

# **New Okhla Industrial Development Area (Preparation and Finalisation of Plan) Regulations, 1991**

UTTAR PRADESH

India

## **New Okhla Industrial Development Area (Preparation and Finalisation of Plan) Regulations, 1991**

### **Rule**

### **NEW-OKHLA-INDUSTRIAL-DEVELOPMENT-AREA-PREPARATION-AN of 1991**

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New Okhla Industrial Development Area (Preparation and Finalisation of Plan) Regulations, 1991Published vide Notification No. Bha. U./18-11-44-(N)-85, dated 12th April, 1991, published in the U.P. Gazette, Part 8, dated 8th June, 1991[Regulations made under U.P. Industrial Area Development Act, 1976]In exercise of the powers under Section 19 read with Section 6 of the Uttar Pradesh Industrial Area Development Act, 1976 (U. P. Act No. 6 of 1976), the New Okhla Industrial Development Authority hereby makes the following Regulations for the purpose of proper planning and development of the New Okhla Industrial Development Area :

## **Chapter I Preliminary**

### **1. Short title, extent and commencement.**

(1)These Regulations may be called the New Okhla Industrial Development Area (Preparation and Finalisation of Plan) Regulations, 1991.(2)They shall extend to the Industrial Development Area as defined under Section 2 (d) of the Act.(3)They shall come into force with effect from the date of publication in the Official Gazette.

## 2. Definitions.

(1) In these Regulations, unless the context otherwise requires—(a) "Act" means the Uttar Pradesh Industrial Area Development Act, 1976; (b) "Agricultural Use" means the use of any land or part thereof for farming, horticulture, piggyery, fishery, poultry farming, sericulture and all legitimate uses incidental thereto; (c) "Authority" means the New Okhla Industrial Development Authority constituted under Section 3 of The Uttar Pradesh Industrial Area Development Act, 1976; (d) "Commercial Use" means the use of any land or building or part thereof for carrying on any trade, business or profession, sale of goods of any type, whatsoever and includes private hospitals, nursing homes, hostels, hotels, restaurants, boarding houses not attached to any educational institution, consultant offices in any field, cottage and service industries; (e) "Industrial Use" means the use of any land or building or part thereof mainly for location of industries and other uses incidental to industrial use such as offices, eatable establishment etc.; (f) "Institutional Use" means the use of any land/building or part thereof for carrying on activities like testing, research, demonstration etc., for the betterment of the society and it includes educational institutions; (g) "Land Use" means the use of any land or part thereof in the industrial development area for industrial, residential, institutional, commercial, public, water bodies organised recreational open spaces, streets, transportation, public and semi-public buildings, agriculture and other like purposes; (h) "Organised recreational open space" means any land with or without structure left open or laid out and developed as public recreational space in the form of tot lot gardens, sector or neighbourhood parks, amusement parks, woodland, playgrounds, public assembly, botanical and zoological gardens being used for public recreational purposes; (i) "Plan" means the plan prepared by the Authority for the development of Industrial Development Area under sub-section (2) of Section 6 of the Act, and it includes Sector Plan; (j) "Public Use" means the use of any land or building or part thereof for public benefit whether the entry and use is regulated by any charge or not and land appurtenant to such buildings and for such other uses incidental to a public use; (k) "Residential Use" means the use of any land or building or part thereof for human habitation and such other uses incidental to residential uses; (l) "Sector" means anyone of the divisions in which the industrial development area or part thereof may be divided for the purpose of development under the Act; (m) "Traffic and Transportation use" means use of any land or building or part thereof for the purposes of transportation of human beings, goods services and such other uses incidental to transportation uses; (n) "Water Bodies" means any land for the carriage and storage of water on ground level.

## Chapter II

### Plan

## 3. Town Planning and civic surveys forms and contents of Plan.

(1) The Authority shall as soon as possible carry out town planning and civic survey and prepare Draft Plan for the industrial development area. (2) The Draft Plan shall—(a) define the various sectors into which the area falling within the proposed urbanisable limit is to be divided; (b) allocate the area of land for land use; (c) indicate, define and provide for—(i) the existing and proposed National

Highways arterial and primary and secondary roads ;(ii)the existing and proposed other lines of transportation and communication including railways and airport.(3)The Draft Plan may indicate, define and provide for,-(a)the existing and proposed public buildings; and(b)all or any of the matters specified in Regulation 4.(4)The Draft Plan shall consist of such maps, diagrams, charts, reports and other written matter of any explanatory or descriptive nature as pertain to the development of the whole or any part of Industrial Development Area.(5)Written matter forming part of Draft Plan shall include such summary of the main proposals and such descriptive matter as the Authority may consider necessary to illustrate or explain the proposals indicated by maps, charts, diagrams and other documents.(6)A Plan of land use shall also form a part of the Draft Plan proposing most desirable utilisation of land for purposes mentioned in clause (b) or sub-regulation (3).

#### **4.**

(1)The Plan may include :(a)Sector plans showing various sectors into which the industrial development area or part thereof may be divided for the purpose of development.(b)The plan will show the various existing and proposed land uses indicating the most desirable utilisation of land for-(i)industrial use by allocating the area of land for various scales or types of industries or both;(ii)residential use by allocating the area of land for housing for different and defined densities and plotted development for different categories of households ;(iii)commercial use by allocating the area of land for wholesale or retail markets, specialised markets, town level shops, showrooms and commercial offices and such other allied commercial activities;(iv)public use by allocating the area of land for Government offices, hospitals, telephone exchanges, police lines, general post office, telegraph office, educational institutions, testing, research and demonstration institutions, oxidation pond and sewage farm, sanitary land fill area and other major establishments ;(v)organised recreational open spaces by allocating the area of land for regional and city park, exhibition ground, sports village, stadium, swimming pool etc.:(vi)agricultural use by allocating the area of land for farming, horticulture, sericulture, piggery, fishery and poultry farming;(vii)such other purposes as the Authority may deem fit in the course of proper development of the industrial development area;(c)Traffic and transportation plan consisting of proposals for road, railway and air transportation system.(d)Infra-structural plan showing proposal for land/building for provision of water, electricity, drainage and disposal of sewage and refuse and also indicating proposals for organised recreational open spaces, civic and cultural centres and land/building for education, medical and such other infra-structural facilities.(e)Housing Plan consisting of estimates of housing requirement and proposals regarding standard type of new housing units.(f)Ecological Plan proposing effective regulatory and planning measures to maintain the desired urban ecological system.(g)Landscape plan giving the basic conceptual landscape for entire township and basic ideas of roadside plantation, treatment of parks, open spaces and area of active and passive recreation.(h)Systematic regulation of each land use area, allocation of heights, number of storeys, size and number of buildings, size of yards and other open spaces and the use of land and buildings.(i)Such maps, diagrams, charts, reports and other written matter of any explanatory or descriptive nature as pertain to the development of the whole or any part of the Industrial Area.(j)Written matter consisting of summary of land main proposals and such descriptive matter as the Authority may consider necessary to illustrate or explain the proposals indicated by maps,

charts, diagrams and other documents ;(2)The Plan may also provide for any other matter which is deemed necessary for the proper development of the Industrial Development Area.(3)In case of any conflict or inconsistency between the number of proposals shown on one map and those shown on any other map in respect of any land to which the Plan relates, the map which is of a larger scale, shall prevail and in case of any such conflict or inconsistency between any map and the written matter the latter, shall prevail.

## **Chapter III**

### **Procedure for Finalization of Plan**

#### **5. Public notice regarding preparation of Plan.**

(1)Authority shall, as early as may be, after the Draft Plan has been prepared publish a public notice stating that-(a)the Draft Plan has been prepared and may be inspected by any person at such time and place as may be specified in the notice;(b)objections and suggestions, if any, in respect of the Draft Plan shall be sent in writing by any person to the Chief Executive Officer of the Authority before such date not being earlier than 30 days from the date of publication of the notice and in such manner as may be specified in the notice.(2)This notice may be issued in Form 'A' appended to these regulations.

#### **6. Mode of publication of the Public Notice.**

- Every public notice mentioned in Regulation 5 hereunder shall be in writing under the signature of the Chief Executive Officer and shall be widely published in the locality to be affected thereby affixing copies thereof at conspicuous public places within the said locality, or by publishing the same by beat of drums or by advertisements in a newspaper having circulation in the locality. This publication shall be by two or more of these means, which the Chief Executive Officer of the Authority may think fit.

#### **7. Inquiry and hearing.**

(a)After the expiry of the period specified in the notice for making objections and suggestions, the same will be placed before a Committee to consider the objections and suggestions. The Committee shall be constituted by the Chief Executive Officer and shall consist of three members, one of whom shall be Town Planner. The Committee shall fix date(s) for disposal of objections(s) received and shall serve notice on the affected person(s)/body who has filed objection (s) and may allow a personal hearing to the affected person(s)/body in connection with his/their objection(s), after intimating the time, date and place of hearing.Explanation. - The identification of affected person(s)/body shall be done by the Committee and its decision in this regard shall be final and conclusive.(b)The Committee shall after conclusion of the hearing submit its report/recommendation to the Chief Executive Officer of the Authority.

## **8. Consideration of the recommendations of the Committee.**

(a)The recommendations of the Committee shall be submitted to the Chief Executive Officer for consideration thereof.(b)If the Chief Executive Officer is of the view that some matter has not been considered by the Committee, the recommendation may be referred back by him to the Committee for consideration of the same.(c)The Chief Executive Officer shall submit his report along with the recommendations of the Committee to the Authority.

## **9. Finalisation/Approval of the Draft Plan by the Authority.**

(a)The Authority may, after considering the report of the Chief Executive Officer and any other matter, issue directions for variations, modifications or amendments of the Draft Plan.(b)The Authority shall approve the plan with such variations, modifications or amendments as are deemed to be necessary by the Authority.(c)The Plan approved under clause (b) shall be effective for a period specified by the Authority but such period shall not be less than 5 years.

## **10. Date and commencement of Plan.**

- Immediately after a Plan has been approved by the Authority, a public notice shall be published under the signature of the Chief Executive Officer in the manner provided in Regulation 5 stating therein that a Plan has been approved and naming a place where a copy of the plan may be inspected at all reasonable hours and upon the date of first publication of the aforesaid notice, the Plan shall come into operation.

## **11. Amendment of the Plan.**

(1)The Authority may make such amendments in the Plan which do not effect important alteration in the character of the Plan and which do not relate to the extent of land use or standards of population density.(2)Before making any amendment in the Plan under sub-section (1), the Authority shall publish a notice in at least one newspaper having circulation in the development area inviting objections and suggestions from any affected person with regard to the proposed amendment before such date as may be specified in the notice and shall consider all objections that may be received.(3)Every amendment made under this Regulation shall be published in any of the manner specified in Regulation 5 and the amendment shall come into operation either on the date of the first publication or on such other date as the Authority may fix.(4)The Authority shall not make, during the specified period in which the Plan is to remain effective, such amendment(s) in the Plan which affects the important alteration in the character of the Plan and which relates to the extent of the land use or standards of population density.

Form 'A' Notice is hereby given that :

**1. (a) the draft Plan of the New Okhla Industrial Development Area.....  
Zone of the New Okhla Industrial Development Area, Tehsil Dadri, District  
Ghaziabad has been prepared; and**

(b) a copy thereof will be available for inspection at the office of the New Okhla Industrial Development Authority..... between the ..... to..... p.m. on all working days till the date mentioned in para 3 hereafter.

**2. Objections and suggestions are hereby invited with respect of this Draft Plan.**

**3. Objections and suggestions may be sent in writing to the Secretary/ Chief Executive Officer, New Okhla Industrial Development Authority at..... before the..... day of.....20.....**

Any person making the objections or suggestions should also give his name and address.....SecretaryNew Okhla Industrial Development Authority.