

NO.TPD/OUT/ 692
DT. 07/05/2010

To,
The Principal Secretary
Urban Development and Urban Housing Department,
9th Floor, Block No. 14
Sachivalaya,
Gandhinagar

Sub: Draft Town Planning Scheme Surat No. 65 (Vesu Bharthana Althan),
Submission to the Government for sanction u/s 48(1) and appointment of
Town Planning Officer u/s 50(1) of The Gujarat Town Planning and Urban
Development Act, 1976

Respected Madam,

I am submitting herewith the Draft Town Planning Scheme Surat No. 65 (Vesu Bharthana Althan) for sanction of the State Government as required under sub-section (1) of the section 48 together with the objection file.

With reference to above I may state that before making Draft Town Planning Scheme, the Chief Town Planner, Govt. of Gujarat has been consulted by the Appropriate Authority (i.e. Surat Municipal Corporation) and the requisite consent has been given by the Chief Town Planner vide his letter dtd.19-11-2008, No.NRY/No.65 (Bharthana Vesu Bharthana)/Surat/DG/8399, as required u/s 41(1) of The Gujarat Town Planning and Urban Development Act, 1976

The Town Planning Committee of Surat Municipal Corporation under its Resolution No. 06/2009, dtd: 13/02/2009 declared its intention to make this Draft Town Planning Scheme as per Section 41(1) of The Gujarat Town Planning and Urban Development Act, 1976. The declaration of intention to prepare this scheme was published in Extra Ordinary Govt. Gazette dtd. 24/02/2009 in central section part - II. The said declaration of intention was also published in the daily newspapers "Sandesh" & "Gujarat Mitra" dtd. 25/02/2009 and 26/02/2009 accordingly.

સા.પ્ર.પા.સ.ના અધિકારીશ્રીને આ દસ્તાવેજી સહી અને સ્ટેમ્પ સાથે મોકલવામાં આવેલ છે. (૩) મુદતોમાં + બંધાયેલ છે

સ.પ્ર.પા.સ.ના અધિકારીશ્રી
1-10 મે

(2)

The tentative proposal of the Draft Scheme was therefore prepared and explained in the owners' meeting held on 09/12/2009 as required under rule 17 of The Gujarat Town Planning and Urban Development Rules 1979.

Time limit for publication of scheme under Town Planning and Urban Development Act-1976 as per Section-42(1) was extended vide order No.: NRY/1409/5051/L, dtd.: 10/11/2009 from dt.12/11/2009 to dt.12/02/2010.

The Draft Town Planning Scheme so prepared after considering the suggestions and representations received in the owners meeting was also published by Surat Municipal Corporation in the Govt. Gazette dtd. 10/02/2010 in Central Section Part-II as required u/s 42(1) of The Gujarat Town Planning and Urban Development Act, 1976, inviting suggestions/objections from interested persons. The notification was also published in local newspaper "Dhabkar" & "Gujarat Samachar" for inviting objections/suggestions on date : 11/02/2010.

After following the necessary procedure and formalities as prescribed under The Gujarat Town Planning and Urban Development Act, 1976, Gujarat Town Planning and Urban Development Rule, 1979, this draft scheme has been prepared. The same Scheme proposal was submitted to The Town Planning Committee for approval. The Town Planning Committee of Surat Municipal Corporation under its resolution No.18/2010, dtd. 05/05/2010 has authorized Commissioner, Surat Municipal Corporation to submit this Draft Town Planning Scheme with modification as follows.

1. It is proposed by the T.P.Committee to verify the records and make necessary changes for proposal of Block No. 108/p, 109/p, and 110/p of village Althan. On verification, there appears to be discrepancy between the map certified by DILR vide letter dated 27/06/2007 (which was used as a base map for preparation of Draft Town Planning Scheme No.65 (Vesu-Bharthana-Althan)) and map certified by DILR dated 15/01/2010 and 30/01/2010, now submitted by land owner. This needs to be examined thoroughly. It is therefore proposed that Town Planning Officer should examine the cases in detail and make necessary changes.

(3)

2. It is also proposed by T.P. Committee to show different ownerships and subdivisions of Block No.-131 of village: Vesu-Bharthana as recorded in 7/12 statement and DILR map. Accordingly subdivisions as shown in the DILR map are incorporated in Draft T. P. Scheme. As the area falling under the existing road is not corrected in the revenue records, the same is deducted from O.P. area and not taken in to consideration. For O.P. area necessary remarks are made in the col. No: 16 of Redistribution Statement - Form-"F" for block no.131.

Due to these modifications the area allotted to appropriate authority for various public purposes is changed as follows.

Details	As per Municipal Commissioner's proposal Area(Sq. mt.)	As per T.P. Committee's Resolution Area(Sq. mt.)
Original Plot	651414	651414
Final Plot	334476	334476
Percentage Deduction	48.65	48.65
Reservation(Allotted to Appropriate Authority)	244547	243782

Accordingly the same is submitted herewith as required u/s 48(1) of The Gujarat Town Planning and Urban Development Act, 1976. The Copies of scheme book, maps, resolution of Town Planning Committee, check list etc. pertaining to the legal formalities with respect to preparation of this draft scheme have been appended.

Land owners of the Block No.: 108, 109, 110/p, 111, 112, 116, 117/p 119/p & 168 of Village: Bharthana – Vesu and Block No.: 113/p & 127/p of village: Althan of this T. P. Scheme area have filed Transfer Petition No.271-272/2010 in Hon. Supreme Court along with original SCA No 2879/2010 and SCA No 2880/2010 in the Hon.High Court. There are no restricted orders in the said matter and the cases are pending.