

Government of Gujarat  
Urban Development and Urban Housing Department  
Sachivalaya, Gandhinagar  
Dated: 17th November, 2000

**NOTIFICATION**

**The Gujarat Town Planning and Urban Development Act, 1976**

No.GH/V/ 220 of 2000/TPS-1495-386-L :-WHEREAS under Government Notification, Urban Development and Urban Housing Department, Sachivalaya, Gandhinagar No.GH/V/220 of 1991/TPS-1490/2623(91)-L. dated 4<sup>th</sup> September, 1991, the Government of Gujarat, had in exercise of the powers conferred by Sub-section (2) of Section 48 of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act.No.27 of 1976) (hereinafter referred to as "the said Act") sanctioned a draft Town Planning Scheme, Surat No.14 (Rander) (hereinafter referred to as "the said draft scheme") submitted to it by the Surat Municipal Corporation, Surat;

AND WHEREAS in exercise of the powers conferred by Section 50 of the said Act, Government of Gujarat appointed the Town Planning Officer for the said draft scheme;

AND WHEREAS the Town Planning Officer has submitted to the Government of Gujarat the Town Planning Scheme, Surat No.14 (Rander) - Preliminary Scheme (hereinafter referred to as "the said preliminary scheme") as required under sub-section (2) of Section 52 and Section 64 of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No.27 of 1976);

AND WHEREAS the petitioner Shri Shantilal Ghevarchand Jain filed SCA No.2620/97 against the Gujarat State Government and Others in the Hon'ble Gujarat High Court;

AND WHEREAS in the aforesaid S.C.A. No.2620/97, the Hon'ble Gujarat High Court has passed the following order on 31<sup>st</sup> July, 1997;

"Rule has already been passed in this matter on 2<sup>nd</sup> April, 1997. After the matter was heard for some time, Mr. Chhaya makes a statement that in pursuance of the Division Bench judgement reported in 1988 (1) GLR page 646, the petitioner would like to make a representation to the State Government under section 65 of the Gujarat Town Planning and Urban Development Act, 1976. He states that the representation will be made within one week from today. On the same being made, it will be considered and decided in accordance with law expeditiously but preferably within four weeks from the date of receipt of the same. Till then, the Town Planning Scheme will deemed to have not been finalised with respect to the concerned plot. This is in view of the status quo granted earlier on 2.4.1997. Rule is made absolute to that extent with no order as to costs".

AND WHEREAS the petitioner Shri Satish Pandey filed S.C.A. No.90-10/2000 against the Gujarat State Government and Others in the Hon'ble Gujarat High Court;

AND WHEREAS in the aforesaid S.C.A.No.90-10 of 2000, the Hon'ble Gujarat High Court has passed the following order on 28.8.2000.

"It is hereby accordingly ordered that, you, your servants and agents be and hereby directed to stay the execution and implementation of the Town Planning Scheme No.14 (Rander Adajan) Surat in as much as it pertains to petitioner's land and you are hereby further directed to maintain status quo till 20.9.2000".

AND WHEREAS the petitioner Shri Mohanbhai Maganbhai Patel filed a Civil Suit No.67/92 in the Hon'ble District Court, Surat.

AND WHEREAS the petitioner Shri Devila Surati Bhavan Charitable Trust filed S.C.A. No.1187 of 1999 against the Gujarat State Government and Others in the Hon'ble Gujarat High Court.

AND WHEREAS in the aforesaid S.C.A. No.1187 of 1999, the Hon'ble Gujarat High Court passed the following order dated 16.3.1999.

"It appears that the interests of justice will be served if respondent No.1 herein State of Gujarat is directed to consider the aforesaid representation dated 11.1.97 (Annexure B) and any other representation which the petitioner may choose to make on or before 6.3.99. In case the decision on the said representation is likely to affect the interest of any other third party, the State Government shall give an opportunity of hearing to the petitioner as well as any other party who is likely to be affected by the decision on the petitioner's representation. In any case, the petitioner shall also be given an opportunity of hearing before the State Government decides to sanction the scheme. The petition is accordingly disposed off in terms of the aforesaid directions".

NOW, THEREFORE, in exercise of the powers conferred by section 65 of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No.27 of 1976), the Government of Gujarat hereby:-

- (a) sanctions the said Preliminary Scheme subject to:-
  - (i) modification enumerated in schedule appended hereto;
  - (ii) subject to the final decisions of aforesaid order dated 31.7.97 of Hon'ble High Court in SCA No.2620/97 and order dated 28.8.2000, in SCA No.9040/2000 so far as it relates to the matter involved in Hon'ble Gujarat High Court and decision of Civil Suit No.67/92 of District Court, Surat;
  - (iii) subject to the relevant effect due to the decision taken based on order of the S.C.A. No.1187 of 1999.

- (b) states that the said Preliminary Scheme shall be kept open to inspection by the public at the office of the Municipal Corporation, Surat during office hours on all working days;
- (c) fixes the 1<sup>st</sup> 12/12/60 as the date for the purpose of clause (b) of sub-section (2) of the said Section 65.

### SCHEDULE

While finalising the preliminary scheme,

- 1) In the preliminary scheme documents on page No.271 to 353, the Development Control Regulations shall be treated as excluded.
- 2) The F.P.No.169 (2608 sq.mts.) allotted to the appropriate authority (i.e.Surat Municipal Corporation) for the public purpose of staff quarter is released from the allotment and this released F.P.No.169 is allotted to the owners of O.P.No.95/MP as shown in accompanying plan of item No.1 and figures in redistribution statement shall be modified as shown in Annexure 'A'.

And F.P.No.139 allotted to the owners of O.P.No.95/MP is withdrawn from the ownership of owners of O.P.No.95/MP and is merged with F.P.No.135 (making total area of 21,233sq.mts.) designating its use as "Housing for Socially and Economically Backward Class people and staff quarters for S.M.C." as shown in accompanying plan at item No.2. and figures in redistribution statement shall be modified as shown in Annexure 'A'.

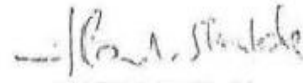
- 3) The road alignment adjoining to the F.P.No.166 shall be changed as shown in the accompanying plan item No.3.

- 4) Separate O.P.No.21/1 shall be carved out and F.P.No.26/1 shall be allotted to the O.P.No.21/1 as shown in accompanying plan at item No.4 and the figures in redistribution statement shall be modified as shown in Annexure 'A'.
- 5) F.P.No.32 and 29/P shall be deleted and its area shall be merged in F.P.No.31 and 33 as shown in accompanying plan at item No.5 and figures in redistribution statement shall be modified as shown in Annexure 'A'.
- 6) In redistribution statement at case No.1 in remarks column following shall be added:- "Division of F.P. shall be in proportion to the division of O.P".
- 7) F.P.No.174 allotted to the appropriate authority (i.e.Surat Municipal Corporation) for the public purpose of "municipal market", shall be released from the allotment and the land thus released shall be allotted to the owners of O.P.No.43/B in addition to the F.P.No.172 as shown in accompanying plan at item No.6 and figures in redistribution statement shall be modified as shown in Annexure 'A'.
- 8) F.P.No.47 shall be deleted from the lands allotted to the appropriate authority (i.e.Surat Municipal Corporation) for the public purpose of "municipal market" and the land thus released shall be merged with F.P.No.48 allotted to the owners of O.P.No.78 as shown in accompany plan at item No.7 and figures in redistribution statement shall be modified as shown in Annexure 'A' and in the redistribution statement against F.P.No.48 in remarks column words "The land shall be put to such use of the Trust as may be approved by Charity Commissioner" shall be added.
- 9) Area from the F.P.No.74 to the extent of 2105 sq mtr. shall be reduced and such reduced area shall be merged in F.P.No.73 as shown in accompanying plan at item No.8 and figures in redistribution statement shall be modified as shown in Annexure 'A'.

plan at item No.8 and figures in redistribution statement shall be modified as shown in Annexure 'A'.

- 10) F.P.No.130 (District Centre), 123, 124 and 125 shall be skilied to replace as shown in accompanying plan at item No.9 and figures in redistribution statement shall be modified as shown in Annexure 'A'.
- 11) The re-distribution statement of preliminary scheme is modified as per item No.2 to 10 of this schedule in Annexure 'A'.
- 12) Lands falling in Agricultural Zone of the Development Plan shall have its plot boundary and areas unchanged and will be subject to the provisions of the Development Plan.

By order and in the name of Governor of Gujarat,

  
(H.P. SHUKLA)

Officer on Special Duty and Deputy Secretary to Government of Gujarat  
Urban Development and Urban Housing Department

Copy forwarded with compliments to:

- The Commissioner, Surat Municipal Corporation, Surat
- The Chief Town Planner, Gujarat State, Gandhinagar (5copies)
- The Collector, Surat, Dist. Surat.
- The District Development Officer, Surat
- The Mandatdar, Surat, Dist.Surat.
- The Chief Executive Officer, Surat Urban Development Authority, Surat.
- The Manager, Govt. Central Press, Gandhinagar -  
With a request to publish the aforesaid Notification in Part IV-B of the Gujarat Government Extra Ordinary Gazette of 17/10/2006 and forward its ten printed copies to this department.
- The Director of Information, Gandhinagar - with a request to issue a suitable press note and send a copy of said press note to this department.
- The Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar - with a request to send Gujarati version of the Notification directly to the Manager, Government Central Press, Gandhinagar.
- The Revenue Department, Sachivalaya, Gandhinagar
- P.S. to Honble Minister of State (UD), Sachivalaya, Gandhinagar.
- The Select file
- The Personal file.