

PART-V

NOTIFICATION

NO.AS/LEG-4/Bill/NTCP-4/2025/1028

Dated Kohima, the 4th March, 2025.

The Nagaland Town and Country Planning (Fourth Amendment) Bill, 2025 together with the Statement of Objects and Reasons and the Financial Memorandum which was introduced in the Nagaland Legislative Assembly on Tuesday, the 4th March, 2025, is published for general information as required under Rule 72 of the Rules of Procedure and Conduct of Business in the Nagaland Legislative Assembly.

Sd/-

KHRUOHITUONUO RIO

Secretary-In-Charge
Nagaland Legislative Assembly
Secretariat: Kohima

**THE NAGALAND TOWN AND COUNTRY PLANNING,
(FOURTH AMENDMENT) BILL, 2025**

**A
BILL**

to amend the Nagaland Town and Country Planning Act, 1966.

Be it enacted by the Nagaland Legislative Assembly in the Seventy Sixth Year of the Republic of India as follows. -

1. (1) This Act maybe called the Nagaland Town and Country Planning (Fourth Amendment) Act, 2025. *Short title and commencement*
 (2) It shall extend to the whole of Nagaland
 (3) It shall come into force from such date as the state government may by notification in the Official Gazette appoint.
2. After sub-section (16) of section 2, new sub-sections shall be inserted as follows: *Amendment of section 2 of Nagaland Town and Country Planning Act*
 17) "Town Planning Scheme" means a layout plan for a particular area within the designated planning area, conceived within the framework of the Master Plan. If any, providing detailed proposals, indicating the manner in which the use of land and development therein shall be carried out."
 18) "Peri-Urban area" means Peri-urban is the zone which is within the planning area limits but outside the urbanisation limit of the Urban Local Bodies.
 19) "Officer" means the "Authorized Officer" appointed by the State Government under section 14.N.
 20) "Local Authority" means the Urban Local Body (ULB) of a particular Municipal/Town Council.
3. After Chapter III, a new Chapter III (A), with the title "Town Planning Schemes" shall be inserted as follows: *Amendment of Chapter III*
- 14A (1) Subject to the provisions of this Act or any other Law for the time being in force- *Preparation and contents of Town Planning Scheme.*
 (a) The Local Authority may for the purpose of implementing the proposals in the final Master Plan/Peri-Urban Plan, prepare one or more Town Planning Schemes for the area within its jurisdiction, or any part thereof.
 (b) A Town Planning Scheme may make provision for any of the following matters-
 (i) any of the matters specified in section 11.
 (ii) the laying out or re- laying out of land, either vacant or already built upon, including area of comprehensive development.
 (iii) such other matter not inconsistent with the object of this Act as may be directed by the State Government.

(2) In making provisions in a draft Town Planning Scheme for any of the matters referred to in clauses(b) of sub section (1), it shall be lawful for the Local Authority with the Approval of the Director, Urban Development and subject to the provisions of section 14J to provide for suitable amendment of the Master Plan.

14B. (1) The Local Authority may by resolution declare its intention to make a Town Planning Scheme in respect of any part of the area within its jurisdiction.

(2) Not Later than thirty days from the date of such declaration of intention to make a Scheme (hereinafter referred to as the declaration), the Local Authority shall publish the declaration in the *Official Gazette* and in such other manner as may be prescribed and despatch a copy thereof (together with a copy of the Plan showing the area to be included in the Scheme) to the State Government and also to the Director, Urban Development.

(3) A copy of the Plan shall be open to the inspection of the public at all reasonable hours at the head office of the Local Authority.

Power of the Local Authority to resolve on declaration of intension to make Scheme.

14C. (1) Not later than twelve months from the date of the declaration, subject however to sub section (3), the Local Authority shall in consultation with the Director, Urban Development make a draft Scheme for the area in respect of which the declaration was made, and published a notice in the *Official Gazette* and in such other manner as may be prescribed stating that the draft Scheme in respect to such area has been made. The notice shall state the name of the place where a copy thereof shall be available for inspection by the public and shall also state that copies hereof or any extract therefrom certified to be correct shall be available for sale to the public at a reasonable price.

Making and publication of Draft Scheme (by means of notice).

(2) The State Government may, on application made by the Local Authority or as the case may be, the Officer, from time to time by notification in the *Official Gazette*, extend the period specified in sub section (1) or (2) by such period not exceeding six months as may be specified in the notification.

14D If at any time before a draft Scheme is prepared and submitted to the State Government for sanction, the Local Authority or the Officer is of the opinion, or on any representation made to it or him that an additional area be included within the said Scheme, the Local Authority or the Officer may, after informing the State Government and giving a notice in the *Official Gazette* and also in one or more local newspapers, include such additional area in the Scheme and thereupon all the provisions of section 14A, 14B, and 14C shall apply in relation to such additional area as they apply to any original area of the Scheme and the draft Scheme shall be prepared for the original area and such additional area and submitted to the State Government for sanction.

Inclusion of additional area in Draft Scheme.

14E (1) Notwithstanding anything contained in this Act, the State Government may, in respect of any Local Authority after making such inquiry as it deems necessary, direct the Local Authority to make and submit for its sanction, a draft Scheme in respect of any land in regard to which a Town Planning Scheme may be made after a notice regarding its making has been duly published in the prescribed manner.

Power of State Government to require the Local Authority to make Scheme

14F A draft Scheme shall contain the following particulars so far as may be necessary that is to say –

- a) The Ownership, Area and Tenure of each original plot.
- b) Reservation, Acquisition or Allotment of land required under sub clause(i) of clause (b) of section 14A with a general indication of the uses to which such land is to be put and the terms and conditions subject to which such land is to be put to such uses.
- c) The extent to which it is proposed to alter the boundaries of the original plots by reconstitution.
- d) An estimate of the total cost of the Scheme, source of funding, cost recovery statement if any.
- e) A full description of all the details of the Scheme with respect to such matters referred to in clause (b) of section 14A as may be applicable.
- f) The laying out or re-laying out of land either vacant or already built upon including areas of comprehensive development.
- g) The filling up or reclamation of low laying, swamp or unhealthy areas or levelling up of land.
- h) Manner of disposal of assets, if any
- i) Management and maintenance mechanism and
- j) Any other prescribed particulars.

*Contents of
Draft Scheme.*

14G (1) In the draft Scheme, the size and shape of every reconstituted plot shall be determined, so far as may be to render it suitable for building purposes and where a plot is already built upon, to ensure that the buildings as far as possible comply with the provisions of the Scheme as regards open spaces.

*Reconstituted
Plot.*

14H. Where under sub- clause (i) of clause (b) of section 14A, the purposes to which the buildings or areas may not be appropriate or used in pursuance of section 11 have been specified, then the building or area shall cease to be used for a purpose other than the purposes specified in the Scheme within such time as may be specified in the final Scheme and the person affected by this provision shall be entitled such compensation from the Local Authority as may be determined by the Officer.

*Compensation
for
discontinuance
of use.*

Provided that, in ascertaining whether compensation be paid, the time within which the person affected was permitted to change the user shall be taken into consideration.

14I If within thirty days from the date of the publication of notice regarding the preparation of the draft Scheme, any person affected thereby, communicates in writing any objection relating to such Scheme, the Local Authority or the Officer appointed under sub- section (2) of section 14E, shall consider such objection and may at any time before submitting the draft Scheme to the State Government as hereinafter provided, modify such Scheme as it or he thinks fit.

*Objections to
Draft Scheme to
be considered.*

14J (1) The Local Authority or as the case may be, the Officer aforesaid shall, not later than six months from the date of the publication of the notice in the *Official Gazette* regarding the making of the draft Scheme, submit the same with any modifications which it or he may have made thereon together with a copy of

*Power of State
Government to
sanction Draft
Scheme.*

objections received by it or him to the State Government, and shall at the same time apply for its sanction.

(2) On receiving such application, after making such inquiry as it may think fit and consulting the Director, Urban Development, the State Government may, not later than six months from the date of its submission by notification in the *Official Gazette* or not later than such further time as the State Government may extend, either sanction such draft Scheme with or without modifications and subject to such conditions as it may think fit to impose or refuse to give sanction.

(3) If the State Government sanctions such Scheme, it shall in such notification state at what place and time the draft Scheme shall be open to the inspection of the Public and the State Government shall also state therein that copies of the Scheme or any extract therefrom certified to be correct shall in application be available for sale to the public at a reasonable price.

4K (1) On or after the date on which a declaration of intention to make a Scheme is published in the *Official Gazette* –

Restrictions on use and development of land after declaration for Town Planning Scheme.

(a) No person shall within the area included in the Scheme, institute or change the use of any land or building or carry out any development, unless such person has applied for and obtained the necessary permission, which shall be contained in a commencement certificate granted by the Local Authority in the prescribed form.

(2) If the Local Authority gives permission under clause (a) of sub section (1), it shall inform the Officer accordingly and shall send him a copy of the Plan.

Provided that, the Local Authority shall not grant a commencement certificate for any purpose which is in conflict with the provisions of the draft Scheme, unless the Local Authority first obtains concurrence of the Officer for the necessary change in the proposal of the draft Scheme.

(3) If the Local Authority communicates no decision to the applicant within two months from the date of such acknowledgement, the applicant shall be deemed to have been granted such certificate.

(4) If any person contravenes the provisions contained in clause (a) of sub section (1) the Local Authority may direct such person by notice in writing to stop any development in progress and after making inquiry in the prescribed manner, remove, pull down or alter any building or other development or restore the land in respect of which such contravention is made to its original condition.

(5) Any expense incurred by the Local Authority under sub section (4) shall be a sum due to the Local Authority under this Act from the person in default or the owner of the plot.

(6) The provisions of Chapter III shall, mutatis mutandis, apply in relation to the development and use of land included in Town Planning Scheme in so far as they are not inconsistent with the provisions of this chapter.

(7) The restrictions imposed by this section shall cease to operate in the event of the State Government refusing to sanction the draft Scheme or the final Scheme

or in the event of the withdrawal of the Scheme under section 14AB or in the event of the declaration lapsing under section (2) of section 14C

14I. (1) Where the Local Authority has published a declaration under section 14C the State Government may, on an application of the Local Authority by order published in the *Official Gazette*, suspend to such extent only as may be necessary for the proper carrying out of the scheme any rule, bye law, regulation, notification or order made or issued under any law which the legislature of the State is competent to amend.

(2) Any order issued under sub section (1) shall cease to operate in the event of the State Government refusing to sanction the Scheme or in the event of the withdrawal of the Scheme under section 14AB or in the event of the coming into force of the final Scheme or in the event of declaration lapsing under section (2) of section 14C.

14M (1) Where there is disputed claim as to the ownership of any piece of land included in the area in respect of which a declaration of intention to make a Town Planning Scheme has been made and any entry in the record of rights or mutation register relevant to such disputed claim is inaccurate or inclusive, an inquiry may be held on an application being made by the Local Authority or the Officer at any time prior to the date on which the Officer draws up the final Scheme under clause (xviii) of sub section (3) of section 14N by such Officer as the State Government may appoint for the purpose of the deciding who shall be deemed to be owner for the purpose of this Act.

*Disputed
Ownership*

(2) Such decision shall not be subject to appeal but it shall not operate as a bar to regular suit.

(3) Such decision shall, in the event of a civil court passing a decree which is inconsistent therewith, be corrected, modified or rescinded in accordance with such decree as soon as practicable after such decree has been brought to the notice of the Local Authority either by the Civil court or by some person affected by such decree.

(4) where such a decree of the civil court is passed after final Scheme has been sanctioned by the State Government under section 14AB, such final Scheme shall be deemed to have been suitably varied by reason of such decree.

14N (1) Within one month from the date on which the sanction of the State Government to the draft Scheme is published in the *Official Gazette*, the State Government shall for purposes of one or more Planning Schemes, received by it for sanction, appoint any person possessing such qualifications as may be prescribed to be an Officer with sufficient establishment and his duties shall be as hereinafter provided.

*Authorized
Officer: His
powers and
duties.*

(2) The State Government may, if it thinks fit at any time, remove for incompetence or misconduct or replace for any good and sufficient reason such Officer appointed under this section and shall forthwith appoint another person to take his place and any proceeding pending before the Officer immediately before the date of his removal or replacement shall be continued and disposed of by the new Officer appointed in his place.

(3) In accordance with the prescribed procedure, every Officer shall:

- i. After notice given by him in the prescribed manner define, demarcate and decide the area allotted to or reserved for the public purpose or purposes of the Local Authority and also the final plots.
- ii. After notice given by him in the prescribed manner, decide the person or persons to whom a final plot is to be allotted when such plot is to be allotted and when such plot is to be allotted to persons in ownership in common, decide the shares of such persons.
- iii. Estimate the value of and fix the difference between the values of the original plots and the values of the final plots included in the final Scheme.
- iv. Estimate the compensation payable for the loss of the area of the original plot, in respect of any original plot which is wholly acquired under the Scheme.
- v. Determine whether the areas allocated or reserved for the public purpose or purposes of the Local Authority are beneficial wholly or partly to the owners or residents within the area of the Scheme.
- vi. Estimate the proportion of the sum's payable as compensation on each plot used, allotted or reserved for the public purpose or purposes of the Local Authority which is beneficial partly to the owners or residents within the area of the Scheme and partly to the general public, which shall be included in the costs of the Scheme.
- vii. Determine the proportion of contribution to be levied on each plot used, allotted or reserved for a public purpose or purposes of the Local Authority which is beneficial partly to the owners or residents within the area of the Scheme and partly to the general public.
- viii. Determine the amount of exemption, if any from the payment of the contribution that may be granted in respect of plots or portions thereof exclusively used or occupied for religious or charitable purposes at the date on which the final Scheme is drawn up under clause (xviii) of this sub section.
- ix. Estimate the value of final plots included in the final Scheme and the investment to accrue in respect of such plots.
- x. Calculate the proportion in which the increment in respect of the final plots included in the final Scheme shall be liable to contribution to the cost of the Scheme.
- xi. Calculate the contribution to be levied on each final plot included in the final Scheme.
- xii. Determine the amount to be deducted from or added to as the case may be the contribution leviable from the owner.
- xiii. Provide for the total or partial transfer of any right in an original plot to a final plot or provide for the extinction of any right in an original plot.
- xiv. Estimate the amount of compensation payable under section 14H.
- xv. Where a plot is subject to a mortgage with possession or a lease, decide the proportion of compensation payable to or contribution payable by the mortgage or lessee of one hand and the mortgager or lessor on the other.
- xvi. Estimate in reference to claims made before him, after the notice given by him in the prescribed manner, the compensation to be paid to the owner of

any property or right injuriously affected by the making of a Town Planning Scheme.

- xvii. Determine the period in which the works provided in the Scheme shall be completed by the Local Authority.
- xviii. Draw up in the prescribed form the final Scheme in accordance with the draft Scheme. Provided that,
 - (a) He may make variations from the draft Scheme.
 - (b) He may with the previous sanction of the State Government after hearing the Local Authority and any owners who may raise objections make substantial variations in the draft Scheme.

(4) The Officer shall decide all matters referred to in sub section (3) within a period of twelve months from the date of his appointment.

Provided that, the State Government may, if it thinks fit, whether the said period has expired or not and whether all the matters referred to in sub section (3) have been decided or not, extend from time to time by a notification in the *Official Gazette* the period for deciding all the matters referred to in that sub section (3) or any extended period therefor.

- 14O** Except in matters arising out of clause (iv) to (xi) both inclusive and clauses (xiv)(xv) and (xvi) of sub section (3) of section 14N, every decision of the Officer shall be final and conclusive and binding on all parties including the Local Authority.

Certain decisions of Authorized Officer to be final.

- 14P** (1) Any decision of the Officer under clause (iv) to (vi) both inclusive and clause (xiv) (xv)(xvi) of sub section (3) of section 14N, shall be forthwith communicated to the party concerned including the Local Authority and any party aggrieved by such decision may, within two months from the date of communication of the decision, apply to the Officer to make a reference to the Appellate Authority as provided under Chapter VIII of the Act.

Appeal.

(2) The provisions of section 5, 12, and 14 of the Indian Limitation Act, 1963 shall apply to appeals submitted under this section.

- 14Q** (1) The Officer shall be present at the proceedings before the Appellate Authority. He shall not be required to give evidence on such proceedings but the President may require him to assist the Tribunal in an advisory capacity.

(2) Where the Officer is required under sub-section (1) to assist the Appellate Authority, he shall save where he is a salaried Officer of Government, be entitled to such fees as the State Government may from time to time determine.

- 14P** (1) Where the Local Authority thinks that, in the interest of the public, it is necessary to undertake forthwith any of the works included in a draft Scheme for a public purpose, the Local Authority shall make an application through the Officer to the State Government to vest in it the land without any building shown in the draft Scheme.

(2) The State Government may, if satisfied that it is urgently necessary in the public interest to empower the Local Authority to enter on such land for the purpose of executing any of such works, direct the Officer, by notification in the

Official Gazette, to take possession of the land or may after recording its reasons, refuse to make any such direction.

Provided that, no such direction shall be made without the Officer giving a hearing to any person or Local Authority affected by such direction and considering the report of the Officer in that behalf.

(3) The Officer shall then give a notice in the prescribed manner to the person interested in the land, the possession of which is to be taken by the Officer requiring him to give possession of his land to the Officer or any person authorized by him in this behalf within a period of one month from the date of service of notice, and if no possession is delivered within the period specified in the notice, the Officer shall take possession of the land and shall hand over the land to the Local Authority. Such Land shall thereupon, notwithstanding anything contained in this Act, vest absolutely in the Local Authority free from all encumbrances.

14Q (1) If the Officer is opposed or impeded in taking possession of the land under section 14X, he shall request the District Deputy Commissioner to enforce the delivery of possession of the Land to the Officer. The District Deputy Commissioner as the case may be shall take or cause to be taken such steps and use or cause to be used such force as may be reasonably necessary for securing the delivery of possession of the land to the Officer.

*District Deputy
Commissioner to
enforce delivery of
possession of land.*

(2) For the avoidance of doubt, it is hereby declared that the power to take steps under sub section (1) includes the power to enter upon any Land or other Property whatsoever.

14AA (1) The State Government may, within a period of four months from the date of receipt of the final Scheme from the Officer or within such further period as the State Government may extend by notification in the *Official Gazette*, sanction the Scheme or refuse to give such sanction, provided that in sanctioning the Scheme the State Government may make such modifications as may in its opinion be necessary for the purposes of correcting an error, irregularity or informality.

(2) If the State Government Sanctions such Scheme, it shall state in the notification-

(a) the place at which the final Scheme is kept open to inspection by the public and also state therein that copies of the Scheme or extracts therefrom certified to be correct shall on application be available for sale to the public at a reasonable price.

(b) A date which shall not be earlier than one month after the date of the publication of the notification on which all the liabilities created by the Scheme shall take effect and the final Scheme shall come into force.

Provided that, the State Government may, from time to time postpone such date by notification in the *Official Gazette*, by such period not exceeding three months at a time as it thinks fit.

(3) On and after the date fixed in such notification, a Town Planning Scheme shall have effect as if it were enacted in this Act.

*Withdrawal
for Scheme.*

14AB (1) If at any time before the final Scheme is forwarded by the Officer to the State Government, a representation is made to the Officer by the Local Authority and a majority of the owners in the area that the Scheme should be withdrawn, the Officer shall, after inviting from all persons interested in the Scheme objections to such representation, forward such representation together with the objections if any, to the State Government.

(2) After making such inquiry as it may think fit, the State Government may, by notification in the *Official Gazette*, direct that the Scheme shall be withdrawn and upon such withdrawal no further proceeding shall be taken in regard to such Scheme.

Effect of final Scheme.

14AC On and after the day on which a final Scheme comes into force.

(a) all lands required by the Local Authority shall, unless it is otherwise determined in such Scheme, vest absolutely in the Local Authority free from all encumbrances.

(b) all rights in the original plots which have been reconstituted shall determine and the reconstituted plots shall become subject to the rights settled by Officer.

(c) the Local Authority shall hand over possession of the final plots to the owners to whom they are allotted in the final Scheme.

14AD (1) On and after the day on which a final Scheme comes into force, any person continuing to occupy any land which he is not entitled to occupy under the final Scheme may, in accordance with the prescribed procedure, be summarily evicted by the Local Authority or any of its Officers authorised in that behalf by the Local Authority.

Power of the Local Authority to evict summarily.

(2) If the Local Authority is opposed or impeded in evicting such person or taking possession of the land from such person, the District Deputy Commissioner shall at the request of the Local Authority enforce the eviction of such person or secure delivery of possession of the land to the Local Authority as may be necessary.

Power to enforce Scheme.

14AE (1) On and after the day on which a final Scheme comes into force, the Local Authority may, after giving the prescribed notice and in accordance with the provisions of the Schemes-

- a) Remove, pull down, or alter any building or other work in the area included in the Scheme which is such as to contravene the Scheme or in the erection of which or carrying out of which, any provision of the Scheme has not been complied with.
- b) Execute any work which it is the duty of any person to execute under the Scheme in any case where it appears to the Local Authority that delay on the execution of the work would prejudice the efficient operation of the Scheme.

(2) Any expenses incurred by the Local Authority under this section may be recovered from the person in default or from the owner of the original plot in the manner provided for the recovery of sums due to the Local Authority under the provisions of this Act.

(3) If any action taken by the Local Authority is questioned, the matter shall be referred to the State Government or any Officer authorised by the State Government in this behalf and the decision of the State Government or of the Officer as the case may be shall be final and conclusive and binding on all persons.

14AF (1) If after the final Scheme has come into force, the Local Authority considers that the Scheme is defective on account of an error, irregularity or informality or that the Scheme needs variation or modification of a minor nature, the Local Authority may apply in writing to the State Government for variation of the Scheme.

Power to vary Scheme on ground of error, irregularity or informality.

(2) If, on receiving such application or otherwise, the State Government is satisfied that the variation required is not substantial, the State Government shall, by notification in the *Official Gazette*, authorise or direct the Local Authority to prepare a Draft of such variation and publish a notice in the *Official Gazette* and in such other manner as may be prescribed stating that a Draft variation has been prepared.

(3) The notice preparation of Draft variation published under sub section (2) shall state every amendment proposed to be made in the Scheme, and if any such amendment relates to a matter specified in any of the sub clauses (i) to (iii) of clause (b) of section 14A, the Draft variation shall also contain such other particulars as may be prescribed.

(4) The Draft variation shall be open to the inspection of the public at the office of the Local Authority during office hours and copies of such Draft variation or any extract therefrom certified to be correct shall be available for sale to the public at a reasonable.

(5) Not later than one month of the date of the publication of the notice regarding preparation of Draft variation, any person affected thereby may communicate in writing his objections to such variation to the State Government and send a copy thereof to the Local Authority.

(6) After receiving the objections under sub section (5), the State Government may, after consulting the Local Authority and after making such enquiry as it may think fit, by notification in the *Official Gazette* –

- a) Appoint an Officer and thereupon the provisions of this chapter shall so far as may be apply to such Draft variation as if it were a Draft Scheme submitted to the State Government for sanction.
- b) Sanction the variation with or without modifications or
- c) Refuse to sanction the variation.

(7) From the date of the notification sanctioning the variation, with or without modifications, such variation shall take effects as if it were incorporated in the Scheme.

14AG Notwithstanding anything contained in section 14AB, a Town Planning Scheme may at any time be varied by a subsequent Scheme made, published by means of notice and sanctioned in accordance with this Act.

Power to vary Town Planning Scheme.

Provided that, when a Scheme is so varied, the provisions of this chapter shall as far as may be applicable, apply to such variation and making of subsequent Scheme and the date of the declaration of intention of the Local Authority to vary the Scheme shall, for the purpose of section 14K and 14L be deemed to be the date of declaration of intention to make a Scheme referred to in those sections.

- 14AH** In the event of a Town Planning Scheme being withdrawn or sanction to a final Scheme being refused by the State Government, the State Government may direct that the costs of the Scheme shall be borne by the Local Authority or be paid to the Local Authority by the owners concerned in such proportion as the State Government may in each case determine.

Apportionment of cost of Scheme withdrawn or not sanctioned.

- 4.** After Chapter IV, a new Chapter IV (A), with the title "Peri Urban Development Plan" shall be inserted as follows:

Insertion of Chapter IV

- 21C.** Subject to the provisions of this section, the State Government may, by notification in the Official Gazette, establish any area in the State, by defining its limits, to be Peri Urban Area for the purposes of this Act.

Notification of Peri Urban areas.

- 21D.** A Plan for the development of any peri urban area within the State which the State Government may consider necessary, shall be drawn up by the Director, Urban Development in consultation with the Local Authority/ Authorities concerned not later than three years from the date of declaration of its intention to prepare Development plan for peri urban area, prepare such plan and publish a notice of such preparation in the Official Gazette and in such other manner as may be prescribed and submit the draft Development plan to the State Government for and submitted to the State Government for examination and approval.

Preparation of Development Plan for Peri Urban area.

- 21E.** (a) On receiving the Draft Plan and the Regulation from the Director, Urban Development, the State Government shall have them, as soon as may be published in the official Gazetted, in some local newspaper and in the locality in the manner prescribed and deemed to be required for wide and sufficient publicity in the locality inviting public opinion, and objection, if any, to be submitted within a period not more than two months.

Publication of the Peri Urban Development Plan

(b) After considering all objections, suggestions and representation, that may have been received, and after getting the advice of the Council, the State Government shall have the plan finally prepared by the Director, Urban Development.

- 21F.** The Plan to be prepared as defined under section 21D, may include

(a) A general land-use plan for residential commercial, industrial, recreational and public semi-public purposes;

(b) Zoning plan;

(c) Transportation plan including roads, railways, canals and the like;

Contents of Peri Urban Development Plan:

- (d) Public utilities plan;
- (c) A report giving relevant data and information in respect of the proposal in the Development Plan and any other thing which the State Government may deem necessary.
- 21G.** After the adoption of the Plan and the Regulations, they shall be sent for implementation to the Authority as may be declared or constituted by the State Government in this behalf. *Implementation of the Plan:*
- 21H.** (a) The Plan as adopted by the State Government shall be published as prescribed in Section 21E, and after such publication no person shall use any land, sub-divide any land or set up and new structure on any land covered by the Development Plan or change the existing structure of any building or use of any building or land within the area except with the permission of the Authority on a written application submitted for that purpose. *Restrictions of use of land and buildings thereon after publication:*
- b) Each such application shall be accompanied by a plan drawn to scale showing the actual dimension of the parcel of land and the building to be built upon in the site and the position of the building to be erected and in case of alteration in the use or structure of the building or land the nature and extent of such alteration.
- (c) The Authority may also call for such other information as it may deem necessary to examine the application.
- (d) The Authority shall not refuse the permission except on the ground of contravention of proposals contained in the Plan or the Regulations and unless the permission has been refused within a period of one month from the receipt of the application or such other information as may be called for the Authority under sub- section (c), it shall be presumed that the permission has been given.
- (e) Prohibition of registration in certain cases: Where any deed or document required to be registered under the Indian Registration Act, 1908, [Act XVI of 1908] purports to subdivide any land covered XVI of by the Plan, no registering officer shall register any such document unless the party presenting the deed or document for registration produces a no objection certificate from the Authority to the effect that the Authority has no objection to the registration of such deed or document.
- 21HA.** Restriction on use of land prior to sanction: -
- (1) The State Government by notification may impose the restriction under Section 21H from the date of publication of intention of Plan of any Town or Area.
- (2) Such publication of intention as referred to in Sub-section (1), shall give detailed description of the boundary of the area concerned. *Power of the State Government to modify the Plan and the regulation.*
- 21I.** The State Government may review the Plan and may modify the Plan and the regulations, from time, in such manner and in such procedure as followed for the preparation and approval of the original plan and the Regulations.
- 5.** (1) The Nagaland Town and Planning (Fourth Amendment) Ordinance, 2025 is hereby repealed.
- (2) Notwithstanding the repeal, anything done or any action taken including any notification or order issued under the corresponding provisions to the principal Act, amended by the Ordinance shall be deemed to have been done, taken or as the case may be, issued under the corresponding provisions of the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The Ordinance for amendment with regard to insertion of Chapter III(A): Town Planning Schemes and Chapter IV(A): Peri-Urban Areas in the Nagaland Town and Country Planning Act, 1966 was promulgated by the Governor on 27.01.2025.

Town Planning Scheme involves pooling of contiguous plots of land from various land owners with prior consent of landowners. Proper layout plan is prepared with provision for various public amenities such as roads, schools, hospitals, parks etc. Land required for such public amenities are proportionately deducted from every plot and the plots are re-allotted to the original landowners in proportion to their original land holdings. This system of Planning may be more suitable for State like Nagaland where land is owned either by individual or communities. Further, it saves the State exchequer from land acquisition cost.

Peri-Urban areas are zones of transition from rural to urban areas usually located adjoining to urban areas. In due course, such areas become part of the urban areas and therefore such areas need to be notified and necessary Master Plan need to be prepared to ensure planned development of such area.

The Nagaland Town and Country Planning (Fourth Amendment) Bill 2025 is hereby introduced in the floor of the Nagaland Legislative Assembly.

Kohima the 26th February 2025

Sd/-
NEIPHIU RIO
Hon'ble Chief Minister, Nagaland
&
Minister-in-Charge of Urban Development Department

THE NAGALAND TOWN & COUNTRY PLANNING (FOURTH AMENDMENT) BILL 2025**MEMORANDUM OF DELEGATED LEGISLATION**

The Nagaland Town & Country Planning (Fourth Amendment) Bill 2025 delegated the Power to the State Government to make Rules.

The Rules made therein shall be laid before the Nagaland Legislative Assembly and shall be subject to the scrutiny of the House. Delegation of Power is normal nature.

Kohima the 26th February 2025

Sd/-
NEIPHIU RIO
Hon'ble Chief Minister, Nagaland
&
Minister-in-Charge of Urban Development Department

FINANCIAL MEMORANDUM

The provisions in 'The Nagaland Town & Country Planning (Fourth Amendment) Bill 2025' do not involve any recurring or non-recurring expenditure from the Consolidated Fund of the State. Hence, there is no financial liability on the State Government.

Kohima the 26th February 2025

Sd/-
NEIPHIU RIO
Hon'ble Chief Minister, Nagaland
&
Minister-in-Charge of Urban Development Department