ Special Area.

Manner of publication of approved Development Plan or Sectoral Plan.

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

(2) A public notice shall be published under sub-section (4) of section 20or section 23 of the Act, in

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

Permission for development before preparation of Interim Development Plan or Development

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

Permission for development after preparation of*Interim Development Plan or Development Plan.

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

CHAPTER-IV

CONTROL OF DEVELOPMENT AND USE OF LAND

Intention of development undertaken on behalf of Union Government or State Government or local authority or any authority constituted under the Act.

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

(i) a copy of title/ownership documents i.e. latest jamabandi in original;

(ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for shall be shown in red, in the tatima;

(iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land;

(iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, trees, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their

specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal, and all such other matters which need to be co-ordinated with the adjoining area;

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

* *As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

(v) for sub-division of land into plots, three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, set backs, parks and open spaces, community buildings such as schools, dispensary, post office, bank etc. and all development proposals including a general report and mode so as to make scheme self explanatory;

(vi) for construction of building, Real Estate Projects**etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, Real Estate Projects** etc. and other architectural details and Specifications of proposed building, Real Estate Projects**etc. alongwith Schedule of Area including built up and open area, set backs, structural stability certificate and soil investigation report as specified in rule 21 of these rules and any other information or document or plan or design, as may be required by the Director;

(vii) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc; and

(viii) the name and address of the registered Town Planner/ Architect/ Engineer/ Draughtsman/ Surveyor.

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

Form of application for permission of development.

16.** *(1)** Any person, intending to carry out development of any land under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 30 or section 30-A (beyond the limits as specified under section 30-A) of the Act may apply for such development in of building alongwith the Specification and Schedule of area attached with the application form or for development of Real Estate Project may apply for such development in **Form- 34** either personally or by post i.e. off line or online.

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

Sr. No.	Component	Unit per Square meter of built up area	Municipal Limits		Outside Municipal Limits i.e. Rural Area	
			Residential Use ₹	Other than Residential Use ₹	Residential Use ₹	Other than Residential Use ₹
1	Fee for building permission/sanction/revision of building plan	M_2	8.00	10.00	5.00	8.00
2	Fee for addition/ alteration	M_2	8.00	10.00	5.00	8.00

3	Fee for approval of Sub-division of land	M_2	2.50		1.00	
4	Fee for Change of Land Use from the use as prescribed in the Interim development Plan/Development Plan to propose land use	M_2	16.00	20.00	10.00	16.00

* As amended *vide* Himachal Pradesh Town and Country Planning (Third Amendment), Rules 2018
** As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

Note:- (i) The Urban Local Bodies and Special Area Development Authorities shall have liberty to levy amended unitary fee under above components.

(ii) No fee shall be charged from the Below Poverty Line (BPL) families, Economically Weaker Sections (EWS) of the society and from the applicants of Social Housing Schemes notified by the Government from time to time upto 100 M_2 plot area. This benefit may be availed by a family only once. However, if the plot area is above 100M_2, the fee shall be charged on the additional area.

Registration, Qualification and Duties of Private Professionals.

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

Prescribed limits.

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

Form of permission and manner of communication.

19. The permission for development of land applied under sub- section (2) of section 15-A or clause (a) of section 16 or section 28 or section 29 or section 30 or section 30-A (beyond the limits as specified under section 30-A) of the Act shall be granted in

accordance with the provisions of the Act and these rules and shall be communicated to the person(s) concerned under section 31 of the Act in

form-13 and copies thereof shall be sent to the Authority, Local Authorities and any other office concerned with the development works alongwith a copy of the approved plan.In case of observations, the same shall be handed over to the applicant(s) failing which, the same shall be sent through registered (AD) or by speed post. The plan shall be approved and signed by the Director, modifications, if any, shall be shown in red lines and one copy of approved plan shall be sent to the applicant(s). In case of excessive modifications, fresh plan shall be demanded incorporating the revised plan showing all the modifications communicated by the Director.Such order shall be handed over to the applicant(s). If applicant (s) is present, his acknowledgment shall be obtained.

In case applicant(s) is not present, such order shall be sent to him under registered (AD) or by speed post. In case of deemed permission, intimation on simple paper alongwith total period of application retained by the Director shall be given by the applicant to the Director and the deemed permission shall be communicated to the applicant by the Director, provided it is in conformity to the provisions of the Act, rules and regulations of the Interim Development Plan or Development Plan.

***19-A.** The No Objection Certificate for releasing Service Connections or Completion Certificate in respect of the Building shall be granted by the Director after satisfying himself about completion of construction of building as per approved plan /revised sanction to be carried out by the owner.

The No Objection Certificate for releasing Service Connections or Completion Certificate shall be issued in **Form-13-A.**

Form of refusal and manner of communication.

20. The refusal for development of land applied under sub- section (2) of section 15-A or clause (a) of section 16 or section 28 or section 29 or section 30 (beyond the limits as specified under section 30-A) of the Act shall be communicated to the person(s)

form-14. Such order shall be handed over to the applicant(s). If applicant(s) is present his acknowledgment shall be obtained. In case applicant(s) is not present, such order shall be sent to him under registered (AD) or by speed post.

*As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

Structure Stability Certificate.

***21(1)** The Soil Investigation Report shall be submitted by the applicant before construction of building(s) for the areas falling in sliding and sinking zones as defined in the respective Interim Development Plans or Development Plans or for any reclaimed

(2) The Structural Stability Certificate shall be furnished by the applicant at the time of applying for permission and before putting the building into use. The Structural Stability Certificate shall be given by the Structural Engineer in

Form-15.

Explanation- The minimum qualification for a Structural Engineer shall be Graduation in Civil Engineering of recognized Indian or foreign university or Institution of Engineers (India), and with minimum six years experience in structural engineering practice with designing and field work.

Note: (i) In the case of post-graduate degree of recognized Indian or foreign university in the branch of structural engineering, experience of four years shall be required and in the case of doctorate in structural engineering, experience of one year shall be required."

(ii) Structural Engineer would be registered with the Department. Separate Notification for registration of Structural Engineer would be notified by the Administrative Department.

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

form-16.

(i) It shall specify the date of order against which the appeal is made. A copy of the order thereof shall be attached;

(ii) It shall specify a clear statement of facts and the grounds on which the appeal is made;

(iii) It shall specify precisely the relief prayed for; and

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

"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. 100/- through Treasury Challan or through e-payment.

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

Supply of copies of order or proceedings of record.

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

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*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

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

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

Notice by owner to purchase interest in land.

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

Manner of communication ofrevocation and modification orpermission to development.

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

Manner in which amount in lieu of expenditure incurred to be paid.

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

(1)Every claim under sub-section (2) of section 37 of the Act shall be made to the Town and Country Development Authority or the Special Area Development Authority within 90 days from the date of service of the order of revocation or modification.

(2)The claim shall be made in writing supported by details of expenditure incurred in carrying out development according to the permission granted and a further detailed estimate of such of the expenditure as has been rendered abortive on account of an order of revocation or modification of permission originally granted both being prepared by a Registered Private Professional.A certified copy of the commencement certificate under which permission for development was originally granted shall accompany such claim. The Town and Country Development Authority or the Special Area Developme be, shall forward such claim to the Town

Planning Officer who after giving the owner(s) reasonable opportunity of being heard shall send his report to the Town and Country Development Authority or the Special Area Development Authority, as the case may be. The Town and Country Development Authority or the Special Area Development Authority, as the case may be, after considering the report of the Town Planning Officer shall assess and award, subject to provision of section 11 of the Act, such amount to the owner (s) as it thinks fit.

(3)Every order regarding claims preferred by the owners and passed under sub-section (2) of section 37 of the Act, shall be communicated in

form-19 and shall be handed over to the owner(s). If owner (s) is present his acknowledgment shall be obtained. In case owner (s) is not present, such order shall be sent to him under registered (AD) or by speed post.

(4)The notice of refusal to accept the amount offered by the Town and Country Development Authority or the Special Area Development Authority, as the case may be, shall be given by the owner(s) within 30 days from the date of receipt of the offer.

Form of notice for demolition.

27. A show cause notice to afford reasonable opportunity of being heard shall be served upon the defaulter by the Director in

Form of notice for demolition, alteration, discontinuation of unauthorized

28. The notice under sub-section (1) of section 39 of the Act shall be in

Form of notice to stop or seal the un-authorized development.

29. The notice under sub-section (2) of section 39 of the Act shall be in However, the notice under this rule may be given only after the non-compliance of the notice given under rule 28.

Application for composition of offences.

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

Form of order to stop unauthorized development

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

Police Assistance

32. Where any development after the service of the order under sub-section (1) of section 39-A of the Act is not stopped in pursuance of the notice served under rule 31of these

rules, the Officer empowered by the Government or the Competent Authority, as the case may be, shall, by an order in

form-24, request the Station House Officer of the nearest Police Station to deploy adequate Police force to remove the person(s) by whom development has been commenced and all his assistants and workman from the place of development and seize the construction materials, tools, machinery, scaffolding or the things used in such development and article so seized shall be dealt with or disposed of in accordance with the provisions of sub-sections (3) and (4) of section 39-A of the Act.

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

Sealing of unauthorized development.

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

** **(2)**Wherever any un-authorized part of a building is sealed under the provisions of subsection (1) of Section 39-B of the Himachal Pradesh Town & Country Planning Act, 1977, the Officer of the Government empowered in this behalf shall ensure that—

(a) the sealing is done in such a manner that the sealed portion is rendered non- usable. This may be done by sealing all the doors and windows by way of brick-walls, breaking/sealing the stair-case leading to the un-authorized portion and taking such measures as may be considered essential;

(b) if the un-authorized portion is sealed to the satisfaction of the Officer of the Government empowered in this behalf, the remaining portion of the building may be allowed to be used temporarily and services be re-connected if the violator/ owner agrees to remove the part of remaining un-authorized portion of the building within a

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016 ** As amended *vide* Himachal Pradesh Town and Country Planning (Second Amendment), Rules 2018

period of one year after obtaining an Undertaking in **Form 25-A** appended to these rules:

Provided that no sealing may be done on the part of building which has been approved by the Competent Authority.

Explanation.—Notwithstanding anything contained in Interim Development Plan and Development Plans prepared for Planning Areas and Special Areas and in areas referred under Appendix-I appended to these Rules, the provisions contained in this sub-rule shall apply alongwith

Form 25-A.”.

Composition of offences.

35. (1) Any person, not being the Union Government or Government or a Local Authority or an Authority constituted under the Act, may apply, under sub-section (1) of section

form- 26 to the Director for composition of offences. The permission for composition of offences shall be conveyed in **form- 27.**

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

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

Sr. No.	Offence	Composition Fee
1.	In case of building where plan was approved and deviations have been carried out from the approved plan beyond the permissible limits as specified under rules and Regulations to the extent of 10% over any or all the set backs on ground floor and all the subsequent floors. (If the deviations are within the permissible limits, applicant need to get revised plan approved by paying the fee as specified and applicable under sub-rule (2) of rule 16 of these rules.)	(i)In the case of building falling withinjurisdiction of Municipal Area @ Rs. 800/-per M_2 for ground floor level and @ Rs. 400/-per M_2 foreach subsequent floor level; and (ii)In the case of building falling outside the jurisdiction of Municipal Area @ Rs. 400/-per M_2 for ground floor level and @ Rs. 200/- per M_2 for each subsequent floor level.
*2.	In case of building where plan was not approved but construction carried out is as per the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations of Interim Development Plan or Development Plan.	The structure so constructed shall be regularized on payment of composition fee equal to 4 times of fee as specified and applicable under sub-rule (2) of rule 16 of these rules.
*3.	In case of building where plan was not approved and deviations have also been carried out beyond the permissible limits as specified under rules and Regulations to the extent of 10% over any or all the set backs on ground floor and all the subsequent floors.	The structure so constructed shall be regularized on payment of composition fee equal to 6 times of fee as specified and applicable under sub-rule (2) of rule 16 of these rules.

* As amended *vide* Himachal Pradesh Town and Country Planning (Fourth Amendment), Rules, 2019

4.	Building constructed on an under size plot to the extent of 10% less than the permissible plot size as specified under rules and Regulations.	(i) In the case of building falling within the jurisdiction of Municipal Area, @ Rs. 5000/- lump sum in addition to fee asspecified and applicable under sub-rule (2) of rule 16 of these rules; and (ii) In the case of building falling outside the jurisdiction of Municipal Area, @ Rs. 2000/-lump sum in addition to fee as specified and applicable under sub-rule (2) of rule 16 of these rules.

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

(ii)The deviations in Floor Area Ratio shall not require to be calculated separately, once deviations in individual floors in case of approved plan have been calculated.

However, in case of totally un-authorized construction no extra storey more than permissible under the Development Plan, Interim Development Plan or rules under sections 15-A or 16 of the Himachal Pradesh Town & Country Planning Act, 1977 shall be allowed."

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

Provided further that each offence shall be compounded separately.

CHAPTER-V

TOWN AND COUNTRY DEVELOPMENT AUTHORITY

Preparation of Town Development Scheme.

36. (1) The Town and Country Development Authority shall publish a notice under sub-section (2) of section 52 of the Act, in

form -28 declaring intention of making a Town Development Scheme in the Official Gazette not later than thirty days from the date of declaration of intention to make Scheme and or more news papers having wide circulation in the locality. Copies thereof shall also be made available for inspection in the office of the Town and Country Development Authority concerned.

(2) Notice under sub-section (3) and sub-section (7) of section 52 of the Act, shall be in in one or more news papers having wide circulation in the locality.

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

Acquisition of land.

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

Mode of levy.

38. (1) Notice of intention to levy development charges under sub-section (1) of section 62 of or more news papers having wide circulation in the area. Copies of the said notice shall also be affixed in the concerned offices of the Town and Country Development Authority.

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

Power to borrow money.

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

(i) the Town and Country Development Authority may with the prior approval of the Government borrow money by issuing debentures for the purpose of the Act;

(ii) the amount of money to be borrowed by issue of debentures. The issue price of debenture and terms and maturity shall be determined by the Authority with the prior approval of the Government;

(iii) the rate of interest which debentures would carry shall be such as may, be fixed by the State Government;

(iv) no debentures shall be issued, except with the guarantee by the Government as to the repayment of principal and payment of interest;

(v) a sinking fund shall be constituted for the redemption of debentures and in case of any failure on this account an immediate report with reasons for such failure shall be made to the Government. The Authority shall be bound by such directions as may be issued by the Government in this behalf;

(vi) debentures shall be negotiable by endorsement and delivery;

(vii) the Authority may with the sanction of the Government reserve the debenture*bond 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;

form- 33;

(x) subscriptions to the debentures may be made by cheques or demand drafts drawn in favour of the Town and Country Development Authority;

(xi) if the subscriptions exceed the total amount of the debentures issued, partial allotment may be made and the balance of the sum paid at the time of applications, shall be refunded as soon as possible. No interest shall be paid on the amount so refunded. The Authority may reserve the right to retain the subscriptions, received upto ten percent in excess of the sum floated;

(xii) the debentures shall be issued in the denomination of Rs. 100/-, Rs. 500/-, Rs. 1,000/-, Rs. 5,000/-, Rs. 25,000/-, Rs. 50,000/-, Rs.1, 00,000/- and Rs. 5, 00,000/-;

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

(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 ***debentureshave** been lost or has been mislead, a new debenture may be issued only after the debenturewhich is alleged to be missing or un-recognizable has been advertised by the claimant and in the manner specified by the Authority and is not claimed by any other person; and

(xvi) the re-issue of the debenture shall be made for the same amounts under the same number with the addition of the word “Re-newed”. A fee of Rs10/- shall be charged for every renewed debenture to be issued.

CHAPTER-VI

SPECIAL AREAS

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

40.(1) The Special Area Development Authority may for the purpose of the Act, raise loans under sub-section (3) of section 72 of the Act, in pursuance of a resolution passed at a special meeting convened for the purpose:

Provided that:

(i) no loan shall be raised without the prior sanction of the Government; and

(ii) the terms upon, the period within, and the method by which the loan is to be raised and repaid shall be subject to these rules and the approval of the Government.

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

(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.

Infrastructure and Maintenance Charges

***40-A** The Special Area Development Authority may levy the infrastructure and maintenance charges on commercial establishments including industries, hotels, brick kiln, apartments, shopping malls etc. which may be utilized on development and maintenance of infrastructure like roads, parks, parking, etc. at such rates as may be notified by the Special Area Development Authority concerned with the prior approval of the Government".

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

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CHAPTER- VII
REGISTRATION OF PROMOTERS AND ESTATE AGENTS

Regulations for Real Estate Project

41. The Regulations for development of Real Estate Projects shall be as specified in Appendix-7.

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*As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

FORM-1

(See rules - 3 and 4)

NOTICE OF PUBLICATION OF DRAFT REGIONAL PLAN

No…… Dated…….

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

1……..

2……..

3……..

4……..

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

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

SCHEDULE

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

Place……..

Date……

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Copy to:-

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

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

GOVERNMENT OF HIMACHAL PRADESH

TOWN AND COUNTRY PLANNING DEPARTMENT

FORM -2

(See rule 5)

NOTIFICATION OF APPROVAL AND NOTICE OF PUBLICATION OF APPROVED REGIONAL PLAN

No……. Dated…….

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

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

1…… 2
…….. 3
……..
4……...

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

Place_____

Date_____

Secretary (TCP), to the
Government of Himachal Pradesh

Copy to:-

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

3.The Director, Town and Country Planning Department Himachal Pradesh, Shimla. 4.Notice Board.

Secretary (TCP), to the
Government of Himachal Pradesh

GOVERNMENT OF HIMACHAL PRADESH

TOWN AND COUNTRY PLANNING DEPARTMENT

FORM-3

(See rule-6)

NOTICE OF MODIFICATIONS IN THE REGIONAL PLAN

No…….. **Dated……**

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

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

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

SCHEDULE

1 ……
2 ……
3 ……
4 ……

Place……

Date……..

Secretary (TCP), to the
Government of Himachal Pradesh **Copy**

to:-

1.The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Region.

2.The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.

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

4.Notice Board.

Secretary (TCP), to the
Government of Himachal Pradesh

GOVERNMENT OF HIMACHAL PRADESH TOWN AND COUNTRY PLANNING DEPARTMENT

FORM-4

(See rule 7)

NOTIFICATION OF APPROVAL OF THE REGIONAL PLAN

No…….. **Dated……**

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

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

1 …….. 2
……. 3
…….. 4
.…….

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

Place……

Date…….

Secretary (TCP), to the

Government of Himachal Pradesh

Copy to:-

1.The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Region.

2.The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.

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

4.Notice Board.

Secretary (TCP), to the

Government of Himachal Pradesh

TOWN AND COUNTRY PLANNING DEPARTMENT

HIMACHAL PRADESH

FORM -5

(See rule -8)

NOTICE OF PUBLICATION OF EXISTING LAND USE MAP

No…….. Dated…….

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

1.……...

2……

3 …….

4 …….

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

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

Place……...

Date……

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Copy to:-

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

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

FORM -6

(See rule - 9)

NOTICE OF ADOPTION OF EXISTING LANDUSE MAP

No……. **Dated…….**

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

Or

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

Or

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

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

1……..
2……..
3……..
4……..

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

Place……
Date…….

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Copy to:-

1.The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.

2.The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.

3.All the Town and Country Planners in Town and Country Planning Department, Himachal Pradesh.

4.All the Assistant Town Planners in Town and Country Planning Department, Himachal Pradesh.

5.Notice Board.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

GOVERNMENT OF HIMACHAL PRADESH
TOWN A DEPARTMENT

FORM -7

(See rule -10)

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

No……. **Dated……**

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

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

1……

2……

3……

4……

Place……

Date……..

Secretary (TCP), to the

Government of Himachal Pradesh

Copy to:-

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

Secretary (TCP), to the

Government of Himachal Pradesh

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

FORM-8

(See rule-11)

NOTICE OF PUBLICATION OF DRAFT DEVELOPMENT PLAN OR SECTORAL PLAN

No…….. **Dated…….**

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

1……
2……
3……
4……

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

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

SCHEDULE

1.The Existing Land Use Maps.

2.A narrative report, supported by maps and charts explaining the provisions of the draft Development Plan or draft Sectoral Plan.

3.The phasing of implementation of the draft Development Plan or draft Sectoral Plan as suggested by the Director.

4.The provisions for enforcing the draft Development Plan or draft Sectoral Plan and stating the manner in which permission for development may be obtained.

5.An approximate estimate of the cost of land acquisition for public purposes and the cost of works involved in the implementation of the draft Development Plan or draft Sectoral Plan.

Place…….

Date……..

Director

Town and Country Planning Department,
Himachal Pradesh, Shimla

Copy to:-

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

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT

FORM-9

(See rule- 12(1))

NOTICE OF MODIFICATIONS IN THE DEVELOPMENT PLAN OR SECTORAL PLAN

No…… **Dated…….**

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

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

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

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

SCHEDULE

1....……
2..……
3..……
4..……

Place ……..

Date……

Secretary (TCP) to the
Government of Himachal Pradesh **Copy to:-**

1.The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notice in one or more newspapers in circulation in the Planning / Special Area.

2.The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notice in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.

3.The Director, Town and Country Planning Department, Himachal Pradesh, Shimla. 4.Notice Board.

Secretary (TCP) to the
Government of Himachal Pradesh

GOVERNMENT OF HIMACHAL PRADESH
TOWN AND COUNTRY PLANNING DEPARTMENT

FORM-10

(See rule -12(2))

NOTIFICATION FOR APPROVAL AND NOTICE OF PUBLICATIONOF DEVELOPMENT PLAN OR SECTORAL PLAN

No……. **Dated…….**

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

Or

Whereas, objections and suggestions were invited on modifications by the undersigned under Rule 12(1) of the Himachal Pradesh Town and Country Planning Rules, 2014 vide Notice No……dated……with respect to the draft Development Plan for……(Planning/Special Area) or draft Sectoral Plan for Sector……of Development Plan for …….(Planning/Special Area); and whereas no objection or suggestions has been received.

Or

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

Or

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

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

1……..

2……..

3……..

4……..

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

Place ……...

Date…….

Secretary (TCP) to the

Government of Himachal Pradesh

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla for publication of this Notification in one or more newspapers in circulation in the Planning / Special Area.

2. The Controller, Printing and Stationeries Department, Himachal Pradesh, Shimla for publication of this Notification in the Official Gazette of Himachal Pradesh. A copy of Gazette publication may be sent to this office.

3. The Director, Town and Country Planning Department, Himachal Pradesh, Shimla. 4. Notice Board.

Secretary (TCP) to the

Government of Himachal Pradesh

……

FORM-11

(See rule 16(1))

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

No……

To

Dated……

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

Sir,

***"**I/we hereby apply for permission to undertake / carry out the sub-division/ development of land in Khata No……Khatauni No……. Hadbast No……Mauja/ Mohal No…….……. .Khasra No.……measuring…….. square Meter, over which I/We possess the necessary ownership rights, situated at Street/ Road/ Ward No. ……. Block No…….. Plot No…….. of Scheme…… (Name of the Scheme, if any) Village……..Post Office…….. Tehsil…… District……. Himachal Pradesh".

I/We hereby submit the following documents:-

(i) a copy of title/ownership documents i.e. latest jamabandi in original.

(ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the tatima**.**

(iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

(iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, tress, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal and all such other matters which need to be co-ordinated with the adjoining area.

(v) for sub-division of land into plots, three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, set backs, parks and open spaces, community buildings such as schools, dispensary, post office, bank etc. and all development proposals including a general report and mode so as to make scheme self explanatory.

(vi) a note indicating the type of development proposed i.e. land use or building use, namely residential orcommercial or industrial or public and semi-public etc.

Certified that the plans have been prepared, designed and signed by Sh./Smt./M/s…… d address of the registered Town

Planner/ Architect/ Engineer/ Draughtsman/ Surveyor) having Registration No…….dated…….

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

Enclosers: As above.

Yours faithfully,

(Signature of the Applicant(s))
Address……..
……...
……...
Phone No……...
*e-mail address……..

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

FORM-12

(See rule 16(1))

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

No…… **Dated……**

To

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

Sir,

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

I/We hereby submit the following documents:-

(i) a copy of title/ownership documents i.e. latest jamabandi in original.

(ii) a copy of latest original tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the tatima.

(iii) three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.

(iv) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, tress, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal and all such other matters which need to be co-ordinated with the adjoining area.

(v) for construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, etc. and other architectural details and Specifications (enclosed herewith) of proposed building, apartment, colony etc alongwith Schedule of Area (enclosed herewith) including built up and open area, set backs.

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

(vi) A copy of Structural Stability Certificate and a copy of Soil Investigation Report (for the areas falling in sliding and sinking zones as defined in respective Interim Development Plans or Development Plans or for any re-claimed piece of land). (Strike out which is not applicable).

(vii) a note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc.

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

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

Enclosers: As above.

Yours faithfully,

(Signature of the Applicant(s))
Address……..
……...
……...
Phone No……...
*e-mail address…….

SPECIFICATIONS

1. Total plot area = M^2
2. Total built up area of each floor:-
3. (i) Ground floor = M^2
4. (ii) First floor = M^2

(i) Second floor = M^2
(ii) Third floor = M^2
(iii)Fourth floor = M^2
(iv)……... = M^2

The purpose for which it is intended to use the building……

Specification to be used in theconstruction of:-

(i) Foundation……
(ii) Walls……
(iii) Floors……
(iv) Roofs……

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

5. Number of storeys of which the building will consist = Nos.
6. Approximate number of persons proposed to be accommodated = Nos.
7. The number of toilets proposed to be provided = Nos.
8. Whether the site has been built upon before or not, if so, when did the previous building cease to be fit for occupation……
9. Source of water to be used for purposed building ……...

……..

Signature of Applicant(s)

SCHEDULE OF AREA

1. Schedule of Area:-

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

2. Schedule of Open Spaces:-

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

……

Signature of Applicant(s)

……

Registered (AD) /Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

FORM- 13

(See rule-18 and 19)

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

No…… **Dated ……...**

ORDER

To

Sh./Smt./M/s……

……..

……..

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

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

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

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

Please acknowledge the receipt of this order.

Enclosers: As above.

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

Copy to:-

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

Enclosers: As above.

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

***FORM-13-A**

(See rule 19-A)

NO OBJECTION CERTIFICATE FOR RELEASING SERVICE CONNECTIONS OR COMPLETION CERTIFICATE

No…… To

Dated……

Shri/Smt./M/s…….

……

……

Subject: **No Objection Certificate for Releasing Service Connections or Completion Certificate.**

Reference: **Your Application No……. dated ……..**

This is in reply to your application under reference for issuance of No Objection Certificate for Releasing Service Connections or Completion Certificate. This No Objection Certificate for Releasing Service Connectionsor Completion Certificate is hereby granted in your favour for ……. storey building for ……. use on the land bearing Khasra No……..... Hadbast No..... Mohal / Mauza ……..... Tehsil..... District..... Himachal Pradesh, measuring …….. as the development works have been completed by you in all respects, as per approved plan/revised sanction granted to you, vide letter No……dated……as per the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

Further, this Department has no objection, if following service connection(s) with reference to section-83-A of the Himachal Pradesh Town and Country Planning Act, 1977 are released in your favour:-

Floor	Use	Number of service Connections (In Words)		
		Electricity	Water	Sewerage

This No Objection Certificate for Releasing Service Connections or Completion Certificate is issued subject to following condition(s):-

*As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

(i) That the said building is constructed as per the provisions of the Himachal Pradesh Town and Country Planning Act, 1977, the Himachal Pradesh Town and Country Planning Rules, 2014 and the Regulations contained in the respective Interim Development Plan/ Development Plan of the concerned Planning Area/Special Area.

(ii) This No Objection Certificate for Releasing Service Connections or Completion Certificate is subject to withdrawal, in case, if above named person carries out any un-authorized construction or any addition/alteration in old building or in case any documents produced by him/her are found fake.

(iii) The service connection(s) is/ are issued for the above referred buildings constructed over the Khasra number as mentioned above. If the service connections are installed in other building (s) or other Khasra numbers, the same shall stand withdrawn.

***Note: -** Strike out whi

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

Copy to:-

1. The Executive Engineer, Division No. …, Himachal Pradesh State Electricity Board Ltd……..... for information and further necessary action.
2. The Executive Engineer, Division No.…..……, Himachal Pradesh Irrigation and Public Health Department ……..…….. for information and further necessary action.

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

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Registered (AD) /Speed Post TOWN AND COUNTRY PLANNING DEPARTMENT

HIMACHAL PRADESH

FORM- 14

(See rule -20)

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

No……

To

ORDER

Sh./Smt./M/s……
……..
……..

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

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

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

1.…….

2.…….

3.…….

One copyof refused plan is enclosed herewith.

Please acknowledge the receipt of this order.

Enclosers: As above.

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

FORM 15

(See rule-21)

FORM OF STRUCTURAL STABILITY CERTIFICATE AND SOIL INVESTIGATION REPORT

To

The Director,

Town and Country Planning Department,

Himachal Pradesh, Shimla.

Subject:- Structural Stability Certificate.

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

Name

(Civil Engineer)

Registration No……dated…….

Address……..

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

Name

(Geologist)

Registration No……dated…….

Address……..

(Strike out which is not applicable)

FORM-16

(See rule-22)

FORM OF APPLICATION FOR APPEAL

No. ……..

To

Dated……

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

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

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

Sir,

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

1……
2. ……..
3. ……..
4. ……..

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

1……
2. ……..
3. ……..
4. ……..

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

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

Place……
Date……..... Yours faithfully,

Enclosers: As above.

(Signature of the Applicant(s))
Address……

……..
…….....
Phone No……...

FORM- 17

(See rule 24)

NOTICE TO THE GOVERNMENT TO PURCHASE INTEREST IN THE LAND

No……

To

Dated……..

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

Sir,

*"I/we hereby apply for permission to undertake / carry out the sub-division/ development of land in Khata No……Khatauni No……. Hadbast No…….. Mauja/ Mohal No. ……. .Khasra No.……measuring…….. square Meter, over which I/We possess the necessary ownership rights, situated at Street/ Road/ Ward No. ……. Block No…….. Plot No…….. of Scheme…… (Name of the Scheme, if any) Village……..Post Office…….. Tehsil…… District……. Himachal Pradesh."

It is further submitted that:-

1. The land has become incapable of reasonably beneficial use in its existing state; or

2. The land cannot be rendered capable of reasonably beneficial by carrying out the permitted development in accordance with the permission; or

3. The sale value has been diminished due to the reasons given below:-

……
……
……
……
……

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

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

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

Enclosers: As above.

Yours faithfully,

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

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

Registered (AD) /Speed Post

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

FORM -18

(See rule-25)

ORDER OFREVOCATION/ MODIFICATION OF DEVELOPMENT PERMISSION

No…… **Dated ……..**

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

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

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

1……
2……
3……

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

Shri/ Smt./ M/s……
……..
……..

Registered (AD)/Speed Post

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

FORM-19

(See rule 26(3))

ORDER

No…….. **Dated……**

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

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

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

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

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

Registered (AD)/Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

FORM- 20

(See rule -27)

NOTICE UNDER SECTION 38 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977

(ACT NO. 12 OF 1977)

No……..

To

Dated, ……

Shri /Smt./M/s ……..

……..

…… (Owner/Occupier)

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

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

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

OR

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

OR

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

OR

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

OR

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

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

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

(Strike out which is not applicable).

Registered (AD)/Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM- 21
(See rule -28)
NOTICE UNDER SUB-SECTION (1) OF SECTION 39 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977
(ACT NO. 12 OF 1977)

No……..
To

Dated, ……

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

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

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

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

OR

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

OR

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

OR

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

OR

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

Now, therefore, you are directed:-

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

OR

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

OR

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

(i)…….

(ii)……

(iii)……...

OR

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

(i)…….

(ii)……

(iii)……...

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

Director

Town and Country Planning Department Himachal Pradesh, Shimla (Strike out which is not applicable).

Copy to:-

1. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla / District Public Relation Officer, District …….Himachal Pradesh for information and circulation of this news item so that public may not go for purchase of illegal plot / flat / apartment /building as referred to above.

2. The Executive Engineer, Division No. …, Himachal Pradesh State Electricity Board Ltd…….. with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.

3. The Executive Engineer, Division No..… , Himachal Pradesh Irrigation and Public Health Department, …… with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.

4. Notice Board.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Registered (AD)/Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

FORM - 22

(See rule -29)

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

No…….. **Dated……..**

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

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

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

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

1……

2……

3……

Director
Town and Country Planning Department
Himachal Pradesh, Shimla Shri/Smt./M/s
……
……
……
(Owner/Occupier)

Copy to:-

3. The Director, Information and Public Relation Department, Himachal Pradesh, Shimla / District Public Relation Officer, District …….Himachal Pradesh for information and circulation of this news item so that public may not go for purchase of illegal plot / flat / apartment /building as referred to above.

4. The Executive Engineer, Division No. …, Himachal Pradesh State Electricity Board Ltd…….. with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.

5. The Executive Engineer, Division No..…, Himachal Pradesh Irrigation and Public Health Department,.…… with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.

6. Notice Board.

Director
Town and Country Planning Department
Himachal Pradesh, Shimla

Registered (AD)/Speed Post

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

***FORM- 23**

(See rule 31)

ORDER UNDER SUB-SECTION (1) SECTION 39-A OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977

(ACT NO. 12 OF 1977)

No…….. Dated……

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

Whereas, it has been brought to the Notice of the undersigned, pursuant to the inspection conducted on dated……,that un-authorized development is being or has been carried out by Shri/Smt./M/s……..on the above referred land, as detailed in **Annexure-A** to this order;

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

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

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

Shri/Smt./M/s…….
Address……...
……

ANNEXURE-A

(Details of un-authorized constructions)

1…….
2…….
3…….
4…….

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

*As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

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TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
FORM 24

(See rule 32)

FORM FOR POLICE ASSISTANCE

No…….

Whereas it has been noticed that

Dated……

Shri/Smt./M/s……S/o/W/o

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

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

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

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

……..(Signature)

……..(Designation)

for on behalf of the State

Government of Himachal Pradesh

Station House Officer,

……

……

Registered (AD)/Speed Post

TOWN AND COUNTRY PLANNING DEPARTMENT

HIMACHAL PRADESH

FORM- 25

(See rule 34)

NOTICE TO SEAL UN-AUTHORISED DEVELOPMENT UNDER SECTION 39-B OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)

No……..

To

Dated……..

Sh./Smt./M/s……

……...

……...

Whereas, it has been brought to the notice of the undersigned, pursuant to the inspection conducted on dated…… that un-authorized development is being or has been carried out by you on the land situated on Khasra No……Ward/Mohal/Village……Tehsil…….District…….Himachal Pradesh, in contravention of the Interim Development Plan/ Development Plan / Sectoral Plan/ Himachal Pradesh Town and Country Planning Rules, 2014 or without permission or approval or sanction as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) or in violation of the conditions of the permission/approval/sanction given to you vide Order No……dated ……; and

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

Therefore, you are hereby called upon toshow cause within a period of……days 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) ofthe Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977)**;** and

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

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

……..(Signature)

……..(Designation)

for on behalf of the State

Government of Himachal Pradesh.

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

FORM- 25-A

[*See* rule 34(2)]

UNDERTAKING

That I, Sh./Smt./Miss……..... s/o/w/o/d/o....., Resident of …… have undertaken un-authorized construction/development comprising of……... on land bearing Khasra No……..,. Hadbast No..... Mohal / Mauza ……..... Tehsil..... District..... Himachal Pradesh, on my own land.

That I have been served with a Notice under provisions of the Himachal Pradesh Town and Country Planning Act, 1977 by…… *vide* letter No.…… dated……..…

That in view of the opportunity of hearing afforded to me by the Competent Authority namely……..., I hereby agree to remove the un-authorized construction/development, within a period of…..……days / months from the date of issue of orders by the Competent Authority *vide* its Order No. …… dated……

That I may be allowed to use the remaining authorized portion of the building temporarily during this period.

That I shall remain entitled to the service connection(s) issued to me for the aforesaid building during the period mentioned above, after which the connections shall be liable to be disconnected and the Competent Authority shall be at liberty to initiate any action as per the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and Rules framed there under.

That I shall seal the un-authorized portion of the building on my own as per directions of the Competent Authority and the entire expenditure involved in sealing of the unauthorized portion of the building shall be borne by me, be it related to material or labour. In case sealing is done by the Competent Authority, the entire expenditure shall be paid by me to the Competent Authority, failing which the same shall be recovered from me as arrears of land revenue.

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

* As amended *vide* Himachal Pradesh Town and Country Planning (Second Amendment), Rules 2018

FORM 26

(See rule 35(1))

FORM OF APPLICATION FOR COMPOSITION OF OFFENCES UNDER SECTION 39-C READ WITH SUB-SECTION (3) OF SECTION 39 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977

(ACT NO. 12 OF 1977)

No……

To

Dated:……

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

Subject:-…….

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

Sir,

With reference to your Notice referred to above, I/we beg to submit that I/we may kindly be granted permission under section 39-C read with sub-section (3) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12, of 1977) for composition of offences i.e. deviations / un-authorized constructions/ developments having carried out on land bearing Khasra No……Khata/Khatauni No……measuring……square Metresituated at Mauza..... Pargana.....Tehsil……District……Himachal Pradesh. My /our original map was approved vide order No…….....dated…… (strike out if no map was approved).

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

1……

2.……..

3……

4……

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

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

(I) Schedule of Area:

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

(II) Schedule of Open Spaces:

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

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

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

(i) Ground Storey	=	M^2
(ii) First Storey	=	M^2
(iii) Second Storey	=	M^2
(iv)Third Storey	=	M^2

(v)Fourth Storey = M^2
(vi) Fifth Storey = M^2
(vii)……. = M^2

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

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

(II) Schedule of Open Spaces:
(i)Front Set Back = M
(ii)Left Side Set Back = M
(iii)Right Side Set Back = M
(iv)Rear Set Back = M

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

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

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

(II) Schedule of Open Spaces:
(i)Front Set Back = M
(ii)Left Side Set Back = M
(iii)Right Side Set Back = M
(iv)Rear Set Back = M

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

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

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

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

(I) Schedule of Area

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

The following documents are enclosed herewith:

(i) A copy of title/ ownership documents i.e. latest jamabandi in original.

(ii) A copy of latest original tatima showing dimensions of plot and width of access to the plot.

(iii) Two sets of Location Plan in the scale of 1:1000 showing North direction, land/building in question, abutting path, approach road, important buildings.

(iv) Two sets of Site Plan in the scale of 1:200, clearly showing the building within tatima dimensions and also showing all drainage lines, sewerage connection or location of septic tank, soak pit, rain water harvesting tank, solar passive arrangements and house drainage.

(v) Two sets of detailed architectural drawing of the existing building showing each storey with two cross- sections and two elevations of the building in the scale of 1:100. These drawings are in the form of working drawing showing all the dimensions of rooms, openings, thickness of wall, floor and slab etc.

(vi) Two sets of photographs taken from all sides of the building, clearly showing the number of storeys.

(vii) A copy of Affidavit to the effect that building has been constructed on own land and has not encroached upon any Government or other's land.

(viii) A copy of Structural Stability Certificate as per Section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No 12 of 1977).

*(ix) For the plots abutting National Highways: The access permission to properties along National Highways provided in Guidelines for access permission to Fuel Station and Properties along National Highways-amendments vide letter no RW-NH-33032/01/2017 dated 19th July 2018 shall be mandatory. For other State Highways, and Himachal Pradesh Public Works Department's scheduled roads the applicant shall be required to submit a **self-declaration/undertaking** to maintain minimum control width/ setback as per provisions of the Himachal Pradesh Road Side Land Control Act, 1968.

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

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

Enclosers: As above. Yours faithfully,

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

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

50

Registered (AD)/Speed Post TOWN AND COUNTRY PLANNING DEPARTMENT

HIMACHAL PRADESH

FORM- 27

(See rule- 35(1))

FORM OF PER ION OF OFFENCES

No……..
To

Dated……

Sh./Smt./M/s…….
……..
……..

Subject:- Permission for Composition of Offences.

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

This is in reply to your Application under reference on above cited subject.

You are hereby granted permission under sub-section (5) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for Composition of Offences carried out on the land bearing Khasra No. ……Mauja……..Tehsil……..District……Himachal Pradesh.

A copy of map duly compounded is enclosed herewith.

Please acknowledge the receipt of this Order.

Enclosers: As above.

Director
Town and Country Planning Department,
Himachal Pradesh, Shimla

……..

TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH

FORM 28

(See rule 36(1))

NOTICE OF DECLARATION OF INTENTION TO PREPARE TOWN DEVELOPMENT SCHEME

No…….. **Dated……**

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

Place…….Chairman
Date ……. Town and Country Development Authority
Himachal Pradesh

Copy to:-

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

Chairman
Town and Country Development Authority
Himachal Pradesh.

……..

TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH

FORM 29

(See rule 36(2))

NOTICE OF PUBLICATION OF DRAFT TOWN DEVELOPMENT SCHEME

No…….. **Dated……**

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

1…….

2…….

3…….

4…….

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

Place……. Chairman

Date ……. Town and Country Development Authority

Himachal Pradesh **Copy to:-**

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

Chairman
Town and Country Development Authority
Himachal Pradesh

TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH

FORM 30

(See rule 36(2))

NOTICE OF PUBLICATION OF FINAL TOWN DEVELOPMENT SCHEME

No…….. **Dated……**

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

Or

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

Or

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

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

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

1……..

2……..

3……..

4……..

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

Place…… Chairman

Date…….. Town and Country Development Authority

Himachal Pradesh

Copy to:-

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

Chairman
Town and Country Development Authority,
Himachal Pradesh.

TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH

FORM-31

(See rule 38(1))

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

No…….. Dated……

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

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

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

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

Place……

Chairman

Date……..

Copy to:-

Town and Country Development Authority Himachal Pradesh

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

Chairman
Town and Country Development Authority
Himachal Pradesh

TOWN AND COUNTRY DEVELOPMENT AUTHORITY
HIMACHAL PRADESH

FORM 32

(See rule 38 (2))

NOTICE FOR ASSESSMENT OF DEVELOPMENT CHARGES

No……..

To

Dated……

Sh./Smt./M/s……

…….

…….

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

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

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

Chairman

Town and Country Development Authority Himachal Pradesh

……..

FORM-33

(See rule 39)

APPLICATION FOR……PERCENT DEBENTURE(S) ISSUED BY THE TOWN AND COUNTRY DEVELOPMENT AUTHORITY

(Broker's Stamp to be affixed here). To

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

Sir,

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

*Debenture of Rs…….only (Rs…… only)

*Debenture of Rs…… only (Rs…… only)

*Debenture of Rs…… only (Rs…… only)

*Debenture of Rs ……only (Rs…… only)

Yours faithfully,

Dated……

Name of Applicant(s) (in Block letters)……..
Address (in Block letters)……
…….
…….

*To be given in the figures and words.

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

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

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

(i) Certificate of Registration Incorporation.

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

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

APPLICATION RECEIPT

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

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

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

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH
***FORM -34**
(See rules 13, 14 and 16)
APPLICATION FOR GRANT OF PLANNING PERMISSION FOR REAL ESTATE PROJECT

To

……
……
……

Sir,

I/we hereby wish to apply for the grant of planning permission to set up a Real Estate Project having name and style of project…… in Khata No……Khatauni No…… Hadbast No……Mauja/Mohal No.……Khasra No.……measuring……square Metres, Tehsil……District…… Himachal Pradesh.

1. The requisite particulars are as under:-

(i)Status of the Applicant, whether individual or Company or Firm or Association of Persons or Co-operative Society or joint family ……

(ii) In case of Individual or Association of Persons or joint family:-

(a) Name ……

(b) Father's Name …….

(c) Occupation ……..

(d) Permanent Address …….

(iii) In case of Firm or Co-operative Society or Company:-

(a) Name …….

(b)Address …….

(c) Copy of Registration Certificate ……..... (d) Major activities ……..

(e) Name and Address of Partners/ Chief Executive/ Full time Directors……..

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

(i)Whether applicant is Income Tax payee/ assesses, if so, give Permanent Account Number (PAN) No.…… alongwith Aadhar No…….

(ii)Whether the applicant had ever been granted permission to set up a Real Estate Project or Building or Apartment under any other law, if yes, details thereof……

(iii)Whether the applicant has ever established a Real Estate Project or is establishing a Real Estate Project, if, yes details thereof……...

2. The following Plans, Drawings and other documents are submitted online, namely:-

(i) a copy of latest Jamabandi(not being more than six month old), in original showing the title/ownership of the land under the Real Estate Project;

(ii)a copy of latest original Tatima(not being more than six month old), showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra numbers falling on all the outer limits/ boundaries of the land in question. The land applied for shall be shown in red, in the Tatima;

(iii)details of encumbrances on the land on which development of project is proposed including details of any rights, title, interest, dues, mortgage, litigation in Revenue Courts and name of party in or over such land or non-encumbrance certificate from an Advocate having experience of atleast ten years or from the revenue authority not below the rank of Tehsildar/ Naib Tehsildar, as the case may be;

(iv)three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land;

(v) three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, trees, slopes, contours at an interval of 5.00 Metre, if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highwaysshowing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit,Sewerage Treatment Plant, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal,firefighting, emergency evacuation services, use of renewable energy,and all such other matters which need to be coordinated with the adjoining area;

(vi)for plotted Projects i.e. sub-division of land into plots, three sets of drawings in the scale of 1:100 showing North direction, dimensions and area of plots, internal roads, setbacks, parks and open spaces, community buildings such as school, dispensary, post office, bank etc. and all development proposals including a general report and mode, so as to make thescheme self-explanatory;

(vii)for flatted Projects i.e. construction of building, apartment etc., three sets of drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment/flats etc. and other architectural details and specifications of proposed building, apartment/flat and all development proposals including general report etc. alongwith Schedule of built up area and open area, setbacks,

area calculation sheet of each plot or apartment/flat and any other information or document or Plan or Design, as may be required by the Director;

(viii) an explanatory note explaining the salient features of the proposed Real Estate Project in particular, the source of whole some water supply arrangements and site for disposal and treatment of storm and sullage water. Detailed specifications and designs of water supply schemes, storm water, sullage, sewage and sewerage with estimated costs of each component with cost analysisthereof;

(ix) three sets of drawings showing the cross-sections of the proposed roads indicating, in particular the width of the proposed drainage ways, cycle tracks and footpaths, green verges, position of electric poles, telephone poles and of any of other works connected with such roads. These drawings shall indicate the position of sewers, storm water channel, water supply and any other public health services. The detailed specifications and designs of roads, works thereof;

(x) one set of detailed specifications and structural design of buildings or apartments/flats with the detailed component wise estimated cost of buildings or apartments/flatsandan undertaking regarding the Structural Stability Certificate and Soil Investigation Reportthereof in**Form 15;**

(xi) a set of detailed specification and design for electric supply including street lighting,etc ;

(xii) an undertaking in the shape of **self-declaration/undertaking**to the effect that while constructing the building or apartment/flat, the promoter shall abide by and conform to the Himachal Pradesh Public Works Department's specification(s) for the quality of material to be used and quality of constructions;

(xiii) a note indicating the type of development proposed i.e. land Use or building use, namely residential or commercial or industrial or public and semi-public useetc; and

(xiv) the name and address of the registered Town Planner/ Architect/ Engineer.

3. I/We further hereby enclose the following documents, namely:-

(i) Check List as per **Appendix 7**.

(ii) Receipt in the shape of e-Challan or Challan or e -payment or Demand Draft drawn in favour of the Competent Authority amounting to Rs……only (Rs ……..only) as applicationfee.

4. It is further requestedthat I /we may be exempted from providing the following amenity or amenities in the proposed Real Estate Project and an explanatory note, in duplicate,alongwith plans marked A.B.C. (so on) as to why the said amenity or amenities are not required to be provided in the Real Estate Project are enclosed herewith:-

(i)……

(ii)……...

(iii)……..

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

Enclosures: As above.

Dated:……

Place:……..

Yours faithfully,

Signature of Applicant(s) alongwith full Name(s) Phone No……

E-mail address……

***"APPENDIX-1**

(See rules 13 and 14)

REGULATIONS FOR SUB-DIVISION OF LAND OR CHANGE OF LAND USE OR DEVELOPMENT OF LAND OR CONSTRUCTION OF BUILDING IN AREAS WHERE LAND USE IS FROZEN AND INTERIM DEVELOPMENT PLAN OR DEVELOPMENT PLAN HAS NOT BEEN PREPARED.

I. Application for permission:-

After the boundaries of the land in question are marked, the applicant shall make an application in Forms 11 or 12, as the case may be addressed to the Director and such application shall be accompanied by such documents as specified in Forms 11 or 12.

II. The minimum Plot Area, minimum Set Backs and maximum Floor Area Ratio (FAR) shall be as under:-

Sr. No.	Description and Minimum Plot Area	Minimum Set Backs (in Metre)				Maximum Floor Area Ratio	Maximum Height in Metres*
		Front	Left	Right	Rear		
1	2	3	4	5	6	7	8
	Residential Use						
1.	Detached Houses						
	(i)150 M_2 to 250 M_2	2.00	1.50	1.50	1.50	1.75	21.00
	(ii) Above 250 M_2 to 500 M_2	3.00	2.00	2.00	2.00	1.75	21.00
	(iii)Above 500 M_2	5.00	3.00	3.00	2.00	1.75	21.00
2.	Semi-detached Houses with common wall on one side						
	Upto 120 M_2	2.00	1.50	1.50	1.50	1.75	21.00
	Above120 M_2 to 250 M_2	2.00	1.75	1.75	1.75	1.75	21.00
3.	Row Houses with common wall on two sides						
	90 M_2 to 120 M_2	2.00	Nil	Nil	1.50	1.75	18.00
	Commercial Use						
1.	Booths upto 10 M_2	1.00	Nil	Nil	Nil	-	4.00
2.	Shops	2.00	Nil	Nil	1.00	-	6.00
	(i)Independent Shop/ Showrooms (standalone)	2.00	Nil	Nil	1.00	1.75	9.00
	above 10 M_2 to 30 M_2	2.00	1.50	1.50	1.50	1.75	21.00
	(ii)Row Shops with common wall on two sides above 30 $M_2$to 100 M_2	3.00	2.00	2.00	2.00	1.75	21.00
	(iii)Row Shops with common wall on two sides above 100 $M_2$to 250 M_2						
	(iv)Above 250 M_2 to 500 M_2						
3.	Shopping Complex						
	(i)500 M_2 to 1500 M_2	5.00	3.00	3.00	3.00	1.75	21.00
	(ii) Above 1500 M_2 to 4000 M_2	10.00	5.00	5.00	5.00	1.75	21.00
	(iii) Above 4000 M_2	12.00	7.50	7.50	6.00	1.50	21.00
	Parking (i) 500 M_2 to 1500 M_2 = 1.50 ECS per100 M_2 of built up area (ii)1500 M_2 to 4000 M_2= 2.00 ECS per100 M_2 of built up area (iii) Above 4000 M_2= 3.00ECS per100 M_2 of built up area						

4.	Tourism Unit (i) 250 M_2 to 500 M_2 (ii)Above 500 M_2 to 1500 M_2 (iii)Above 1500 M_2	 3.00 5.00 7.50	 2.00 4.00 5.00	 2.00 4.00 5.00	 2.00 3.00 4.00	 1.75 1.50 1.50	 21.00 21.00 21.00
* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016							
	Parking (i)250 M_2 to 500 M_2= 1.00ECS per 100 M_2 of built up area. (ii)Above 500 M_2 to 1500 M_2= 1.50ECS per 100 M_2 of built up area. (iii)Above 1500 M_2= 2.00 ECS per 100 M_2 of built up area. (iv)Tourism Units, can be known by the name of Hotel or Guest House or Eco-Tourism or by any other name. (v)In existing built up areas like Bazaars, the building line can be maintained.						
5.	Cinema / Cineplex 4000 M_2 and above	15.00	7.50	7.50	6.00	1.50	21.00
	Parking (i)3.00 ECS per 100 M_2 of built up area (ii)Other Regulations as per Cinematography Act shall also apply.						
6.	Multiplexes 4000 M_2 and above	15.00	9.00	9.00	9.00	1.50	21.00
	Parking (i)Permissible within the complex. (ii)Parking space to be provided within Multiplex @ 3 ECS for every 100 M_2 of built up area. (iii)Other Regulations as per Cinematography Act shall also apply. (iv)Multiplex complex shall mean an integrated entertainment and shopping centre/ complex having at least 2 Cinema Halls. The minimum area on which this use shall be permitted should not be less than 4000 M_2. Apart from Cinema Halls, the Multiplexes may also have Restaurant, Fast Food, Outlet, Pubs, Health Spas/ Centers, Hotels and other Re-creational activities. The shopping center may have Retail Outlet, Video Games, Parlours, Bowling Alleys, Health Centers, Shopping Malls, Office space.						
	Note:- 1.00 ECS (Equivalent Car Space) shall mean as under:- (i) For parking in open = 23 M_2 (ii)For parking in stilts or ground floor = 28 M_2 (iii)For parking in basement floor = 32 M_2						
7.	Multi level parking (i)500 M_2 to 1500 M_2 (ii)Above 1500 M_2 to 4000 M_2 (iii) Above 4000 M_2	 5.00 10.00 12.00	 3.00 5.00 7.50	 3.00 5.00 7.50	 3.00 5.00 6.00	 1.75 1.75 1.50	 21.00 21.00 21.00
Other Uses including public & semi –public, educational buildings, police/fire-stations, medical, community hall, library / religious buildings, etc.							
1.	(i)250 $M_2$to 500 M_2 (ii)Above 500 M_2 to 1000 M_2 (iii)Above 1000 M_2 to 5000 M_2 (iv)Above 5000 M_2	3.00 5.00 10.00 15.00	2.00 2.00 5.00 7.50	2.00 2.00 5.00 7.50	2.00 3.00 5.00 7.50	2.00 1.75 1.50 1.50	21.00 21.00 21.00 21.00

*Note: - The Maximum height of building further be dictated by the General Regulation clause No 2.

Industrial Use

Sr. No.	Type of Industry and Minimum Plot Area	Minimum Set Back in Metres				Maximum FAR	Maximum Height in Metres from Mean Sea Level upto 1000M	Maximum Height in Metres from Mean Sea Level above 1000M
		Front	Left	Right	Rear			
1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	Small Scale Industries 250 M_2 to 500 M_2	3.00	2.00	2.00	2.00	1.75	15.00	12.00
2.	Service/Light scale Industries Above 500 M_2 to 1000 M_2	5.00	2.00	2.00	3.00	1.50	15.00	12.00

3.	Medium Scale Industries Above 1000 M_2 to 5000 M_2	10.00	5.00	5.00	5.00	1.25	20.00	15.00
4.	Large and Heavy Scale Industries Above 5000 M_2	15.00	7.50	7.50	7.50	1.00	20.00	15.00

III. General Regulations

The following provisions shall be applicable where no specific mention is made, namely:-

1. Every plot should abut with path having 3.00 Meter width. In case the width is on lesser side, the applicant has to surrender land to make it 3.00 Metre wide.

2. The height of a building shall further be related to the width of abutting path:

For path less than 3.0M and non-vehicular -10 Metres For path less than 3.0M but vehicular -13 Metres For path between 3.0M to 5.00M -15 Metres

3. Maximum acceptable slope for development shall be 45 degrees.

4. Maximum height of plinth level shall be 2.00 Meters.

5. One parking floor shall be mandatory wherever feasible. Maximum height of parking floor shall be 3.00 Metres for residential use and 4.00 Metres for other uses. Shear walls shall be constructed on all the three sides of parking floor, so that it does not behave as a soft storey.

6. In case, space as per requirement for parking is available in open, over and above the set backs, condition of parking floor shall not be insisted. The closed floors in a building at any level, if proposed and feasible for parking may be converted into parking floors. However, only one parking floor shall be exempt from Floor Area Ratio (FAR), subject to the height of building restriction and structural stability.

Though, one parking floor is mandatory yet second parking floor can be constructed which will be optional. Here too only one parking floor shall be exempt from Floor Area Ratio (FAR), subject to the height of building restriction and structural stability.

Fee for parking floor(s) shall have to be payable in all cases.

7. Every room used or intended to be used for the purpose of an office or for habitation in any building shall have a height of minimum 2.75Meters and maximum 3.50 Meters measured from the surface of floor to lowest point of the ceiling (bottom of slab). The chimneys, elevators, poles, tanks and other projections not used for human occupancy may extend above the prescribed height limits. The cornices and window sills may also project into any required Set Backs.

8. Sloping roof shall be mandatory in hill areas (As per the URDPFI Guidelines, 2014 and National Building Code, 2005 hilly areas is any area above 600 m in height from mean sea level, or any area with average slope of 30°)which may be CGI, GI sheet or slate roof with facia.

(i) The roof shall be painted with post office red or forest green or natural roofing material such as slates. Height of sloping roof zero at eaves and maximum 2.75Metres at centre shall be permissible. The Dormer at suitable distance on either side of the roof shall be permissible subject to the condition that the ridge of Dormer shall be below the ridge line of main roof.

(ii) Roof top @ 12 M_2 per 1 Kilo Watt peak (KWp) shall be used for Solar Photovoltaic (PV) installations.

9. **Set Backs:-**

(i) Minimum front Set Backs from the line of controlled width of Highways and Himachal Pradesh Public Works Department's scheduled roads falling within the Planning Area /Special Area limits (excluding the land, included in the inhabited sites of a village as entered and demarcated in the Revenue record or on sites in notified Municipal or town area that are already built up) shall be 3.00Metres.

(ii) Minimum front Set Back from non-scheduled roads and Municipal roads shall be 3.00 Metres.

(iii) Every building should have a clear means of access there to from a street or road. The competent authority may require the provisions of an access lane or access road within the site of any new building. Where for the purpose of this Regulation, it is necessary to determine the width of any road or street, the same shall be determined by the competent authority.

*10. For the plots abutting National Highways: The access permission to properties along National Highways provided in Guidelines for access permission to Fuel Station and Properties along National Highways-issued vide letter no RW-NH-33032/01/2017 dated 19th July 2018 shall be mandatory. For other State Highways, and Himachal Pradesh Public Works Department's scheduled roads the applicant shall be required to submit a self-declaration/undertaking to maintain minimum control width/ setback as per provisions of the Himachal Pradesh Road Side Land Control Act, 1968.

11. Maximum hill cut of 3.50 Metre height shall be permissible. No building shall be built to abut against an earth cutting including a toe wall supporting an earth cutting and minimum 1.00 Metre distance shall be maintained between building and toe wall etc.

12. Issuance of No Objection Certificate (NOC) for water supply and electricity and sewerage connection:-

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

13. Any subsequent deviations made in the building constructed after getting the plan approved and after grant of No Objection Certificate (NOC) issued by the Department shall entail the entire building unauthorized and NOC so issued shall be withdrawn and the services shall be disconnected.

*14. Adequate distance from all the electric lines including HT/LT lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained. A Self Declaration/Certificate to this effect shall be submitted by the applicant in this regard.

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

15. Minimum permissible distance between two Blocks constructed on a plot shall be 5.00 Metres.

16. The construction shall be allowed at distance of 3.00 Metre and 5.00 Metre from Nullah and Khud respectively.

17. No residential building shall be permissible on land having buildable width less than 5.00 Metres after leaving Set Backs.

18. No construction shall be allowed within a radius of 2.00 Metre from the existing tree and 5.00 Metres from the Forest boundary measured from the circumference of an existing tree.

19. Construction on sandwiched plots in Bazaar area shall be permissible for shops as per existing building lines, only in existing built up areas.

20. In new sub-division of land :-

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

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

Habitable room	Minimum floor area Minimum width	9.50 M_2 2.40 M
Kitchen	Minimum floor area Minimum width	4.50 M_2 1.80 M
Bath room	Minimum floor area Minimum width	1.80 M_2 1.20 M
Water Closet (WC)	Minimum floor area Minimum width	1.10 M_2 0.90 M
Toilet (WC+ Bath)	Minimum floor area Minimum width	2.30 M_2 1.20 M
Minimum width of corridor	For Residential use For Other uses	1.00 M 1.20 M
Minimum width of stairs	For Residential use For Other uses	1.00 M 1.50 M
Minimum width of treads without nosing	For Residential use For Other uses	25 Centimeter wide for internal stairs 30 Centimeter wide for internal stairs case
Maximum height of riser	For Residential use For Other uses	19 Centimeter 15 Centimeter
Provision of spiral stair case	For Other uses except Residential use	Provision of spiral stair case not less than 1.50 Metredia w height for fire escape in addition to regular stair case
Openings	For sufficient air and light, windows and ventilators should have minimum area equi Floor area.	
Projections over doors, windows and ventilators.	0.60 M	-
Balcony Projections	1.20 M wide Balcony complete open on two sides with restriction of 50 % of buildi minimum front Set Back is 3.00 M shall be permissible.	

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

23. The Apartments and Colonies shall be dealt with as per Regulations contained in Appendix-7. The powers for Registration of Promoters / Estate Agents and powers for issuance of Licences shall vest with the Director (TCP) only and none other authorities.

24. Though minimum area of plot has been defined in Regulation II, yet the plots allotted by the Central or State Government under various Social Housing Schemes including Gandhi Kutir Yojana, Indira Awas Yojana, Rajiv Awas Yojana, Affordable Housing Schemes, launched by the Central or State Government, may be considered and permission accorded in relaxation of Regulations. However, the minimum area of plot for the persons belonging to the Economically Weaker Sections and Low Income Groups of society should not be less than 45 M_2 and 80 M_2 respectively.

25. Service floor wherever proposed for installation of plumbing and other services and to maintain the hygiene of habitable area in case of Commercial/ Shopping Complex and Tourism Unit. Service floor, wherever proposed shall have height restriction of 2.10 Metres and this floor shall not be counted in the FAR. However, the overall height restriction of building will remain the same.

26. **Re-construction of existing buildings:-**

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

27. **Change of Land Use:-**

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

***28. Relaxation in set backs, height of floors and building etc. may be allowed in Government projects in the public interest. In case of private construction/projects relaxation in set backs, height of floors and building etc. may be considered by the Competent Authority keeping in view the site conditions. However, in private projects having plot area of more than one hectare, relaxation shall be allowed by the State Government only.

29. Fire fighting provisions and specification shall be as per National Building Code of India, 2005.

*30. The onus of obtaining all the necessary approvals/clearances required from all the concerned Departments in respect of Self-Declaration/Certificate given by the applicant before starting actual execution of the work shall be on the applicant. The Department of Town & Country Planning shall not be liable for any violations done by the applicant in respect of other applicable acts, rules and any legal dispute.

**31. For all buildings located on valley side or hill sides of the roads and having minimum clear setback of 2.0 M within the plot, after controlled width/retaining wall and having clear access from the road, open to sky parking (uncovered and parallel to the building) on 50% frontage of such setback shall be permissible. In case of buildings on valley side, owners shall be permitted to construct temporary steel frame structure/ramp on 50% frontage of such setback for open to sky parking. The temporary parking platform so proposed should be see-through/ perforated/meshed (not solid sheet) in order to have

sufficient gaps/spaces for light and ventilation and should not obstruct any disaster management efforts and smooth flow of traffic on the abutting road and should be duly certified by a registered Structural Engineer.

Explanation.—Notwithstanding anything contained in Interim Development Plan and Development Plans prepared for Planning Areas and Special Areas and in areas referred under Appendix-I appended to these Rules, the provisions contained in this regulation shall apply.

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020 **As amended *vide* Himachal Pradesh Town and Country Planning (Sixth Amendment), Rules 2020 ***As amended *vide* Himachal Pradesh Town and Country Planning (Seventh Amendment), Rules 2021

*APPENDIX-2

(See rules 13 and 14)

REGULATIONS FOR INDUSTRIAL USE

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

1. Minimum area of plot:-

(a) For small scale industry shall be 150 M_2 to 500 M_2.

(b) For services/light scale industry shall be above 500 M_2 to 1000 M_2.

(c) For medium scale industry shall be above 1000 M_2 to 5000 M_2.

(d) For large and heavy scale industry shall be above 5000 M_2 to 10000 M_2 and above 10000 M_2.

(e) The plot area as mentioned in clauses (a) to (d) above would not be applicable in the cases where the sub-division of land has taken effect before the commencement of the Himachal Pradesh Town and Country Planning Rules, 2014.

(f) The plot area as mentioned under clauses (a) to (d) above would not be applicable for the individual plots, if any, created/allotted by the Himachal Pradesh Industries Department or the Himachal Pradesh State Industrial Development Corporation (HPSIDC) or the Himachal Pradesh Housing and Urban Development Authority (HIMUDA) or any Local Authority or any Authority constituted under the Himachal Pradesh Town and Country Planning Act,1977 (Act No. 12 of 1977) or any other Authority prior to coming into force of the Himachal Pradesh Town and Country Planning Rules, 2014.

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

2. Height of floor/storey:-

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

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

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

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

Sr.	Type of	Plot area	Minimum Set Back in Metres	Max.	Max. Height

No.	Industry	in M_2	Front	Left	Right	Rear	FAR	
1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	Small Scale Industries	150 to 500	3.00	2.00	2.00	2.00	2.00	There shall be no upper limit for height of structure of Industrial use, which shall be flexible as per the requirement of Industrial Enterprise. However the total floor area should be within the prescribed FAR.
2.	Services/ Light scale Industries	Above 500 to 1000	5.00	2.00	2.00	3.00	2.00	
3.	Medium Scale Industries	Above 1000 to 5000	10.00	5.00	5.00	5.00	1.50	
4.	Large and Heavy Scale Industries	Above 5000 to 10000	15.00	7.50	7.50	7.50	1.25	
		Above 10000	15.00	7.50	7.50	7.50	1.00	

Note:-

(i) Right of Way should not be less than 5.0 Mts. for plot having area upto 1,000 Sq. Mts. and in case of plots having area more than 1000 Sq. Mts., the Right of Way should not be less than 10.0 Mts.

(ii) Service area required for pharmaceutical units or such type of Industries under requirement of Goods Manufacturing Practice (G.M.P) shall not be included for calculation of FAR, provided it is only used for utilities and services but not in any case for production.

(iii)The Security Room/ Driver's Rest Room up to floor area of 25 M_2 would not be counted in permissible FAR.

(iv)Parking Floor up to 15 feet height (4.50 Mts.) shall be allowed and such parking floor would not be counted in permissible FAR. However, the subsequent parking floors shall be counted within FAR.

(v) 10% of the area at parking floor shall be allowed for drivers' room and toilets etc.

(vi)In case of plots having area of 5,001 Sq. Mts. and above regulations of minimum setbacks would be of mandatory. In other category of plots regulation of minimum front set back would be mandatory and rest of the setbacks shall be relaxable as per functional requirements of the industrial enterprise(s). This relaxability in set back's is subject to condition that the overall area under setbacks should be minimal area which was to be kept under the setbacks in case relaxability was not provided.

(vii)Micro, Small and Medium Enterprises after obtaining the title of land and applying for development permission may start physical implementation of project without waiting for statutory approvals under the Himachal Pradesh Town and Country Planning Act, 1977 in accordance with the provisions of self-certification as stated in para 7 (ii)(xii) of the "Himachal Pradesh Industrial Investment Policy-2019.".

4. Construction of Cellar:-

(a) Construction of Basement / Cellar exclusively for industries set up on plot size exceeding 1,000 Sq. Mts for captive use shall be allowed and same shall not be counted as a storey or in permissible FAR and should be constructed within the

prescribed setbacks and prescribed building lines and subject to maximum coverage on floor i.e. entrance floor and may be put for following uses:-

(i) storage of household or other goods of ordinarily combustible material;
(ii) strong rooms, bank cellars etc;
(iii)air conditioning equipment and other machines used for services and utilities of the building; and
(iv)parking spaces.

(b) The cellar shall have following requirements:-

(i) all the walls shall be kept dead and below the natural ground level except the portion kept for ventilation purpose;
(ii) every cellar shall be, in every part, at least 2.40 M in height from the floor to the underside of the roof slab or ceiling;
(iii)adequate ventilation shall be provided for the cellar and any deficiency in ventilation requirements may be met by providing mechanical ventilation in the form of blowers, exhaust fans and air conditioning system etc;
(iv)the minimum height of the ceiling of any cellar shall be 0.90 M and the maximum 1.20 M above the average surrounding ground level; (v) adequate arrangements shall be made such that surface drainage does not enter the cellar;
(vi)the walls and floors of the cellar shall be watertight and be so designed that the effects of the surrounding soil and moisture if any, are taken into account in design and adequate damp proofing treatment is given;
(vii)the access to the cellar shall be separate from the main and alternative staircase providing access and exit from higher floor. Where the staircase is continuous in the case of buildings served by more than one staircase, the same shall be enclosed type, serving as a fire separation from the cellar floor and higher floors. Open ramps shall be permitted, if they are constructed within the building line subject to the provision of clause (v) above;
(viii)in case partition in the cellars is allowed by the Authority, no compartment shall be less than 50.00 M^2 in area and each compartment shall have proper ventilation provision and the cellar partition shall however, conform to the norms laid down by the Fire Services; and
(ix)in no circumstances, construction of Toilet, Bath, Kitchen etc. shall be allowed in the cellar.".

APPENDIX-3

(See rules 13 and 14)

REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY PARK

1. Slope

Buildings of Information Technology (IT) Park shall be allowed upto 30_0 slope. The infrastructural services including roads shall be developed in accordance with the slope of the area.

2. Land Use structure of complex

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

3. Means of Access

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

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

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

4. Parking Provision

1. Residential = @ 1.00 car space per 75 M_2 floor area

2. Commercial = @ 1.50 car space per 75 M_2 floor area

3. Office Use =@ 1.25 car space per 75 M_2 floor area

4. Hardware Manufacturing Unit 5. Software development/ITES

= @ 1.00 car space per 60 M_2 floor area = @ 1.00 car space per 40 M_2 floor area

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

5. Maximum Floor Area Ratio (FAR)

Maximum Floor Area Ratio (FAR) shall be 1.75.

6. Maximum height of buildings

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

7. Set Backs

(i) Block to Block distance shall be $2/3_{rd}$ of average height of the Blocks.

(ii) Distance of structures from the adjoining properties and side Set Backs shall not be less than $1/3_{rd}$ of the height of the Blocks.

(iii) Minimum 3.00 M distance from internal roads shall have to be maintained.

8. Expansion Joints

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

9. Structural Stability

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

10. Environment and Health

(i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least three hours sun may be available for each building during winters. In case of residential structures, kitchen and services shall have to be provided along the external walls. However, if the water closets and bath rooms are not opening to the front, sides, rear and interior open spaces, these shall open to the ventilation shaft. The maximum size of ventilation shaft shall be 4.00 M_2 with minimum one dimension of 1.50 M.

(ii) The Developer shall ensure prior environmental clearance under the provisions of the Environment Protection Act, 1986 from the Competent Authority, besides consent of the Himachal Pradesh State Environment Protection and Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

11. Safety Measures

*(i) In case of buildings above 15.00 M height, No Objection Certificate from the Director of Fire Services or Chief Fire Officer, as the case may be, shall be required only at the completion stage.

(ii) The provision of stair cases shall be as per clause *"4.6.2" of Part-IV of the National Building Code of India i.e. minimum two stair cases for floor area of more than 500 M_2. At least one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in each flight.

(iii) Provision for lift shall be optional upto 3 storeys and 1 parking floor. However, for more than 3 storeys and one parking floor, it shall be mandatory requirement. The Developer shall make provision of power back up for the lift and general lighting within and outside the building at his own cost.

(iv) Provision for proper Fire Hydrants shall have to be made in the Complex and the layout, showing position and location of the same. It shall be made available to the nearest Fire Office.

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

12. Potable Water Supply and Rain Water Harvesting

*(i) Water Availability Certificate from the Himachal Pradesh Irrigation and Public Health Department regarding availability of adequate water supply and viability of design of rain water harvesting structure shall have to be furnished.

(ii) Adequate provision for rain water harvesting structure, @ 20 Liters per M_2 of the roof top area, shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

13. Parks and Tot Lots

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

14. Existing trees and plantation

(i) No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.

(ii) Plantation shall be ensured @ 125 trees per Hectare.

15. Distance from Natural drainage

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

16. Distance from Roads

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

***17. Distance from Electric Lines**

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained.

***18. Assessment of Power requirement**

In case power requirement assessment exceeds 50 KW, proper space for installation of electric Transformer and Transmission Lines of 11 KV shall be provided in the layout plan. The proposed space is to be got verified from the concerned Officer of the HPSEB Ltd. and accordingly reportshall have to be furnished.

19. Development of Infrastructure and its maintenance

(i) The Developer shall construct roads and drains, lay electric and sewerage lines and shall make provision for disposal of solid waste etc. Suitable site has to be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct to be constructed on the sides of the internal roads.

(ii) The Developer shall provide street light poles each at a distance of 30.00 M on either side of the roads.

(iii) The provision of community water reservoir has to be made in the Complex.

* As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

(iv) All the infrastructural services shall be maintained by the Developer, till such time when a Society is formed and got registered by the stakeholders and residents of the Complex or a Municipality or Gram Panchayat takes over the maintenance pursuits of the area.

20. Supervision

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

21. Integration

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

22. Preservation of local Heritage and Hill Architecture

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

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

APPENDIX-4

(See rules 13 and 14)

REGULATIONS FOR SOLAR PASSIVE BUILDING DESIGN

1. Scope

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

(i) All the Government and Semi-Government buildings.

(ii) Public and Semi-Public Institutions including Educational, Health, Community Centres, Banquet Halls, Inns and buildings of Autonomous Bodies.

(iii) Urban Local Bodies and Panchayati Raj Institutions.

(iv) Residential buildings in Urban and Urbanisable Areas.

(v) Residential Colonies and Apartments.

(vi) Commercial complexes and buildings related thereto including Hotels, Resorts, Lodges and Guest Houses.

(vii) Industrial buildings and complexes thereof.

(viii) Transport buildings such as Airport Terminals, Bus Terminals, Railway Stations etc.

(ix) New Townships.

2. Building Map

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

3. Site Selection

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

4. Orientation

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

5. Planning of Spaces

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

6. Integrating Solar Heating Systems in Building Designs

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

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

7. Solar Photovoltaic Panel (SPV) for Lighting

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

8. Solar Passive Cooling Design Features

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

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

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

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

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

9. Reducing Thermal Losses

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

10. Outer Wall Thickness

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

11. Installation of Solar assisted Water Heating System in Buildings

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

(a) Hospitals and Nursing Homes.

(b) Hotels, Lodges, Guest Houses, Group Housing or Apartments on an area of more than 1000 M_2.

(c)

(d) Hostels of Schools, Colleges, Training Centres and other Institutions.

(e) Barracks of Police.

Functional Buildings of public institutions like Airports, Bus Stands and Railway Stations.

(f) Community Centres, Banquet Halls and buildings for similar use.

*(g) Roof top @ 12 M_2 per 1 Kilo Watt peak (KWp) shall be used for Solar Photovoltaic (PV) installations.

11.2 (a) New buildings should have open space on the roof top which receives direct sun light. The load bearing capacity of the roof should at least be 50 Kg. per M_2. All new buildings of above categories must complete installation of solar water the same in use.

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

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

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

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

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

***** As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

APPENDIX 5

(See rules 13 and 14)

REGULATIONS FOR DEVELOPMENT OF BARRIER FREE ENVIRONMENT FOR THE PERSONS WITH DISABILITIES IN PUBLIC AND SEMI-PUBLIC BUILDINGS AND RE-CREATIONAL AREAS WITHIN THE LIMITS OF ECONOMIC CAPACITY

1. Site Planning:

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

2. Access Path/Walkway:

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

3. Parking Provision:

(a) Surface parking for two equivalent car spaces shall have to be provided near entrance with maximum travel distance of 30 M from building entrance. Width of parking bay shall be minimum 3.60 M.

(b) Guiding floor materials shall be provided or a device which guides visually impaired persons with audible signals or other devices which serves the same purpose shall be provided.

4. Approach to Plinth Level:

(a) Ramp shall be provided with non-slip material to enter the building. Minimum clear width of ramp shall be 1800 mm with maximum gradient of 1:12 between top and bottom of the ramp. Length of ramps shall not exceed 9.00 M having 800 mm high handrail on both sides extending 300 mm beyond the ramp. Minimum gap from the adjacent wall to the handrail shall be 50 mm.

(b) For stepped approach, size of tread shall not be less than 300 mm and maximum riser shall be 150 mm. Provision of 800 mm high handrails on both sides of the stepped approach similar to the ramped approach shall be provided.

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

6. Corridor connecting the Entrance/Exit:

The corridor connecting the entrance/exit for handicapped, leading directly outdoors to a place where information concerning the overall views of the specific building can be provided to visually impaired persons either by a person or signs shall be provided as follows:-

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

(a) Guiding floor materials shall be provided or devices that emit sound to guide visually impaired persons.

(b) The minimum width shall be 1500 mm.

(c) In case there is a difference of level, slope ways shall be provided with a gradient of 1:12.

(d) Handrails shall be provided for ramps/slope ways.

7. Lift:

For the buildings with more than 15.00 M in height, one lift shall be provided for the

wheel chair user with the following clear dimensions:-

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

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

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

(a) Provision of wash basin near the entrance.

(b) The minimum size shall be 1500 mm x 750 mm.

(c) Minimum clear opening of the door shall be 900 mm and the door shall be swinging/sliding type.

(d) Suitable arrangements for vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.

(e) The Water Closet (WC) seat shall be 500 mm from the floor.

9. **Refuge Area:**

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

APPENDIX 6

(See rules 13 and 14)

REGULATIONS FOR COLLECTION OF RAIN WATER

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

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

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

(i) The Rain Water Harvesting Structures are allowed to be constructed in set backs below ground level. If the storage is desired at any level above ground level, it has to be away from set backs within the permitted covered area.

(ii) The community Rain Water Harvesting Structure shall also be permissible.

(iii) Proper system for rain water capturing, storage as well as integration and distribution shall be ensured.

(iv) The stored rain water shall be utilized regularly for non-drinking usages including fire fighting, landscaping, gardening apart from domestic usages.

(v) No water supply connection shall be given to any building till Rain Water Harvesting System is put in place and subsequently operationalised.

(vi) The minimum capacity of Rain Water Harvesting Structure shall be worked out @ 20 Liters per square Metre of the roof top area.

(vii) Violator shall be liable for disconnection of Public Water Supply connection.

(viii) The owners of existing buildings without Rain Water Harvesting System shall have to install Rain Water Harvesting System within eighteen months after coming into the operation of these Regulations.

APPENDIX 7

(See rules 13, 14 and 67)

REGULATIONS FOR DEVELOPMENT OF APARTMENTS AND COLONIES

1. Site selection

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

2. Check List

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

Sr. No.	Description	As per Regulations	As proposed
1.	Scheme Area.		
2.	Slope of Area.		
3.	Means of Access.		
4.	Land Use Structure.		
5.	Coverage (i)Under Flats (Block wise). (ii)Under other uses (Block wise).		
6.	Total Built up Area.		
7.	Floor Area Ratio (FAR).		
8.	No. of storeys in each Block.		
9.	Height of each floor.		
10.	Total Height of Block.		
11.	No. of Flats/Dwelling Units in each Block.		
12.	Total Population.		
13.	Density per Hectare.		
14.	Detail of facilities like school, health services etc. with respect to population.		
15.	Parking provision.		
16.	Structural Stability Certification.		
17.	Distance of structures from natural drainage.		
18.	Distance of structures from Highways and other District Roads.		
19.	Distance of structures from HT/LT lines.		
20.	No Objection Certificate of competent authority of the Himachal Pradesh State Electricity Board Limited in case HT/LT line is crossing over/ nearby proposed site.		
21.	No Objection Certificate of the competent authority of National Highway / Himachal Pradesh Public Works Department or Local Bodies for approach to the proposed project as the case may be.		
22.	No Objection Certificate of the competent authority of Himachal Pradesh Forest Department.		
23.	No Objection Certificate of the competent authority of Himachal Pradesh Irrigation and Public Health Department or consent of Central Ground Water Authority regarding use of ground water.		
24.	No Objection Certificate of the competent authority of Himachal Pradesh Fire Services Department.		
25.	No Objection Certificate of the competent authority of Urban Local Bodies/Panchayats.		
26.	Provision of Rain Water Harvesting Structure.		

27.	Arrangement for disposal and treatment of solid waste, sullage, sewage, sewerage and storm water.		
28.	Provision for street lighting.		
29.	Name of the registered Town Planner / Architect/Engineer with full correspondence address, appointed for the job.		
30.	Name of the registeredStructural Engineer with full correspondence address, appointed for the job.		

3. Size and shape of Scheme Area

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

4. Slope

*****Apartment shall be allowed upto 45_0 slopes.

***5. Land Use structure of a Colony:-**

Sr.No.	Land Use	Percentage of Total Area
1.	Area under Apartments	30-35 %
2.	Commercial	02 -03 %
3.	Public and Semi- Public	06 -10 %
4.	Traffic and Transportation	10-15 %
5.	Parks and Open Spaces	10-15 %
6.	Area under Set Backs, pavement, plantation and landscaping etc.	Balance
-	Total	100 %"

Provided that Director may, for the reasons to be recorded in writing revise the percentage prescribed above keeping in view the location of the colony/project.

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

Note:-

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

6. *Means of Access

(i) The minimum access/approach from main road to the project site for construction of colony or apartments with a population of 1000 persons shall not be less the 5.00Metres and for population above 1000 persons shall not be less than 6.00Metres.

However, in case of low-rise, low-density and isolated vacation group housing projects an access / approach not less than 3.0 Metres can be considered. Such a project shall have an overall F.A.R. of not more than 1.0 and maximum building height of 10M.

(ii) Width and length of means of internal access for Colonies shall be as under:-

(a) For plain areas:-

Sr. No.	Width (in Metre)	Length upto (in Metre)
1.	5.00	250
2.	7.50	400
3.	9.00	1000

4.	12.00	Above 1000

(b) For hilly areas:-

Sr. No.	Width (in Metre)	Length upto (in Metre)
1.	5.00	400
2.	7.50	Above 1000

(iii)Promoter shall endeavor to provide footpaths within the prescribed width of roads/ lanes as above alongwith the main roads/ lanes.

7. Parking Provision

Parking provision shall have to be provided @ one vehicle i.e.18.00 M_2 area per 100 M_2 floor area. Maximum height of parking floor shall be 3.00 Metre including the depth of beam below the ceiling of the slab.

8. *Maximum Floor Area Ratio (FAR) shall be 1.75.

9. Floor Height and Maximum Height of Building

The minimum floor height of Apartments may vary from 3.00 Metres to 3.50 M. However, the overall height of the building shall not exceed 30.00 Metres in plains areas and 25.00 M including sloping roof in hilly areas of the State. Maximum height of sloping roof shall be in accordance with the volume of structure and the same shall not be

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

less than 300slope of the roof. The height of the Block shall be measured from plinth of the Block to the ridge of the roof including parking and roof. The minimum slope of the roof/ dormer shall not be less than 300. The colour of the roof shall be in post office red or grey green or any other colour conforming to the colour of the natural roofing material.

10. Set Backs

The Block to Block distance shall be 1/3rd of average height of Blocks subject to minimum of 6.00 M. Distance of Apartments from the adjoining properties and side Set Backs for plain area shall not be less than 1/3rd and for hilly area 1/4 th of the height of the respective adjacent Block subject to minimum of 3.00 M.*All the projections of the Apartments including any appurtenant shall be at a minimum distance of 1.00 M. from footpath or 2.00 M. from the roads/ lane.

11. Structural Stability

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

12. Environment and Health

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

Sr. No.	Height of Buildings (in Metre)	Size of Ventilation Shaft (in square Metre)	Minimum one dimension of the Ventilation Sh (in Metre)
1.	Upto 10.00	1.20	0.90
2.	Upto12.00	2.80	1.20
3.	Upto18.00	4.00	1.50

4.	24.00 & above	5.40	1.80

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

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

13. Safety Measures

(iv) In case of buildings above 15.00 M of height, No Objection Certificate (NOC) from the Director, Fire Services or Chief Fire Officer, as the case may be, shall be required.

(v) The provision of stair cases shall be as per clause *4.6.2 of Part-IV of National Building Code of India i.e. minimum of 2 stair cases for floor area of more than 500 M_2. Atleast one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in one flight.

(vi) Upto 4 storeys and 1 parking floor, provision for a lift shall be optional. However, for more than 4 storeys and one parking floor, it shall be mandatory requirement. The Promoter has to make provision of power back up for the lift and general lighting within and outside the building at his own cost.

*(iv) Adequate system of fire hydrants/ fire fighting systems to the satisfaction of Director General, Fire Services or Chief Fire Officers or the District Level Fire Officer, as the case may be, shall be required.

14. Potable Water Supply and Rain Water Harvesting

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

(ii) Adequate provision for rain water harvesting structure @ 20 Liters per M_2 of the roof top area shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

15. Parks and Open Spaces

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

16. Existing Trees and Plantation

(i) No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.

(ii) The Promoter shall ensure plantation of trees at least equivalent to the anticipated population of the area and the same shall have to be monitored by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla. Local varieties of trees with exotic impact and attraction shall have to be planted.

17. Distance from Natural Drainage

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

* As amended *vide* Himachal Pradesh Tow ules 2016

18. Distance from Roads

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

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

19. Distance from Electric Lines

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

20. Assessment of Power Requirement

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

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

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

22. Development of Infrastructure and its Maintenance

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

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

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

24. Supervision

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

***25.Preservation of the Natural Hill Profile:**

Promoter shall endeavor to develop the colony along the slopes of hill without much disturbance to the natural hill profile. In no case hill cut at any level shall not exceed 3.50Metres. ”

26. Preservation of local Heritage and Hill Architecture

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

***27.Urban and Regional Development Plans Formulation and Implementation (URDPFI) Guidelines.**

In case of any clarification with reference to any proviso or if there is no any specific provision, the provisions as envisaged in the Urban and Regional Development Plans Formulation and Implementation (URDPFI) Guidelines, 2014 of the Government of India or the National Building Code,2005 of India shall have to be adhered to.

APPENDIX 8

(See rules 13, 14 and 18)

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

1. Residential Buildings and Farm Houses

(i) Maximum floor area = 600.00 M_2

(ii) Maximum number of storeys = 3 Nos +1 Parking floor wherever feasible**.**

Note:- The applicant may have a maximum floor area of 600.00 M_2 distributed over not more than three storeys.

2. Commercial Use

(i)	Maximum floor area	=	100.00 M_2
(ii)	Maximum number of storeys	=	2 Nos.
(iii)	Minimum access	=	3.00 M
(iv)	Parking	=	For loading, un-loading and parking purpose suitable community parking space has to be arranged by the Shop owners.

Note:- The applicant may have a maximum floor area of 100.00 M_2 distributed over not more than two storeys.

***** As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016

3. Service Industries

(i)	Maximum floor area	=	100.00 M_2
(ii)	Number of storeys	=	1 No.
(iii)	Minimum access	=	3.00 M
(iv)	Parking	=	For loading, un-loading and parking purpose suitable community parking space shall have to be ensured by the Industrialists.

4. Public Amenities

(i)	Maximum floor area	=	As per requirement of the particular amenity.
(ii)	Maximum Number of storeys	=	3 Nos.
(iii)	Minimum access	=	3.00 M
(iv)	Parking	=	@ 0.50 to 1.50 equivalent car space per 100 M_2 of floor area.
(v)	Play fields in case of Educational buildings.	=	0.20 Hectare to 1.60 Hectare is Desirable, however, as peravailability of land.

5. Other Imperatives

(i) Structural safety and seismic proofing including soil investigation should be ensured.

(ii) Attic and basement shall be counted as a storey.

(iii) Sloping roof shall have to be ensured.

*(iv) No construction shall be raised within a distance of 3.00 Metre from the edge of the roads in respect of village roads.

(v) No construction shall be raised within the controlled width of major District roads.

*(vi) Minimum Set Back of 3.00 M from the controlled width of National Highways, State Highways and Scheduled Roads under the Himachal Pradesh Road Side Land Control Act, 1968 shall be kept.

(vii)Minimum Set Back of 2.00 M in front and 1.50 M in sides and rear side and from the adjoining property, Government land and 5.00 M from Forest land shall have to be maintained.

**(viii)Adequate distance from all the electric lines including HT/LT lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained. A Self Declaration/Certificate to this effect shall be submitted by the applicant in this regard

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016 * As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

*(ix) The applicant shall endeavor to develop the colony along the slopes of hill without much disturbance to the natural hill profile. In no case hill cut at any level shall not exceed 3.50 Metres.

(x) Provision of Rain Water Harvesting structure @ 20 Liters per M_2 of roof area should be made.

(xi) Septic Tank and Soak Pit should be constructed.

(xii)Preference shall be given for Solar Passive Building Design.

(xiii)Locational attributes, aesthetics, local building material, heritage and environmental aspects should also be taken into account.

6. Remarks :

(i) The benefit of above exemptions shall only be available to the residents and original inhabitants of the areas, who owned the property at the time of commencement of the Act and their natural heirs only and not to the persons who purchased land in rural areas.

**(ii) Any person intending to carry out development activities exempted under section 30-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) shall give information on simple paper alongwith a copy of original jamabandi and original tatima to the concerned Panchayat before carrying out development activities. The concerned Panchayat after verifying the documents, shall grant No Objection Certificate for releasing Service Connections or Completion Certificate to the applicant under Section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for obtaining service connections."

*(iii) In case of any constraints as per the site conditions in maintaining set backs, or any other regulations the Director or the concerned officer vested with the powers of the Director may relax the same. In case of any clarification with reference to any proviso or if there is no any specific provision, the provisions as envisaged in the Urban and Regional Devel d Implementation

(URDPFI) Guidelines, 2014 of the Government of India or the National Building Code of India shall have to be adhered to.

*APPENDIX 9

(See rules 13 and 14)

REGULATIONS FOR INSTALLATION OF COMMUNICATION TOWERS.

The Policy communicated by the Department of Information Technology, Govt. of Himachal Pradesh Shimla shall be applicable in toto in all the Planning Areas and Special Areas in the State of Himachal Pradesh subject to the condition that minimum set backs as applicable for residential buildings in that Planning Area or Special Area shall be applicable, in case tower is installed on ground. A Structural Stability Certificate of the building shall be mandatory for roof top towers and towers erected on ground.

* As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016 **As amended *vide* Himachal Pradesh Town and Country Planning (Fifth Amendment), Rules 2020

APPENDIX 10

(See rule 17)

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

1. Essential requirements-

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

2. Categorization-

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

Class	Plot Area for Building Plan	Area for Sub-Division of land	Class of Town where entitled to function
A-Class	No limit	No limit	Municipal Corporation, Municipal Councils, Nagar Panchayats and Rural Areas
B-Class	500 M_2	5000 M_2.	Municipal Councils, Nagar Panchayats and Rural Areas
C-Class	250 M_2	Nil	Nagar Panchayats and Rural Areas

3. Class wise Qualification-

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

(i) Class-A-

(a) A Degree or equivalent qualification in Town Planning or Regional Planning from a recognized University or Institute making the holder eligible for the Associateship or Fellowship of the Institute of Town Planners (India) or Royal Institute of Town Planners(London).

(b) A Degree or equivalent qualification in Architecture from a recognized University or Institute, making the holder eligible for Associateship or Fellowship of the Royal Institute of British Architects or Institute of Architects (India) and registered with the Council of Architecture.

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

(ii) Class-B-

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

(iii) Class-C-

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

4. Registration and Renewal Fee-

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

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

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

*****Provided that the Architects registered with the Council of Architecture, New Delhi under the Architects Act, 1972the Engineers registered with the Institution of Engineers (India), Kolkata and the Planners registered with the Institute of Town Planners (India) New Delhi shall not be required to be registered under these rules. However, such professionals shall be required to get empanelled with the Director without paying any fees. These professionals once empanelled shall not require any renewal of empanelment.

5. Cancellation of Registration-

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

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

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

*****Provided further that the Architects, Engineers and Planners registered with the Council of Architecture, New Delhi under the Architects Act 1972, the Institution of Engineers (India), Kolkata and the Institute of Town Planners (India), New Delhi respectively and empanelled with the Director shall only be suspended or cancelled by the said Institutions in which they are registered, on recommendations of the Director.

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***** As amended *vide* Himachal Pradesh Town and Country Planning (Amendment), Rules 2016