

ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT

NOTIFICATION

Port Blair, dated the 28th September, 2005

No. 275/2005/F.No. 25 -1/2002-PWD (PF-I).—In exercise of the powers conferred by sub-section (1) of section 34 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No.7 of 1994), the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby makes the following rules, namely:—

**“The Andaman and Nicobar Islands
Town and Country Planning Rules, 2005”**

CHAPTER – I

PRELIMINARY

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <p>1. i) These Rules may be called the Andaman and Nicobar Islands Town and Country Planning Rules, 2005;</p> <p>ii) It extends to the whole of the Union Territory of the Andaman and Nicobar Islands;</p> <p>iii) It shall come into force from the date of its publication in the Andaman and Nicobar Gazette.</p> | <p>Short Title, Extent,
and Commencement.</p> |
| <p>2. In these rules, unless the context otherwise requires :-</p> <p>i) “Application” means application as prescribed under Rule 4(1);</p> <p>ii) “Administration” means Andaman & Nicobar Administration;</p> <p>iii) “Administrator” means (Lt. Governor A & N Islands) appointed by the President of India under Article 239 of the Constitution of India;</p> <p>iv) “Appeal” means appeal preferred to the Administrator under section (17) of the Regulation,</p> <p>v) “Central TCPO” means the Town & Country Planning Organisation attached to the Ministry of Urban Development & Poverty Alleviation, Govt. of India, New Delhi;</p> <p>vi) “Fee” means the fee prescribed under Rule 4 (3);</p> <p>vii) “Form” means the form annexed with these Rules;</p> <p>viii) “Register” means the register prescribed under Rule 5 (3) of these rules;</p> <p>ix) “Regulation” means the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994. (No. 7 of 1994); and</p> <p>x) “Rule” means the Andaman & Nicobar Islands Town & Country Planning Rules framed under section (34) of the Regulation</p> <p>xi) “Persons appointed to assist the Town Planner” includes Senior Town Planner, Associate Town and Country Planner, Assistant Town Planner and such other persons with such designations as the Administrator thinks fit;</p> <p>xii) “Saving” means exemptions permissible under section (7) of the Rule ;</p> | <p>Definitions.</p> <p>Definitions</p> |

- xiii) "Schedule" means the list of items of Draft Master Plan kept for inspection under Form No.-I of the Rules;
- xiv) "Urban, Sub-Urban, Rural" means classification of Development Area under the Master Plan for each Development Area.

CHAPTER - II

Manner of inviting objection and suggestion.

- 3 (a) As soon as may be, after a Draft Master Plan is prepared for any Development Area, the Town Planner shall, by giving a notice in **Form No.-I**, in "The Daily Telegrams" and in one or more other Local Newspapers circulated in the Development Area and also in the official Website of the Administration, make known to the public that a Draft Master Plan for the Development Area has been prepared under sub-section (1) of section 7 of the Regulation and copy of the same is available for inspection in the office of the Town Planner and such other places as specified. The objections and suggestions on the Draft Master Plan, if any, may be submitted to the Town Planner by any person within a period of thirty (30) days of the publication of the said notice in the Newspapers.
- 1) (b) Simultaneously the information of inviting objections and suggestions on Draft Master Plan may be Broadcasted/Telecasted through the Electronic Media such as TV & Radio for wider publicity and for the participations of general public and others in the process of Master Plan preparation.
- (c) If the Town Planner considers necessary, he may cause to organize a Workshop/Seminar for discussion on the Draft Master Plan for obtaining views of various Development Departments of Administration, Elected Representatives, NGOs, Experts in the field and Prominent Citizens of the Town apart from the Secretaries and Heads of the Departments Administration.
- (d) The objections/suggestions received from the General Public and others shall be consolidated by the Town Planner and the same shall be placed before the Advisory Council constituted under section (5) of A&N Islands Town & Country Planning Regulation for its views. The Advisory Council may accept/reject any /all suggestions and objections fully/partly.
- (e) In case substantial modifications are suggested to the Draft Master Plan the same shall be referred to the concerned Development Department of the Administration and the Central TCPO for their views before such modifications are approved by the Administrator.

Documents to be kept for inspection.

- 2) The Town Planner shall keep the documents listed below for the inspection of the General Public & others:-
- (a) The Existing Land Use Map of the Development Area, to have an idea of relationship between existing and proposed land use;
- (b) The proposed Land Use map of the Development Area;
- (c) A narrative report, supported by maps, charts and other documents explaining the provisions of the Draft Master Plan;
- (d) Provisions for enforcement of the Master Plan and the manner in which permission for Development may be obtained;

- (e) The Phasing of implementation of the Master Plan;
- (f) An approximate estimate of the cost of land acquisition for public purposes involved in the implementation of the Master Plan;
- (g) A note indicating the priorities assigned to the Projects included in the Draft Master Plan; and
- (h) A note indicating the role being assigned to different Government Departments and Local Authorities for the enforcement and implementation of the Draft Master Plan.
- Manner of Publishing the approval of Master Plan. 3) After the approval of the Master Plan by the Administrator (Lieutenant Governor) under sub-section (2) of section 8 of the Regulation, a notice in **Form No. -II** shall be published in "The Daily Telegrams" and in one or more local newspapers circulated in the Development Area and also in the official Website of the Administration stating that a Master Plan has been prepared and approved by the Administrator for the Development Area and a copy of the Master Plan shall be available for inspection during office hours, on all working days, in the office of the Town Planner and such other places. The Master Plan shall come into operation from the date of publication the above notice. The copies of the approved Master Plan shall be printed both in Hindi and English and made available for sale, at the Govt. Press for reference and use of general public and others.
- Modification to Master Plan. 4) When any modification(s) to a Master Plan is envisaged by the Administrator under sub-section (1) of section 9 of the Regulation, a notice to the effect shall be published in **Form No.-III** in "The Daily Telegrams" and in one or more local newspapers circulated in the Development Area and also in the official Website of the Administration, stating clearly the said modification(s) and inviting objections and suggestions with respect to the proposed modification(s) within forty five (45) days of the publication of the above notice. The objections and suggestions shall be submitted to the Town Planner, who shall forward the same to the Administrator for consideration.
- Publishing modification carried out to the Master Plan. 5) As soon as any modification(s) is made under sub-section (1) of section (9) of the Regulation and the Modifications to the Master Plan is finally approved by the Administrator, notice to the said effect shall be published in **Form No.-IV** in "The Daily Telegrams" and in one or more local newspapers circulated in the Development Area and also in the official Website of the Administration and the modification(s) shall come into force on the date of publication of the said notice.

CHAPTER -III

- Form and Manner of applying for Planning Permission. 4. 1) After coming into operation of the Master Plan under sub-section (2) of section 8 and sub-section (4) of section 9, of the Regulation, every person body (including a Department of Government of India or the Administration), desiring to undertake any development in the Development Area shall obtain the permission, in writing, as contained in sub-section (1) of section 12 of the Regulation, by making an application in - **Form No.-V** to the Town Planner accompanied by the fee as prescribed under Rule 4(3) provided that no such fee shall be necessary in the case of an application made by a Department of Government of India or of the Administration.

- 2) The Town Planner shall issue Planning Permission within six (6) Months from the date of receipt of the application, failing which, the permission shall deemed to have been given to the applicant for the respective development and can start the work.
- 3) The fee for undertaking any development in the Development Area, as contained in sub-section (2) of section 12 of the Regulation, shall be as under:-

FEE FOR DEVELOPMENT OR RE-DEVELOPMENT

Development Area	Fee per square metre of Total land			
	Residential	Industrial	Commercial	Others*
1. Municipal Area /Urban Areas	Rs. 5.00	Rs. 7.00	Rs. 10.00	Rs. 2.00
2. Sub-Urban Areas within the Development Area	Rs. 4.00	Rs. 6.00	Rs. 8.00	Rs. 1.50
3. Rural Areas	Rs. 2.00	Rs.5.00	Rs.6.00	Rs.1.00

*Others include Institutional, Recreational, Public & Semi-Public, Parks and Open Spaces and Agricultural related uses.

- Acknowledge-
ment for
application.
5. 1) On receipt of the application, the Town Planner shall issue an acknowledgement of receipt of the application in **Form No.-VI**, and after making such inquiries as the Town Planner considers necessary, he shall, by order in writing, in **Form No.-VII**, either grant the permission, subject to such conditions, if any, as may be specified in the order or refuse to grant such permission. The applicant shall be given an opportunity, to show cause as to why the permission should not be refused.
- Refusal of
Permission.
- 2) When permission for undertaking or carrying out any development is refused, the grounds of such refusal shall be recorded in **Form No.-VII** and communicated to the applicant.
- Register for
application.
- 3) The Town Planner shall keep a Register of Applications received for Planning Permission, as **Form No.- VIII**.
- Inspection of
Register.
- 4) The Register of Applications shall be available for inspection by any member of the public at the working hours of the office of the Town Planner, on payment of rupees twenty only.
- Appeal to the
Administrator.
- 5) Any person aggrieved by an order of the Town Planner made under the Regulations, may prefer an appeal, in **Form No. -IX**, to the Administrator within thirty days from the date of the order.
- Fee for appeal.
6. The fee for preferring an appeal to the Administrator shall be Rs. 25.00 (Rupees twenty five only).
- Saving.
7. 1) After coming into operation of the Master Plan under sub-section (2) of section 8 and sub-section (4) of section 9 of the Regulation if any lawful use of any land or building exists that is not longer permissible under the Master Plan, such use may be permitted to be continued, so long as it remains otherwise lawful, subject to the following conditions: -
- (a) Neither such non-conforming use of any land or building shall be enlarged or increased not extended to occupy a greater area than was occupied on the date of coming into operation of the Master Plan;
- (b) No such non-conforming use shall be moved, in whole or part, to any other portion of the land or building occupied by such use on the date of coming into operation of the Master Plan;

- (c) No existing structure devoted to a use not permitted by the Master Plan shall be enlarged, extended, constructed, reconstructed, mobbed or structurally altered except in changing the use of the structure to a use permitted by the Master Plan;
- (d) If any structure is destroyed by any means to an extent of fifty (50) percent of its replacement cost at the time of destruction it shall not be reconstructed except in conformity with the Master Plan; and
- (e) If any non-conforming use of any land or building ceases for a period of six months any subsequent use of such land or building shall conform to the requirements specified by the Master Plan.

Sd/-

Lieutenant Governor
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor,

Sd/-

Assistant Secretary (PWD),
Andaman and Nicobar Administration,
Secretariat, Port Blair.

FORM -I
(See Rule 3 (1)(a))

NOTICE OF PUBLICATION OF DRAFT MASTER PLAN UNDER SECTION 7(1) OF THE REGULATION

NOTIFICATION

No.....F. No..... In pursuance to the powers conferred under sub-section (1) of section 7 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No.7 of 1994), the Draft Master Plan for..... Planning area/region is hereby published and the notice is given that a copy of the said Draft Master Plan is available for inspection at the following offices apart from the office of the Town Planner, during the office hours on all working days:-

- 1.
- 2.
- 3.
- 4.

The particulars of the said Draft Master Plan have been specified in the schedule below:

If any individual or any department or anybody has any objection or suggestion with respect to the Draft Master Plan, the same should be sent to the Town Planner, Andaman and Nicobar Administration, Port Blair before the expiry of thirty days from the date of publication of this notice.

SCHEDULE

1. The Existing Land Use Map;
2. The Proposed Land Use Map;
3. A narrative report, supported by maps and charts, explaining the provisions of the Draft Master Plan;
4. The phasing of implementation of the Draft Master Plan;
5. The provisions for enforcing the Draft Master Plan and stating the manner in which permission for development or construction or reconstruction may be obtained;
6. An approximate cost of the land acquisition for public purposes and the cost of works involved in implementation of the Draft Master Plan;
7. Priorities for various Projects of Master Plan and Role assigned to various agencies in the implementation of the Master Plan.

Town Planner,
Andaman and Nicobar Administration,
Port Blair.

FORM -II
(See Rule 3 (3))

NOTICE REGARDING APPROVAL OF THE MASTER PLAN UNDER SECTION -8 (2)
OF THE REGULATION

No.....F. No..... In exercise of the powers under sub-section (2) of section 8 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No.7 of 1994), the Lieutenant Governor (Administrator), has approved the Master Plan for.....Development Area.

The Master Plan forDevelopment Area is hereby published and a copy of the same is available for inspection at the office of the Town Planner and at the following offices, during working hours on all working days:-

- 1.....
- 2.....
- 3.....

The said Master Plan comes into operation with effect from the date of publication of this notification in the Andaman and Nicobar Gazette. The copies of the Approved Master Plan printed both in Hindi and English is available for sale, at the Govt. Press for reference and use of General Public.

Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor

Assistant/ Deputy/ Joint Secretary (PWD),
Andaman and Nicobar Administration,
Secretariat
Port Blair.

FORM – III

(See Rule – 3 (4))

**NOTICE INVITING SUGGESTIONS/OBJECTION TO THE FORM OF MODIFICATION OF
MASTER PLAN UNDER SUB-SECTION (3) OF SECTION 9 OF THE REGULATION**

No.....F.No..... The Lieutenant Governor, Andaman and Nicobar Islands, in exercise of the powers under sub-section (1) of section 9 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No. 7 of 1994), is pleased to make the following modification(s) in the interest of general public and others and others/at the behest of Central Government in the interest of security of the state, to the Master Plan for Development Area, approved and published vide No..... dated..... in the Andaman and Nicobar Gazette.

Now, therefore, in exercise of the powers under sub-section (3) of section 9 of the said Regulation, the Lieutenant Governor (Administrator) is pleased to invite the public suggestion to the said modification(s) within (forty five) 45 days from the date of publication of this notification in the Andaman and Nicobar Gazette.

MODIFICATION(S)

- 1.....
- 2.....
- 3.....
- 4.....

Any objection or suggestion with respect to the aforesaid modification(s) may be submitted to the Town Planner in writing within the said period of thirty (30) days.

Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor

Assistant/ Deputy/ Joint Secretary (PWD),
Andaman and Nicobar Administration,
Secretariat,
Port Blair.

FORM – IV

(See Rule – 3 (5))

MODIFICATION(S) TO THE MASTER PLAN UNDER SUB-SECTION 4 OF SECTION 9 OF THE REGULATION

No.....F.No..... The Lieutenant Governor (Administrator), Andaman and Nicobar Islands, in exercise of the powers under sub-section 4 of section 9 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No.7 of 1994), is pleased to make the modification(s) listed hereunder to the Master Plan for Development Area in the interest of the general public and the same will come into operation from the date of publication of this notification.

1.....

2.....

3.....

Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor,

Assistant/ Deputy/ Joint Secretary (PWD),
Andaman and Nicobar Administration,
Secretariat,
Port Blair.

FORM – V

(See Rule – 4 (1))

FORM FOR APPLICATION FOR DEVELOPMENT/RE-DEVELOPMENT

To

The Town Planner,
Andaman and Nicobar Administration,
Port Blair.

Sir,

I / we hereby give application that I / We intend to develop / redevelop the land bearing survey No.....situated in.....(Village/Town) and in accordance with sub-rule (1) of rule 4 framed under the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No.7 of 1994), I / we forward herewith the following plans and statement (Items 1 to 4 in quadruplicate) duly signed by me / us and (Town Planner / Architect / Civil Engineer / Consultant) who will supervise the development, and a copy each of statement / documents (as applicable).

1. Key Plan;
2. Site Plan;
3. Layout Plan / Building Plan;
4. Statement about the proposed development / redevelopment;
5. Document of ownership and title ; and
6. Record Entry Sketch,
7. Receipt of payment of application fee.

I / we request that the scheme / proposal may kindly be approved and permission accorded to me / us to develop / redevelop the land.

Yours faithfully,

Signature of applicant (s)
Name of Applicant(s)
(in full block capital)
Address.....

Place:

Date:

FORM – VI

(See Rule – 5(1))

FORM FOR ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION

To

.....
.....
.....

Sir,

I am to refer to your application dated.....preferred under sub-section (2) of section 11 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (No.7 of 1994) seeking permission for undertaking development in survey No..... at.....and to acknowledge the receipt of the same.

Yours faithfully,

Authorized Officer,
Office of the Town Planner,
Andaman and Nicobar Administration,
Port Blair.

FORM – VII

(See Rule – 4 (1) & 5 (1))

**FORM FOR SANCTION OR REFUSAL OF PERMISSION FOR UNDERTAKING
DEVELOPMENT/RE-DEVELOPMENT**

To

.....
.....
.....

Sir,

With reference to your applications dated..... for undertaking development / redevelopment in survey No.....at.....Area (Town / Village), I am to inform you that the sanction has been granted for the said development on the following conditions / * sanction could not be granted on the following grounds:-

- 1.....
- 2.....
- 3.....

* You are hereby given an opportunity to show cause, within 15 days from the date of receipt of this letter, as to why the permission should not be refused.

Authorised Officer,
Office of the Town Planner,
Andaman and Nicobar Administration,
Port Blair.

* Strike out whichever is not applicable

FORM – VIII

(See Rule –5 (3))

DETAILS OF CONTENTS OF REGISTER DEALING THE MANNER IN WHICH THE APPLICATION FOR PERMISSIONS IS TO BE MAINTAINED

Note

Each application and other relevant details about it shall be entered in two pages only.
The register shall contain continuous page numbers.

FORMAT

1. Serial No.
2. Application No.
3. Diary No.
4. Survey No.
5. Locality
6. Village / Town
7. Tehsil
8. District
9. Nature of permission sought
10. Description of Development/ Re-development
11. Action taken
12. Permission : Granted with the following conditions
Refused due to following reasons
13. Remarks

FORM – IX

(See Rule –5 (5))

FORM FOR PREFERRING APPEAL TO THE ADMINISTRATOR

From

.....
.....
.....
.....

To

The Lieutenant Governor,
Andaman and Nicobar Islands,
Port Blair.

Sub:- Appeal against order No.....dated.....of the Town Planner – reg.

Sir,

I am to inform you that I had applied for undertaking development/re-development in survey No.....at.....the Town Planner vide his order No.....dated..... has refused the permission. Being aggrieved by the above order I appeal to your honour to kindly consider my request favourably for issue of the planning permission and direct the Town Planner to reconsider his decision to grant the permission.

Yours faithfully,

Signature of applicant