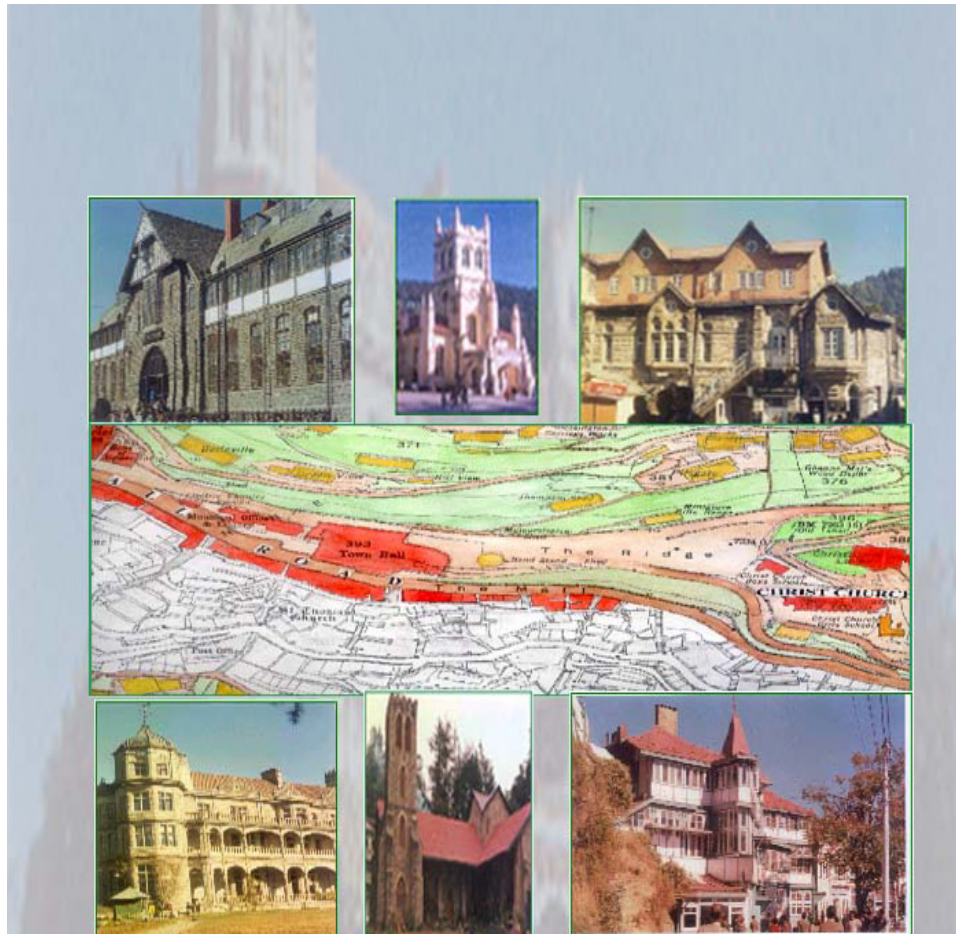


HIMACHAL PRADESH GOVERNMENT ANNUAL ADMINISTRATIVE REPORT



2009-10



**TOWN AND COUNTRY PLANNING DEPTT.
HIMACHAL PRADESH, SHIMLA - 171009.**

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ANNUAL ADMINISTRATIVE REPORT OF TOWN AND COUNTRY PLANNING DEPARTMENT FOR THE YEAR 2009-10 (01.04.2009 TO 31.03.2010)

BACKGROUND

The Town and Country Planning Department was created as a small cell of the H.P. Public Works Department in the year 1964 and the same continued upto 1979. During the year 1979, an independent Directorate was created but charge of the Director continued to be held by the Engineer-in-Chief (B&R) or the Chief Engineer of H.P. Public Works Department, till 1993, when an independent Director was appointed as Head of the Department.

INTRODUCTION

Town and Country Planning is a social transformation development process to ensure creation of functionally workable, economically viable, socially acceptable, environmentally sustainable and aesthetically pleasing living environment for humanity in both rural and urban habitats.

Through
Optimum, Just & balanced use of scarce land resources
In view of
Demographic, socio-economic, techno-legal dynamics
Which is foremost necessity of the day.

In order to ensure planned, systematic and sustainable urban and rural development, in accordance with environmental and heritage imperatives; Town & Country Planning is a foremost necessity of the day. Planned development in accordance with provisions of the Development Plans, Sectoral Plans and Town Planning Schemes will go a long way to cater for the service infrastructure, transportation and other requirements. Town and Country Planning, thus, is a process of planned development in accordance with pre-conceived plans, so that healthy living environment for humanity is ensured.

AIMS AND OBJECTIVES OF THE DEPARTMENT

Himachal Pradesh, being a hill State, is endowed with rich eco-system and cultural heritage. Although, there is a low level of urbanization in the State, yet during recent years urbanization has been exerting high pressure on scarce urban land resources. There are 57 small and medium towns in the State, with only Shimla as Class-I city. As per 2001 census, urban population of the State in these urban areas was 5,95,581 persons, which is about 10% of total population of the State. Due to various developmental priorities of the Government activities and opening of new areas, a large number of new growth centers are coming up very fast. The pressure on land in the State has increased manifold, leading to haphazard and un-planned construction activities in towns, growth centers and their surrounding areas. With a view to manage and regulate this increasing trend in urbanization and to check the un-authorized construction activities, the Government of Himachal Pradesh had enacted Himachal Pradesh Town & Country Planning Act, 1977 and made it applicable to all major towns of the State. The main objectives of introducing the Town & Country Planning Act in the State are as under:-

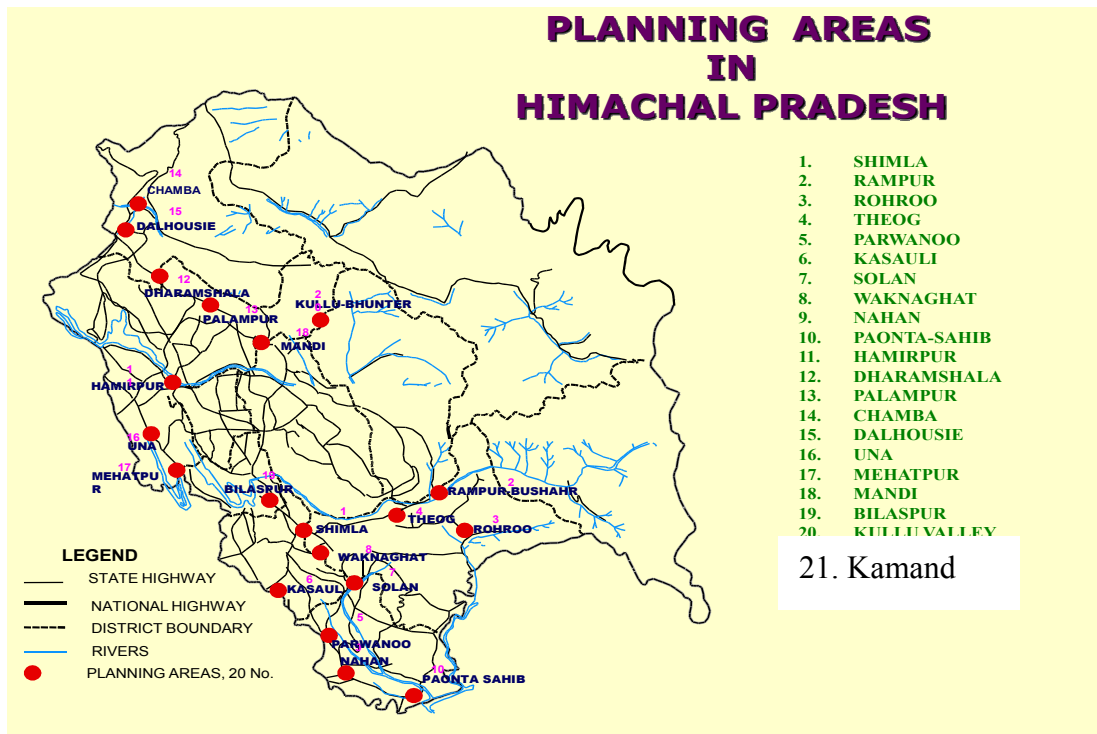
- (a) to encourage planned and systematic urban and rural growth in a comprehensive and scientific manner;
- (b) to prevent haphazard construction and thereby check numerous evils including environmental menace;
- (c) to make optimum use of precious and scarce land resources;
- (d) to create conducive conditions for encouraging planned and regulated development;
- (e) to plan for creating essential infrastructure in Planning and Special Areas, including towns;
- (f) to sub-serve the basic needs of poor, especially the urban slums;
- (g) to upgrade environment for conducive habitat;
- (h) to preserve the hill architecture and rich, natural and cultural heritage of the State;
- (i) to curb ribbon development and safeguard highways for community mobility.

EXTENSION OF ACT TO PLANNING AREAS

For planned development of various towns and growth centers of the State, the Himachal Pradesh Town & Country Planning Act, 1977 has been extended to 21 Planning Areas in the State. The names of Planning Areas are as under:-

- **Planning Areas**

- | | |
|--------------------------|------------------|
| 1. Shimla | 11. Hamirpur |
| 2. Rampur | 12. Dharamshala |
| 3. Rohroo | 13. Palampur |
| 4. Theog | 14. Chamba |
| 5. Parwanoo | 15. Dalhousie |
| 6. Kasauli | 16. Una (Urban) |
| 7. Solan | 17. Mehatpur |
| 8. Wagnaghat | 18. Mandi |
| 9. Nahan | 19. Bilaspur |
| 10. Paonta-Sahib (Urban) | 20. Kullu valley |
| | 21. Kamand |



In order to implement the development activities in accordance with the regulations envisaged in the Development Plans and Sectoral Plans, a State Level Development Authority under the H.P. Town & Country Planning Act, 1977, is required to be established, as the mandate of Himachal Pradesh Housing and Urban Development Authority (HIMUDA) provides only for implementation of Housing Colonies and remunerative projects.

SPECIAL AREAS AND SPECIAL AREA DEVELOPMENT AUTHORITIES, THEREOF

Besides 21 Planning Areas, Government has extended the provisions of the Himachal Pradesh, Town and Country Planning Act, 1977 to 34 areas of the State, by declaring these areas as Special Areas under Section-66 of the Act *ibid*. The areas which have growth potential for urbanization and have no agency for development or for providing basic services, have been declared as Special Areas. For regulating planned and systematic development in these Special Areas, the Special Area Development Authorities have been constituted under Section-67 of the Act *ibid*, under the Chairmanship of the Deputy Commissioners and Sub-Divisional Officers (Civil). In case of Tribal Areas of the State, concerned Hon'ble M.L.As are the Chairmen of the Tribal Special Area Development Authorities. Local Officers of respective areas and Pradhans of Gram Panchayats are Members of the Special Area Development Authorities. Baddi-Barotiwala and Nalagarh Development Authority has been established under Chairmanship of the Hon'ble Chief Minister. The Special Area Development Authorities have powers to impose taxes, fees and levies at par to the Municipal Bodies. Functions of the Special Area Development Authorities, as per Section 70 of the Act *ibid* are, if required to do so:-

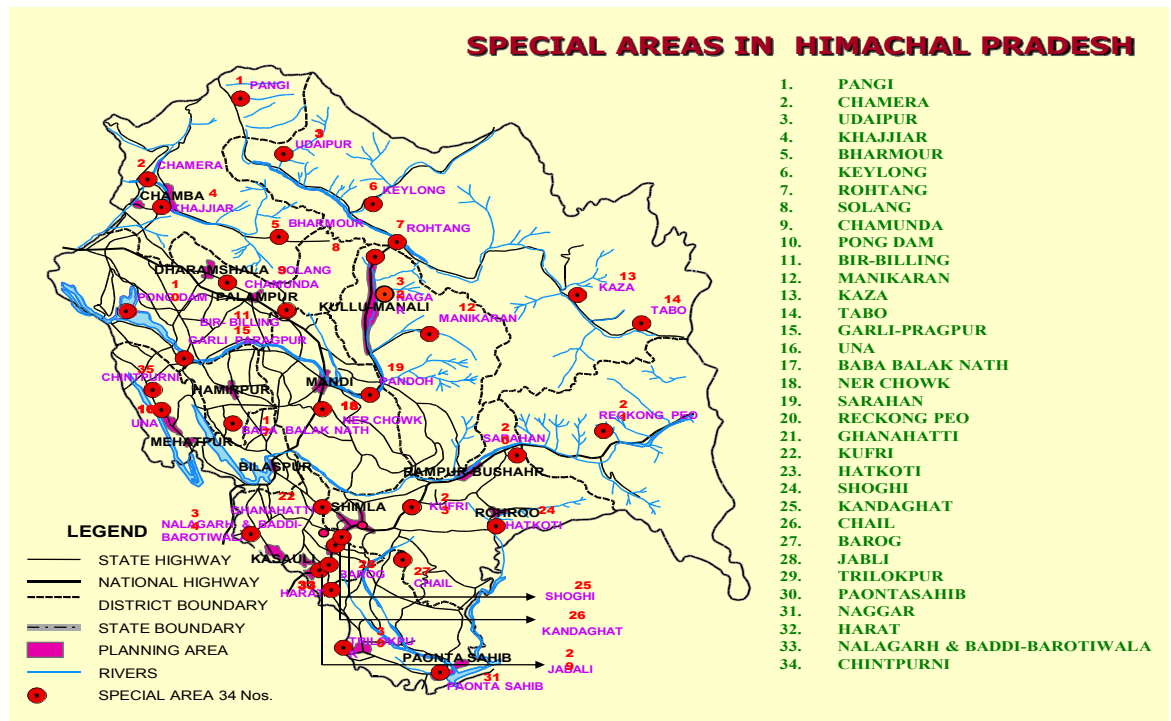
- (i) to prepare, the development plans for the special areas;
- (ii) to implement the development plans after approval of the State Government;
- (iii) for the purpose of implementation of the plan, to acquire, hold, develop, manage and dispose of land and other property;
- (iv) to carry out construction activity and to provide water, electricity, drainage and other utilities and amenities;

- (v) to provide the municipal services as specified in the Himachal Pradesh Municipal Act, 1994;
- (vi) to provide for the municipal management of the special area in the same manner as is provided in the Himachal Pradesh Municipal Act, 1994;
- (vii) To otherwise perform all such functions with regard to the Special areas as the State Govt. may, from time to time direct.

The detail of 34 Special areas is given below:-

- **Special Areas**

- | | |
|---------------------|--------------------------|
| 1. Pangi | 18. Ner chowk |
| 2. Chamera | 19. Sarahan |
| 3. Udaipur | 20. Reckong peo |
| 4. Khajiar | 21. Ghanahatti |
| 5. Bharmour | 22. Kufri |
| 6. Keylong | 23. Hatkoti |
| 7. Rohtang | 24. Shoghi |
| 8. Solang | 25. Kandaghat |
| 9. Chamunda | 26. Chail |
| 10. Pong Dam | 27. Barog |
| 11. Bir-Billing | 28. Jabli |
| 12. Manikaran | 29. Trilokpur |
| 13. Kaza | 30. Paonta-Sahib (Rural) |
| 14. Tabo | 31. Naggar |
| 15. Garli-Pragpur | 32. Harat |
| 16. Una (Rural) | 33. Baddi-Barotiwala- |
| 17. Baba Balak Nath | Nalagarh |
| | 34. Chintpurni |



STATUS OF PLANS

For ensuring sustainable growth and regulated Spatial Planning, Interim / Development Plans are prepared for the prospective period of 15-20 years. Two number Interim Development Plans and sixteen Development Plans have been notified by the Government. Names of the same are as following:-

- **Interim Development Plans**

- | | |
|-----------|---------------|
| 1. Shimla | 2. Barotiwala |
|-----------|---------------|

- **Development Plans**

- | | |
|-----------------|--------------|
| 1. Dharamshala | 9. Dalhousie |
| 2. Nahan | 10. Hamirpur |
| 3. Parwanoo | 11. Solan |
| 4. Rampur | 12. Palampur |
| 5. Una | 13. Manali |
| 6. Kasauli | 14. Bilaspur |
| 7. Paonta Sahib | 15. Chamba |
| 8. Mandi | 16. Nalagarh |

• **Revised Development Plans**

1. Mandi

3. Nahan

2. Hamirpur

4. Kasauli

The Development Plans of Shimla, Dharamshala, Left Out Areas Kullu Valley, Kullu-Bhnter Agglomeration, Mehatpur and revised Development Plans of Rampur & Dharamshala Planning areas, as the same have been returned by the Govt. for incorporating the changes which have taken place since its submission. SThe same are being updated in the Department.

• **Sector Plans**

In order to ensure Sector/Ward level Planning, the Sectoral Plans for 4 Sectors namely Jakhoo, Cemetery-Bhatta Kuffer (Phase-II) of Shimla, Brow of Rampur Bushehar and Hira Nagar of Hamirpur Planning Area have been approved by the Government.

• **Model Village Plans**

Model Village Plans for Raghunathpura village of Bilaspur Planning Area and Arniala Village in Una Special Area have been prepared by the Department and was submitted to the Government for approval but Model Village Plans for Raghunathpura village was returned back by the Government for re-examination. The same is being examined by the Department.

Regional Plans

In order to combat the pressure of problematic regions, on one hand and to develop Counter Magnet for the same, the Department had prepared an Outline Regional Plan for Central Himachal Counter Magnet including areas of District Bilaspur, Hamirpur and Mandi Districts.

To maintain the Heritage character and Environment of Shimla and its environs, an Outline Capital City Regional Plan has been prepared and the same has been published for inviting objections &

suggestions of the public. The plan is being deliberated with the Panchayti Raj Institutions and other stakeholders.

ORGANIZATIONAL SET UP

Besides Directorate, there are following 7 Divisional and 5 Sub-Divisional, Town & country Planning Offices, headed by the Town & Country Planners and Assistant Town Planners, respectively. Their locations and jurisdictions are as under:-

Directorate of Town and Country Planning

| Sr No. | Headquarter | Jurisdiction |
|--------|-------------|------------------|
| 1. | Shimla | Himachal Pradesh |

Divisional Town Planning Offices

| Sr. No. | Headquarter of Office | Jurisdiction |
|---------|-----------------------|----------------------------------|
| 1. | Shimla | Shimla and Kinnaur Districts |
| 2. | Solan | Solan District |
| 3. | Mandi | Mandi and Bilaspur Districts |
| 4. | Kullu | Kullu and Lahaul Spiti Districts |
| 5. | Hamirpur | Hamirpur and Una Districts |
| 6. | Dharamshala | Kangra and Chamba Districts |
| 7. | Nahan | Sirmour District. |

Sub-Divisional Town Planning Offices

| Sr. No | Head Quarter | Jurisdiction |
|--------|-----------------|--|
| 1. | Una | Una District |
| 2 | Chamba | Chamba District |
| 3 | Bilaspur | Bilaspur District |
| 4. | Rampur Bushehar | Part of Shimla & Kinnaur Districts |
| 5. | Parwanoo | Part of of Solan District i.e.including Parwanoo Planning Area and Jabli Special Area. |

STAFFING STRUCTURE

There are 259 sanctioned posts of different categories in the Department, out of which 210 posts are filled in and 49 posts are lying vacant as on 31.3.2010. The chart of Organizational structure is at **Annexure-‘A’**. Category-wise total sanctioned strength of Town and Country Planning Department showing the filled and vacant posts along with pay scale of the post is given as under:-

Class-I

| Sr. No. | Designation | Total No. of Sanctioned posts | Filled | Vacant | Pay Scale | Grade of pay |
|---------|------------------------|-------------------------------|-----------|-----------|-------------|--------------|
| 1. | Director | 1 | 1 | - | 37400-67000 | 10000 |
| 2. | State Town Planner | 1 | 1 | - | 37400-67000 | 8700 |
| 3. | Town & Country Planner | 8 | 2 | 6 | 15600-39100 | 7600 |
| 4. | Assistant Town Planner | 14 | 8 | 6 | 15600-39100 | 5400 |
| 5. | Planning Officer | 19 | 14 | 5 | 10300-34800 | 5000 |
| 6. | Supdt. Grade-I | 1 | 1 | - | 10300-34800 | 5000 |
| 7. | Law Officer | 1 | 1 | - | 10300-34800 | 4400 |
| 8. | Tehsildar | 1 | 1 | - | 10300-34800 | 4400 |
| | Total: | 46 | 29 | 17 | | |

Class-II (Gazetted)

| Sr. No. | Designation | Total No. of Sanctioned posts | Filled | Vacant | Pay Scale | Grade of pay |
|---------|------------------|-------------------------------|----------|----------|-------------|--------------|
| 1. | Research Officer | 2 | 2 | - | 10300-34800 | 4200 |
| | Total | 2 | 2 | - | | |

Class-II (Non-Gazetted)

| sSr . No. | Designation | Total No. of Sanctioned posts | Filled | Vacant | Pay Scale | Grade of pay |
|-----------|--------------------|-------------------------------|-----------|----------|-------------|--------------|
| 1 | Sr. Planning D/Man | 13 | 8 | 5 | 10300-34800 | 4200 |
| 2. | Supdt. Grade-II | 2 | 2 | - | 10300-34800 | 4200 |
| 3. | Personal Assistant | 1 | 1 | - | 10300-34800 | 4200 |
| | Total: | 16 | 11 | 5 | | |

Class-III

| Sr. No. | Designation | Total No. of Sanctioned posts | Filled | Vacant | Pay Scale | Grade of pay |
|---------|-----------------------|-------------------------------|------------|-----------|-------------|--------------|
| 1. | Junior Engineer | 29 | 18 | 11 | 10300-34800 | 3800 |
| 2. | Draftsman | 5 | 5 | - | 10300-34800 | 3800 |
| 3. | Senior Assistant | 11 | 11 | - | 10300-34800 | 3800 |
| 4. | Sr.Scale Stenographer | 1 | 1 | - | 10300-34800 | 3800 |
| 5. | Research Assistant | 2 | 2 | - | 10300-34800 | 3600 |
| 6. | Field Investigator | 3 | 1 | 2 | 5910-20200 | 2400 |
| 7. | Junior Draftsman | 22 | 21 | 1 | 5910-20200 | 2400 |
| 8. | Surveyor | 7 | 7 | - | 5910-20200 | 2400 |
| 9. | Steno-Typist | 15 | 10 | 5 | 5910-20200 | 2000 |
| 10. | Driver | 7 | 7 | - | 5910-20200 | 2000 |
| 11. | Clerk | 27 | 24 | 3 | 5910-20200 | 1900 |
| 12. | Patwari | 19 | 14 | 5 | 5910-20200 | 1900 |
| 13. | Ferro-Printer | 3 | 3 | - | 5910-20200 | 1900 |
| | Total: | 146 | 118 | 28 | | |

Class-IV

| Sr. No. | Designation | Total No. of Sanctioned posts | Filled | Vacant | Pay Scale | Grade of pay |
|---------|-----------------------|-------------------------------|-----------|--------|------------|--------------|
| 1. | Process Server | 1 | 1 | - | 4900-10680 | 1400 |
| 2. | Peon | 16 | 16 | - | 4900-10680 | 1300 |
| 3. | Chowkidar-cum-Sweeper | 7 | 7 | - | 4900-10680 | 1300 |
| 4. | Chainman | 24 | 24 | - | 4900-10680 | 1300 |
| 5. | Sweeper | 1 | 1 | - | 4900-10680 | 1300 |
| | Total: | 49 | 49 | - | | |

CATEGORYWISE TOTAL SANCTIONED AND VACANT POSTS POSITION AS ON 31-03.2010

| Sr. No. | Classification | Sanctioned | Filled | Vacant |
|---------|-------------------------|------------|------------|-----------|
| 1. | Class-I | 46 | 29 | 17 |
| 2. | Class-II (Gazetted) | 2 | 2 | - |
| | Class-II (Non-Gazetted) | 16 | 11 | 5 |
| 3. | Class-III | 146 | 119 | 27 |
| 4. | Class-IV | 49 | 49 | - |
| | Total: | 259 | 210 | 49 |

POWERS AND DUTIES OF THE OFFICERS AND OFFICIALS:

All the Officers and Officials of this Department perform their duties and exercise powers in accordance with the delegations made by the Government and Director, from time to time.

- Administrative and Financial discipline in the Department is ensured in accordance with HPFR, SR, CCS (CCA) Rules and CCS(Conduct) Rules.
- As regards to specific activities of Town & Country Planning Department, the duties and powers of the Director have been assigned and delegated to all the field officers of this Department with a view to expedite the works of general public in a prompt and time bound manner. The statutory duties of the officers and officials, have been prescribed in the Rules and Regulations, in operation for regulating the activities.

BUDGET & RECEIPT OF THE DEPARTMENT

The Department is operating two major heads namely 2217 and 4217. The Major Head 2217 is related to revenue expenditure including salary, wages, Travel Expenses and Office Expenses. The Major Head 4217 is related expenditure on preparation of Development Plans. Detail of budget provision and expenditure in the said two heads of account for the last three years is given as under:-

DEPARTMENTAL BUDGET

| Head | Rs. In Lacs | | | | | |
|-----------------|--------------------|-------------|----------------|-------------|----------------|-------------|
| | 2007-08 | | 2008-09 | | 2009-10 | |
| 2217/SOE | Budget | Exp. | Budget | Exp. | Budget | Exp. |
| Salary | 343.50 | 364.66 | 347.65 | 463.64 | 536.40 | 572.70 |
| Wages | 8.40 | 7.15 | 5.31 | 5.25 | 11.22 | 11.22 |
| T.E. | 4.00 | 3.46 | 3.31 | 3.28 | 3.27 | 3.27 |
| O.E. | 19.90 | 19.57 | 21.40 | 21.36 | 18.88 | 18.88 |
| M.R. | 8.30 | 5.86 | 7.22 | 7.24 | 7.04 | 7.04 |
| R.R.T. | 0.88 | 0.88 | 0.88 | 0.88 | 1.01 | 1.01 |
| M.Veh. | 21.85 | 20.68 | 10.50 | 10.50 | 10.43 | 10.43 |

| | | | | | | |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| T.T.A. | 0.20 | 0.23 | 0.43 | 0.44 | 0.26 | 0.26 |
| Total | 407.03 | 422.49 | 396.70 | 512.58 | 588.51 | 624.81 |
| 4217 | 38.44 | 35.67 | 10.00 | 10.02 | 63.00 | 62.77 |

DEPARTMENTAL REVENUE RECEIPT

Year-wise revenue receipt generated by implementing the provisions of the H.P. Town & Country Planning Act, 1977 during the last 3 years within Planning Areas and Special Areas which have been constituted in the State under the provisions of H.P. Town and Country Planning Act, 1977 is as under:-

| Sr. No. | Year | Amount of receipt | | |
|---------|---------|-------------------|------------|-------------|
| | | By TCP Deptt. | By SADAs | Total |
| 1. | 2007-08 | 133.73 lac | 771.15 lac | 904.88 lac |
| 2. | 2008-09 | 225.57 lac | 637.55 lac | 863.12 lac |
| 3. | 2009-10 | 271.59 lac | 1530.71lac | 1802.30 lac |

GOALS AND OBJECTIVES OF ANNUAL ACTION PLAN FIXED FOR 2009- 010 AND ACCOMPLISHMENTS:

The Targets fixed for preparation of Draft Development Plans/ Schemes during the Annual Action Plan 2009-10 and achievements thereof are as under:-

| Sr. No. | Town | Targets | Achievements |
|---------|-------|--|--|
| 1. | Solan | (i) Development Plan for additional Kausauli Planning Area | Approved by the Government on 22-10-2009. |
| 2. | Nahan | Development Plan for Trilokpur Special Area. | Job of Existing Land Use is adopted and Development Plan is under preparation. |

| | | | |
|----|----------|--|--|
| 3. | Mandi | Development Plan for Ner Chowk Special area. | Base map in the scale of 1:5000 on revenue map has been prepared. The socio-economic information from secondary sources have partially been collected. Concerned line Departments have been requested to furnish their perspective requirements. |
| 4 | Kullu | i) Existing Land Use for Manikaran Special area. ii) Development Plan for Naggar Special area | Existing Land Use of Manikaran Special Area has been prepared and adopted. The job of collection of data, future plans proposal for Government and Semi Government was in progress in 4 th quarter and base map for preparation of Development Plan has also been prepared. |
| 5 | Hamirpur | Development Plan of Baba Balak Nath Special Area. | The Development Plan work of above said Area can not be taken in hand as the Chairman-cum-Deputy Commissioner Hamirpur in his final decision directed that the matter to exclude the provisions of H.P. Town & Country Planning Act, 1977 in above sad area may be sent to the Govt. of Himachal Pradesh, after hearing the suggestions/objections on existing land use of above said area and keeping in view the resentment of general public and their representatives of the concerned area. |

| | | | |
|-----|-------------|---|---|
| 6. | Dharamshala | Development Plan for Dharamshala additional Planning Area | The survey work of 18 mohals out of 20, transfer of structures on sajra sheets of 15 mohals and typing work of Existing Land Use register of 10 mohals has been completed. Work order to carry out socio-economic survey of 20 mohals, updating work of Existing Land Use of 2 mohals and typing work of Existing Land Use register awarded on 17-3-2010. |
| 7. | Shimla | Development Plan for Theog Planning Area. | The work of preparation of Development Plan is in progress. The field work is complete and the work relating to literature part is in progress. |
| 8. | Bilaspur | Existing Landuse for Ghumarwin Planning Area. | The proposal for constitution of Ghumarwin Planning Area has already been submitted to the Govt. which is under consideration of the Govt. |
| 9. | Una | Development Plan of Chintpurni Special Area. | The draft development Plan has been notified for inviting objections/ suggestions on 15-6-2009. Hearing on objections/ suggestions were held on 20-11-2009. The decisions taken during the hearing are being incorporated in the draft Development Plan. |
| 10. | Rampur | Development Plan of Sarahan Special Area. | Job of collection of data and plans proposal of Govt. and Semi-Govt. agencies for preparation of Development Plan is in progress. |
| 11. | Chamba | Development Plan for Bharmour special area | Estimates for procurement of large scale spatial data/engineering base map and work for preparation of draft Development Plan is under progress. |

| | | | |
|-----|----------|---|---|
| 12. | Parwanoo | Revised Development Plan for Parwanoo Planning Area | The draft revised Development Plan has been prepared, which is under scrutiny at Department level for further submission to the Govt. for approval. |
|-----|----------|---|---|

DRAFT TOWN AND COUNTRY PLANNING BILL, 2009

In view of the directions of the Government, the draft Himachal Pradesh Town and Country Planning Bill, 2009 has been prepared to repeal the existing Himachal Pradesh Town and Country Planning Act, 1977. The draft Bill provides for:-

- To extend Act to entire State to ensure its holistic and sustainable development
- Village related development and activities in Rural Zone upto prescribed limits have been proposed to be exempted from Act in areas as under:-
 - (i) Areas outside Municipal limits.
 - (ii) Areas outside Urbanisable limits of Development Plans.
- Preparation of Outline Spatial Plans, Regional Plans, and Development Plans by Department and approval thereof by the Government in a time bound manner.
- Regulatory powers, Micro-Planning and Development functions with Panchayati Raj Institutions and Urban Local Bodies, by equipping them with professionals.
- Conservation of Heritage.
- Establishment of State Heritage Conservation Advisory Committee.
- Establishment of a State Town and Country Development Authority for implementation of provisions of Spatial Plans as well as preparation and execution of Town Development Schemes and Sector Plans.

AMENDMENT IN H.P. TOWN AND COUNTRY PLANNING ACT, 1977.

In order to facilitate people in Rural Areas, Section-30-A of the H.P. Town and Country Planning Act, 1977 has been substituted vide Notification dated 27.3.2009 as under:-

30-A. Exemption for development permission in rural areas falling within Planning or Special Areas.- (1) Any person who owns land in rural areas, falling within Planning or Special areas wherein neither Interim Development Plan nor Development Plan has been notified, shall be exempted from permission under this Act for the following development activities upto the limits as may be prescribed:-

- (i) Residential activities such as farm-houses and residential houses upto three storeys, cattle shed, toilet, septic tank, kitchen, store, parking shed or garage and rain shelter;
- (ii) Commercial activities such as basic commercial pursuits like shops of general merchandise, cobbler, barber, tailoring, fruit, vegetable, tea or sweet, eating places and dhabas, chemist and farm produce sale depot;
- (iii) Service Industries such as cottage or house-hold, service industries like carpentry, knitting, weaving, blacksmith, goldsmith, attachakki with capacity upto five horse power, water mill, agriculture equipments or machinery repair, electrical, electronic and house-hold appliances.
- (iv) Public amenities such as public amenities like panchayat offices, schools, mahila mandals, yuvak mandals, community halls, post offices, dispensaries and clinics (including health, veterinary and Indian System of Medicines) information technology kiosks, patwar khana, guard huts, anganwaris, electricity and telephone installations and connections, roads and paths, ropeways, water tanks, rain harvesting tanks, overhead or underground water tanks, pump houses, check dams, temples, churches, mosques, graveyards, cemeteries, cremation grounds and other religious buildings, bathing ghats, cremation shelters, rest sheds, baths,

drainage, toilets, latrines, urinals, sewerage installations, wells, tube wells, baulies, garbage disposal bins, depots and other installations.

- (v) Agriculture and horticulture related activities including rain harvesting structures, milk chilling plant, farm level godowns, seeds and fertilizer stores, farm clinics, pre-cooling units, primary processing units, green houses and poly houses; and
- (vi) Heritage related activities such as lakes, reservoirs, dams, baulies, wild life sanctuaries, cemeteries, graveyards, railway lines.

2. Any person who owns land in areas falling outside urbanisable areas, as shown in the Interim Development Plans or Development Plans of Planning or Special Areas, shall be exempted from permission under this Act for the development activities specified under sub-section (1) upto the limits as may be prescribed.

AMENDMENT FOR COMPOUNDING OF DEVIATION CASES UNDER HIMACHAL PRADESH TOWN AND COUNTRY PLANNING RULES, 1978.

In order to make provision for composition of deviations from the sanctioned plans upto 40% in set backs in residential buildings within prescribed number of storeys, constructed upto 30.6.2006, the Town and Country Planning Rules, 1978 were amended vide Notification dated 25.2.2009. Cases under these rules were required to be submitted upto 31.3.2009 and disposed off by the competent authorities upto 30.6. 2009. On the request of Municipal Corporation Shimla the time period for disposal of pendency cases was extended up to 30-9-2009 vide Govt. notification No. TCP-F-(5)-2/2004 dated 22-8-2009. detail of cases received under compounding Rules and disposal thereof is given as under:-

| Sr. No. | Description | No. of cases received | No. of cases regularized | No.of cases rejected | No. of cases closed due to expiry of cut of date |
|----------------|--------------------|------------------------------|---------------------------------|-----------------------------|---|
| 1 | Planning Area | 345 | 86 | 216 | 43 |

| | | | | | |
|---|---|------|-----|-----|----|
| 2 | Special Area | 96 | 39 | 48 | 9 |
| 3 | Urban Local Bodies under single window System | 866 | 451 | 415 | - |
| | Total | 1307 | 576 | 679 | 52 |

REGULATORY MEASURES ADOPTED BY THE DEPARTMENT TO ENSURE PLANNED DEVELOPMENT

In order to ensure planned development, following steps have been taken:-

- (a) The provision of parking on plots abutting vehicular roads has been adhered to, so that problem of parking on the roads is tackled.
- (b) The regulations of Shimla, Manali, Dharamshala and Dalhousie pertaining to Green, Heritage, Core, Restricted and Other Zones were adhered to, so that their tourist character is maintained.
- (c) The Architects were given licenses under the provisions of H.P. Town and Country Planning Act, 1977, for ensuring public convenience.
- (d) The provision of rain water harvesting tank has been incorporated in the Rules and is being ensured in each structure at the stage of approval of Plans and completion of structures.
- (e) The provisions of sloping roof and hill architecture were ascertained in the designs of buildings, so that the same reflect hill development imperatives.
- (f) The provisions of Section 16-C regarding proper Sub-Divisions of land were strictly followed, so that well dimensioned developed plots are made available to the common man.
- (g) In order to restrict development above 45 degree slope, in accordance with regulations, the provision for same has been adhered to in the interest of preservation of eco-fragile environs and hilly terrain.
- (h) To curb hill cutting, provision of cutting only upto 3.50 metre height was adhered to.
- (i) The provisions have been made in the Rules for Barrier Free Environment in public and semi-public buildings and recreational areas to facilitate persons with disabilities and the same are being adhered to.

- (j) The regulations for Solar Passive buildings have been approved by the Government for comfortable living, on one hand and to effect energy saving, on the other.
- (k) Regulations for Information Technology Park at Waknaghat were prepared and the same have been approved by the Government.

DRAFT RULES FOR MOBILE COMMUNICATION TOWER.

The department has prepared draft Rules for Mobile Communication Towers which were notified for obtaining objections and suggestions on 17-2-2010. The same are being deliberated with the public representatives and various stake holders and shall be finalized accordingly

HERITAGE CONSERVATION

The buildings/ areas in Shimla and Chamba towns, which are of historical importance, having distinct architectural design, elevations and having religious as well as tourism importance and are linked to our past, have been identified and notified as Heritage Zone. Heritage regulations are in force in respect of Heritage Zone of Shimla. Heritage reports of Shimla Chamba, Mandi, Dalhousie and Rampur were notified for inviting public objections and suggestions. In compliance of minutes of meeting held under the Chairmanship of the Hon'ble Minister (TCP) the said reports as prepared were again decided to be deliberated with various stake holders and public representatives. The comments as received have been incorporated in the report and the same are under finalization. It is pertinent to mention here that Archeological Survey of India has recently amended the ancient Monuments and Archaeological sites and Remains Act, 1958 (amendments and validation) Act, 2010 vide which monuments having unique heritage background have been identified and listed for their conservation and preservation. The purpose of the new Act is to preserve and protect our heritage. The Government is determined to ensure that no construction, including public projects take place within the prohibited areas around the monuments of national importance. In view of said amendment of Act, the Heritage regulations need to be re-examined in this context. After receipt of reports from the field offices, the same will be finalized and sent to the govt. for approval.

POLICY ON URBANISATION OF STATE

The policy document, focusing on diffusion of development from urban areas to rural areas, to create counter magnets, to ensure creation of serviced land/planned urban infrastructure by a Development Authority, eco friendly development, projection of local heritage etc. has been prepared by the Department . It dovetails the mechanism for optimization of scarce urban land resources, necessity for planned sub-divisions of land and Land Pooling & re-constitution of plots having joint ownerships. Suggestion on the draft Urbanisation Policy has been received from Urban Development Department, HIMUDA, H.P. Pollution control Board, Science and Technology Department. Suggestions from all the ULBS of the State and all the Executive Engineers of HIMUDA have been invited. Thereafter the policy shall be submitted to the Govt.

SINGLE WINDOW SYSTEM

For convenience of the public in getting their planning permissions under Municipal as well as TCP legislations, at one place, the “Single Window System” was introduced in 12 Municipal areas namely-Shimla, Nahan, Hamirpur, Una, Mandi, Rampur-Bushehar, Parwanoo, Paonta Sahib, Chamba, Solan, Bilaspur and Nalagarh. The Urban Local Bodies lacking technical knowledge, especially in the field of Town and Country Planning, are being assisted by the field Officers of the Department.

Since there is lack of technical know how, especially in the field of Town and Country Planning, the field officers of Town & Country Planning Department have been assisting the Municipalities

BUDGET ALLOCATION, GRANT-IN-AID TO SPECIAL AREA DEVELOPMENT AUTHORITIES AND TARGETS FOR FIVE YEAR PLAN 2007-12 AND ANNUAL PLAN 2010-11.

The approved outlay for Five Year Plan 2007-12 and Annual Plan 2010-11, is as under:-

| Major /Minor Head | Head of Development | Five Year Plan 2007-12 (Rs. In lacs) | Annual Plan 2010-11 (Rs. In lacs) |
|---|---|---|--|
| 2217 | Urban Development | | |
| 02 | Town & Country Planning (Establishment) | 2342.00 1962.00 | 519.69 (Non-Plan) |
| 4217 | Preparation of Draft Development Plan (Minor Works) | 380.00 | 134.40 |
| G.I.A. to Special Area Development Authorities in Tribal Area | | 1062.00 | 70.00 |

GRANT-IN-AID TO SPECIAL AREA DEVELOPMENT AUTHORITIES

The Special Area Development Authorities, constituted under the provisions of the H.P. Town & Country Planning Act, 1977 in Tribal Areas are being given Grant-in-aid from Tribal Sub-Plan of the State to carry out the following works:-

- a) creation of income generating assets,
- b) creation of assets benefiting community and
- c) providing municipal services/civic functions.

During 2009-10, an amount of Rs. 146.60 lacs has been released as Grant-in-Aid to these Special Area Development Authorities as under:-

| Sr. No. | Name of Development Authority | Amount of G.I.A Rs.in lac |
|----------------|--------------------------------------|----------------------------------|
| 1. | Reckong Peo | 11.88 |
| 2. | Keylong | 8.93 |
| 3. | Udaipur | 6.00 |
| 4. | Kaza | 8.32 |
| 5. | Tabo | 6.00 |
| 6. | Killar(Pangi) | 15.54 |
| 7. | Bharmour | 89.93 |
| | Total: | 146.60 |

During the Five Year Plan 2007-12 and Annual Plan 2010-11, the Department has proposed to accomplish the following works:-

- **FIVE YEAR PLAN (2007-12)**

Regional Plans

- 1 Counter Magnet Regional Plan.
- 2 Capital City Regional Plan
- 3 Kullu Valley Regional Plan
- 4 Kangra Valley Regional Plan
- 5 Balh Valley Regional Plan
- 6 Northern Himachal Counter Magnet Regional Plan.
- 7 Southern Himachal Counter Magnet Plan.

Draft Development Plans

- | | |
|----------------------|----------------|
| 1 Hatkoti | 2. Barog |
| 3. Kandaghat | 4 Chail |
| 5 Udaipur | 6 Chamera |
| 7 Rohtang | 8 Manikaran |
| 9 Baba Balak Nath Ji | 10 Sundernagar |
| 11 Bharmour | 12 Reckong Peo |
| 13 Kangra | 14 Ghumarwin |

Planning Areas to be declared

- | | |
|-----------------|----------|
| 1 Nadaun | 2 Bhota |
| 3 Jogindernagar | 4 Chopal |

| | | | |
|-----|-------------|-----|----------|
| 5 | Sujanpur | 6 | Barsar |
| 7 | Jahu | 8 | Bagha |
| 9. | Darla Ghat | 10. | Renukaji |
| 11. | Alsandi | 12. | Karsog |
| 13. | Khatwan | 14. | Chambi |
| 15. | Sundernager | 16. | Gagret |
| 17. | Amb | | |

Special Areas to be declared.

1. Sangla-Kamru

• **ANNUAL PLAN (2010-11)**

1. To achieve left out target relating to preparation of development Plan of Theog and Rohroo Planning Area.
2. Action Plan for Kufri Special Area.
3. Constitution of Baga, Darlaghat Planning Area.
4. Preparation of Development Plan of Brog Special Area.
5. Constitution of Renuka Ji Planning Area.
6. Preparation of Development Plan of Trlokpur Special Area.
7. Constitution of Alsindi & Karsog.
8. Constitution of Khatwan, chambi & Sundernager Planning Area.
9. Preparation of Existing Land Use of Kamand;
10. Preparation of Development Plan for Naggar Special Area.
11. Preparation of Development Plan for Manikaran Special Area.
12. Constitution of Jahoo Planning Area.
13. Preparation of Development Plan of Baba Balak Nath Ji special area.
14. To achieve left out target relating to preparation of revised Development Plan of DharamShala Planning area.
15. Preparation of Development Plan for Bharmour Special area.
16. Preparation of Existing land use map of Ghumarwin and Ghagus Planning Area.
17. Constitution of Gagret/Amb Planning area.
18. Preparation of Development Plan of Jabli Special Area.
19. Preparation of Development Plan of Sarahan Special Area.

IMPLEMENTATION OF PROVISIONS OF RIGHT TO INFORMATION ACT, 2005.

The updation of publication in terms of Section 4(1) (b) of the Right to Information Act, 2005 has been made by this Department. Special attention has been ensured for compliance of provisions of the Right to Information Act, 2005 and the status of receipts and disposals of applications under RTI is as under;-

Number of applications received during the year 2009-10 =312

Number of applications disposed off =312

All above applications have been disposed off within stipulated period under the RTI, Act.

NATIONAL URBAN INFORMATION SYSTEM (NUIS)

The scheme aims to develop attribute and spatial information base for various levels of urban planning, on one hand and to develop standards and urban indices, on the other. It focuses on capacity building for the same. Total cost of the Scheme is Rs.104.54 Lac. Funding pattern of Centre and State is on 75:25 basis. Towns covered under this Scheme are Shimla, Dharamshala, Mandi, Solan and Nahan. The State Govt. has already released its 25 % share i.e. Rs, 29.58 lacs. The centre has so far released an amount of Rs. 59.02 lacs. The balance amount of the scheme which is yet to be released by the Govt. of India to the surveyor General of India, Dhehradun is Rs. 15.94 lacs. Achievements made under this scheme are as under:-

- (i) National Urban Data Bank and Indicators (NUDB &I) Reports of five above towns have been submitted to Town and Country Planning Organization, Government of India.
- (ii) Reports of Nahan and Mandi towns as a Model have been circulated by Town and Country Planning Organization to all 137 scheme towns in the Country.
- (iii) Hardware and Software has been made available to all Scheme towns as per specifications of the Scheme.

- (iv) More than proposed Officers and Officials of the TCP and Urban Local Bodies have acquired training at various places in the Country.
- (v) Half day workshop have been organized under NUDB & I component of the scheme by all 5 Nodal Officers.
- (vi) Training on GIS software lime Arch View and Micro Station software have been given to the Officers of the Department as per decision of the State Co-ordination Committee.

LOK MITRA KENDRAS

1. This department is providing information pertaining to Planning Permission, Un-authorized Constructions and Court Cases to the citizens, which is linked up with Lok Mitra Kendras.

FUTURE PROGRAMMES

- **Extension of the provisions of H.P. Town and Country Planning Act, 1977 to the entire State.**

The new Town and Country Planning Bill in pipeline for consideration at the Government level envisages for exemptions of rural pursuits from the purview of the Act upto prescribed limits. The Bill proposed to be made effective in the entire State envisages for bringing the major activities within the purview of the Act and permissions thereof under the Rules and Regulations.

- **Technological up-gradation of the Department by computerization for speedy plan preparation and implementation.**

This department has hosted website, the address of which is as under:-

www.himachal.nic.in/tcp/

1. All information regarding approved development Plans, Reports, Rules, guideline, Norms and forms etc. of the Department are available on this Website. The website is being updated regularly through NIC secretariat (H.P.). The SMS

gateway Services and E-Samadhan has also been started in all Divisions/ Sub-Divisions of this department. PMIS and Litigation applications have also been started at Head quarter level.

2. The proposal for computerization of department is under process with information Technology Department through NICS is in pipe line. The training Calander for the year 2010-11 has been sent to the HIPA for organizing training of officers/officials of this department.

Annexure-“B”

**DETAIL OF SANCTIONED, FILLED AND VACANT POSTS ON
31.03.2010**

| Sr. No. | Name of Post | Sanctioned Posts | Filled up Posts | Vacant Posts |
|----------------|------------------------|-------------------------|------------------------|---------------------|
| 1. | Director | 1 | 1 | - |
| 2. | State Town Planner | 1 | 1 | - |
| 3. | Town & Country Planner | 8 | 2 | 6 |
| 4. | Asstt. Town Planner | 14 | 8 | 6 |
| 5. | Planning Officer | 19 | 14 | 5 |
| 6. | Law Officer | 1 | 1 | - |
| 7. | Tehsildar | 1 | 1 | - |
| 8. | Superintendent Gd-I | 1 | 1 | - |
| 9. | Research Officer | 2 | 2 | - |
| 10. | Superintendent Gd-II | 2 | 2 | - |
| 11. | Sr. Planning D/Man | 13 | 8 | 5 |
| 12. | Personal Assistant | 1 | 1 | - |
| 13. | Junior Engineer | 29 | 18 | 11 |
| 14. | Draftsman | 5 | 5 | - |
| 15. | Jr. Draftsman | 22 | 21 | 1 |
| 16. | Ferro Printer | 3 | 3 | - |
| 17. | Research Assistant | 2 | 2 | - |
| 18. | Field Investigator | 3 | 1 | 2 |
| 19. | Sr. Assistant | 11 | 11 | - |
| 20. | Sr. Scale Stenographer | 1 | 1 | - |
| 21. | Jr. Assistant | 13 | 13 | - |
| 22. | Steno Typist | 15 | 10 | 5 |
| 23. | Clerk | 14 | 11 | 3 |
| 24. | Driver | 7 | 7 | - |
| 25. | Patwari | 19 | 14 | 5 |
| 26. | Surveyor | 2 | 2 | - |
| 27. | Process Server | 1 | 1 | - |
| 28. | Peon | 16 | 16 | - |
| 29. | Chainman | 24 | 24 | - |
| 30. | Chowkidar-cum-Sweeper | 7 | 7 | - |
| 31. | Sweeper | 1 | 1 | - |
| | Total | 259 | 210 | 49 |

