



# योजना तथा वास्तुकला विद्यालय, विजयवाड़ा

## School of Planning and Architecture, Vijayawada

An Institute of National Importance, Ministry of Education Gov. of India

### Lecture Plan

<b>Name of Course:</b>	<b>Planning Legislation (PLN316)</b>
Programme & Sem:	<b>B.Plan-Sem Five-Odd Semester AY 2023-24</b>
Course Duration:	July 14, 2023, to October 22, 2023
Course Coordinator:	Dr. Adinarayanane R, Associate Professor, Department of Planning.
Number of Credits:	03
Subject Category:	Theory
Total Periods/Week:	3
Internal Assessment	50 (minimum pass marks 50%)
End Evaluation	50 (minimum pass marks 50%)
Total Marks	100 (to be converted to CGPA credit pattern as per regulations)

**Subject Objective:** Introduce planning laws, legislations, acts and regulations at different jurisdiction.

Week	Lecture / Session Topic (Teaching-Learning Objective aimed)	Session Mode (Optional)	References / Suggested Readings
Week 1 (starting July 17)	Introduction, Sources of law (custom, legislation, and precedent); meaning of the term of law, legislation, ordinance, bill act, regulations, and byelaws.	Lecture & Discussions	1.J. Cameron Blackhall (2016)-Planning Law and Practice Published April 11, 2016, by Routledge-Cavendish. 2.Laxmikant.M., (2016), Indian Polity, Mc Graw Hill Publications, 5th Edition.
Week 2 (starting July 24)	Doctrine of separation of powers; Judiciary, legislature and executive – rule of law – significance of law and its relationship to urban planning. Provisions regarding property rights.	Lecture	1. The Hon. Mr Justice Lewison, John Pugh-Smith(2021), , Property, Planning and Compensation Reports: Issues and Bound Volume, ISBN13: 0033-12BV, Sweet & Maxwe Ltd Subscriptions, UK. 2. Ashley Bowes (2019)-A Practical Approach Planning Law - A Practical Approach, ISBN: 9780198833253, Oxford University Press.
Week 3 (starting July 31)	Legislative competence of state and central governments to enact town planning, legislation, benefits of statutory backing for planning schemes; Eminent domain and police powers; Indian Constitution, provisions regarding property rights.	Lecture	3. Barry Denyer-Green , Navjit Ubhi (2012) Development and Planning Law, ISBN: 9780728205260, Taylor & Francis Ltd. 4. Sujit Choudhry, Madhav Khosla, and Pratap Bhanu Mehta (2016)-The Fundamental Right to Property in the Indian Constitution, The Oxfo Handbook of the Indian Constitution Oxford University Press.
Week 4 (starting from Aug 07)	Concept of eminent domain; Introduction to Land Acquisition Act, 1894; Case studies related to Land Acquisition Act highlighting nature of contention, parties in	Lecture	1. Jain, V. 2019. Examining the Town Planning Scheme of India and Lessons from Land Readjustment in Japan. ADBI Working Paper 1037. Tokyo: Asian Development Bank



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	dispute and the decisions in specific planning disputes.		Institute. Available: <a href="https://www.adb.org/publications/examining-town-planning-scheme-india-lessonsland-readjustment-japan">https://www.adb.org/publications/examining-town-planning-scheme-india-lessonsland-readjustment-japan</a> . 2. LARR, 2013 retrieved from <a href="http://dolr.nic.in/dolr/downloads/pdfs/Right%20to%20Fair%20Compensation%20and%20Transparency%20in%20Land%20Acquisition,%20Rehabilitation%20and%20Resettlement%20Act,%202013.pdf">http://dolr.nic.in/dolr/downloads/pdfs/Right%20to%20Fair%20Compensation%20and%20Transparency%20in%20Land%20Acquisition,%20Rehabilitation%20and%20Resettlement%20Act,%202013.pdf</a>
Week 5 (starting Aug 14)	Betterment charges and compensation provisions in planning laws; Judicial precedents; Legislation controlling use of land.	Lecture	1.Gdesz, M.(2008) Betterment deduction as a form of compensation, The Regional Administrative Court in Warsaw, Warsaw.
Week 6 (starting Aug 21)	NOC, building permission, building byelaws, etc.; Significance of land development control; ULCRA and its significance.  <b><u>Internal Assessment I</u></b>	Lecture	1.ULCRA retrieved from <a href="http://jnurm.nic.in/wp-content/uploads/2011/01/Mandatory_Primer_5- RepealULCRA.pdf">http://jnurm.nic.in/wp-content/uploads/2011/01/Mandatory_Primer_5- RepealULCRA.pdf</a> . 2.Town and Country Planning Act Retrieved from <a href="http://extwprlegs1.fao.org/docs/pdf/jam71240.pdf">http://extwprlegs1.fao.org/docs/pdf/jam71240.pdf</a>
Week 7 (starting Aug 28)	<b>Field work (Aug 19 to Sep 02)</b>		
Week 8 (starting Sep 04)	Model bills on Planning, urban development corporations, etc., status of the Institute of Town Planners, India and overview of framework of rules and provisions made in the ITPI chapter	Lecture	1.Model Bill to regulate and control the development and management of ground water, 2005, Ministry of Water Resources Government of India, published by International Environment House, Chemin de Balexert 7, 1219 Geneva, Switzerland.  2. Code of Professional Conduct, overview of framework of rules and provisions Institute of Town Planners, India (ITPI), New Delhi, retrieved from <a href="https://www.itpi.org.in/uploads/pdfs/itpi-code-of-conduct.pdf">https://www.itpi.org.in/uploads/pdfs/itpi-code-of-conduct.pdf</a> .
Week 9 (starting Sep11)	Legislations relating to urban conservation and restoration, historical movements, Archaeological sites and remains of national importance.  <b><u>Mid-Semester Assessment Week</u></b>	Lecture	3.Delhi Urban Arts Commission Act Retrieved from <a href="http://moud.gov.in/upload/uploadfiles/files//duaca_act.pdf">http://moud.gov.in/upload/uploadfiles/files//duaca_act.pdf</a> . 4. The Ancient Monuments and Archaeological Sites and Remains Act, 1958, Retrieved from <a href="https://www.indiacode.nic.in/bitstream/123456789/13053/2/A1958-24.pdf">https://www.indiacode.nic.in/bitstream/123456789/13053/2/A1958-24.pdf</a>



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Week 10 (starting Sep 18)	73 <sup>rd</sup> and 74 <sup>th</sup> Constitutional Amendment Act of India.	Lecture	1. 73rd Constitutional Amendment Act of India retrieved from <a href="http://indiacode.nic.in/coiweb/amend/amend73.htm">http://indiacode.nic.in/coiweb/amend/amend73.htm</a> . 2. 74th Constitutional Amendment Act of India retrieved from <a href="http://indiacode.nic.in/coiweb/amend/amend74.htm">http://indiacode.nic.in/coiweb/amend/amend74.htm</a> .
Week 11 (starting Sep 25)	Evolution of environmental laws in India; Law of Torts, the first environmental law	Lecture	1.Chiranjeev A., Jamwal, A.K., (2008) Environmental Law and Protection, Jnanada Prakashan, New Delhi
Week 12 (starting Oct 02)	National Environmental Policy Act – Pollution Control Acts – Air, Water and EP Acts (a critical appraisal). Seminar on Forest and Wildlife Act; International environmental laws. <b>Internal Assessment-III</b>		1.Chiranjeev A., Jamwal, A.K., (2008) Environmental Law and Protection, Jnanada Prakashan, New Delhi. 2.Dan Bodansky (2017) International Environmental Law, Codification Division of the United Nations Office of Legal Affairs, Published United Nations,2017.
Week 13 (starting Oct 09)	Rent control legislation – variations over the state's problems; Housing co-operatives related legislation and other forms like non-trading corporations.	Lecture	1. Apartment Ownership Acts retrieved from <a href="http://www.moud.gov.in/uploadfiles/files//daa_1986.Pdf">http://www.moud.gov.in/uploadfiles/files//daa_1986.Pdf</a> . 2. Brendan Moorhouse(2023), A Practical Guide to Habitats Law in Planning and Permitting, Law Brief Publishing, Wildly & Sons Ltd, UK
Week 14 (starting Oct 16)	Slums-related legislation – variations over the states, important sections, their implications, etc., problems with actual use	Lecture	1.Kulshreshta, S.K., (2012), Urban and Regional Planning in India- A Handbook for Professional Practice, Sage Publications, New Delhi.
Week 15 (Ends by Oct 22)	Legislation on related to property transactions (Transfer of Property Act, Income Tax related, etc.); PILs and writs as a tool of check.	Lecture	1.Transfer of Property Act retrieved from <a href="http://dolr.nic.in/Acts&amp;Rules%5CTransferOfPropertyAct(1882).htm">http://dolr.nic.in/Acts&amp;Rules%5CTransferOfPropertyAct(1882).htm</a>
November 29	Finalisation of Internal Marks	--	--

## **Note:**

1. Any other closed holidays as declared by SPAV shall supercede the above lecture plan. Holidays shown above may alter as per Notice from time to time.
2. Assessment Sessions may be re-scheduled, with prior intimation.
3. Reading lists provided is not exhaustive and is subject to addition – students are advised to follow progression of class to keep abreast of the new reading lists, if any.