

MUVATTUPUZHA MUNICIPALITY

Publication of Draft Variation of Detailed Town Planning Scheme for Market Area in Muvattupuzha

WHEREAS, the Government have, vide order number G.O(MS)192/91/LAD dt. 01.08.1991, sanctioned the Detailed Town Planning Scheme for Market Area in Muvattupuzha, Muvattupuzha Municipality under sub section (3) of section 12 of the Town Planning Act, 1108 (IV of 1108);

AND WHEREAS, as per sub-section (1) of section 113 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Town Planning Act, 1108 (IV of 1108) stands repealed;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 Market Area in Muvattupuzha, Muvattupuzha Municipality 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 Zoning Regulations of the said scheme area compatible to the present development scenario to the extent possible as an immediate measure, until the scheme is further varied after detailed studies;

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), the Muvattupuzha Municipal Council hereby proposes to issue a notification varying the said Detailed Town Planning Scheme to the extent required, a draft of which is appended as required under Section 46 of the Kerala Town and Country Planning Act, 2016.

Notice is hereby given that the said draft will be taken up for consideration on or after sixty days from the date of publication of the said notification in the Gazette and any person or authority concerned with or affected by the proposed notification shall submit in writing his/her/their objections or suggestions, if any, thereon to the Secretary, Muvattupuzha Municipality on or before the period specified above.

DRAFT

In exercise of the powers conferred by subsection (2) of section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Muvattupuzha Municipal Council, hereby propose to vary the Detailed Town Planning Scheme for Market Area in Muvattupuzha, sanctioned as per G.O(MS)192/91/LAD dt. 01.08.1991 to the extent as indicated below, namely:-

VARIATION

1. In the said scheme, for the scheme rule 2, under the heading 'Title', the following shall be substituted namely :-

“In this scheme, unless there is anything repugnant in the subject or context:-

- a. “Act” means the Kerala Town and Country Planning Act, 2016 (9 of 2016).
- b. “Municipal Act” means Kerala Municipality Act 1994.
- c. “Municipality” means Muvattupuzha Municipality.
- d. “Municipal commissioner” means Municipal Secretary of Muvattupuzha Municipality.
- e. “Chief Town Planner” means Chief Town Planner of Local Self Government Department Planning.
- f. “Scheme” means the Detailed Town Planning Scheme for Market Area in Muvattupuzha.
- g. “Schedule” means a schedule appended to the scheme.
- h. “Map” means the map annexed to the scheme.
- i. “Street” includes roads, streets and lanes.
- j. “Date of Scheme” the date of coming into operation of the plan as per section 62 of the Act.
- k. “Rules” means the rules made under the Act.
- l. “Area” means the area to which the scheme applies.
- m. “Government” means the Government of Kerala
- n. “Arbitrator” means the arbitrator appointed for the scheme by the Government.
- o. “Senior Town Planner” means the Senior Town Planner of Local Self Government Department Planning having jurisdiction over the area.

2. In the said scheme, for the scheme rule 3, under the heading ‘Responsible Authority’, the following shall be substituted namely :

“The Secretary, Muvattupuzha Municipality shall be the responsible authority for the purpose of this scheme, unless the Government order otherwise”

3. In the said scheme, scheme rule 7 ‘Streets’, scheme rule 8 ‘Submission of Layout Plans’ and scheme rule 9 ‘Approval of layout plans’ shall be omitted.
4. In the said scheme, for the scheme rule 10 under the heading “Reservation of land and zoning” the following shall be substituted namely :

“A. General Guidelines

1. All future developments in respect of land coming within the scheme area shall be in conformity with the zoning regulation prescribed hereunder and the Kerala Municipality Building

Rules as amended from time to time. These regulations shall guide the granting or refusal of permission for land development.

2. For the implementation and enforcement of the proposals envisaged in the Detailed Town Planning Scheme, the scheme area have been zoned under various uses such as

- 1) Waterbodies
- 2) Existing roads & lanes.
- 3) Area reserved for roads
- 4) Area to be acquired for roads.
- 5) Area reserved for residential use.
- 6) Area to be acquired for residential use.
- 7) Area reserved for commercial use.
- 8) Area to be acquired for commercial use.
- 9) Area reserved for mixed (commercial and residential) use.
- 10) Area reserved for parks, open space & stadium.
- 11) Area to be acquired for parks & open space.
- 12) Area reserved for public & semi - public use.
- 13) Area to be acquired for Lorry stand.

3. Details regarding the nature of uses ‘permitted’, uses ‘restricted’ in each zone are given in table-I below. ‘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 of Muvattupuzha Municipality (herein after referred to as Secretary) if it is in accordance with other relevant rules / orders concerned in force. 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 spatial location factors. Such cases, which come under this category are classified as “Uses Restricted 1 & Uses Restricted 2”.

a. ‘Uses Restricted-1’ category deals with the uses that may be permitted by the Secretary with the concurrence of the Senior Town Planner of the Local Self Government Department (Planning) .

b. ‘Uses Restricted-2’ category deals with the uses that may be permitted by the Secretary with the concurrence of the Chief Town Planner of Local Self Government Department (Planning), Kerala.

4. Those uses which are not included under ‘Uses Permitted’ or ‘Uses Restricted’ shall be treated as ‘Uses Prohibited’.

5. 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 Senior Town Planner of the Local Self Government Department (Planning)

6. If any portion of a zone is put to a prohibited use, before the sanctioning of variation of this scheme, such use shall be termed as non-conforming use. 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 Senior Town Planner of the Local Self Government Department (Planning)

7. 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.

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. The proposal for the formation of the widening /new roads for the following roads:

- a. Road A A, (Municipal stadium road)
- b. Road B B, (Passing through the north- east side of the stadium)
- c. Road C4 C4, (Off take from C³C³-Road portion in NH 85 from Vellorkunnam Jn. to Municipal Stadium Road to Ernakulam)
- d. Road E E (Continuation of road DD and passing through the eastern side of the scheme boundary near the Muvattupuzha river)
- e. Road E¹E¹ (Connecting road b/w road A A-Municipal stadium road and road C¹C¹ - Road portion in NH 85 from Nehru park Jn. to Keecheripady Jn.)
- f. Road E²E² (Vellorkunnam jn to river)
- g. Road E³E³ (Temple road)

shall be omitted and the reservation of land for such purpose is dispensed with. In such land, uses listed under 'Uses permitted' in adjacent land uses may be permitted by the Secretary and uses listed under 'Uses Restricted I' in adjacent land uses may be permitted, by the Secretary with the concurrence of Senior Town Planner of the Local Self Government Department (Planning).

10. The width of road D D (Road starting from near the Everest junction to Government Homeo hospital) shall be reduced to 10.0m. For the remaining land zoned as "Area to be acquired for roads" along such stretches, adjacent land uses (Area reserved for residential use, Area to be

acquired for residential use, Area reserved for commercial use and Area reserved for mixed (commercial and residential) use, whichever is applicable as per the scheme map) shall be applicable.

11. For the road C C (Off take from the keechecheripady Junction to the Muvattupuzha river and the east) the portion of the road stretch from Kochangadi road to Muvattupuzha river and the east shall be omitted and the reservation of land for such purpose is dispensed with. In such land, uses listed under 'Uses permitted' in "Area reserved for residential use" may be permitted by the Secretary and uses listed under 'Uses Restricted I' in "Area reserved for residential use" may be permitted, by the Secretary with the concurrence of Senior Town Planner of the Local Self Government Department (Planning).

12. Land on both sides of the roads having existing width 15.0 m and above in this scheme area to a width of 100.0m shall be treated as "Area reserved for mixed (commercial and residential) use", irrespective of the land use zone except 'Water bodies', 'Area reserved for parks, open space & stadium', 'Area to be acquired for parks & open space' indicated in the scheme map.

13. In water bodies zone, permitted and restricted uses in adjacent land use zone may be permitted with the concurrence of Senior Town Planner if that particular land in water bodies zone is not exists as water body.

14. Provisions under the Disaster Management Act, Archaeological Sites and Remains Act, 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.

15. Notwithstanding anything contained in the scheme rules, provisions with regard to Off-street parking, Open spaces/yard/setbacks, Building line, Access, FAR and coverage mandated in the Kerala Municipality Building Rules in force shall prevail over the respective provisions if any mentioned elsewhere in the scheme rules.

16. Transmission / Tele communication towers, ATMs and all constructions for public utility shall be permissible within the scheme area irrespective of the zoning regulations except in the road widening area and water bodies.

17. 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.

18. Subject to the Zoning Regulation of the respective zone, more than one use may be combined in a building, provided that the total built up on all floors of such a building shall not exceed the maximum built up permitted for any of such use in that zone.

19. Silence Zone, as prescribed by the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment (Protection) Act, 1986 and its subsequent amendments, shall be applicable to the area under this scheme

20. Existing areas and structures of archaeological importance and religious uses may be permitted to continue in all zones and shall not constitute non- conforming uses.

21. Expansion of existing Public and Semi Public Institutions including their incidental uses to adjacent plots shall be treated as permitted use irrespective of the zone in which such adjacent plot lies, except in water courses zone.

22. Any clarifications or technical interpretations of the scheme may be issued by the Government in consultation with the Chief Town Planner of Local Self Government Department (Planning).

B. Zoning Regulations

All future developments in respect of land within the scheme area shall confirm to the zoning regulations given below:

Table –I- Zoning Regulations

3	Uses Restricted		
No.	Uses Permitted	Restricted (1) Uses permitted with the concurrence of Senior Town Planner	Restricted (2) Uses permitted with the concurrence of Chief Town Planner
3.1	Water bodies		
	All existing water courses shall be conserved. Bridges, side protection walls, jetty and facilities related to river tourism may be permitted.		
3.2	(i) Existing roads and lanes (ii) Area reserved for roads (iii) Area to be acquired for roads		
	Traffic and transportation related uses, street furniture and other ancillary uses, Authorised street vending activities		
3.3	(i) Area reserved for Residential Use (ii) Area to be Acquired for Residential Use		


	Residential buildings consisting of single or multifamily dwellings, residential flats / apartments, residential quarters, night shelters, guest houses, orphanages, old age homes, pakalvedu, Ashram / mutt, places of worship, religious uses	Fuel filling stations	Multiplex
	Shops, commercial offices, professional offices, Banks & other financial institutions, restaurants, hotels – built up area up to 1000 Sq.m.	Shops, commercial offices, professional offices, Banks & other financial institutions, restaurants, hotels – built up area above 1000 Sqm	
	Cottage industries, service Industries of non-nuisance nature (See Annexure) having built up area upto 50sqm.	Small auto garages and other non-nuisance type service industries having built up area upto 200sqm.	
	Educational institutions , day care and crèche, kindergartens having a built up area upto 1000sqm	Educational institutions, day care and crèche, kinder gartens having a built up area above 1000sqm	
	Health institutions essentially serving the needs of the residential community such as dispensaries,clinics, Diagnostic Centers, nursing homes etc. having built up area upto 1000 Sq.m.	Health institutions essentially serving the needs of the residential community such as dispensaries, clinics, Diagnostic Centers, nursing homes etc. having built up area above 1000 Sq.m.	
	Community facilities such as community halls, Auditoriums, recreational clubs, gymnasium / yoga centers, hostels, boarding houses, libraries, reading room	Community facilities such as community halls, Auditoriums, recreational clubs, gymnasium / yoga centers, hostels, boarding houses, libraries, reading	

	etc. having built up area upto 1000 Sq.m.	room etc. – built up area above 1000 Sq.m.	
	Civic amenities essentially serving the needs of residential community such as tot lots, parks, play grounds,		
	Public utility building such as water treatment plants below 5 MLD, water supply, drainage and electric installations of a minor nature, Pump house, wells & irrigation ponds, Plant nurseries incidental to community needs		
3.4	(i) Area reserved for Commercial use (ii) Area to be Acquired for Commercial Use		
	All shops including shopping complexes, Shopping malls, hypermarkets, restaurants, hotels, markets, vegetable market, scrap shop	Parking area / plaza	Multiplex
	Community facilities including Hospitals, clinics, dispensaries, Nursing homes, diagnostics centres, etc. having built up area upto 1500 Sq.m.	Community facilities including Hospitals, clinics, dispensaries, Nursing homes, diagnostics centres, etc. having built up area above 1500 Sq.m.	
	Professional offices, commercial offices & establishments, banking and financial institutions, IT software units, Auditorium / wedding halls / Community halls, Social welfare centres, convention centres, Exhibition Centers and Art Gallery, Library and Reading rooms.		

	Warehouses and godowns of non-nuisance type, Weigh bridges, Slaughter house, Bus stand, Fire & Rescue station	Saw mill, Fuel filling stations	
	Individual residential buildings, Residential flats / apartments, Places of worship, Religious uses		
	Gymnasium / Yoga centres, Day care and Creche, Nursery / Kindergarten, primary school, public utilities and related buildings, parks, play grounds and openspace.		
	Night shelters, hostels and boarding houses, lodges and guest houses		
	cottage industries, automobile workshops, automobile service stations, cold storage, service industries of non-nuisance nature (see Annexure)		
3.5	Area reserved for Mixed - Commercial and Residential		
	All permitted uses under Residential and Commercial Uses	All restricted uses (1) under Residential and Commercial Uses	All restricted uses (2) under Residential and Commercial Uses
3.6	(i) Area reserved for public & semi public use		
	Central, State and Local Government / Public sector offices and establishments	Commercial buildings having built up area above 500 sqm	
	Community facilities including Hospitals, clinics, dispensaries, Nursing homes, diagnostics centres, etc, public utilities and related buildings, parks and play grounds	Fuel filling stations	
	Religious uses		

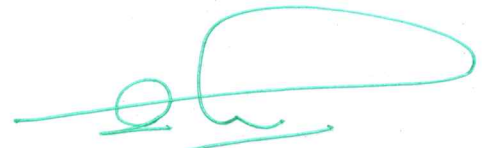
	Educational institutions		
	Commercial buildings having built up area upto 500 sqm		
	Individual residential building		
3.7	(i) Area reserved for parks, open space & stadium. (ii) Area to be acquired for parks & open space.		
	Parks, tot lots, Open spaces and maidans, stadium, play grounds, open air theatres, constructions related to recreational activities, comfort station, cafeteria upto 50sqm built up area	Fish market	
	Additions and alterations to the existing buildings, buildings for incidental uses to the main use		
	Commercial uses, Individual residential buildings.		
3.8	Area to be acquired for Lorry stand		
	Traffic and transportation related uses including bus terminal, lorry stand.		
	Commercial uses, Individual residential buildings.		

5. In the said scheme, the scheme rules 11(Acquisition of lands), 12(Disposal of Land), 13(Minimum area of dwelling houses and buildings), 14, 20(Claim for compensation), 21(Claim for betterment) & 22 (Power of the responsible authority to make agreement) shall be omitted.


Secretary

Muvattupuzha Municipality




Chairman

Muvattupuzha Municipality

ANNEXURE

Type of non-obnoxious and non-nuisance type of service or light industries

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

32. Manufacture of jute products including repairing of gunny bags.
33. Weaving of silk by Handloom.
34. Manufacture of hosiery goods.
35. Making of embroidery products
36. Tailoring
37. Manufacture of quilts and mattresses.
38. Manufacture of Coir and Coir Products.
39. Manufacture , repairing and assembling of umbrellas and production of spare parts of umbrellas.
40. Manufacture of wooden furniture and fixtures.
41. Manufacture of structural wooden goods such as doors, beams etc.
42. Manufacture of wooden utensils, photo frames, toys, etc., and photo framing.
43. Cane industry including baskets, weaving etc.
44. Manufacture of miscellaneous wooden articles such as sticks, sandals, rulers etc.
45. Manufacture of paperboard and paper hand.
46. Making of paper boxes, bags, envelopes, tissue paper etc.
47. Printing and publishing of newspapers, periodicals and books.
48. Miscellaneous printing works including typing, cutting, book binding.
49. Manufacture and repairing of leather shoes and chappals.
50. Manufacture of leather products such as suitcase, bag etc.
51. Vulcanizing and repairing of tyres and tubes.
52. Manufacture of Rubber products such as rubber sheets, rubber gloves , nipples and rubber shoes including smoke-rubber.
53. Manufacture of pharmaceuticals, chemicals, Ayurvedic medicine etc.
54. Manufacture of agarbathi and other cosmetics.
55. Manufacture of plastic products such as nameplates etc.
56. Manufacture of lemongrass oil, candles etc.
57. Manufacture of cement products such as rings, closets etc.
58. Manufacture of structural stone goods, stone crushing, stone carving, stone dressing, marble carving etc.
59. Manufacture of stone wares.
60. Manufacture of stone images.
61. Manufacture of chinaware's and crockery.
62. Manufacture of large food containers and chinaware.
63. Manufacture of glass and glass products.

64. Manufacture of clay models
65. Manufacture of iron and steel furniture.
66. Manufacture and repairing of brass and bell metal products.
67. Manufacture of aluminum utensils and other products.
68. Manufacture of tin cans and copper vessels.
69. Electroplating, timplating, welding etc.
70. Manufacture of agricultural implements, screws etc. (blacksmith and foundry)
71. Manufacturing assembling and repairing of machinery such as water pumps, oil millchucks etc.
72. Manufacture of small machine tools and machine parts.
73. Manufacture of sewing machine parts and assembling and repairing of sewing machine.
74. Manufacture of electrical machinery and repairing of electric motors armature winding etc.
75. Manufacture and repairing of electric fans.
76. Charging and repairing of batteries.
77. Repairing of radios, microphones etc.
78. Manufacture of electric meters, production of electric and electronic allied products, repairing and servicing of electrical appliances.
79. Manufacture and repairing of motor engine parts and accessories.
80. Manufacture of cycles, parts and accessories.
81. Repairing of photographic equipments, spectacles etc.
82. Manufacturing of medical instruments
83. Repairing of watches and clocks.
84. Manufacture of Jewellery.
85. Manufacture, repair and tuning of musical instruments.
86. Manufacture of sports goods, balloons etc.
87. Ivory, carving and ivory works
88. IT , ITES & IT Hardwares
89. Manufacture of wax, waxproducts
90. Manufacture of fish products , aquaponics