

KASARAGOD MUNICIPALITY

**Publication of Draft Variation of
Detailed Town Planning Scheme for New Bus Stand Area, Kasaragod**

WHEREAS, the Government have, sanctioned the “Detailed Town Planning Scheme for New Bus Stand Area, Kasaragod” under sub-section (3) of Section 14 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920) as per notification issued under G. O. (Ms.) No. 100/91/LAD dated, 18th March, 1991;

AND WHEREAS, as per sub-section (1) of Section 113 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Madras Town Planning Act, 1920 (Madras Act VII of 1920) stands repealed;

AND WHEREAS, as per clause (ii) of sub-section (2) of Section 113 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the sanctioned “Detailed Town Planning Scheme for New Bus Stand Area, Kasaragod” is deemed to be a Detailed Town Planning Scheme sanctioned under the Kerala Town and Country Planning Act, 2016 (9 of 2016);

AND WHEREAS, it is required to vary the said scheme for the purpose of making the Scheme compatible to the present development scenario.

Now, THEREFORE, in exercise of powers conferred by sub-section (2) of Section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), Kasaragod Municipal Council hereby propose to vary the said Detailed Town Planning Scheme to the extent required, a draft of which is appended as required by section 46 of the Kerala Town and Country Planning Act, 2016.

DRAFT

In exercise of the powers conferred by sub-section (2) of Section 50 and sub-section (2) of Section 46 of the Kerala Town and Country Planning Act, 2016 (Act 9 of 2016), Kasaragod Municipal Council hereby propose to vary the “Detailed Town Planning Scheme for New Bus Stand Area, Kasaragod”, sanctioned as per G. O. (Ms.) No. 100/91/LAD dated, 18th March, 1991 which is deemed to be a Detailed Town Planning Scheme under the Kerala Town and Country Planning Act, 2016 (9 of 2016), to the extent as indicated below, namely :—

“VARIATION”

- I. In the said scheme for the scheme rule 2 “Definition” after the words “in this scheme unless there is anything repugnant in the subject or context”, for the rules 2(a) to 2(n) ,the following shall be substituted, namely:-
- a. “**Act**” means the Kerala Town & Country Planning Act, 2016 as amended.
 - b. “**Arbitrator**” means the arbitrator appointed for the scheme by the Government
 - c. “**Building Line**” means the line up to which the plinth of a building adjoining a street or an extension of a street or a future street may lawfully extend.
 - d. “**Chief Town Planner**” means the Chief Town Planner to the Government of Kerala.
 - e. “**Date of the Scheme**” means the date of coming in to operation of the plan as per section 62 of the Act.
 - f. “**Government**” means the Government of Kerala
 - g. “**Map**” means the map annexed to the scheme
 - h. “**Municipal Act**” means the Kerala Municipality Act, 1994.
 - i. “**Municipality**” means the Kasaragod Municipality.
 - j. “**Schedule**” means schedule(s) appended to the scheme.
 - k. “**Scheme**” means the Detailed Town Planning Scheme for Central Area, Kasaragod.
 - l. “**Secretary**” or “**Municipal Commissioner**” means the Secretary, Kasaragod Municipality
 - m. “**Street**” includes roads, streets and lanes.
 - n. “**Town Planner**” means the Town Planner of the Local Self Government Department Planning having jurisdiction over the area.”
- II. In the said scheme under the Scheme rule “**Responsible Authority**” the following shall be substituted, namely:-
- “3. The Secretary, Kasaragod Municipality shall be the responsible authority for the purpose of the scheme unless the Government orders otherwise.”
- III. In the said scheme, under the subheading “Streets” wherever the word “**DSN/2**” is used, that shall be substituted by “Scheme Map”.
- IV. In the said scheme, in rule 7, sub-rule 3 shall be deleted.
- V. In the said scheme, rule 8 “SUBMISSION OF LAYOUT PLANS” and rule 9 “APPROVAL OF LAYOUT PLANS” shall be deleted.
- VI. In the said scheme, for the scheme rule 10 the following shall be substituted,namely:-

"RESERVATION OF LAND AND ZONING

(a) General Provisions

1. All future developments and constructions shall be in conformity with the provisions of the Detailed Town Planning Scheme for Central Area, Kasaragod and the Kerala Municipality Building Rules in force, unless otherwise specified in these regulations.
2. Details regarding the nature of 'Uses permitted' and 'Uses restricted' in each zone are given below. In addition to the same, guidelines for regulating developments are also provided herein.
3. 'Uses Permitted' in a zone cover the uses that can be normally accommodated in the relevant zone. Such uses may be permitted by the Secretary, if in accordance with other relevant acts, rules and orders concerned in force.
4. In some cases it may be possible to permit some other uses also which are not likely to affect the quality and environment in a zone specified for a particular use. Such cases have to be individually studied based on their performance characteristics and special location factors. Such cases which come under this category are classified as 'Uses Restricted 1' and 'Uses Restricted 2'.
5. 'Uses Restricted-1' category deals with the uses that may be permitted by the Secretary with the concurrence of the Town Planner.
6. 'Uses Restricted-2' category deals with the uses that may be permitted by the Secretary with the concurrence of the Chief Town Planner.
7. Those uses which are not included under "Uses permitted' or Uses restricted' shall be treated as 'Uses Prohibited'.
8. Operational constructions as defined in the Kerala Town and Country Planning Act, 2016 shall be treated as permitted use in the scheme area.
9. Any use which is not explicitly included as 'Uses permitted' or 'Uses restricted' in a zone, but is of similar or ancillary nature to the 'Uses permitted' or 'Uses restricted' in a zone, may be permitted in such zone with the concurrence of the Town Planner.
10. Provisions with regard to Submission of Layout Plans, Approval of Layout Plans, F.S.I., Coverage, Exterior open spaces, Parking, Building Line, Access and other provisions as mandated in the Kerala Municipality Building Rules in force shall prevail over the respective provisions if any mentioned in these scheme rules, unless otherwise specified in the use zone regulations given in clause 10 (b).
11. If any portion of a zone is put to any 'Uses prohibited', before the sanctioning of this variation of the Detailed Town Planning scheme, such use shall be termed as non-

conforming use.

12. A non-conforming use may be allowed to continue in its existing location and essential repairs and maintenance for the structure may be permitted provided that the said use create no adverse environmental influence in the zone. Addition, alteration or reconstruction if found necessary as part of any mitigation measures may be permitted for such uses with the concurrence of the Town Planner.
13. For all purposes of this scheme, land/area to be acquired for any use shall be treated as land/area to be reserved for such use.
14. Existing areas and structures of archaeological importance, agricultural uses and religious uses may be permitted to continue in all zones.
15. No provisions in this scheme shall prevent implementation of any project/ scheme of Central, State or Local Government and Government approved projects by quasi government agencies. Such projects shall be treated as permitted uses in all zones and shall conform to widening of roads or new road alignments envisaged in the scheme and other applicable statutes.
16. Provisions under the Disaster Management Act, Archaeological Sites and Remains Act, Coastal Zone Regulations, Aircraft Act 1934, Environment Protection Act 1986, Kerala Conservation of Paddy Land and Wetland Act and any other applicable statutes as amended from time to time will prevail over the respective provisions of this Scheme.
17. Silence zone, as prescribed by the Noise Pollution (Regulation and Control) Rules, 2000 as amended from time to time, shall be applicable to such areas under this Scheme
18. Disaster mitigation projects by competent authorities shall be permitted in all zones.
19. If no industry is developed in the designated industrial zone at the time of sanctioning of variation of this scheme, development activities may be decided considering the nearest developable zone with the concurrence of the Town Planner.
20. Zoning regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations. They are essentially intended to help the competent authority in taking decisions regarding granting or refusal of permissions for land use conversions and construction of buildings/structures or any other matter specifically mentioned in these regulations.
21. Expansion of existing Public and Semi Public Institutions and existing Industrial units including their incidental uses to adjacent plots shall be treated as permitted use irrespective of the zone in which such adjacent plot lies, subject to prevailing statutes.
22. Land upto a depth of 100m on both sides of the centerline of the roads having an existing or proposed width of 12 m or more and falling in 'Area reserved for Residential use',

shall be treated as 'Area zoned for Mixed use (Commercial & Residential)'.

23. Any clarifications or interpretations of the scheme shall be issued by the Government in consultation with the Chief Town Planner concerned of Local Self Government Department Planning.
24. Large Scale development projects in an area 1 hectare or more and exceeding an investment of Rs.100 Crores, or which provide direct employment (after commissioning of the project) to the tune of not less than 500 may be permitted in all zones as per prevailing statutes, if not included in the permitted uses or restricted uses as per zoning regulation applicable. In such cases, the recommendation of a committee with constitution as below shall be obtained, subject to satisfying the procedures laid out here under and the Secretary shall comply with the same while issuing permit.

Also, adequate provision shall be made for supporting infrastructure such as water supply, sewerage, solid waste management, power supply, etc. Separate systems for management of solid waste and sewage shall be provided and maintained by the developer at his cost. The project shall be completed within a period of 5 years or as suggested by the Committee.

24.1 Procedure to be followed

(a) The developer shall submit the project report, detailing the demand, feasibility and Environmental Impact Assessment aspects of the project, together with the approval, if necessary, obtained from the Ministry of Environment and Forests, Government of India to the Convener of the committee and the Convener shall make all arrangements for convening meeting of the committee at the earliest and the committee shall consider and dispose of the project report within a period of one month from the date of receipt of the same.

(b) The constitution of the committee shall be as given under:

Principal Secretary/Secretary to Government, Local Self Government Department	- Chairperson
The Director, Local Self Government Department (Urban)	- Member
The Chief Town Planner, Local Self Government Department (Planning)	- Convenor
District Town Planner, Local Self Government Department (Planning)	- Member
Secretary of Municipality	- Member

(c) The Convener shall fix the venue, date and time of the meeting in consultation with chairperson and shall be responsible for safe custody of records and communications thereof.

(d) The meeting shall be presided over by the Chairperson or in his absence by a member to be authorised by him.

(e) The quorum of the meeting shall be majority of the total number of members of the committee for the project.

(f) The developer shall also produce before the committee, all required clearances from the State and Central Government agencies concerned.

(b) Use Zone Regulations

Sl. No.	Land Use	Uses Permitted	Uses Restricted by the Secretary of the Local Self Government with the concurrence of	
			Town Planner [Restricted-I]	Chief Town Planner [Restricted-II]
1	2	3	4	5
1	Area reserved for Residential use	<p>Residential buildings consisting of single or multifamily dwellings, residential flats / apartments, residential quarters, night shelters, orphanages, old age homes, Ashram, Mutt.</p> <p>Shops, Professional Offices, Commercial Offices, Banks & other Financial Institutions, Restaurants, Canteen, Hotels - built-up area limited to 200 m².</p> <p>Cottage Industries including coir, Service Industries of non- nuisance nature (Annexure I)</p> <p>Educational institutions essentially serving the needs of residential community such as Day Care, Crèche, Nursery Schools, Kindergartens, Madrasas and schools offering general education (up to Higher Secondary School level).</p> <p>Places of worship, religious uses.</p> <p>Health institutions essentially serving the needs of residential community such as dispensaries, clinics (Out Patient), Diagnostic Centres, etc. having a built-up area limited to 500 m².</p> <p>Community facilities such as Community Halls, Recreational Clubs, Social Welfare Centres, Gymnasium/ Yoga Centers, Swimming Pool, Libraries, etc. having a built-up area limited to 500 m².</p> <p>Utility Installations and Civic Amenities essentially serving the needs of residential community such as post office, police station, telephone exchange, fire station, tot lots, parks, play grounds, water treatment plants below 5 MLD.</p> <p>Public utility areas and Public Utility buildings.</p> <p>Government (Local/ State/ Central) or Public sector offices.</p>	<p>Fuel Filling Stations</p> <p>Cremation Ground/Crematorium, Burial Ground/Common Vault</p>	

Sl. No.	Land Use	Uses Permitted	Uses Restricted by the Secretary of the Local Self Government with the concurrence of	
			Town Planner [Restricted-I]	Chief Town Planner [Restricted-II]
2	Area reserved for Mixed use (Commercial & Residential)	<p>Transmission Towers, Telecommunication Towers and Wireless Stations</p> <p>Plant Nurseries, Pump House, Dairy and Dairy farms and Poultry farms, Fish farm and seed farm Wells and Irrigation Ponds incidental to community needs.</p> <p>Automobile workshop having built-up area limited to 75 m²</p> <p>All shops including shopping complexes, shopping malls, hypermarkets, restaurants, hotels, Markets.</p> <p>Godowns/warehouse/storage/stacking yards, all of Non-hazardous materials only.</p> <p>Single Family Residence -built-up area limited to 300 m².</p> <p>Residential apartments with at least two lower floors (or 20% of builtup area whichever is less) for commercial use, night shelters, orphanages, old age homes, dharmasala, hostels and boarding houses, lodges and guest houses, ashram, mutts, and madrassa.</p> <p>Day care, Crèche, Nursery/ Kindergarten.</p> <p>Transmission & Telecommunication Towers, Wireless Stations.</p> <p>Social welfare centres, library and reading rooms</p> <p>Parking plaza, Transport terminals</p> <p>Gymnasium, yoga centre, recreation club.</p> <p>Public utility areas & Public utility buildings, Government (Local/State/Central) or Public sector offices, Office buildings, professional offices, commercial offices & establishments, banking and financial institutions, IT software units</p> <p>Places of worship, religious uses.</p>	<p>Fuel filling stations</p> <p>Clinics, diagnostic centres and hospitals with built up area more than 1500m² provided that the access road has a minimum width of 8m.</p> <p>Exhibition centres, art gallery/ museum, auditorium/ convention centres and Cinema theatres, all with built up area more than 200m² provided that the access road has a minimum width of 10m.</p>	<p>Multiplex complex buildings having more than one cinema hall/screen with built-up area exceeding 12000 m².</p>

Sl. No.	Land Use	Uses Permitted	Uses Restricted by the Secretary of the Local Self Government with the concurrence of	
			Town Planner [Restricted-I]	Chief Town Planner [Restricted-II]
		<p>All non- nuisance industries (Annexure I), weigh bridges, printing press, IT hardware, electronic industries</p> <p>Clinics, diagnostic centres and hospitals with built up area limited to 1500m².</p> <p>Tot lots, Parks and playgrounds, fair grounds, open air theatres.</p> <p>Scientifically designed Slaughter houses/Abattoirs</p>		
3	Area reserved for bus stand			<p>Bus terminal including constructions that form an integral or essential part of the terminal.</p> <p>Any incidental uses to the bus terminal such as retail shops, restaurants, and canteen, etc. with built-up area limited to 200 m²</p> <p>Staff Quarters, offices, night shelters, guest houses, etc. incidental to the bus terminal</p> <p>Parking Plaza, Transmission Tower and Wireless Station.</p>

VII. In the said scheme rule 13 "CONSTRUCTIONS BY THE SIDE OF PUBLIC STREETS" shall be deleted.

ANNEXURE I
TYPE OF NON-OBNOXIOUS AND NON-NUISANCE TYPE OF SERVICE OR
LIGHT INDUSTRIES PERMISSIBLE IN RESIDENTIAL ZONES.

1. Production of copra
2. Processing of arecanut
3. Rice and Flour Mills.
4. Production of rice, flour etc., by hand pounding.
5. Processing of Cardamom, ginger, pepper etc.
6. Production of Khandsri for sugar-cane
7. Carrying and preservation of fruits and production of jam, jelly etc.
8. Processing and preservation of cashew nuts.
9. Bakeries.
10. Production of Dairy Products.
11. Oil mills (vegetables)
12. Extraction of oil by ghani.
13. Manufacture of hydrogenated oil.
14. Manufacture of "aval" (Beaten rice) appalam.
15. Production of vinegar.
16. Manufacture of soda, water, lemonade etc.
17. Manufacture of Ice.
18. Manufacture of ice cream.
19. Processing, packing and distribution of tea.
20. Processing, grinding, packing and distribution of coffee.
21. Manufacture of syrup.
22. Manufacture of beedi.
23. Manufacture of Cigar.
24. Manufacture of tobacco snuff.
25. Manufacture of chewing tobacco.
26. Cotton ginning, clearing, pressing etc.
27. Cotton spinning other than in Mills
28. Cotton spinning and weaving in Mills.
29. Cotton weaving in handloom.
30. Cotton weaving in power looms.
31. Handloom weaving.

32. Khadi Weaving in Handloom.
33. Printing of cotton textiles.
34. Manufacture of Cotton thread, rope twine, etc.
35. Jute spinning.
36. Manufacture of jute products including repairing of gunny bags.
37. Weaving of silk by Handloom.
38. Manufacture of hosiery goods.
39. Making of embroidery products
40. Tailoring
41. Manufacture of quilts and mattresses.
42. Manufacture of Coir and Coir Products.
43. Manufacture and assembling of umbrellas and production of spare parts of umbrellas.
44. Repairing of umbrellas.
45. Manufacture of wooden furniture and fixtures.
46. Manufacture of structural wooden goods such as doors, beams etc.
47. Manufacture of wooden industrial goods such as parts of handloom ambarcharka, bobbars etc.
48. Manufacture of wooden utensils, photo frames, toys, etc., and photo framing.
49. Cane industry including baskets, weaving etc.
50. Manufacture of miscellaneous wooden articles such as sticks, sandals, rules etc.
51. Manufacture of paperboard and paper hand.
52. Making of paper boxes, bags, envelopes etc.
53. Printing and publishing of newspapers and periodicals.
54. Printing and publishing of books.
55. Miscellaneous printing works including type cutting, book binding.
56. Manufacture and repairing of leather shoes and chap palls.
57. Manufacture of leather products such as suitcase, bag etc.
58. Vulcanizing and repairing of tyres and tubes.
59. Manufacture of rubber gloves.
60. Manufacture of Rubber products such as rubber sheets, nipples and rubber shoes including smoke-rubber.
61. Manufacture of pharmaceuticals, chemicals, Ayurvedic medicine etc.
62. Manufacture of agarbathi and other cosmetics.

63. Manufacture of plastic products such as nameplates etc.
64. Manufacture of lemongrass oil, candles etc.
65. Manufacture of cement products such as well-keros, tube, closets etc.
66. Manufacture of structural stone goods, stone crushing, stone carving, stone dressing, marble carving etc.
67. Manufacture of stone wares.
68. Manufacture of stone images.
69. Manufacture of chinaware's and crockery.
70. Manufacture of large containers and chinaware.
71. Manufacture of glass and glass products.
72. Manufacture of clay models
73. Manufacture of iron and steel furniture.
74. Manufacture and repairing of brass and bell metal products.
75. Manufacture of aluminium utensils and other products.
76. Manufacture of tin cans and copper vessels.
77. Electroplating, tinplating, welding etc.
78. Manufacture of agricultural implements, screws etc. (blacksmith and foundry)
79. Manufacturing assembling and repairing of machinery such as water pumps, oil mill chuck etc.
80. Manufacture of small machine tools and machine parts.
81. Manufacture of sewing machine parts and assembling and repairing of sewing machine.
82. Manufacture of electrical machinery and repairing of electric motors armature winding etc.
83. Manufacture and repairing of electric fans.
84. Charging and repairing of batteries.
85. Repairing of radios, microphones etc.
86. Manufacture of electric meters, production of electric and allied products, repairing and servicing of electrical appliances.
87. Bodybuilding of motor vehicles.
88. Manufacture and repairing of motor engine parts and accessories.
89. Servicing and repairing of motor vehicle
90. Manufacture of cycles, parts and accessories.
91. Manufacture and repair of boats and barges

92. Manufacture and repairing of animal drawn and hand drawn vehicles.
93. Repairing of photographic equipments, spectacles etc.
94. Manufacturing of medical instruments
95. Repairing of watches and clocks.
96. Manufacture of jewellery.
97. Manufacture, repair and tuning of musical instruments.
98. Manufacture of sports goods, balloons etc.
99. Ivory, carving and ivory works
100. Miscellaneous industries.

ANNEXURE II**LIST OF OBNOXIOUS OR NUISANCE INDUSTRIES SUBJECT TO
OBJECTIONABLE ODOURS, FUMES EFFLUENTS OR PROCESSORS TO BE
LOCATED IN HAZARDOUS ZONES.****(Grouped under Indian Standard Industrial Classification)**

- I. Manufacture of Food Stuff:**
 1. Slaughtering, preservation of meat and fish and canning of fish.
- II. Manufacture of Beverages:**
 2. Production of distilled spirits, wines, liquor etc., from alcoholic malt, fruits and malts in distillery and brewery.
 3. Production of country liquor and indigenous liquor such as toddy, liquor form mahua, palm juice.
- III. Manufacture of Textiles:**
 4. Dyeing and bleaching of cotton
- IV. Manufacture of Wood and Wooden Products:**
 5. Sawing and planning of wood.
 6. Wood seasoning and creosoting
 7. Manufacture of veneer and plywood.
 8. Paper, pulp and straw board.
- V. Manufacture of Leather and Leather Products:**
 9. Curryng, tanning and finishing of hides and skins and preparation of finished leather.
- VI. Manufacture of rubber, petroleum and coal products:**
 10. Manufacture of tyres and tubes
 11. Manufacture of Industrial and synthetic rubber.
 12. Reclamation of rubber.
 13. Production of petroleum, kerosene and other petroleum products in refineries.
 14. Production of chemicals and chemical products.
- VII. Manufacture of chemicals and chemical products:**
 15. Manufacture of basic industrial chemicals such as acids, alkali and their salts not elsewhere specified (especially sulphurous, sulphuric, nitric, hydrochloric etc., acids) ammonia, chlorine and bleaching powder manufactures)
 16. Manufacture of dyes, paint, colours and varnishes, printing ink.
 17. Manufacture of fertilizers (Especially from organic materials):

18. Manufacture of disinfectants and insecticides
19. Manufacture of ammunition, explosive and fireworks.
20. Manufacture of matches.

VIII. Manufacture of Non-metallic mineral products other than petroleum and coal:

21. Manufacture of cement and cement products
22. Manufacture of Lime
23. Manufacture of Plaster of Paris.

IX. Manufacture of basic metals and their products:

24. Manufacture of iron and steel including smelting, refining, rolling and conversion into basic forms.
25. Manufacture including smelting, refining etc., or nonferrous metals and alloys in basic forms.
26. Manufacture of Armaments.

X. Manufacture of machinery (other than transport) and electrical equipments:

27. Manufacture of all kinds of battery

XI. Miscellaneous items not covered above.

28. Incineration, reduction or dumping of offal, dead animals' garbage or refuse.
29. Manufacture of gelatin and glue.
30. Fat, tallow, grease or lard refining of manufacture.
31. Bone meal, bone grist and bone powder.
32. Manufacture of cashew nut shell oil.
33. Other similar types of nuisance industries.



District Town Planner
Kasaragod



Secretary
Kasaragod Municipality

Secretary
Kasaragod Municipality



Chairperson
Kasaragod Municipality

Adv. V.M. MUNEER
CHAIRMAN
KASARAGOD MUNICIPALITY

PW2