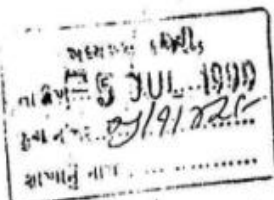


Government of Gujarat
Urban Development & Urban Housing Department
Sachivalaya, Gandhinagar

Dated, the 30th June, 1999

NOTIFICATION



The Gujarat
Town Planning
and Urban
Development
Act, 1976

No.GH/V/ 103 of
1999/TPS/1498-2272/L:-

WHEREAS under Government Notification, Urban Development and Urban Housing Department No.GH//V/156 of 1991/TPS/1490-1844 (91)-L dated the 19th June, 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.13 (Adajan) (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.13 (Adajan) - 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 Kailashkumar M. Randoria filed S.C.A No.7568/96 and M.C.A.No.646/98;

AND WHEREAS in aforesaid S.C.A No.7568/96, the Hon'ble Gujarat High Court has passed an order on 31.3.1997;

AND WHEREAS in response to the Hon'ble Gujarat High Court's order dtd. 31.3.97, Governemnt has considered the representation dtd. 29.7.91 made by the petitioner and decided as mentioned in Item No.2 of the schedule appended hereto, and

AND WHEREAS the petitioner Shri Milind Shirishbhai Tank and others filed S.C.A. No.610/97 and M.C.A. No.909/97, and

AND WHEREAS in aforesaid S.C.A. No.610/97, the Hon'ble Gujarat High Court has passed an order on 25.3.1997, and

AND WHEREAS in response to the Hon'ble Gujarat High Court's order dtd. 25.3.97, Government has considered the representation dtd.28.11.96/9.12.96 made by the petitioners and decided as mentioned in Item No.3 of the schedule appended hereto, and

AND WHEREAS, the petitioner Shri Odhavji Ranchhodbhai Patel filed S.C.A. No.3256/98,

AND WHEREAS, in aforesaid S.C.A. No.3256/98, the Gujarat High Court has passed an order on 4.5.98, and

AND WHEREAS in response to the Hon'ble Gujarat High Court's order dtd.4.5.98, Government has considered the representation dtd. 29.7.98 made by the petitioner and decided as mentioned in Item No.5 of the schedule appended hereto, and

AND WHEREAS, the petitioner Shri Mukeshkumar Maganbhai Patel filed S.C.A. No.5108/98,

AND WHEREAS, in the aforesaid S.C.A. No.5108/98, the Hon'ble Gujarat High Court has passed an order dtd. 11.8.98, and

AND WHEREAS in response to the Hon'ble Gujarat High Court's order dtd, 11.8.98, Government has considered the representation dtd. 30.12.98 made by the petitioner and decided as mentioned in Item No.6 of the schedule appended hereto, and

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) the modifications enumerated in the Schedule appended hereto,

- (ii) aforesaid order dtd. 31.3.97 of Hon'ble Gujarat High Court in SCA No.7588/96 and aforesaid order dtd. 25.3.97 of Hon'ble Gujarat High Court in SCA No.610/97 and MCA No.909/97 and final decision so far as it relates to the matter involved in Hon'ble Gujarat High Court.
- (b) states that the said preliminary scheme shall be kept open for the inspection by the public at the office of the Municipal Corporation, Surat during office hours on all working days.
- (c) fixes the 30th July, 1999 as the date for the purpose of clause (b) of sub-section (2) of the said section 65.

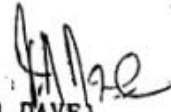
S C H E D U L E

In the preliminary Town Planning Scheme, Surat No.13 (Adajan), the documents on page No.251 to 338 the General Development Control Regulation appended shall be treated as excluded.

- (1) The lands covered under the scheme area shall be subject to Urban Land Ceiling Act, 1976 and subject to the decision in accordance with the said Act.
- (2) The Northern boundary of final plot No.234 shall be as per the Southern boundary of original Plot No.86 and the lands so released shall be merged in the final plot No.235 as shown in the appended Map No.1.
- (3) The North-East boundary of final plot No.212 (Shopping Centre) shall be as per the Map No.2 appended hereto. The lands so released shall be merged in final plot No.211.
- (4) The redistribution statement of the preliminary scheme is modified as per Item No. (2) and (3) of the schedule.
- (5) The right of access in R.S.No.175/4 of village Adajan from Nalia land shall be continued till the access/T.P.road of the T.P.scheme Surat No.32 (Adajan) to the R.S.No.175/4 (O.P.93/Pt., F.P.93/Pt.) provided by the Surat Municipal Corporation i.e. Appropriate Authority.

(6) The right of access in R.S.No.175/4, 176 of village Adajan from Nalia road shall be continued till the legal access/T.P.road of the T.P.scheme, Surat No.32 (Adajan) to the R.S.No. (O.P.93, F.P.93) provided by the Surat Municipal Corporation i.o. Appropriate Authority.

By order and in the name of the Governor of Gujarat,



(V.B.DAVE)

Officer on Special Duty & Joint Secretary to
Govt. of Gujarat,
Urban Development & Urban Housing Department

Copy forwarded with compliments to;

- * The Commissioner, Surat Muni. Corporation, Surat.
- * The Chief Town Planner, Gujarat State, Gandhinagar (with extra five copies)
- * The Collector, Surat, Dist.Surat.
- * The District Development Officer, Surat
- * The Mamlatdar, Surat, Dist.Surat.
- * The Chief Executive Officer, Surat Urban Development Authority, Surat.
- * The Manager, Government Central Press, Gandhinagar -
With a request to publish the aforesaid Notification in Part IV-B of the Gujarat Government Extra Ordinary Gazette of 30.6.99 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 & Parliamentary Affairs Department, Sachivalaya, Gandhinagar -
With a request to send the Gujarati version of the Notification directly to the Manager, Government Central Press, Gandhinagar.
- * The Revenue Department, Sachivalaya, Gandhinagar.
- * P.S. to Hon'ble Minister of State (U.D), Sachivalaya, Gandhinagar.
- * The Select File
- * The Personal File