

# 6

## IMPLEMENTATION MECHANISM

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## **IMPLEMENTATION MECHANISM**

### **6.1 IMPORTANCE OF LEGAL FRAMEWORK**

6.1.1 Contemporary city planning, through government machinery seeks to regulate market forces, in a sequential manner towards city building processes with the intention of furthering citizen's well being. The challenge comes in providing a quality of life together with high standards of living which are not directly and easily correlated. In the case of Port Blair and environs, not only citizens but environment also is equally important. The proposed Master Plan apart from seeking to lay-out a physical pattern of land use and transportation linkages for Port Blair Planning Area as a whole, will serve as a guide for public and government agencies to conform and integrate their sectoral projects into programmes. Hence it is important that suitable strategies are evolved for implementation of the plan proposals. The authorities have to be identified within the framework of existing legal framework wherever possible and if required frame new set of rules and regulations or amend the existing ones.

### **6.2 EXISTING LEGAL FRAMEWORK**

6.2.1 At present the building and land development activities in ANI are regulated by the following four regulations:

- (i) The Andaman and Nicobar Islands (Municipal) Regulation 1994
- (ii) The Andaman and Nicobar Islands Town and Country Planning Regulation 1994
- (iii) Port Blair Municipal Council Building Bye laws, 1999
- (iv) The Andaman and Nicobar Islands Town and Country Planning Rules 2005

6.2.2 Of the above, the Andaman and Nicobar Islands Town and Country Planning Regulation 1994 provide for preparation of Master Plan and regulate development for matters connected therewith. While Chapter II provides for Office of the Town Planner, and Chapter III, describes in detail, the procedures in the preparation of Master Plan, there are no clear-cut provisions regarding monitoring and implementation of the plan. Chapter IV provides for use of land and building as per the Master Plan provisions and permission is to be granted by the Town Planner.

6.2.3 The Andaman and Nicobar Islands (Municipal) Regulation 1994 deals primarily with the financial allocation as per the Annual Plans, Five Year Plans and Perspective Plans pertaining to various sectors.

6.2.4 The Port Blair Municipal Council Building Bye laws, 1999 deals with the rules and regulations and procedures for issuing building license within the jurisdiction of the Council.

6.2.5 The Andaman and Nicobar Islands Town and Country Planning Rules 2005 enacted under section 34 of the Andaman and Nicobar Islands Town and Country Planning Regulation 1994 deals with procedures relating to approval of Master Plan, modifications to the plan, application for planning permission and fees structure for development or redevelopment

### **6.3 STRENGTHENING THE LEGAL FRAMEWORK**

6.3.1 Development Regulations proposed in the Master Plan is applicable to the entire Port Blair Planning Area. In case of conflict between the proposed development regulation and Municipal Council Bye laws or any other law, the provisions contained in the proposed development regulation will prevail over.

6.3.2 The Port Blair Planning Area includes Port Blair municipal town and 31 revenue villages. The Port Blair Municipal Council Building Bye laws, 1999 are applicable only within Port Blair municipal area. The provisions of the same may be extended to the entire Planning Area by an executive order as an interim measure until such time a separate ‘Andaman and Nicobar Panchayat Building Bye Laws’ are enacted for all panchayats in the Islands.

6.3.3 The Port Blair Municipal Council Building Bye Laws contains certain planning parameters like FAR, Minimum Plot Size, Set Back, Parking etc.. Since the proposed development regulations comprehensively cover all the planning parameters, some of the provisions of the Port Blair Municipal Council Building Bye Laws need to be amended to this effect. The details are shown in Table 6.3.3 (a) and Table 6.3.3 (b).

**Table 6.3.3 (a) Amendments Proposed in the  
Port Blair Municipal Council Building Bye-Laws, 1999**

CLAUSE REF.	EXISTING PROVISION	PROPOSED AMENDMENT																																						
Rear Yard 11.2	<p>There shall be between the rear boundary of every building site and the building itself an open space exclusively belonging to such building and extending laterally through the width of the site to a depth as mentioned in bye-law 12.2.</p> <p>Provided that where this depth can not be obtained throughout the entire width of the site by reason of the exceptional shapes of the site or other exceptional circumstances it shall suffice if the mean depth satisfy the above requirements.</p>	<p>There shall be between the rear boundary of every building site and the building itself an open space exclusively belonging to such building and extending laterally through the width of the site to a depth as mentioned below.</p> <table border="1" data-bbox="911 633 1393 887"> <thead> <tr> <th>Depth of Plot</th> <th>Minimum required rear set back</th> </tr> </thead> <tbody> <tr> <td>Upto 15 m</td> <td>1.5 m</td> </tr> <tr> <td>More than 15 m and upto 30 m</td> <td>3.0 m</td> </tr> <tr> <td>Above 30 m</td> <td>4.5 m</td> </tr> </tbody> </table> <p>Provided that where this depth can not be obtained throughout the entire width of the site by reason of the exceptional shapes of the site or other exceptional circumstances it shall suffice if the mean depth satisfy the above requirements.</p>	Depth of Plot	Minimum required rear set back	Upto 15 m	1.5 m	More than 15 m and upto 30 m	3.0 m	Above 30 m	4.5 m																														
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Side Yard 11.3	<p>Only detached buildings shall be permitted within the jurisdiction of Port Blair Municipal Council, and there shall be on either side of every such building an open space as mentioned in bye-law 12.2</p>	<p>Only semi detached and detached buildings shall be permitted within the jurisdiction of Port Blair Municipal Council and the side set backs to be provided are governed by the width of the plot for buildings which are single storeyed as given below.</p> <table border="1" data-bbox="911 1317 1393 1971"> <thead> <tr> <th rowspan="3">Width of Plot</th> <th colspan="4">Setback requirement</th> </tr> <tr> <th colspan="2">For detached buildings</th> <th colspan="2">For semi-detached buildings</th> </tr> <tr> <th>On one side</th> <th>On other side</th> <th>On one side</th> <th>On other side</th> </tr> <tr> <td></td> <td colspan="4" style="text-align: center;">(in m.)</td> </tr> <tr> <td>Upto 8m</td> <td>0</td> <td>1</td> <td>0</td> <td>1.5</td> </tr> <tr> <td>Above 8m and upto 10m</td> <td>1</td> <td>1</td> <td>0</td> <td>2.0</td> </tr> <tr> <td>Above 10m and upto 12m</td> <td>1</td> <td>1.5</td> <td>0</td> <td>2.5</td> </tr> <tr> <td>Above 12 m</td> <td>1.5</td> <td>1.5</td> <td>0</td> <td>3.0</td> </tr> </thead> </table>	Width of Plot	Setback requirement				For detached buildings		For semi-detached buildings		On one side	On other side	On one side	On other side		(in m.)				Upto 8m	0	1	0	1.5	Above 8m and upto 10m	1	1	0	2.0	Above 10m and upto 12m	1	1.5	0	2.5	Above 12 m	1.5	1.5	0	3.0
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Front Yard 11.4	Each site shall be a minimum frontage of 10 metre on any main road or 9 metre from the edge of the existing road side drain	-Deletion of the Clause-																																				
11.5	The front yard for the plots abutting the Branch road (motorable Black topped) shall not be less than 5.00 metre	-Deletion of the Clause-																																				
11.6	Every building shall have a front yard forming an integral part of the site, to a minimum width of 1 metre	<p>Every building shall have a front yard forming an integral part of the site depending on the width of the abutting road to a minimum front set back as described below.</p> <table border="1"> <thead> <tr> <th>Width of abutting road</th> <th>Front set back required</th> </tr> </thead> <tbody> <tr> <td>Upto 7 m</td> <td>1.5 m</td> </tr> <tr> <td>More than 7m and upto 10 m</td> <td>2.0 m</td> </tr> <tr> <td>More than 10m and upto 15 m</td> <td>3.0 m</td> </tr> <tr> <td>Above 15 m</td> <td>4.5 m</td> </tr> </tbody> </table> <p>Note: Cantilevered portico/balcony is permissible in the front set back provided the same does not fall within 1.5 m. from street alignment or boundary of the site whichever is closer.</p>	Width of abutting road	Front set back required	Upto 7 m	1.5 m	More than 7m and upto 10 m	2.0 m	More than 10m and upto 15 m	3.0 m	Above 15 m	4.5 m																										
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<p>11.7</p>	<p>Every open space provided in pursuance of Bye-laws 11.2 to 11.4 shall be kept free from any erection thereon and shall be open to sky, and no cornice, roof or whether shade more than 0.75 Mt. wide shall overhang or project over the said open space so as to reduce the width to less than the minimum provided under these bye-laws. In case of plots upto 50.00 sq.m.. the overhang or projection shall not exceed 45 cm.</p>	<p>Every open space provided in pursuance of the Bye-laws 11.2, 11.3 and 11.6 shall be kept free from any erection thereon and shall be open to sky, and no cornice, roof or whether shade more than 0.60 m., and or unsupported balconies / utility verandas more than 1 m. wide shall overhang or project over the said open space so as to reduce the width to less than the minimum provided under these bye-laws. . In case of plots upto 50.00 sq.m.. the overhang or projection shall not exceed 45 cm.</p>																																																			
<p>Maximum height of construction 12.1</p>	<p>The maximum height of a building shall be 10 metres (measured upto the bottom of the beam or the wall plate) unless otherwise specially permitted by the Authority</p>	<p>The maximum height of a building shall be 15 metres (measured upto the bottom of the beam or the wall plate) unless otherwise specially permitted by the Authority</p>																																																			
<p>Floor area Ratio 12.2</p>	<p>Unless otherwise specially permitted by the authority, the coverage and floor area ratio for the construction of building in a site shall be as follows:-</p> <table border="1" data-bbox="395 819 895 1317"> <thead> <tr> <th rowspan="2">Plot area in Sq.M.</th> <th rowspan="2">Plot Coverage</th> <th colspan="4">Minimum Set back</th> <th rowspan="2">FAR</th> </tr> <tr> <th>Front</th> <th>Rear</th> <th>Side 1</th> <th>Side 2</th> </tr> </thead> <tbody> <tr> <td>Upto 50</td> <td>75 %</td> <td>1</td> <td>1.5</td> <td>0.75</td> <td>0.75</td> <td>150</td> </tr> <tr> <td>Above 50 upto 100</td> <td>66.66 %</td> <td>1</td> <td>1.5</td> <td>1.00</td> <td>1.00</td> <td>150</td> </tr> <tr> <td>Above 100 upto 200</td> <td>60 %</td> <td>1</td> <td>2</td> <td>1.00</td> <td>1.00</td> <td>150</td> </tr> <tr> <td>Above 200</td> <td>50 %</td> <td>1</td> <td>3</td> <td>1.00</td> <td>1.00</td> <td>150</td> </tr> </tbody> </table>	Plot area in Sq.M.	Plot Coverage	Minimum Set back				FAR	Front	Rear	Side 1	Side 2	Upto 50	75 %	1	1.5	0.75	0.75	150	Above 50 upto 100	66.66 %	1	1.5	1.00	1.00	150	Above 100 upto 200	60 %	1	2	1.00	1.00	150	Above 200	50 %	1	3	1.00	1.00	150	<p><b>Plot Coverage &amp; Floor Area Ratio</b> Unless otherwise specially permitted by the Authority the minimum plot size, maximum plot coverage and floor area ratio for the construction of the residential buildings in a site shall be as follow.</p> <table border="1" data-bbox="911 880 1394 1227"> <thead> <tr> <th></th> <th>Continuous Building Areas (CBA)</th> <th>Other areas in Port Blair Municipal Area excluding CBA</th> </tr> </thead> <tbody> <tr> <td>Plot Coverage</td> <td>75 %</td> <td>65 %</td> </tr> <tr> <td>FAR</td> <td>150</td> <td>150</td> </tr> <tr> <td>Plot Extent</td> <td>50 sq.m</td> <td>100 sq.m</td> </tr> </tbody> </table> <p>Note: For non residential buildings, the provisions of the Master Plan shall be followed.</p>		Continuous Building Areas (CBA)	Other areas in Port Blair Municipal Area excluding CBA	Plot Coverage	75 %	65 %	FAR	150	150	Plot Extent	50 sq.m	100 sq.m
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<p>Parking space requirement 14.1</p>	<p>For the use of occupants and of persons visiting the premises for the purposes of profession trade, business, recreation or any other work parking space and parking facilities shall be provided within the site conforming to the standards specified in Appendix 'H' to these bylaws.</p>	<p>For the use of occupants and of persons visiting the premises for the purposes of profession trade, business, recreation or any other work parking space and parking facilities shall be provided within the site conforming to the standards specified in Appendix 'H' to these bylaws.(Note: The contents of Appendix 'H' is modified and shown in Table 6.3.4)</p>																																																			
<p>Splay 19</p>	<p>In the case of plots located at the corner of two streets, the fencing prescribed in the bye-laws 18 shall splayed as prescribed here under:  1. For streets with widths of more than 12M-3M X 1M splay, provided that in the case of corner of two streets of different widths the ruling shall be taken as that of the wider street</p>	<p>In the case of plots located at the intersection of two streets/roads, the fencing prescribed in the bye-laws 18 shall be splayed as prescribed here under:</p> <table border="1" data-bbox="911 1749 1418 1910"> <thead> <tr> <th>Width of narrower road</th> <th>Splay required</th> </tr> </thead> <tbody> <tr> <td>Upto 6.0 m</td> <td>1.5 m x 1.5 m</td> </tr> <tr> <td>More than 6.0 and upto 10 m</td> <td>2.5 m x 2.5 m</td> </tr> <tr> <td>More than 10 m and upto 15 m</td> <td>3.5 m x 3.5 m</td> </tr> <tr> <td>More than 15 m</td> <td>4.5 m x 4.5 m</td> </tr> </tbody> </table>	Width of narrower road	Splay required	Upto 6.0 m	1.5 m x 1.5 m	More than 6.0 and upto 10 m	2.5 m x 2.5 m	More than 10 m and upto 15 m	3.5 m x 3.5 m	More than 15 m	4.5 m x 4.5 m																																									
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<p>Note following Clause 30 (v)</p>	<p>This Municipal Council Building Bye-laws based on the National building code whatever is not covered in these bye-laws the relevant aspects/standards quoted in NBC is applicable.</p>																																																				

**Table 6.3.3 (b) Appendix 'H' to the proposed amendment to the Clause 14.1 (Parking Space Requirement) of the Port Blair Municipal Council Building Bye-Laws, 1999**

SL.NO.	TYPE OF USE	NORMS
1.	<b>RESIDENTIAL</b>	
	a) For dwelling units with floor area upto to 75m <sup>2</sup>	Nil
	b) For dwelling units measuring more than 75m <sup>2</sup> and upto 100m <sup>2</sup>	1 two wheeler space for every dwelling unit
	c) For dwelling units measuring more than 100m <sup>2</sup> and upto 150m <sup>2</sup>	1 car space for every two dwelling unit and 1 two wheeler for every dwelling unit
	d) For dwelling unit measuring more than 150m <sup>2</sup>	1 car space for every 150m <sup>2</sup> or part thereof.
Note: In addition to the parking spaces specified above, 10% of additional parking shall be reserved for visitors parking.		
2.	<b>RETAIL BUSINESS</b> (shops, shopping complexes, departmental stores etc.,)	
	a) Upto 100m <sup>2</sup> b) Above 100m <sup>2</sup>	Nil 1 car space for every 100m <sup>2</sup> or part thereof.
3.	<b>OFFICES</b>	
	A. Government Offices	
	a) Upto 300 m <sup>2</sup>	1 car space for every 150m <sup>2</sup> or part thereof.
	b) Above 300m <sup>2</sup>	1 car space for every 200m <sup>2</sup> or part thereof.
B. Other offices including Banks		
a) Upto 300 m <sup>2</sup>	1 car space for every 75m <sup>2</sup> or part thereof.	
b) Above 300m <sup>2</sup>	1 car space for every 100m <sup>2</sup> or part thereof.	
4.	<b>RESTAURANTS AND HOTELS</b>	1 car space for every 100m <sup>2</sup> of floor area thereof.
5.	<b>LODGING ESTABLISHMENTS, HOTELS AND TOURIST HOMES</b>	1 car space for every 10 guest rooms and for the non room area 1 car space for every 150m <sup>2</sup> of floor area or part thereof.
6.	<b>STAR HOTELS</b>	1 car space for every 5 guest rooms and for non room area of car space for every 100m <sup>2</sup> of floor area or part thereof.
7.	<b>THEATRES, AUDITORIUMS, CONCERT HALLS, KALYANA MANDAPAMS.</b>	1 car space for every 50m <sup>2</sup> or part thereof. Subject to a minimum of 10 car parking space

8.	<b>EDUCATIONAL INSTITUTIONS</b>	Nil 1 car space for 400m <sup>2</sup> of class room area or part thereof. 1 car spaces for every 200m <sup>2</sup> of classroom area or part thereof.
	a) Government Schools b) Private Schools c) Colleges/training institutes	
9.	<b>HOSTELS</b> a) Government college hostels b) Private college hostels	1 two wheeler for every 10 rooms 1 car space for every 10 rooms
10.	<b>HOSPITALS AND NURSING HOMES</b>	1 car space for every 100 m <sup>2</sup> of floor area or part thereof.  1 car space for every 300m <sup>2</sup> area or part thereof. 1 car space for every 400m <sup>2</sup> or part thereof.  1 car space for every 150m <sup>2</sup> area or part thereof. 1 car space for every 200m <sup>2</sup> or part thereof.
	A. Nursing homes	
	B. Hospitals (public) a) Upto 2000m <sup>2</sup> b) Above 2000 m <sup>2</sup>	
	C. Hospitals (private) a) Upto 2000m <sup>2</sup> b) Above 2000 m <sup>2</sup>	
11.	<b>HEALTH CLUBS, RECREATION CLUBS</b>	1 car space for every 100m <sup>2</sup> or part thereof.
12.	<b>INDUSTRIAL</b>	Nil 1 car space for every 100m <sup>2</sup> of floor area of office plus 1 lorry space for every 500m <sup>2</sup> of Industrial Factory shed or part thereof.
	a) Small and House hold industries b) For light and medium Industries grouped under I – A and I- B	
13.	<b>GODOWNS, WHOLESALE AND WAREHOUSE BUILDINGS</b>	1 lorry space for every 1000m <sup>2</sup> of storage space or part thereof.
14.	<b>RELIGIOUS BUILDINGS</b>	1 car space for every 300m <sup>2</sup> of floor area or part thereof.

*Note:*

1. Where the norms are based on the total plinth area, no. of car / two wheeler spaces required shall be calculated for 75% of the total plinth area in buildings.
2. For industrial buildings, godowns and warehouses etc., the parking spaces for the lorries are to be calculated at 85% of the total plinth area of the buildings.
3. The dimension of the parking stall for different vehicles shall be 5m x 2.5m for cars, 1.8m x 1.2m for two wheelers and 10m x 3.5m for lorries.

4. For buildings having more than two floors, 10% of the required car/two wheelers parking spaces subject to a minimum of two car spaces and 2 two wheeler spaces shall be reserved for the physically handicapped persons near the entrance.
5. The width of drive way shall be 3.5m for one way movement and 7m for two way movement. The width of the entry and exit gates shall be a minimum of 3.5m.
6. The minimum inner turning radius for cars in drive way and ramps shall be 3.5m. For trucks and lorries the inner turning radius shall not be less than 7m.
7. The gradient in ramps shall not be steeper than 1:8 and the slope of the parking spaces shall not be more than 4% in any direction.
8. The width of aisle in car parking lots shall be as described below:

Description	Parallel parking	Angular parking upto 60°	Angles above 60° and perpendicular parking
Four wheelers	3.5m	3.5m	6m
Trucks and Lorries	7m	3.5m	10m

#### 6.4 RESTRUCTURING PLANNING ADMINISTRATION

6.4.1 This being the first Master Plan for Port Blair and there are also proposals on the anvil for preparation of Master Plans for more towns in ANI it is required that the Office of the Town Planner, as provided for in the Andaman and Nicobar Islands Town and Country Planning Regulation 1994 is further strengthened for effective implementation and monitoring of the plan proposals. In this context, the following suggestions are made:

- (i) The institutional arrangement for implementing the Master Plan is established first, by constituting 'Port Blair Planning Authority' (PBPA).
- (ii) The present Town Planning Unit of the APWD is upgraded as a separate Department of Town and Country Planning and headed by a Chief Town Planner. The proposed organizational structure of the Department of Town and Country Planning of the Andaman & Nicobar Administration is shown in Chart No. 6.4.1. (page. 169)
- (iii) The Office of the Chief Town Planner will serve a pivotal role in providing the necessary technical support in preparation and implementation of plans prepared for the urban and rural settlements as enshrined in the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment Acts (CAA).

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- (iv) Under the Chief Town Planner, three Offices of the Senior Town Planners are established, one for Headquarters and South Andaman, one for North and Middle Andaman and one for Hut Bay and Nicobar Islands.
  - (v) The Senior Town Planner (Headquarters & South Andaman) will be responsible for implementing land use zoning and development regulations contained in the Master Plan of Port Blair Planning Area. The Office of the Senior Town Planners will be established with Associate Town Planners, Assistant Planners, Technical and Ministerial Staff.
  - (vi) Each Senior Town Planner is supported by a minimum of two Associate Town Planners. While one Associate Town Planner is to take responsibility for plan formulation and approval, the other is to take responsibility of the enforcement and implementation of the plans.
  - (vii) The Associate Town Planner (Plan formulation and approval) is to constantly monitor the consequences of plan implementation and carry out reviews periodically so as to suggest suitable modifications in the development strategy/projects/programmes to the administration. The Master Plan need to be reviewed atleast at the end of every phase of plan implementation and the subsequent Master Plans are to be prepared and approved by the administration without any lapse in time. Further the Associate Town Planner (Plan formulation and approval) is to initiate actions for the preparation of Detailed Development Plans for the Planning Area in his/her control.
  - (viii) The Associate Town Planner (Enforcement & Implementation) is to work towards the implementation of every proposals made in the Master Plan / Detailed Development Plan / any other Development Plan acceptable to the administration. This apart, he/she is to be responsible for the enforcement of the statutory plan provisions.
  - (ix) The Associate Town Planners responsibilities are enormous and they can be successful only to the extent of support extended to them by the administration. It is proposed that each of the Associate Town Planner is supported by a minimum of two Assistant Planners in execution of their responsibilities.
  - (x) The Office of the Senior Town Planners, are to be equipped with necessary technical staff to render support to the 'Planners' in their effort towards planned development of the islands and improvement in quality of life of the citizens. A team comprising, a minimum of four Planning Assistants (Grade I), four Junior Engineers, eight Planning Draughtsman (Grade II), eight Planning Draughtsman

(Grade III), and eight Surveyors are required to be posted at each of the Offices of the Senior Town Planner.

- (xi) At the secretarial level, Steno's are to be provided for the Chief Town Planner, Senior Town Planners and the Associate Town Planners. In addition, the ministerial staff is required to be posted as per the norms of the Government in all offices of the Senior Town Planners.
- (xii) The functions of the Chief Town Planner, Senior Town Planners, Associate Town Planners and Assistant Planners are to be handled by the qualified Town Planners only. The administration need to sanction the required number of planners for the implementation of the Master Plan. New recruitments and training to the officers serving in the departments may be considered in filling up the new posts.
- (xiii) Since the ANI are covered under CRZ IV, the Coastal Zone Management Authority is already constituted by the Ministry of Environment and Forests, Government of India to monitor, study and grant permission to all land and building developments in the coastal region. It is suggested that the Chief Town Planner is included as a member of the Coastal Zone Management Authority.

## **6.5 PORT BLAIR PLANNING AUTHORITY (PBPA)**

### **6.5.1 Powers and Functions**

The proposed PBPA will be vested with powers such as, review and revision of Master Plan for the Planning Area, Implementation of the provisions contained in the approved Master Plan, Programmes and Projects contemplated in the Master Plan. It will have jurisdiction over the entire Planning Area including Port Blair town.

The main functions of the Authority will include the following:

- i) Framing policies and strategies towards implementation of Master Plan
- ii) Realization of identified programmes and projects of the Master Plan, by evolving suitable implementation mechanism.
- iii) Approval of building plans and layouts
- iv) Change of land use and reclassification
- v) Concurrence with sectoral agencies for land acquisition towards implementation of physical projects identified in the plan
- vi) Dealing with land and building activities in contravention to the provision of the Master Plan
- vii) Initiate, approve and implement major infrastructure development projects

### **6.5.2 Structure of the Port Blair Planning Authority**

The Port Blair Planning Authority shall be headed by the Chief Secretary or any other Officer appointed by the Chief Secretary for the purpose. The Vice Chairman of the Authority shall be the Chief Town planner of the proposed Department of Town and Country Planning (DTCP). The Member Secretary of the Authority shall be the Senior Town Planner (Head quarters and South Andaman) of DTCP. The Members of the Authority shall include representatives from the departments of Environment and Forests, Tourism, Fisheries, Housing, Public Works, Electricity, Police, Defence and Civil Aviation. Also representatives from Coastal Management Development Authority, Village Panchayats (not exceeding 6) and Port Blair Municipal Council are to be included in the Authority. The Authority may also co-opt any other member in the capacity of Special invitee.

### **6.5.3 Interface between PBPA and DTCP**

The function of the proposed DTCP is to regulate planning and urban development activities in the entire Andaman and Nicobar Islands which includes three specific regions namely, i) North and Middle Andamans, ii) Headquarters and South Andaman and iii) Hut Bay and Nicobar islands. The Port Blair Planning Authority whose jurisdiction falls under Headquarters and South Andaman region can delegate the powers with regard to plan formulation, approval, enforcement and implementation to DTCP. The Chief Town Planner of DTCP may in turn entrust responsibilities to the Senior Town Planner (HQ and SA) whose office will exclusively deal with technical matters of PBPA. Incidentally, the Chief Town Planner and Senior Town planner (HQ and SA) are the Vice Chairman and Member Secretary of the Proposed PBPA.

### **6.5.4 Devolution of Powers**

All the above functions of the Authority will be performed through appropriate delegation of powers to the following institutions:

- i) Local Government (Village Panchayats)
- ii) Port Blair Municipal Council
- iii) Department of Town and Country Planning (proposed)
- iv) Government Departments relating to infrastructure development envisaged in the Master Plan

The PBPA (Port Blair Planning Area) comprises of Port Blair town and 31 revenue villages. The Port Blair town is administered by Port Blair Municipal Council and the

revenue villages by the respective panchayats. It is proposed to devolve powers to local bodies including Port Blair Municipal Council to issue planning permission and building license for all developments not exceeding 150 sq.m. For developments exceeding 150 sq.m., PBPA will be the competent authority to issue both the planning permission and the building license.

### **6.5.5 Procedure for obtaining Planning Permission and Building License for Development**

#### For developments upto 150 sq.m

If the proposed development is within 150 sq.m, the applicant may prefer an appeal in the prescribed format to the concerned local body for obtaining both planning permission and the building license. The local body in turn, may accord Planning Permission as per the provisions of the development regulations spelt out in the Master Plan and Building License as per the Port Blair Municipal Council Building Bye Laws, 1999 (with suggested amendments in the Master Plan).

#### For developments exceeding 150 sq.m

In case of developmental activities exceeding 150 sq.m, the applicant may prefer an appeal in the prescribed format to the Member Secretary, PBPA through the concerned local body. The Member Secretary may accord Planning Permission as per the provisions of the development regulations spelt out in the Master Plan and Building License as per the Port Blair Municipal Council Building bye-laws, 1999 (with suggested amendments in the Master Plan) through the local body.

#### Others

For sub-division of land not exceeding 8 in number, the applicant may prefer an appeal in the prescribed format directly to the local body for approval. The local body may accord approval for the same in accordance with the provisions of the development regulations spelt out in the Master Plan.

For issues such as land use reclassification, sub-division exceeding 8 in number, lay outs and developmental activities in contravention to the Master Plan provisions the applicant may prefer an appeal in the prescribed format to the Member Secretary, PBPA for consideration and approval of the Authority through the local body.

## **6.6 ROLE AND RESPONSIBILITIES OF THE AGENCIES**

A measure of success of the Master Plan would be the extent to which the proposals envisaged in the plan are implemented in the plan period. The role of various agencies including the government departments of the Andaman and Nicobar Administration is

critical in this regard, and convergence of efforts of all the concerned stakeholders is required. The departments responsible for the projects enlisted in the Master Plan need to initiate actions towards preparation of Detailed Project Reports and Environmental Impact Reports wherever necessary and obtain clearance from all relevant authorities.

The Andaman and Nicobar Islands Integrated Development Corporation Limited (ANIIDCO) could play its role importantly in implementation of the various development projects enunciated in the Master Plan relating to Tourism and Fisheries Department as well as in the development of the Industrial Estate. The Corporation could help channelizing the required funds for the projects through application of innovative public private partnership models.

The role of Information, Publicity and Tourism Department is important in achieving the objectives of the Master Plan. They need to take appropriate measures to attract more tourists and to create quality infrastructure for the tourists towards employment generation. While the Master Plan has included physical projects required in this direction, media publicity and logistics support for the tourists from the main land and the foreign countries could further boost the tourism in the island.

As land is an essential component of every project conceived in term of spatial context, the government departments are to take appropriate steps in acquiring lands for the development projects. On request from the concerned departments and the concurrence of the PBPA, the office of the Deputy Commissioner (South Andaman) may extend cooperation in acquisition of the lands for the public cause, in order to avoid delay in implementation of the projects.

Local Governments have been empowered by the Master Plan to issue both Planning Permission and Building License for all developments not exceeding 150 sq.m.. However, it is seen that the local governments lack in technical manpower and it is urgently required that their capacities are enhanced to ensure developments in an orderly manner. The local governments need to persuade the administration for additional manpower through recruitment and training to the existing cadre.

The Master Plan proposes Amendments to the Port Blair Municipal Council Building Bye-laws, 1999 in consonance with the proposed development regulations, and suggests that the same may be made applicable for the entire Port Blair Planning Area till such time, a common bye laws for all panchayats in the Andaman and Nicobar Administration are enacted. The Town Planning Unit of the APWD, which is also proposed to be upgraded as a Department of Town and Country Planning is to initiate actions towards amendment of the Port Blair Municipal Building Bye Laws, 1999 as required and also for the enactment of an exclusive 'Andaman and Nicobar Panchayat Building Bye Laws'.

Further, as Town Planning Unit is part of APWD, the cooperation and support of the APWD is required in restructuring the planning administration as proposed in section 6.4 of the Master Plan.

## **6.7 NATIONAL PROGRAMMES**

6.6.1 Availability of adequate funds is an important determinant for successful implementation of the plan proposals. While conventional pattern of project financing is being in transition, the private investments and public private partnership modes of infrastructure development assumes greater significance. This apart, the programmes of the National Government provides greater opportunities for improving the status of infrastructure and service delivery. Hence, it is the responsibility of every development agency concerned to take initiatives to draw maximum funding for the plan implementation.

6.6.2 The Jawaharlal Nehru National Urban Renewal Mission (JNNURM) Programme 2005, is a programme of national importance, which has identified the sectors and projects eligible for assistance, which include:

- (i) Redevelopment of inner (old) city areas including widening of narrow streets
- (ii) Water supply (including desalination plants)
- (iii) Sewerage and Solid Waste management
- iv) Prevention and rehabilitation of soil erosion and landslides only in cases of special category states, and
- v) Preservation of water bodies.

6.6.3 At present Pondicherry is the only Union Territory which is included in the list of eligible cities for the JNNURM Programme. However, the Port Blair Local Government and the proposed Port Blair Planning Authority may impress upon the National Steering Group for the Programme to consider inclusion of Port Blair as one of the cities for funding on the basis of its environmental sensitivity, and the importance of strengthening the infrastructure and services for sustainable development.

## **6.8 INTO FUTURE**

6.7.1 The proposed land use plan 2028 reflects the development strategies evolved on the basis of many parameters such as physical, social, economical and environmental. The Master Plan aims to promote the socio-economic conditions coupled with improvements in quality of life. For successful implementation of the same the following action programmes are required.

- (i) Prepare and Implement Detailed Development Plans for the various nodes as suggested in the Master Plan proposals.
- (ii) Dovetail the recommendations of the Traffic and Transportation Plan prepared by Traffic division Anna University Chennai with the Master Plan proposals for implementation.
- (iii) Since economic prosperity through tourism promotion depends on proper inter island transportation links and networks, the strengthening and upgradation of the Andaman Trunk Road (ATR) and laying of circular Andaman Marine Drive (AMD) and radial interlinking roads is to be given utmost importance.
- (iv) Horizontal and Vertical integration of all the sectoral programmes envisaged in the Master Plan and initiation of action in implementing the same within the timeframe stipulated.
- (v) Promotion of Public Private Partnership mode of development, especially in the tourism, fishing and housing sectors.
- (vi) Review of the Master plan periodically, to assess the developments taking place and suggest amendments in accordance with policies of the Government and the priorities of the people.

## **6.9 CONCLUSION**

6.9.1 Andaman and Nicobar islands with rich bio-diversity, requiring environmental conservation, presents a challenge unlike the cities of the main land. It requires careful strategies for its overall development. The dependency on the main land for food, and energy needs to be reduced to minimum and the island and urban centres like Port Blair should evolve sustainable approach in all planning policies and programmes. The planning strategies evolved through this Master Plan and other development plans to be taken up in future should include emerald islands not only as a geographical asset but also as a human development asset to the nation.

6.9.2 Vision 2028 for Port Blair Planning Area aims to make the developments sustainable, stimulate positive sensation, provide a better quality of life and create assets for the future generation in the years to come.

6.9.3 Even at this distance of time we come across geographical maps of India featuring Sri Lanka in south but not Andaman and Nicobar Islands on the East, where the sun dawns earlier than the east coast of main land. Andaman and Nicobar Islands can no more be described as a “journey through the dreaded destination” but as a pleasant “sail over blue waters and white waves”.



**Chart No. 6.4.1 Proposed Organizational Structure of the Department of Town and Country Planning**

