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Regn. No. KERBIL/2012/45073 dated 5-9-2012 with RNI

Reg. No. KL/TV(N)/634/2018-20

കേരള ഗസററ് KERALA GAZETTE

MONOMOMOEXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത് PUBLISHED BY AUTHORITY

	തിരുവനന്തപുരം,	2019 ജനുവരി 17 17th January 2019	
വാല്യം 8	Thiruvananthapuram, Thursday	1194 да да 3 3rd Makaram 1194	നമ്പർ) 107 No.
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GOVERNMENT OF KERALA

Local Self Government (RD) Department

NOTIFICATION

G. O. (Ms.) No. 2/2019/LSGD.

Dated, Thiruvananthapuram, 3rd January, 2019 19th Dhanu, 1194.

S. R. O. No. 40/2019.—Whereas, the Government have, as per notification issued under G. O. (Ms.) No. 38/88/LAD dated, 25th March, 1988 and published as S.R.O. No. 595/88 in Section iv, Part I of the Kerala Gazette No. 19 dated 10th May, 1988 sanctioned the Detailed Town Planning Scheme for Kozhikode Beach Area under sub-section (3) of Section 14 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920);

AND WHEREAS, in exercise of the powers conferred by clause (b) of sub-section (2) of Section 15 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920), the Government of Kerala have issued a draft notification for variation of the said Detailed Town Planning Scheme as per G. O. (Ms.) No. 205/10/LSGD, dated 9th September, 2010 and published in the Kerala Gazette No. 39 dated 5th October, 2010, but the draft could not be taken up further for sanctioning;

AND WHEREAS, in exercise of the powers conferred by clause (b) of sub-section (2) of Section 15 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920), the Government of Kerala have rescinded the said notification issued as per G. O. (Ms.) No. 205/10/LSGD, dated 9th September, 2010 and published in the Kerala Gazette No. 39, dated 5th October, 2010 and issued a notification for varying the said Detailed Town Planning Scheme to the extent required vide notification issued under G.O. (Ms.) No. 231/2011/LSGD, dated 27th September, 2011 and published in the Kerala Gazette No. 42, dated 25th October, 2011, but the said draft could not be taken up further for sanctioning;

AND WHEREAS, as per sub-section (1) of Section 113 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Madras Town Planning Act, 1920 (Madras Act VII of 1920) stands repealed;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 Detailed Town Planning Scheme for Kozhikode Beach Area is deemed to be a Detailed Town Planning Scheme sanctioned under the Kerala Town and Country Planning Act, 2016 (9 of 2016);

AND WHEREAS, as it is required to vary the said scheme for the purpose of making the Zoning Regulations compatible to the present development scenario to the extent possible as an immediate measure until the scheme is further varied after detailed studies;

AND WHEREAS, in exercise of powers conferred by sub-section (3) of Section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Government of Kerala have rescinded the notification issued as per G. O. (Ms.) No. 231/2011/LSGD, dated 27th September, 2011 and published in Kerala Gazette No. 42 dated 25th October, 2011 and a

draft notification was issued under G. O. (Ms.) No. 134/2018/LSGD dated 22nd September, 2018 and published in the Kerala Gazette Extraordinary No. 2428 dated 22nd September, 2018 for variation of the said Detailed Town Planning Scheme inviting objections or suggestions from any person or authority concerned with or affected by the said draft notification;

Now, Therefore, in exercise of powers conferred by sub-section (3) of Section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Government of Kerala hereby sanction and publish the variation of the Detailed Town Planning Scheme for Kozhikode Beach Area to the extent required, after considering all the objections and suggestions received thereon as required under proviso to sub-section (3) of Section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016).

ORDER

In exercise of the powers conferred by sub-section (3) of Section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Government of Kerala hereby vary the Detailed Town Planning Scheme for Kozhikode Beach Area, sanctioned under sub-section (3) of Section 14 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920) issued as per notification issued under G. O. (Ms.) No. 38/88/LAD, dated 25th March, 1988 and published as S. R. O. No. 595/88 in Section iv, Part I of the Kerala Gazette No. 19, dated 10th May, 1988 which is deemed to be a Detailed Town Planning Scheme sanctioned under clause (ii) of sub-section (2) of Section 113 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), to the extent as indicated below:—

VARIATION

In the said Scheme, for clause "10 Reservation of Land and Zoning" and the entries under it, the following shall be substituted, namely:—

"10 Reservation of Land and Zoning

- (1) A list of land reserved for streets and for other non-residential purposes is given in schedule IV (Form No. 10) for the purpose of the Scheme, the streets or footpaths which may be approved or made in accordance with the provisions of the Scheme, but which are not mentioned in schedule IV shall also be deemed to be included under the land reserved for the purpose of the Scheme.
- (2) (i) All future developments in respect of land within the Scheme area shall conform to the zoning regulation given in the schedule below: (Any use not mentioned therein shall be prohibited).
- (ii) For the implementation and enforcement of the proposals envisaged in the Detailed Town Planning Scheme, areas have been zoned under various uses such as residential, commercial, public and semi-public, etc. Details regarding the nature of uses 'permitted', uses 'restricted' and uses 'prohibited' in each zone are given below:
- (iii) "Uses permitted" in a zone cover the uses that can be normally accommodated in the relevant zone. 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 locational factors. Such cases, which come under this category, are classified as "Uses Restricted". "Uses Prohibited" enlists the various objectionable uses in each zone, which shall not be permitted under normal circumstances.
- (iv) The said Zoning regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations unless otherwise specifically mentioned in the Scheme. They are essentially intended to help the competent authority in taking decisions regarding granting or refusal of permission for land use conversions and construction of buildings/structures or any other matter specifically mentioned in these regulations.
- (v) Existing areas and structures of archeological importance and religious uses may be permitted to continue in all zones.

- (3) Large scale development proposals in an area not less than 5 Acres, exceeding an investment of Rupees 50 crores, which provide direct employment (after commissioning of the project) to the tune of not less than 500 persons and medium scale development proposals in an area not less than 2 Acres, exceeding an investment of Rupees 25 crores, which provide direct employment (after commissioning of the project) to the tune of not less than 300 persons may also be permitted in all use zones subject to the recommendation of a committee to be constituted by the Government for this purpose, under the chairmanship of the Secretary, Local Self Government Department, consisting of the Chief Town Planner, Department of Town and Country Planning, Government of Kerala, Regional Town Planner, District Office of the Department of Town and Country Planning, Kozhikode and the Secretary, Kozhikode Corporation; and also satisfying the following conditions, namely:—
- (a) The developer shall produce project cum feasibility report and Environmental Impact Assessment Report, if required, of the project to the convener of the committee, 15 days in advance of the committee meeting.
- (b) The developer shall produce before the committee all required clearances from the State and Central Government agencies concerned.
- (c) Adequate provision shall be made for supporting infrastructure such as water supply, sewerage, solid waste management etc. Separate waste management plant and solid waste management measures shall be provided and maintained by the developer at his cost.
- (d) Adequate Memorandum of Understanding between the developer and the Secretary, Kozhikode Corporation shall be undertaken to bring this into effect.
- (e) Maximum permissible Floor Area Ratio shall be 2 and minimum access width shall be 12 meter.
- (f) The project shall be completed within a period of 3 years if not specified otherwise.

The Regional Town Planner, Kozhikode shall be convener of the committee.

(4) All other regulations that are not specified in these rules shall be in accordance with the applicable Building Rules in force."

SCHEDULE IV

FORM No. 10

ZONING REGULATIONS

[See item 2 (i) of Clause 10]

	Land use	Uses Permitted	Uses restricted by the Secretary of the Local Self Government with the concurrence of			
SI. No.			Town Planner of the Department of Town and Country Planning having jurisdiction over the area		Chief Town Planner	Uses Prohibited
(1)	(2)	(3)	(4)		(5)	(6)
1	Residential use Zone	(a) All Residences, Residential Flat/ Apartments/ Residential quarters, Night shelters, Orphanages, Old Age Homes, Dharmasala	station, Swimming Parking Plaza, New or buildings for religious	pool, areas	Fuel filling stations	Any other uses not specified in items in columns (3), (4) and (5).
•		(b) All existing religious, educational and public uses can be continued.			•	

- (c) Small reading
 Rooms and
 libraries, dispensaries,
 primary school,
 shops etc. upto
 100 square meter
 public utility
 buildings.
 - (d) Small service industries of non-nuisance nature less than 5 Horse Power and with 5 workers or 10 workers without power (see Annexure 1)
 - (e) Community Halls,
 Clubs, Parks and
 Play Grounds
 incidental to the
 Residential Uses.

(6)

- shops, Retail Clinics, Tot lots, Professional/ Commercial Offices/Establishments, Banking and Financial Institutions, ATM's, Gymnasium/Yoga Centre, Library Reading and Social Rooms, Welfare Centre etc., up to 300 square meter of floor area, Restaurants/Canteen.
- Utility Public Buildings such as Water Supply, Drainage and Electric Installations of a Minor Nature,

Day Care and Creche, Nursery School, Kinder-Schools, garten, Police Post/station, Fire Station, Post and Telegraph Office, Water Treatment Plant below 5 million litres per day, Taxi/Jeep/Autorickshaw Stand.

2 Public and semi public zone

Local, State, (a) Central Government Offices and Establishments, Social and Cultural Establishments, Educational Institutions, Social Welfare Centre, Civil Defence and

Parking Plazas, Community facilities including Hospitals, Auditoriums above 1500 square meter, Convention centres, Outdoor game Stadium, Sewerage Treatment Plant, Water Treatment Plant above 5 million litres per day.

Bus Terminal/Stand, Lorry Stand, Crematorium, Burial Ground, Common Vault.

Fuel filling Stations

Any other uses not specified in items in column (3), (4) and (5).

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Home Guard,
Library and
Reading Rooms,
Museum, Indoor
Game Stadium,
Swimming Pool,
Exhibition Centres
and Art Gallery.

- (b) Community facilities including Hospitals, Establishments, Auditorium up to 1500 square meter.
- (c) Public utilities and related buildings, places of worship, C o m m u n i t y facilities including Clinics, Dispensaries and Diagnostic centers.

(d) Residences up to 300 square meter and Residential Uses incidental to the Main Use, Ashram/Mutts, Water ATMs, Treatment Plants below 5 million liters per day, Tot lots, Parks and Play Ground, and Open Air Theatre, Transmission and Towers Wireless Stations, new areas for buildings religious uses.

Ice factory, Water Treatment plants, Marble and Granite Storage/Cutting centres, Industrial Estates, Industrial Parks.

(c) Electrical substations.

Public sector offices incidental to the industrial use, Green houses, Storage of agriculture produces and seeds, Tot lots, parking plazas, transport terminals such as autorickshaws/taxi/jeep stands.

Common vault. Obnoxious and nuisance type of industries (See Annexure-II), religious buildings, Boat jetty/port/harbours, Container terminals with minimum access width of 12 meter.

meter Public utility buildings.

92/153/1

(b) Professional/
Commercial offices/
establishments,
studios, banking and
f in an c i al
institutions, IT/
Software units, movie
halls, godowns/
warehouse/storage
of nonhazardous
materials and
stacking yards.

(c) Existing residential uses, residential buildings upto 300 square meter of floor area, residetial apartments with lower floors for commercial uses, ashrams and mutts, smoke house, public utility areas and buildings, night shelters, orphanages,

non-nuisance character employing not more than 20 workers and power not exceeding 30 Horse Power areas and buildings for religious uses.

17

old age homes, dharmasala, hostels and boarding houses, lodges and guest houses.

- (d) Cottage industries,
 a u t o m o b i l e
 w o r k s h o p,
 automobile service
 station, cold storage.
- (e) Service and small industries of non-nuisance nature, (See Annexure I) with number of workers limited to 19 without power or 9 workers with power limited to 30 Horse Power.

- (f) Weigh bridges, printing press, Government or Public Sector offices, expansion of Existing educational institutions, public utility areas and buildings run by Government.
- (g) Transmission towers and wireless station.
 Social welfare Centre/Institutions, library, reading room.
- (h) Museum, auditorium, wedding halls/community halls, convention centres, swimming pools, clinics, diagnostic centres, dispensaries and hospitals up to

(5)

(6)

NEXURE I to the above Schedule

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

- Production of Copra.
- Processing of Arecanut.

.7

- Rice and Flour mills.
- Production of rice, flour etc. by hand
- Processing of Cardamom, Ginger, Pepper

5

- Production of Khandsari from Sugar cane.
- . Carrying and preservation of fruits and production
- Processing and Preservation of Cashewnuts

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- 9. Bakeries.
- Production of Dairy products.
- l. Oil Mills (Vegetables).
- Extraction of oil by Ghani.
- Manufacture of Hydrogenated oil.

grounds, open air

theatre

- Manufacture of "Aval" (Beaten rice) appalai
- Production of Vinegar.
- Manufacture of Soda, water, lemonade e

16.

- Manufacture of Ice.
- Manufacture of Ice cream.
- . Processing, packing and distribution of Tea.
- Processing, grinding, packing and distribution of Coffee.

- 21. Manufacture of Syrup
- 22. Manufacture of Beedi.
- 23. Manufacture of Cigar.
- 24. Manufacture of Tobacco Snuff.
- 25. Manufacture of Chewing tobacco.
- 26. Cotton ginning, cleaning, pressing etc.
- 27. Cotton spinning other than in mills.
- 28. Cotton spinning and weaving in mills.
- 29. Dyeing and Bleaching of cotton.
- 30. Cotton weaving in Power looms.
- 31. Handloom weaving.
- 32. Khadi weaving in Handloom.
- 33. Printing of Cotton textiles.
- 34. Manufacture of cotton thread, rope, twine etc.
- 35. Jute spinning
- 36. Manufacture of jute products including repairing of Gunny bags
- 37. Weaving of Silk by handloom
- 38. Manufacture of Hosiery goods.
- 39. Making of Embroidery products.
- 40. Tailoring.
- 41. Manufacture of Quilts and Mattresses.
- 42. Manufacture of Coir and Coir products.

- 43. Manufacture and assembling of Umbrellas and production of spare parts of Umbrellas.
- 44. Repairing of umbrellas.
- 45. Manufacture of wooden Furniture and Fixtures.
- 46. Manufacture of structural wooden goods such as doors, beams etc
- 47. Manufacture of wooden industrial goods such as parts of Handloom, Ambarcharka, bobbirs etc.
- 48. Manufacture of Wooden utensils, Photo frames, toys etc. and Photo framing.
- 49. Cane industry including baskets, weaving etc.
- 50. Manufacture of miscellaneous wooden articles such as sticks, sandals, rulers etc.
- 51. Manufacture of paperboard and paper by hand.
- 52. Making of paper boxes, bags, envelopes etc.
- 53. Printing and publishing of Newspapers and Periodicals.
- 54. Printing and Publishing of books.
- 55. Miscellaneous printing works including type cutting, book binding.
- 56. Manufacture and repairing of leather shoes and chappals.
- 57. Manufacture of leather products such as Suitcase, Bag etc.
- 58. Valcanising and repairing of Tyres and Tubes.
- 59. Manufacture of Rubber gloves.
- 60. Manufacture of Rubber products such as rubber-sheets, nipples and rubber shoes including smoke-rubber.
- 61. Manufacture of Pharmaceuticals, Chemicals, Ayurvedic medicine etc.
- 62. Manufacture of Agarbathi and other Cosmetics.

- 63. Manufacture of plastic products such as name plates etc.
- 54. Manufacture of lemongrass oil, candles etc.
- 65. Manufacture of cement products such as well-keros, tube, closets etc.
- 66. Manufacture of structural stone goods, stone crushing, stone carving, stone dressing, marble carving etc.
- 67. Manufacture of stonewares.
- 68. Manufacture of stone images
- 69. Manufacture of chinawares and crockery
- 70. Manufacture of large containers of chinaware.
- 71. Manufacture of glass and glass products.
- 72. Manufacture of clay models.
- 73. Manufacture of Iron and steel furniture
- 74. Manufacture and repairing of brass and bell metal products.
- 75. Manufacture of Aluminium utensils and other products.
- 76. Manufacture of Tin cars and copper vessels.
- 77. Electroplating, tinplating, welding etc
- 78. Manufacture of Agricultural implements, screws etc. (Blacksmith and foundry)
- 79. Manufacturing, assembling and répairing of machinery such as water pumps, oil mill chuck etc.
- 80. Manufacture of small machine tools and machine parts.
- 81. Manufacture of sewing machine parts and assembling and repairing of sewing machine.

- 82. Manufacture of Electrical machinery and repairing of Electrical motors, Armature windings etc.
- 83. Manufacture and Repairing of electric fan
- 84. Charging and Repairing of batteries.
- 85. Repairing of Radios, Microphones etc
- 86. Manufacture of electric meters, production of Electric and allie products, repairing and servicing of Electrical appliances.
- 87. Body building of motor vehicles.
- 88. Manufacture and repairing of Motor engine parts and Accessories
- 89. Servicing and repairing of motor vehicle
- 90. Manufacture of Cycles, parts and accessories.
- 91. Manufacture and repair of Boats and Barges.
- 92. Manufacture and repairing of animal-drawn and hand drawn vehicles.

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- 93. Repairing of photographic equipments spectacles etc.
- 94. Manufacturing of Medical instruments.
- 95. Repairing of Watches and Clocks
- 96. Manufacture of Jewellery.
- 97. Manufacture, repair and tuning of Musical instruments
- 98. Manufacture of Sports goods, Balloons etc.
- 99. Ivory, carving and Ivory works.
- 100. Miscellaneous industries.

92/153/19

Annexure-II to the above Schedule

List of obnoxious or nuisance industries subject to objectionable odours, fumes, effluents or processors to be located in hazardous zones

(Grouped under Indian Standard Industrial Classification)

- I Manufacture of Foodstuff:
- 1. Slaughtering, Preservation of Meat and Fish and Canning oh.
- II Manufacture of Beverages
- 2. Production of distilled spirits, wines, liquor etc., from alcoholic malt, fruits and malts in distillery and brewery.
- Production of country liquor and indigenous liquor such as todd liquor from mahua, palm juice.
- II Manufacture of Textiles: ·
- 4. Dyeing and Bleaching of cotton.
- / Manufacture of Wood and Wooden Products :
- 5. Sawing and planning of wood
- 6. Wood seasoning and creosoting
- 7. Manufacture of Veneer and Plywood
- 3. Paper, Pulp and Straw board.
- V Manufacture of Leather and Leather products
- Currying, tanning and finishing of hides and skins and preparation of finished leather.
- VI Manufacture of Rubber, Petroleum and Coal Products
- 10. Manufacture of Tyres and Tubes.
- 11. Manufacture of Industrial and Synthetic Rubber.
- 12. Reclamation of Rubber.
- 3. Production of Petroleum, Kerosene and other petroleum products in refineries.

- 14. Production of Chemicals and Chemical products.
- VII Manufacture of Chemicals and Chemical Products:
- and sulphuric, bleaching Manufacture their nitric, powder manufactures. salts not of basic industrial chemicals such hydrochloric etc., elsewhere specified acids) (especially ammonia, chlorine as acids, sulphurous, alkali and
- 16. Manufacture of Dyes, Paints, Colours and Varnishers, Printing ink.
- 17. Manufacture of Fertilizers (specially from organic materials)
- 18. Manufacture of Disinfectants and Insecticides.
- 19. Manufacture of Ammunition, explosive and fire works.
- 20. Manufacture of Matches.
- VIII Manufacture of non-metallic Mineral Products other than Petroleum and Coal:
- 21. Manufacture of Cement and Cement products.
- 22. Manufacture of Lime.
- 23. Manufacture of Plaster of Paris.
- IX Manufacture of Basic Metals and their Products:
- 24. Manufacture of iron and steel including smelting, refining, rolling and conversion into basic forms.
- 25. Manufacture including smelting, refining etc., or nonferrous metals and alloys in basic forms.
- 26. Manufacture of Armaments
- X Manufacture of Machinery (other than transport) and Electrical Equipments:
- 27. Manufacture of all kinds of Battery.
- XI Miscellaneous items not covered above:
- 28. Incineration, reduction or dumping of offal, dead animal's garbage or refuse.

- 29. Manufacture of Gelatin and Glue.
- 30. Fat, Tallow, Grease or Lard refining of manufacture.
- 31. Bone meal, Bone grist and Bone powder.
- 32. Manufacture of Cashew nut shell Oil.
- 33. Other similar types of Nuisance industries.

By order of the Governor,

T. K. Jose,
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Government have decided to vary the Detailed Town Planning Scheme for the Kozhikode Beach Area under sub-section (3) of section 50 of the Kerala Town and Country Planning Act 2016 (9 of 2016) and issued a draft notification for the same as per G. O. (Ms.) No. 134/2018/LSGD. dated 22nd September, 2018 and published in the Kerala Gazette Extraordinary No. 2428 dated 24th September, 2018. Government have, now decided to accord sanction for the same and to vary the said Scheme accordingly, after considering all the objections and suggestions received thereon.

The notification is intended to achieve the above object.