

**187-B. Power of State Government to cancel or revise permission for construction of a building.-**

If it is found that any permission for construction of a building has been given in violation of any provision of this Act or rules or byelaws made there under or in the opinion of the State Government it is necessary in the public interest that the permission granted by the Municipality deserves to be cancelled or revised the State Government shall have power to cancel or revise such permission and on such cancellation or revision, as the case may be, any construction contrary to the order regarding cancellation or revision shall be deemed to be without permission and shall be dealt with in accordance with the provisions of this Act and the rules made there under.

Provided that no such order shall be passed unless the aggrieved party has been given an opportunity of being heard.

**187-C. Relaxation in Compounding the unauthorized construction.-**

(1) Notwithstanding anything contained in Section 308-A or any other provisions of this Act or any other law for the time being in force, the Commissioner may, on the application made in this behalf by order, compound the cases involving deviations from the approved plan or map, or construction made without permission by collecting compounding fee at such rate as may be determined by the State Government.

(2) The application under sub-section (1) shall be made within 90 days from the date of the commencement of the Madhya Pradesh Nagarplaik Vidhi (Sanshodhan) Adhiniyam, 2003 and the Commissioner shall, after making such enquiry as he deems fit decide all applications received under sub-section (1) within six months from the date of receipt. If the Commissioner fails to decide the applications received under sub-section (1) within the aforesaid period he will be deemed to be guilty of dereliction of duty and liable for disciplinary action.

(3) Upon the issue of the order under sub-section (1), permission shall be deemed to have been granted under this Act and the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 and the rules and byelaws made thereunder.

(4) Nothing contained in sub-section (1) shall apply to any application by any person who does not have any right over the building or the land on which the construction has been made or to any application in respect of any building erected or constructed in any of the following areas:-

- (i) area notified by the State Government as a hill station or place of Tourist importance or as sensitive/fragile from the point of ecology;
- (ii) area specified for parking of vehicles;
- (iii) area coming within the Road or area affecting alignment of Public Roads;
- (iv) area specified for tanks (Talab);
- (v) area of construction affecting regular building line.
- (vi) area of construction coming within thirty metres or such further distance from the river bank as may be specified in the master plan of the concerned town;
- (vii) area of any nallah and water stream.

**188. Right of compensation.--**

(1) Save as otherwise provided no compensation shall be claimable by an owner for any damage which he may sustain in consequence of a prohibition under this Act of the erection of any building.

(2) The Council shall make reasonable compensation to the owner for any damage which he may sustain in consequence of the prohibition of the re-erection of any building:

**299. Power of Commissioner to direct modification of a sanctioned plan of a building before its completion.-**

The Commissioner may before any work has been commenced in pursuance of any permission granted by it under section 293 revoke such permission and may give fresh permission in lieu thereof on such conditions, in accordance with this Act and rules, and byelaws made thereunder, with reference to the matters mentioned in the said section as it thinks proper, and may direct that the work shall not be proceeded with unless and until all questions connected with the respective location of the building and nay street have been decided to its satisfaction

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Provided that no such order shall be passed unless the aggrieved party has been given an opportunity of being heard.

**300. Lapse of sanction after one year from the date of such sanction.-**

Every sanction for the erection or re-erection of any building shall remain in force for one year only from the date of such sanction, or for such longer period as the Chief Executive Officer may allowed when conveying sanction under section 293. If the erection or re-erection of the building is not commenced within one year and completed within two years or such longer period as may have been allowed by the Chief Executive Officer the sanction shall be deemed to have lapsed; but such lapse shall not bar any subsequent application for fresh sanction under the foregoing provision of this Act

**301. Completion certificate and permission to occupy or use.-**

(1) Every person who-

(i) erects or re-erects any building or

(ii) it make any material external alteration in or addition to any existing building; or

(iii) construct or re-constructs any projecting portion of a building which the Commissioner is empowered under section --- to require to be set back or is empowered to give permission to construct or re-construct;

shall within one month of the completion of the work delivered to the Commissioner at his office a notice in writing of such completion and shall give to the Commissioner all necessary facilities for the inspection of such work.

(2) Within seven days after the receipt of the said notice the Commissioner shall depute an officer to commence the inspection of such work.