

SUBJECT:- No. 24                      Layout - T.S. No. 321 to 323 of Allipur Ward - sub-division of plot No. 65 - approval requested.

Note:-                                      The commissioner and Special officer in his letter Roc No. 11070/63 G5 D/ 15.6.1963 which forwarding a sub-division petition of site ~~bearing~~ bearing plot No. 65 of T.S.No. 321 to 323 of Allipur Ward recommended for sub-division of a site measuring 984 Sq.yds. into two equal plots.

*doc*                                      As the proposed sub-division of the site <sup>from</sup> not deviate the provision of the Master plan and detailed Town Planning schemes the trust is requested to sanction the sub-division of plot No. 65 of T.S.No. 321 to 323 of Allipur Ward into two equal plots. The layout submitted by the party is being placed before the Trust for persual and orders.

SUBJECT:- No. 25                      Layout - T.S.No. 82 part - Marripalem Sri V.A. Rao - Refusal - Regarding.

Note:-                                      A Layout for T.S.No. 82 part of Marripalem village belonging to sri V.A. Rao was ~~refused~~ refused from the Municipality without Topographical sketch and Title deed in support of the owner ship over the land. This was returned to the Municipality duly recommended refusal for permission supplying the omissions. The Trust will refuse the layout.

SUBJECT:- No. 26                      Land Acquisition - T.S.No. 1016,1018 1021 of Waltair ward - Waltair Club lands - Regarding.

Note:-                                      Read letter D/ 14-5-1963 of the President waltair club requesting to drop the Land Acquisition proceedings in respect of blub lands.

The above letter is placed before the trust for information.

SUBJECT:- No. 27                      Layout Visakhapatnam Municipality - T.S.No. 33 of Resapuvanipalem Village - Sri R.Ramanayya etc., - Regarding.

Note:-                                      A layout file in respect of the site bearing T.S. No. 33 of Respuvanipalem Village has been referred by the Municipality to the trust for consideration. As the party failed to furnish a Topographical sketch and documentary evidence in support of the owner ship over land the layout was returned duly refusing permission for resubmission supplying the omissions. The Trust is requested to approve the same.

SUBJECT:- No. 28.

Investments - Investment of surplus Trust Fund - Depositing of in the Bank - Regarding.

Note:- Government have sanctioned a sum of Rs. 5 lakhs grant as initial expenditure of the Trust and Rs. 13.10 lakhs as loan. The loan of Rs. 13.10 lakhs is required to deposit the same with the Revenue Department towards the cost of lands under acquisition but Rs. 5 lakhs grant may not be immediately required. Under Rule 31 of Trust rules,, any surplus money at the credit of the Trust may be deposited on interest either in the State Bank of India or other banks approved by Government with the sanction of the Trust. It is learnt from the Agent State Bank Of India that a sum of Rs. 3% interest will be paid if the period of deposit is 6 months. Hence the Trust is requested to sanction the investment of 5 lakhs as deposit on interest with the State Bank of India Visakhapatnam.

SUBJECT:- No. 29.

Layouts - Visakhapatnam Municipality Private layout for T.S. No. 1187 of Block No. 53 of Waltair ward - approval - Regarding.

Note:- The site bearing T.S. No. 1187 of Block No. 53 is proposed for Acquisition as per Town Planning Trust R. No. 9 D/ 24.12.1962 and necessary Land Acquisition proposals was forwarded to the Revenue Department for taking further action. Subsequently the C.B. Mission authorities have sent a layout for the above site and it was refused on the ground that the site is under Acquisition. The Trust in its resolution No. 32 D/ 25.3.1963 resolved to request the party to establish the title over the property and after taking into consideration all the aspects including ownership, deferred the subject as there is dispute in the title. A notice under section 175 and 176 of District Municipalities Act was been issued by the Commissioner and Special Officer to the Mission authorities for formation of roads etc., without approval of a layout while forwarding the petition D/ 17.6.1963 of Revenue C.B. Mission President Rev. W.G. Garder, the Commissioner and Special Officer requested to drop the Land Acquisition proposals for the site in question. The party has issued a lawyers notice threatening to action, if the Municipality interfere with his rights whatever they are. He also appealed to Government against acquisition and failed. If the Trust drops acquisition proposals it will be doing so under duress. Against compulsory acquisition there no legal bar or liability, on principle the proceedings should not be dropped.

SUBJECT:- No. 30.

Points raised by Mr. Tittsworth in his letter d/ 22.6.63.- clarified.

Note:- The Government have constituted the Visakhapatnam Town Planning Trust under section 45 (1) of the Town Planning Trust Act to perform the duties and functions of the Visakhapatnam Municipal Council laid down in chapters I to VIII of the T.P. Act. The main functions of the Trust, under the Town Planning Act are as follows.

1. Preparation of Town Planning schemes.
2. Implementation of General Town Planning scheme (Master Plan).
3. According permission for construction or reconstruction of buildings and approving layouts.
4. Implementation of sanctioned T.P. Schemes

5. Power to levy and collection of betterment contribution.
6. Borrowing loans for the <sup>execution</sup> ~~execution~~ of the scheme.

A procedure has been suggested by Mr. Pittsworth for the preparation of detailed T.P. schemes, which has already been covered by the procedure prescribed by Government in the Town Planning Act and rules issued there under, according to which the following formalities have to be observed.

1. The Trust has to declare its intention by a resolution to prepare a scheme in respect of any land within the Municipal area or in its vicinity outside such area.
2. The Chairman shall then have a plan prepared showing the land proposed to be included, the surrounding lands and any existing streets.
3. The above resolution of the Trust shall be published on the notice Board of the Office in the form prescribed stating that a copy of the plan is kept for inspection.
4. After fifteen days after the publication of the above resolution on the notice Board, a notice in the form prescribed prohibiting the construction of the building in the proposed scheme area without prior permission of the Trust, has to be published on the notice board, in the district Gazette, and in one or more newspapers circulating in the District.
5. After the publication of above notice the chairman shall send a notice to every owner who is concerned drawing his attention to the provisions of section 17 (viz requesting him to take prior permission of the Trust before constructing a building etc.)
6. After the publication of above notice the Trust shall in consultation with the director of Town Planning prepare a layout plan and a draft Town Planning scheme containing the following particulars.
  - a) The areas in respect of which restrictions if any are proposed as regards.
    - i. Character of buildings to be created, whether residential buildings, public buildings business premises, factories or workshops.
    - ii. The density of building that is the number of houses to the acre or the minimum size of house sites or both and
    - iii. Open spaces, recreation grounds, and areas where buildings are prohibited etc.
7. The Trust shall convene meetings of owners of lands and buildings in the area affected by the proposed scheme.
8. At such meetings the proposed scheme shall be generally described and explained.

9. A copy of every draft scheme with all its enclosures shall be sent to the Director of Town Planning with an intimation of the date on which the Trust will meet for considering the approval of the draft scheme together with objections from public if any received. The Trust at such meetings consider the suggestions if any received in the mean while from the Director of Town Planning.
10. After a draft scheme has been approved by the trust, it shall be published on the notice board in the form prescribed (Form 12).
11. Another notice (Form 13) shall also be published on the notice board, in the District Gazette, and in one or more newspapers circulating in the District, a copy of such notice shall also be posted up in one or more conspicuous places in or near such area.
12. The scheme, as modified with reference to the resolution of the Trust, shall be submitted to the State Government through the collector, Board of Revenue, and Director of Town Planning.
13. The fact of having submitted the draft scheme to Government has to be published (in form 15) on the notice Board, and in the District Gazette.
14. Government sanctioned the scheme.
15. Notification of Government approving the scheme has to be published in the Andhra Pradesh Gazette, and the date of publication of such notification is the date of commencement of the scheme.

The Visakhapatnam Municipal Council has already prepared a draft Master Plan the execution of which was entrusted to the Trust. The Trust has already published it for information of public inviting suggestions and it was sent to Government through the Collector Visakhapatnam, Board Revenue and the Director of Town Planning and orders of Government approving the same are awaited, while preparing the Master Plan the procedure prescribed for the preparation of Master Plan was followed. The Trust has taken up the preparation of Waltair ward Town Planning scheme and in that connection only the Trustees went around the town on 19.6.63. The stage of the preparation of these schemes comes under the procedure indicating against item 6 above. Further formalities will be observed before the schemes are got approved by the Government. Unless all these formalities are followed Government will not sanction the schemes. Pending the preparation publication and final sanction of the detailed Town Planning schemes layouts submitted by owners of lands will have to be examined and approved independently. There is no question of confirming to any Town Planning scheme as there is none so far. It is not obligatory on the owners to undertake to develop the land. The choice in all cases is theirs. Land lords of contiguous properties generally do not come forward with layouts to secure an integrated development. There is no provision by which adjoining property owners could be compelled to submit a layout with the result that disjointed and isolated clusters of houses are the result without proper inter-connections no amenities like water supply, lighting, and sewerage, except some mud roads are provided, nor any recreation facilities attended in such private layouts.

In most cases private profit is the only motive. To the private developer like any other business making ~~not profit~~ <sup>profit</sup> is ~~not~~ only the first but the overriding objective. He disregards any long term social need. It is therefore essential that the initiative and control of all cases of urban expansion should be in the hands of public bodies only. Such a body is able to bring complete areas into one ownership and so achieve a comprehensive design. The activity of speculators would then be curtailed but this would be no bad thing. Any suffering on their part would be hugely outweighed by the improvement of the environment and the quality of living of the people. What is actually taking place is not private development but private ~~sale~~ <sup>sale</sup> of properties at speculative prices.

The scheme "Land Acquisition and development" is independent of the Town Planning schemes. A copy of Government India's letter, containing the conditions of this scheme has already been sent to all Trustees. Government of Andhra Pradesh have entrusted the execution of Housing schemes, and the Land Acquisition development schemes in their Order No. 7 Housing D/8.1.1963 and advanced a loan of 13.10 lakhs observing "Government direct that the execution of the land acquisition and development scheme be entrusted to the Town Planning Trust so as to enable it to acquire the vacant sites in the Visakhapatnam Municipal Limits for taking up housing schemes." Further loan assistance under this scheme is also forthcoming from Government. The Trust has accordingly resolved to acquire certain parts, Waltair club lands were among others included. Under this scheme private lands will have to be acquired either by private negotiations or compulsorily, developed, necessary sanitary arrangements made, water supply and lighting connection provided, and sold to the public, in plots fit for housing, as per condition laid down in the Government Order. To implement this scheme the owners of vacant land need not be consulted unlike in case of preparation of Town Planning scheme. Mr. Pittsworth has also stated that there is a discrepancy in the resolution No. 2 d/ 23.10.1962 of the Trust and I state that the said resolution was recorded as agreed to by all the Trustees. ~~The intention of the resolution is to acquire all the lands as per subject placed before the Trust and to develop the vacant sites belonging to Waltair club in such a fashion that only bungalow type of buildings and one or two ordinary type of building in other vacant sites. Thus there is nothing irregular in the connection.~~ If the resolution is read along with the preamble enclosed for ready reference it will at once become clear that several S.Nos out of which S.Nos representing lands of Waltair club form a small part were resolved to be acquired. There was no disagreement regarding acquisition but only a proviso was added that lands of Waltair club might be developed by the Trust in a particular manner. There was no question of considering any layout sent by the club. Later on the club sent a rough layout and sought to develop their land as a private layout and parcel the land amongst its members. As there was no agreement on this owing to some point of law, the question of development by the club was stopped and the acquisition for public purpose was proceeded with. Whether to drop acquisition on the ground that the club desires to provide children's play ground, swimming pool etc., is a later development.

as there was no layout submitted by the club

~~It is for the Trust to consider whether it will be proper~~

It is for the Trust to consider whether it will be proper at this stage to go back on its considered resolution. If so to what extent. It is to be noted that only about 15 acres some of which is uneven, out of 25 acres of club land is sought to be acquired. Mr. Pittsworth also suggested that approval of building applications may not be entrusted to the Trust since it is not possible for the Trustees to examine each building application. In this connection it is pointed out that it is a statutory obligation on the part of the Trust to dispose of the Building Applications. Since the building applications will be placed with remarks of the chairman after personal inspection the Trust may approve his recommendations. It is also open to trustees to inspect the proposed constructions.

COPY OF PREAMBLE OF SUBJECT NO. 2 RESOLUTION NO. 2. D/ 23-10-62, *for ready reference of the Trustees*

SUBJECT:- No. II. Acquisition and development of Vacant sites for the construction of houses of low and middle income groups to relieve congestion in the thickly populated areas of the town.

Note:- Under section 4 (1) of the Andhra Pradesh Town Planning Act (Andhra Pradesh) read with section 50 (1) of the said act, the Visakhapatnam Town planning Trust, among other things can take up the construction of houses, for letting them out on rental basis or for selling them away on hire purchases system to relieve the congestion in the thickly populated areas.

It is therefore proposed to acquire the following vacant sites, and to construct the buildings there on, with the initial grant of Rs. 5 lakhs sanctioned to the Trust by Government of Andhra Pradesh.

AREAS TO BE ACQUIRED.

Ward.	Block no.	T.S.No.	Area.	Approximate Cost per sq. yd.	Total cost.
Waltair ward	10	83	part 2-15582		
	10	85	7-36190		
	41	1016	part 1-8712		
	41	1018	6-3374		
	42	1021	part 8-0		
	43	1027	part 2-34848		
	39	1011	part 28-0		
	39	1008	part 35-26136		
	39	1009	2-17424		
					94,11,586

or 95 Acre.

The question of raising loans, to carry out the schemes will be examined at an appropriate time, and the sanction of the Trust will be obtained. The Trust is requested to

accord sanction for the acquisition and development of vacant sites and for the construction of houses. The estimates of the schemes will be prepared and placed before the Trust in the next meeting.

RESOLUTION No. 2.

Acquisition sanctioned subject to the modification that in respect of lands belonging to waltair club i.e. T.S.No. 1021, 1018 and 1016 are developed by the Trust to fit in with adjoining layouts and to sell to buyers in plots in ~~estimate~~ of not less than 1000 sq. yards to construct bungalow type dwelling for single families.

SUBJECT:- No. 31

Lands - Sub-division of plot 14 of T.S.No. 317 to 319 of Block No. 20 of Allipur ward Smt. Uppuluri Neelamma - Requested.

Note:-

The commissioner in his letter R.C.No. 8838/63 G5 D/ 6-6-63 referred a petition received on 29.3.63 from Smt. Uppuluri Neelamma for sub-division of a plot bearing no. 14 of T.S.No. 317 to 319 of block No. 20 of Allipur Ward. The area of site available for construction of buildings after the sub division is nearly 430 sq. yards. As per Allipur ward Town Planning Scheme, the area of each plot should be not less than 400 sq. yards. Hence trust is requested to grant permission for sub-division of plot No. 14 to smt. Uppuluri Neelamma.

SUBJECT: No. 32. EE

Buildings-Construction of Buildings  
permission under section 17 (1) of  
the T.P. Act Granting off.

Note:- A statement showing the Building Applications referred by the Municipal Commissioner and Special Officer for granting or refusing permission is enclosed and placed before the Trust with the remarks of Chairman.

The Trust is requested to consider the same.

<u>S.No.</u>	<u>Name of the Applicant</u>	<u>B.A. No.</u>	<u>Remarks of Chairman.</u>
1.	Sri S. Ramarao Patrudu	269/63	May be granted <del>if</del> satisfied rules.
2.	Smt.A. Parvathi bai	281/63	-do-
3.	Sri K.S. Ramannasetty	270/63	-do-
4.	" C.V. Ramanamurty	247/63	-do-
5.	" P. Venkatarao	318/63	-do-
6.	" Ch. Rangarao	326/63	-do-
7.	" R. Appalanarasamma	312/63	-do-
8.	" N. Ramakrishmaraju	304/63	-do-
9.	" P.S.N. Raju	195/63	-do-
10.	" V. Seetharamamurty	349/63	-do-
11.	" P. Appalanarasamma	319/63	-do-
12.	" Md. Ishock	234/63	-do-
13.	Smt. B. Atchayamma	299/63	-do-
14.	" Vazzala Murah	306/63	-do-
15.	" J. Anantharam	177/63	permission was refused once. The party has submitted revised plans heaving 25" feet for road boundry. The commissioner and Special Officer recommended the present building application. The Building plan as revised may be granted.
16.	" Rev. Mother Superior Manager of St. Joseph College for women.	325/63	The proposed construction is a hostel to the leaving staff of St. Joseph Convent. It satisfies rules. The Municipal Health Officer insisted certain conditions.
17.	" N. Guruchlam	178/63	The proposed Construction is first floor over the existing <del>existing tiled</del> building. The party has already commenced the construction without approval of plan and it is not in accordance with the plan. May be refused.
18.			

*A permission may be granted subject to the conditions laid down by the Municipal Health Officer.*



18. Smt. T. Savitramma.

303/63

The proposed construction for conversion of a tiled house in to Terraced Building in Kadambavari Street

There is a regular line operation in kadambavari street for widening of the street. The commissioner recommended to grant permission since the party agreed to give an undertaking to demolish the structure with in the Regular line operation without claiming compensation at the time of widening of the street. To avoid litigation in future the permission may be refused.

19. M/s Burmah Shell

329/63

*Subject to condition*

May be granted ~~condi-~~ tions laid down by the commissioner and Special Officer, Visakhapatnam.

*[Signature]*  
Chairman.  
Town Planning Trust  
Visakhapatnam.

*[Signature]*  
28/6/63

Subject no. 24 to 32 adjourned  
to Monday 21st inst.

*[Signature]*  
Chairman.

1.7.63.