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NOTIFICATION

No. B. 13015/25/05-LAD/VC, the 15th May, 2006. In exercise of the powers conferred by sub-section (1) of section 60 of the Aizawl Development Authority Act, 2005 (9 of 2005) read with clauses (e), (f), (g) and (h) of sub-section (2) of that section, the Governor of Mizoram hereby makes the following rules, namely -

CHAPTER I

General

1. Short title and commencement - (1) These Rules may be called the Aizawl Development (Master Plan and Zonal Development Plan) Rules, 2005.

(2) They shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions - In these Rules, unless the context otherwise requires -

(i) "Act" means the Aizawl Development Authority Act, 2005;

(ii) "Authority" means the Aizawl Development Authority constituted under section 3 of the Act.

CHAPTER - II

Survey, Form and Content of the Master Plan

3. Civic Survey - The civic survey to be carried out by the Authority may include survey and analysis of the physical, economic and sociological features of Aizawl, with reference to the distribution of population, industry, communications, housing requirements and such other matters as, in the opinion of the Authority, relate to the development of Aizawl.

4. Form and contents of Master Plan - (1) The draft Master Plan shall, subject to the provisions of sub-section (2) of section 7 of the Act, consist of such maps, diagrams, charts, reports and other written matter of an explanatory or descriptive nature as pertain to the development of the whole or any part of Aizawl.

(2) The written matter forming part of the draft Master Plan shall include such summary of the main proposals and such descriptive matter as the Authority may consider necessary to illustrate or explain the proposal indicated by maps, charts, diagrams and other documents.

(3) The draft Master Plan may include all or any of the following -

- (a) **reports of the survey and analysis** of the socio-economic features of Aizawl with special reference to the trends of growth of population, industries, business, commerce and such other matters as may relate to planned development;
- (b) **"a land use plan"** based upon such survey of the present use of land as may be necessary as well as analysis of estimated future needs and consisting of comprehensive proposals for the most desirable utilisation of land such as agricultural, government, commercial, industrial, residential, cultural, educational, recreational, transportation and other activities,
- (c) **"a transit and transportation plan"** based upon reports of survey and inventory of volume of traffic and capacity of existing roads, highways and consisting of proposals for a system of street roads, highways and parking, loading, unloading and terminal facilities;
- (d) **"a public utilities plan"** consisting of proposals for provision of water, electricity, drainage and disposal of sewage and refuse;
- (e) **"a housing plan"** consisting of estimates of housing requirements and proposals relating to standards of new housing units;
- (f) **reports of survey and proposals** for elimination of slums and blighted areas;
- (g) **"education, recreation and community facilities plan"** indicating proposals for parks, open spaces, recreational, educational and cultural centres;
- (h) **"a financial plan"** containing capital improvement programme, estimates of revenues and resources, estimates and objective of public services and such other fiscal matters and proposals for the implementation in states of the Master Plan;
- (i) **"an administrative plan"** consisting of proposals and recommendations for the administrative structure and procedure and processes such as zoning, sub-division and building regulations as may be necessary for the implementation and periodic review of the Plan; and
- (j) such **other reports** on specific development plans, satellite township schemes, industrial estate schemes, relocation or re-housing schemes or improvement programmes or any specified purposes in the opinion of the Authority are necessary or desirable for the planned development of Aizawl.

4. In case of any contradiction between the particulars of proposals shown on one map and shown on any other map or maps in respect of any land to which the draft Master Plan relates, the map which is to a larger scale shall prevail, and in case of any such contradiction between any map and a written statement, the latter shall prevail

CHAPTER - III **Procedure for preparation of Master Plan**

5. Public Notice regarding preparation of Master Plan -

- (1) As soon as may be after the draft Master Plan has been prepared, the Authority shall publish a public notice stating that -
 - (a) The draft Master Plan has been prepared and may be inspected by any person at such time and place as may be specified in the notice, and
 - (b) Suggestions and objections in writing, if any, in respect of the draft Master Plan may be filed by any person with the Secretary of the Authority within 60 days from the date of first publication of the Notice.
- (2) The notice may be in Form 'A' appended to these rules without or with modification as may be necessary;

6. Mode of Publication of Public Notice : The Authority shall cause the said notice to be published in the manner prescribed by section 45 of the act and may also cause it to be published in the Official Gazette.

7. Notice to and representation from local authorities - The Authority shall cause a copy of the notice referred to in rule 6 to be sent to every local authority within whose limits any land touched by the Plan is situate, and such local authority may, within a period of sixty days from the date of the notice make any representation with respect to the Plan to the Authority.

8. Appointment of Board for enquiry and hearing - (1) The Authority shall, for hearing and considering any representation, objection and suggestion to the draft Master Plan, appoint a board consisting of not less than three and not more than five members of the Authority.

(2) No business of the Board shall be transacted at any meeting unless at least three members are present from the beginning to the end of the hearing.

9. Enquiry and Hearing - The Secretary shall, after the expiry of the period allowed under these rules for making objections, representations and suggestions, fix a date or dates for hearing by the Board of any person, or local authority in connection with any objection, representation or suggestion made by such person or local authority in respect of the draft Master Plan and shall serve on the local authority or any person who may be allowed a personal hearing in connection with such representation, objection or suggestion to the draft Master Plan, a notice intimating the time, date and place of the hearing.

Provided that the Board may disallow personal hearing to any person, if it is of the opinion that the objection or suggestion made by such person is inconsequential, trivial or irrelevant.

10. Report of Enquiry - The Board shall, after the conclusion of its enquiry, submit to the Authority a report of its recommendations.

11. Preparation of final draft Master Plan and its submission to the Government - The Authority shall, after considering the report of the Board and any other matter it thinks fit, finally prepare the Master Plan and submit it to the Government for its approval.

12. Amendment of Master Plan - The Authority may amend the whole or any part of the Master Plan, if necessary, at the expiry of every five years in accordance with the procedure prescribed by the Act and these rules as if the proposed amendment were a new Master Plan.

Provided that if the Authority is of the opinion that having regard to the circumstances prevailing at any particular time it is necessary so to do, it may amend the Master Plan or any part thereof at any time prior to the expiry of the said period, in accordance with the aforesaid procedure.

Provided further that the Authority may, without following the aforesaid procedure, but with the prior approval of the Government permit, on receipt of an application in this behalf, any change in the size of public parks and recreation grounds not exceeding ten per cent either way of the approved size.

13. Approval of Government to amendment of Master Plan -

- (1) Amendment of the Master Plan shall not take effect unless approved by the Government.
- (2) Immediately after an amendment has been approved by the Government, the Authority shall publish, in such manner as may be prescribed by regulations, a notice stating that the amendment has been approved and naming a place where a copy of the amendment may be inspected at all reasonable hours and upon the date of the first publication of the aforesaid notice the amendment shall come into operation.

CHAPTER - IV **Zonal Development Plans**

14. Contents of Zonal Development Plans - A Zonal Development Plan may also include any of the contents that form part of the Master Plan.

15. The provisions of rules 5 to 13 relating to the Master Plan shall apply *mutatis mutandis* to the Zonal Development Plan.

FORM 'A'

[Notice under section 10(1) of the Aizawl Development Authority Act, 2005 (9 of 2005) read with Rule 5 of the Aizawl Development (Master Plan and Zonal Development Plan) Rules, 2005 on the preparation And publication of the draft Master Plan for Aizawl]

- (1) Notice is hereby given that -
 - (a) a draft to a Master Plan for Aizawl has been prepared; and
 - (b) a copy thereof will be available for inspection at the office of the Aizawl Development Authority (address) between the hours of 11 a.m. and 4 p.m. on all working days till the date mentioned in para 3 hereinafter.
- (2) Objections and suggestions are hereby invited with respect to this draft Plan.

(3) The objection or suggestion may be sent in writing to the Secretary, Aizawl Development Authority, (address) before the day of 200.

(4) Any person making the objection or suggestion should also give his name and address.

Aizawl,
Dated..... day of 200

SECRETARY
Aizawl Development Authority

Sd/-
R.K. THANGA,
Commissioner & Secretary,
Local Administration Department.