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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 28th July, 2026/Sravana 6, 1948 (Saka)

THE ANDAMAN AND NICOBAR ISLANDS TOWN AND COUNTRY
PLANNING (AMENDMENT) REGULATION, 2026

No. 9 OF 2026

Promulgated by the President in the Seventy-seventh Year of the Republic of India.

A Regulation to amend the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994.

In exercise of the powers conferred by clause (1) of article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

1. (1) This Regulation may be called the Andaman and Nicobar Islands Town and Country Planning (Amendment) Regulation, 2026.

Short title and
commencement.

(2) It shall come into force on such date as the Administrator may, by notification in the Official Gazette, appoint.

Amendment of
section 2.

2. In the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 (hereinafter referred to as the principal Regulation), in section 2,—

Reg. 7 of 1994.

(i) for clause (a), the following clauses shall be substituted, namely:—

‘(a) “accommodation reservation” means the grant of a permission to the owner of the land required for public amenity specified in any plan prepared under this Regulation and for using the potential of such land in the form of built-up space guided by floor area ratio, in addition to the area required for such amenity, *in lieu* of the payment of compensation for such land and amenity, to be transferred to the Municipal Council or village panchayat, as the case may be;

(aa) “Administration” means the Administration of the Union territory of Andaman and Nicobar Islands;’;

(ii) for clause (b), the following clause shall be substituted, namely:—

‘(b) “Administrator” means the Administrator of the Union territory of Andaman and Nicobar Islands appointed by the President under article 239 of the Constitution;’;

(iii) after clause (c), the following clause shall be inserted, namely:—

‘(ca) “Authority” means the Area Development Authority constituted under section 11A;’;

(iv) after clause (h), the following clause shall be inserted, namely:—

‘(ha) “Land Pooling” means pooling of small land parcels from land owners into a large land parcel for providing infrastructure in a planned manner and returning the reconstituted land to the owners after deducting the cost of making provisions for such infrastructure and public spaces, by sale of some land or otherwise where infrastructure is provided;’;

(v) for clause (i), the following clause shall be substituted, namely:—

‘(i) “master plan” means a plan which includes an outline development plan, development plan, redevelopment or improvement plan of a development area and any other plans like Zonal Development Plan, Town Planning Schemes or Local Area Plans prepared for any development area under this Regulation;’;

(vi) after clause (n), the following clauses shall be inserted, namely:—

‘(na) “Town Planning Scheme” means a comprehensive plan for a particular area in the development area within the master plan, for providing detailed proposals for spatial development by specifying the manner in which the use of land and development therein shall be carried out;

(nb) “transferable development right” means a development right to transfer the potential of a plot designated for a public purpose in a plan under this Regulation, expressed in terms of total permissible built-up space calculated on the basis of floor area ratio allowable for that plot, for utilisation by the owner himself or by way of transfer to any other person, from the present location to a specified area in the plan as additional built-up space over and above the permissible limit *in lieu* of compensation for the surrender of the concerned plot or area, free from all encumbrances, to the Administration or Authority or Agency authorised by the Administration, as the case may be;’;

(vii) for clause (p), the following clause shall be substituted, namely:—

‘(p) the expression “land” shall have the meaning assigned to it in clause (p) of section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.’.

30 of 2013.

3. In section 9 of the principal Regulation, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

Amendment of section 9.

“(1) The Administrator may, from time to time, make any modification in a master plan in consultation with the Town Planner or the Authority, as the case may be.

(2) The Central Government may, at any time, whether on a proposal from the Administrator or otherwise, make such modifications in a master plan as it may deem necessary or expedient and any modification so made shall have effect notwithstanding anything contained in sub-section (1) or in any other provisions of this Regulation.”.

4. After section 11 of the principal Regulation, the following sections shall be inserted, namely:—

Insertion of new sections 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H and 11-I.

“11A. (1) After the declaration of a development area under sub-section (1) of section 11, the Administrator may, by notification in the Official Gazette, constitute an Authority for such area to be called as the Area Development Authority:

Constitution and incorporation of Authority.

Provided that the Administrator may, instead of constituting an Authority for a development area, designate a Government company as the Authority for any development area.

(2) The Authority constituted under sub-section (1) shall be a body corporate, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and by the said name sue and be sued.

11B. The Authority shall consist of a Chairperson and not exceeding fifteen other members to be appointed by the Administrator, who in the opinion of the Administrator are concerned with the development of the area, or public representatives of the area, as the case may be, by notification in the Official Gazette.

Composition of Authority.

11C. The qualifications, salary, allowances and the other terms and conditions of service of the Chairperson and members of the Authority shall be such, as may be prescribed.

Qualifications, salary, allowances and other terms and conditions of service of Chairperson and members.

11D. (1) The Chairperson and every member of the Authority shall hold office for a term not exceeding five years from the date on which he enters upon his office and shall be eligible for reappointment:

Tenure of office of Chairperson and members.

Provided that no person shall hold office as the Chairperson or member after he has attained the age of sixty-five years.

(2) Notwithstanding anything contained in sub-section (1), a member may—

(a) relinquish his office by giving in writing to the Administrator a notice of not less than three months; or

(b) be removed from his office in accordance with the provisions of section 11E.

Removal from office.

11E. (1) The Administrator may, by order, remove from office the Chairperson or any member, who—

(a) is, or at any time has been, adjudged as an insolvent; or

(b) has become physically or mentally incapable of acting as the Chairperson or a member; or

(c) has been convicted of an offence which, in the opinion of the Administrator, involves moral turpitude; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or a member; or

(e) has so abused his position as to render his continuation in office detrimental to the public interest.

(2) No member shall be removed under clause (d) or clause (e) of sub-section (1) unless he has been given a reasonable opportunity of being heard in the matter.

Chief Executive Officer of Authority.

11F. (1) The Authority shall have a Chief Executive Officer not below the rank of Deputy Collector, to be appointed by the Administrator, who shall be the Member-Secretary of the Authority.

(2) The Chief Executive Officer shall exercise such powers and perform such duties as may be delegated to him by the Authority or as may be prescribed.

(3) The terms and conditions of service of, and allowances, if any payable to, the Chief Executive Officer shall be such, as may be prescribed.

Officers and employees of Authority.

11G. (1) The Authority may, with the approval of the Administrator, appoint such other officers and employees as it considers necessary for the efficient performance of its functions under this Regulation.

(2) The salary and allowances payable to, and the terms and conditions of service of the other officers and employees of the Authority shall be such, as may be prescribed.

(3) The Authority may, with the prior approval of the Administrator, consult experts or such other persons whose assistance or advice it may require for the purposes of performing any of its functions under this Regulation and such experts or other persons may be paid such fee or allowances, as may be prescribed.

Powers and functions of Authority.

11H. (1) The Authority shall have the following powers and functions, namely:—

(a) to undertake the preparation of master plans and other plans for the development area;

(b) to undertake the preparation and execution of Town Planning Schemes or Local Area Plan, if so, directed by the Administrator;

(c) to carry out surveys in the development area for the preparation of master plan and other plans or Town Planning Schemes or Local Area Plans;

(d) to control the development activities in accordance with the master plan, the development plans and other plans in the development area;

(e) to levy and collect such fee for scrutiny of documents submitted to the Authority for grant of permission for development, as may be prescribed;

(f) to enter into contracts, agreements or arrangements with any person or organisation as the Authority may deem necessary to exercise its powers;

(g) to acquire, hold, manage and dispose of properties, movable and immovable, as it may deem necessary by agreement or other mechanisms such as land pooling, transferable development rights, accommodation reservations or through proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for the purposes of this Regulation;

(h) to execute work in connection with the supply of water, disposal of sewerage and provisions of other services and amenities or authorise any agency or any local body as may be notified by the Administrator in the Official Gazette for the said purposes;

(i) to levy and collect such fee for the execution of works referred to in clause (e) and for provisions of such other services and amenities as may be prescribed or authorise any agency or any local body to collect such fee as may be notified by the Administrator in the Official Gazette;

(j) to exercise such other powers and perform such other functions as are supplemental, incidental or consequential to any of the foregoing powers and such other functions, as may be directed by the Administrator.

(2) The functions of the Authority may include all the functions of the Town Planner under this Regulation, which may vary in accordance with the specific notification for the respective development area under sub-section (1) of section 11A.

11-I. (1) Where the Administrator is satisfied that the purpose for which the Authority was established under this Regulation has been substantially achieved so as to render the continuity of the Authority as unnecessary, the Administrator may, by notification in the Official Gazette, declare that such Authority shall be dissolved with effect from such date as may be specified in the notification:

Dissolution of
Authority.

Provided that in case of a Government company being designated as an Authority, the Administrator may, by notification, remove such company from being the Authority.

(2) On and from the date specified in the notification under sub-section (1)—

(a) all properties, funds and dues that are vested in or realisable by the Authority shall vest in, or be realisable by the Administrator;

(b) all liabilities which are enforceable against the Authority shall be enforceable against the Administrator; and

(c) for the purposes of carrying out any development in any area which has not been fully carried out by the Authority before its dissolution and for the purposes of releasing properties, funds and dues referred to in clause (a), the functions of such Authority shall be discharged by the Administrator.”.

Amendment of
section 12.

5. In section 12 of the principal Regulation,—

(a) in sub-section (1), for the words “such from”, the words “such form” shall be substituted;

(b) in sub-section (3), for the portion beginning with the words “such inquiry as he considers” and ending with the words “such permission”, the words “the necessary inquiry in such manner as may be prescribed, shall, within a period of six months and having regard to the nature, size and purpose of the proposed development, by order in writing, either grant the permission, subject to such conditions, if any, or refuse to grant the permission” shall be substituted;

(c) sub-section (5) shall be omitted.

Substitution of
new section for
section 16.

6. For section 16 of the principal Regulation, the following section shall be substituted, namely:—

“16. (1) Any person who uses any land or building in contravention of the provisions of section 10 or in contravention of any terms and conditions referred to in the proviso to that section shall be liable to a penalty which may extend to fifty thousand rupees and in the case of a continuing contravention, with further penalty which may extend to two thousand and five hundred rupees for each day during which such contravention continues after the first penalty.

(2) Any person who, whether on his own or at the instance of any other person or any body including a Department of Government or the Administration, undertakes or carries out development of any land in contravention of the master plan or without the grant of permission referred to in sub-section (2) of section 11 or in contravention of any condition subject to which such permission has been granted, shall be liable—

(a) to a penalty which may extend to two lakh rupees, if such development relates to utilising, selling or otherwise dealing with any land for the purposes of establishing a colony within a development area;

(b) to a penalty which may extend to one lakh rupees in any case other than that referred to in clause (a).

(3) Any person who obstructs the entry of a person authorised under section 15 to enter into or upon any land or building, such person shall be liable to a penalty which may extend to twenty-five thousand rupees.”.

Amendment of
section 17.

7. In section 17 of the principal Regulation, in sub-section (1), for the words “any prosecution that may be instituted”, the words “imposition of any penalty” shall be substituted.

Amendment of
section 18.

8. In section 18 of the principal Regulation, for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) Any person failing to comply with an order under sub-section (1) shall be liable to a penalty which may extend to three thousand rupees for each day during which the non-compliance continues after the service of the order.”.

Insertion of new
section 18A.

9. After section 18 of the principal Regulation, the following section shall be inserted, namely:—

Adjudication of
Penalties.

“18A. (1) The Administrator may, for the purposes of determining the penalties under this Regulation, appoint an officer not below the rank of Deputy Collector to the Administration or any officer of equivalent rank, to be an adjudicating officer to hold an inquiry and impose penalty in such manner, as may be prescribed.

(2) The adjudicating officer may, by an order, after giving the parties a reasonable opportunity of being heard, impose penalty for contravention or violation of any provision of this Regulation.

(3) The adjudicating officer, for the purposes of holding the inquiry, shall have the power to summon and enforce attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of such officer, may be useful for or relevant to the subject matter of the inquiry.”.

10. In section 19 of the principal Regulation,—

Amendment of
section 19.

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Any person aggrieved by an order—

(i) of the Town Planner under this Regulation may prefer an appeal to the Administrator;

(ii) of the adjudicating officer appointed under section 18A may prefer an appeal to such appellate officer as may be appointed by the Administrator, who shall be two ranks above the adjudicating officer,

within a period of thirty days from the date of the order appealed against:

Provided that the Administrator or the appellate officer, as the case may be, may entertain an appeal after the expiry of the said period of thirty days if he is satisfied that there was sufficient cause for not preferring appeal within that period.”;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Administrator or the appellate officer, as the case may be, after giving the parties to the appeal an opportunity of being heard, pass such orders thereon as he thinks fit, confirming, modifying or annulling the order appealed against:

Provided that every appeal preferred under sub-section (1) shall be disposed of as expeditiously as possible and an endeavour shall be made to dispose of the appeal within a period of sixty days from the date of its filing.”;

(c) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The Administrator or the appellate officer, as the case may be, shall send a copy of every order passed by him to the parties to the appeal.”.

11. Section 20 of the principal Regulation shall be omitted.

Omission of
section 20.

12. Sections 27, 28 and 29 of the principal Regulation shall be omitted.

Omission of
sections 27, 28
and 29.

13. In section 34 of the principal Regulation, in sub-section (2),—

Amendment of
section 34.

(a) after clause (e), the following clauses shall be inserted, namely:—

“(ea) the qualifications, salary, allowances and other terms and conditions of service of the Chairperson and members of the Authority under section 11C;

(*eb*) the powers and duties of Chief Executive Officer under sub-section (2) of section 11F;

(*ec*) the terms and conditions of service of, and allowances, if any payable to, the Chief Executive Officer under sub-section (3) of section 11F;

(*ed*) the salary and allowances payable to, and the other terms and conditions of service of the officers and other employees of the Authority under sub-section (2) of section 11G;

(*ee*) the fee or allowances payable under sub-section (3) of section 11G;

(*ef*) the fee for scrutiny of documents under clause (e) of sub-section (1) of section 11H;

(*eg*) the fee for the execution of works and other services and amenities under clause (i) of sub-section (1) of section 11H;”;

(*b*) after clause (g), the following clause shall be inserted, namely:—

“(ga) the manner of inquiry under sub-section (3) of section 12;”;

(*c*) after clause (j), the following clause shall be inserted, namely:—

“(ja) the manner of holding an inquiry and imposing penalty under sub-section (1) of section 18A;”.

DROUPADI MURMU,
President.

DR. RAJIV MANI,
Secretary to the Govt. of India.

CORRIGENDA

In the Lakshadweep Fire and Emergency Service Regulation, 2026 (Reg. 3 of 2026), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 15th May, 2026, Issue No.16,—

(i) in page 13, line 3, in the marginal heading, for “emergency training”, read “emergency service training”;

(ii) in page 15, line 41, for “section 18”, read “section 19”;

(iii) in page 19, line 23, in the marginal heading, for “Final expenses”, read “Funeral expenses”;

(iv) in page 21, line 42, in the marginal heading, for “Act”, read “Regulation”.