

Registered with the Registrar
of Newspapers for India under
No. 10410



Registered No.
PY/44/2021-23

புதுச்சேரி மாநில அரசிதழ்
La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு EXTRAORDINAIRE EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

எண் } No. } No. }	புதுச்சேரி Poudouchéry Puducherry	செவ்வாய்க்கிழமை Mardi Tuesday	2022 ல் 20 20 20th	டிசம்பர் 20 Décembre 2022 December 2022
-------------------------	---	-------------------------------------	--------------------------	---

(29 Agrahayana 1944)

GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (HOUSING)

(G.O. Ms. No. 11/2022-Hg., Puducherry, dated 15th December 2022)

NOTIFICATION

In exercise of the powers conferred by section 34-A read with section 82 of the Puducherry Town and Country Planning Act, 1969 (Act No. 13 of 1970), the Lieutenant-Governor, Puducherry, in consultation with the Town and Country Planning Department, hereby

[1171]

makes the following regulations for Change of Land Use from the sanctioned Development Plans as in the Annexure, namely:

"The Puducherry Change of Land Use Regulations, 2022"

(By order of the Lieutenant-Governor)

P. EJOMALE,

Under Secretary to Government (Housing).

ANNEXURE

REGULATIONS

1. **Short title, commencement and application.**—(1) These Regulations may be called as "The Puducherry Change of Land Use Regulations, 2022".

(2) They shall come to force from the date of notification in the Official Gazette.

(3) These Regulations shall apply to the entire Union territory of Puducherry.

2. **Definitions.**—In these Regulations, unless the context otherwise requires,—

(i) "Act" means, the Puducherry Town and Country Planning Act, 1969;

(ii) "Board" means, the Puducherry Town and Country Planning Board, constituted under the Act;

(iii) "Conversion" means the Change of the Land Use from as proposed in the Development Plan to other land use;

(iv) "Development Plan" mean, an Interim Development Plan or Comprehensive Development Plan or Detailed Development Plan being prepared/prepared under the Act;

(v) "Government" means, the Administrator appointed by the President under Article 239 of the Constitution;

(vi) "Land" means, includes and the use of any land and things attached to the earth or permanently fastened to anything attached to the earth;

(vii) "Land Use" mean, the manner in which the Planning Authority proposes that land in such area shall be used for residential, commercial, industrial, agricultural, public or semi-public, open spaces, parks and playgrounds and for such other purposes as the Planning Authority deems fit;

(viii) "Layout" means, division of land into plots by introducing a new road or street;

(ix) "Notification" means, a notification published in the Official Gazette of Puducherry and the word "notified" shall be construed accordingly;

(x) "Planning Authority" mean any local Planning Authority, constituted under the Act;

(xi) "Subdivision" means, division of land abutting an existing road or street;

(xii) "Rules" means the Puducherry Town and Country Planning Rules, 1974;

(xiii) Words and expressions used and not defined in these Regulations, but, defined in the Act, the Rules and the Puducherry Building Bye-laws and Zoning Regulations, 2012 made thereunder shall have the same meaning assigned to them in the said Act, the rules and the Building Bye-laws.

3. Online Application for permission.—Any person intending to change the land use as against the proposed/notified Development Plan shall apply to the Planning Authority through online mode in Form-I. The applicant shall pay a non-refundable scrutiny fee of ₹ 1,000 (Rupees one thousand only) per application to the Planning Authority.

4. Processing of online application.—(1) The Planning Authority, before according permission for carrying out the Change of Land Use, shall obtain the prior concurrence of the Board and the Government.

(2) Call for any missing details or particulars required from the applicant within five working days from the date of receipt of the online application.

(3) On receipt of the online application, the Planning Authority shall inspect the site/land within fifteen working days.

(4) The Planning Authority within twenty-one working days from the date of receipt of the online application shall forward the online application to the Town and Country Planning Board alongwith its reports/recommendations.

(5) In public interest, the Town and Country Planning Board in its meeting convened as per the provisions of the Act shall examine the online applications for Change of Land Use and the reports/recommendations of the Planning Authority and offer its recommendations.

(6) The Planning Authority with the approval of the Board shall publish a notice in the Official Gazette inviting objections or suggestions from the public in writing within fifteen days from the date of publication of the notice in the Official Gazette.

(7) The objections or suggestions shall be examined/considered by a Committee, consisting of the following and the Committee shall submit a report to the Planning Authority within fifteen days from the last date of filing of objections/suggestions. The Committee may also co-opt other experts as Members for discharging its duties.

I. Committee for Puducherry region

1. Chief Town Planner : Chairman
2. The Director, Agriculture Department or his Representative not below the rank of Joint Director. : Member
3. The Commissioner of the respective Commune Panchayat/Municipality. : Member

II. Committee for Karaikal District

1. Chief Town Planner : Chairman
2. Deputy Collector, Revenue Department, Karaikal : Member
3. The Commissioner of the respective Commune Panchayat/Municipality. : Member

III. Committee for Mahe and Yanam region

1. Chief Town Planner : Chairman
2. Regional Administrator, Mahe/Yanam : Member
3. The Commissioner, Mahe/Yanam Municipality : Member

(8) Upon receipt of the report from the Committee, the final modification in the Change of Land Use shall be made by the Planning Authority and shall be published in the Official Gazette with the approval of the Government within forty-five days from the date of receipt of the report and the final modifications of land use shall come into operation from the date of publication of such notification.

5. Land Use Conversion Charge.— (i) The Planning Authority shall collect land use conversion charge at the rate of ₹ 100 (Rupees one hundred only) per sq.m. of plot/land in Puducherry Region; ₹ 75 (Rupees seventy-five only) per sq.m. of plot/land in Karaikal, Mahe, Yanam Regions before final notification and the conversion charges shall be remitted in the Government Account.

(ii) In case of Land Use Conversion from any land use as against the Development Plan to "Agriculture" use, the Planning Authority need not collect any Conversion Charges.

FORM – I

Online Application under Regulation 3 of the Puducherry Change of Land Use Regulations, 2022

From :

Name of the owner or the applicant, address.

To :

The Member-Secretary,
Planning Authority, Puducherry/Karaikal/Mahe/Yanam.

Sir,

I/We intend to develop the land in R.S. No./
T.S. No./Block No./Ward No./
abutting street or road/
in Revenue Village/in
Commune Panchayat/..... Municipality to an extent
of sq.m. But, in the notified development plan, the said site
is earmarked for land use and I/We, request for
change of land use to in accordance with the
provisions under section 34-A of the Puducherry Town and Country
Planning Act, 1969 (Act No. 13 of 1970). I submit herewith the details,

documents as required as per the appropriate checklist in Appendix of these regulations for change of land use.

I/We request that the development proposed may be approved and that permission may be accorded.

Signature of the owner /applicant.

Date :

APPENDIX

CHECKLIST

Details to be given by the Applicant

1. Copy of documents (sale deed/lease deed/power of attorney) self attested by the applicant.
2. Encumbrance Certificate for 30 years issued not prior to 30 days from the date of submitting the online application.
3. Indemnity Bond for ₹ 100 (Rupees one hundred only) in non-judicial e-stamp paper (Annexure-I).

ANNEXURE-I

INDEMNITY BOND

[Notarized undertaking to be executed on ₹ 100 (Rupees one hundred only)
Non-Judicial e-stamp paper]

1. This Undertaking / Indemnity Bond is executed on this day of 20..... at by the owner/applicant, hereinafter called the first party, which term shall include their legal heirs, successors, agents, assignees, *etc.*

A. Name and address of the owner / applicant (First Party) :

1. Name :
2. Age :
3. S/D/W/o. :

4. Door/Plot/Flat No. :
5. Road/Street :
6. Locality :
7. Village/Town/City :

PIN :

8. District :
9. E-mail :
10. Phone/Mobile No. :

B. Location of The Proposed Plot/Land For Change of Land Use :

- 1 Plot Nos. :
2 Survey No. :
3 Premises/Door No. :
4 Road/Street :
5 Ward No./Block No. :
6 Locality :
7 Village/Town/City :

PIN :

- 8 District :
9 Total Plot/Land Area : Sq.m.

2. Executed in favour of the Member-Secretary,
Planning Authority, hereinafter called the second party, which term shall
include their officers and staff.

3. Declaration-*cum*-undertaking and Indemnity Bond by the
owner/applicant:

(a) I/We affirm that there is no dispute in the plot/land in which
approval is sought for Change of Land Use, regarding the
enjoyment and ownership of the property. In future if, any, dispute
occurs, I/We will not make the Planning Authority responsible and
I/We will resolve the disputes in accordance with law amicably.

(b) I/We affirm that I/We shall not encroach any Government land/ canal/ road portion adjoining or passing the plot/land, in any manner. If any, such encroachment is found at the later stage, the approval for change of land use shall be deemed to be revoked and shall be liable to be dealt with as per the law and the Planning Authority shall not be held responsible.

(c) I/We affirm that I/We shall pay necessary fees/charges to the Planning Authority.

4. I/We the above named deponent do hereby solemnly affirm and certify that I/we have executed this undertaking with free will and signed this day of 20.....

Name of the Owner/Applicant :

Address :

Signature :

Sworn in and signed before me.

(Notary)
