

# GUJARAT TECHNOLOGICAL UNIVERSITY

## CIVIL (TOWN & COUNTRY PLANNING) (48)

### LEGAL ISSUES IN URBAN PLANNING

**SUBJECT CODE: 2744801**

**M.E. 4<sup>TH</sup> SEMESTER**

**Type of course:** Major Elective -V

**Prerequisite:** Basic understanding on urbanization, issues of urbanization, constitutional provisions

**Rationale:**

The course help gaining the understanding on issues and problems occurring in various transactions and make ways to resolve the issues and encouraging entire urban development. Also, the course focuses on professional ethics and practices to be followed in planning profession.

**Teaching and Examination Scheme:**

Teaching Scheme			Credits	Examination Marks						Total Marks
L	T	P		Theory Marks		Practical Marks				
			ESE (E)	PA (M)	ESE (V)		PA (I)			
					ESE	OEP	PA	RP		
3	2#	0	4	70	30	30	0	10	10	150

**Content:**

Sr. No.	Content	Total Hrs	% Weightage
<b>1</b>	<b>Law, Indian Constitution Evolution of Planning Legislation</b> Sources of law: custom, legislation and precedent; Meaning and terms of law: legislation, ordinance, bill, act, regulation, and bye-laws; Significance of law and its relationship to urban and regional planning, benefit of statutory backing, eminent domain powers and police powers; Concepts and contents related to planning, provision regarding property rights, legislative competence of Local, State and Central government to deal with various matters concerning Town and Country Planning; An over view of legal tools connected with urban and regional planning and development. Town and Country Planning Act, Improvement Trust Act, Development Authorities Act: objectives, content, procedures for provision an implementation of regional plans, master plans and town planning schemes; Concept of Arbitration, betterment levy development charges and public participation in statutory planning process, concept of structure plan, local plan and action plan under the Law. Interface between policy and legislation pertaining to urban development.	12	<b>24</b>
<b>2</b>	<b>Policy and Acts</b> National Environmental Policy Act; Environmental Protection Act; Land Acquisition Act: Concepts, procedure for compulsory acquisition of property and determination of compensation. Acts pertaining to SEZ; disaster management, and legal aspects of innovative techniques such as Transfer of Development Rights, Accommodation Reservation (AR), Air Rights, Climate change and urban development etc..	10	<b>24</b>
<b>3</b>	<b>Habitat Laws and Significance of Land Development Control</b>	10	<b>24</b>

	Laws relating to Slum Clearance, environment, housing, landscape and traffic, Laws relating to conservation and restoration, historical monuments, archaeological sites and remnants of national importance; contract management and execution of projects; RAY; NULM mission, Model State Affordable Housing Policy for Urban Areas; Role of CRGFTLIH; Objectives of legal tools, Role of MHUPA, critical evaluation of zoning, sub-division regulations, building regulations and bye-laws, development code zoning, periphery control, land conversion in the peri-urban areas.		
<b>4</b>	<b>Professional practice in planning</b> Aims and objectives of professional institute, sister bodies, professional role and responsibility of planning consultants, professional ethics and code of conduct and scale of professional charges. International Agreements (ICC-INCOTERMS, GATT and WTO) and its impact in India. Formulation of Consultancy project proposal and outlines (EOI, RFP, etc); Proposal Evaluation (QCBS, CBS, etc.) Formulation of Consultancy Contract Agreement and Contract Management Scale of Professional Charges, and Collaborative projects; Framework for mobile governance; Role of Inter-Disciplinary groups; appreciation of decision making process and the process in relation to varied consultancy assignments in planning. Management of office and personnel.	10	<b>29</b>

#### Reference Books:

1. Listed acts and policies
2. Gopal Bhargava; "Development of India's Urban and Regional Planning in 21st Century: Policy Perspective"; 2002, Gyan Publishing House; ISBN: 9788121207140
3. Granville Austin; "The Indian Constitution : Cornerstone of a Nation", 3rd Revised Edition, 1999; Oxford University Press; ISBN-10: 0195649591
4. J Cameron Blackhall, "Planning Law and Practice", Taylor & Francis Ltd; 3rd Edition, 2005; ISBN: 9781859417485
5. K. R. Gupta ,Prasenjit Maiti; "Urban Development Debates in the New Millennium", 2004; Atlantic Publishers; ISBN: 9788126903900
6. Prakash Madhusudan Apte; "Urban Growth Strategies : Mumbai Lessons"; 2013; Leadstart Publications; ISBN: 9789381576335
7. S K Kulshrestha; "Urban And Regional Planning In India: A Handbook For Professional Practice", 2012, SAGE Publications Pvt. Ltd; ISBN-10: 8132106970
8. Samuel Paul, Sridhar Kala Seetharam Dr, A. Venugopala Reddy; "The State of Our Cities: Evidence from Karnataka"; 2012, Oxford University Press, USA; ISBN-10: 0198080387

#### Course Outcome:

After learning the course the students should be able to:

Understand the complexity of legal issue in urban planning with gaining knowledge of various acts, policies, programmes and government resolution practice by national and state government, international affairs; professional practice in planning.

#### Assignment work:

Students shall refer the books and reference materials and prepare answers to the assignment problems including the topics of syllabus. Also, students are to prepare a Graduate report individually on assigned

topic towards preparation of self-learning material. The report shall be submitted in hard copy with presentation

**Major Equipment:**

Computers with higher configuration and internet, server

**List of Open Source Software/learning website:**

1. Website of laws in India (<http://lawsfindia.org>)
2. Google books on laws in India  
([https://www.google.co.in/search?q=laws+of+india&btnG=Search+Books&tbm=bks&tbo=1&gws\\_rd=ssl](https://www.google.co.in/search?q=laws+of+india&btnG=Search+Books&tbm=bks&tbo=1&gws_rd=ssl))
3. Incoterms 2010 - International Chamber of Commerce (<http://www.iccwbo.org/products-and-services/trade-facilitation/incoterms-2010/>)
4. The world Bank Publications on standard EOI, RFP, QCBS
5. NHB website ([http://nhb.org.in/Whats\\_new/CRGFTLIH.php](http://nhb.org.in/Whats_new/CRGFTLIH.php))
6. World Trade Organization (<http://www.wto.org/>)
7. General Agreement on Tariffs and Trade (GATT) (<http://www.gatt.org/>)
8. Rajiv Aavas Yojna ([http://mhupa.gov.in/ray/ray\\_index.htm](http://mhupa.gov.in/ray/ray_index.htm))
9. National Urban Livelihoods Mission  
([http://mhupa.gov.in/NULM\\_Mission/nulm\\_mission.htm](http://mhupa.gov.in/NULM_Mission/nulm_mission.htm))

**Review Presentation (RP):** The concerned faculty member shall provide the list of peer reviewed Journals and Tier-I and Tier-II Conferences relating to the subject (or relating to the area of thesis for seminar) to the students in the beginning of the semester. The same list will be uploaded on GTU website during the first two weeks of the start of the semester. Every student or a group of students shall critically study 2 papers, integrate the details and make presentation in the last two weeks of the semester. The GTU marks entry portal will allow entry of marks only after uploading of the best 3 presentations. A unique id number will be generated only after uploading the presentations. Thereafter the entry of marks will be allowed. The best 3 presentations of each college will be uploaded on GTU website.