

**OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY  
STATEFED BUILDING, BHANGAGARH, GUWAHATI-781005**

Website: [www.gmda.assam.gov.in](http://www.gmda.assam.gov.in)

E-mail: [ceogmdaghy@gmail.com](mailto:ceogmdaghy@gmail.com), [ceo.gmda-as@nic.in](mailto:ceo.gmda-as@nic.in)

Tel: 0361-2529650/9824

Fax: 0361-2529991

No. GMDA/GEN/203/2016/Pt-II/42

Dated: 15/01/2021

**From :** Umananda Doley, IAS  
**Chief Executive Officer**  
Guwahati Metropolitan Dev. Authority  
Bhangagarh, Guwahati -5

**To :** **The State Project Director,**  
Assam Inland Water Transport Development, Society  
Ulubari, Guwhati-07

**Sub :** Issuance of NOC for proposed Terminal at Guwahati Gateway Ghat (South Guwahati)-Regarding.

**Ref :** Letter No. AIWTDS/244/2020/4 dated 10<sup>th</sup> December, 2020

Sir,

In inviting a reference to the above, I would like to inform you that construction of ferry terminals etc. at Guwahati Gateway Ghat falls under the category of operation construction as per definition mentioned at Clause 2 (19) and there is no requirement of permission from this Authority under Section 24 of GMDA Act, 1985 (as amended). (copies enclosed).

**Enclo:** As stated above

Yours faithfully,

(Shri Umananda Doley, IAS)

**Chief Executive Officer**

Guwahati Metropolitan Dev. Authority  
Bhangagarh, Guwahati -5

**Memo No.** GMDA/GEN/203/2016/Pt-II/42(A)

Dated: 15/01/2021

Copy for information:

1. S.O. to Chief Secretary, Assam for kind appraisal of Chief Secretary, Assam, & President, PGC, AIWTDS.
2. PS to Commissioner & Secretary, Transport Department, Assam for kind appraisal of Commissioner & Secretary, Transport Department and Chairman, GB, AIWTDS.
3. PA to Hon'ble Chairman, Guwahati Metropolitan development Authority, Bhangagarh, Guwahati-05 for kind appraisal of Chairman.
4. MD, Guwahati Smart City Limited (GSCL) for kind information.



**24. Prohibition of development without permission**

After the coming into force of this Act, no development, institution or change of use of any land shall be undertaken or carried out within the Guwahati Metropolitan Area within obtaining the permission in writing from the Authority as provided for here-in-after:

Provided that no such permission shall be necessary —

- (i) for the carrying out such works for the maintenance, improvement or other alteration of any building which effect only that interior of the building or which do not materially affect the structural and external appearance of the building;
- (ii) for the carrying out by <sup>1</sup>\*\*\* the State Government or any local authority of any works required for the maintenance or improvement of a highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street;
- (iii) for the carrying out by <sup>2</sup>\*\*\* the State Government or any local authority of any works for the purpose of inspecting repairing or renewing any drains, sewers, mains, pipes, cables or other apparatus including the breaking open of any street or other land for that purpose;
- (iv) For the excavation (including wells) made in the ordinary course of agriculture operations;
- (v) For the construction of unmetalled road intended to give access to land solely for agricultural purposes <sup>3</sup>;
- (vi) for operation construction.]

**25. Permission for development**

- (1) Any person or body (including a department of <sup>4</sup>\*\*\* the State Government or any local authority) intending to carry out any development on any land shall make an application in writing to the Guwahati Metropolitan Development Authority for permission in such form and containing such particulars and accompanied by such documents as may be prescribed.

1 Omitted by the Guwahati Metropolitan Development Authority (Amendment) Act, 1989 (Act XXI of 1989), Section 3

2 Omitted by the Guwahati Metropolitan Development Authority (Amendment) Act, 1989 (Act XXI of 1989), Section 3

3 Inserted by the Guwahati Metropolitan Development Authority (Amendment) Act, 1989 (Act XXI of 1989), Section 4

4 Omitted by the Guwahati Metropolitan Development Authority (Amendment) Act, 1989 (Act XXI of 1989), Section 5

39

respect of which the work is due or compensation or premium on account of the occupation of such land and building and also a rent free tenant.

- (18) "Open space" means any land whether enclosed or not on which not more than one-twentieth part is covered with building and the remainder has been laid out as a public garden or used for purpose of recreation or lies waste and unoccupied.
- (19) "Operational construction" means any construction, whether temporary or permanent, which is necessary for the operation, maintenance, development or execution of any of the following services: —
- (i) Railways,
  - (ii) National Highways,
  - (iii) National Waterways,
  - (iv) Major Ports,
  - (v) Airways and Aerodromes,
  - (vi) Posts and Telegraphs, Telephones, Wireless, Broadcasting and other like forms of communication,
  - (vii) Regional grid for electricity,
  - (viii) Any other service which the State Government may, if it is of opinion that the operation, maintenance, development or execution of such other service is essential to the life of the community, by notification, declare to be a service for the purposes of this clause.

**Explanation.** — for the removal of doubts, it is hereby declare that the construction of—

- (i) new residential buildings not connected with operations like gate, lodges, hospitals, clubs, institution, schools, railway colony, roads, drains, etc., in the case of railways; and
- (ii) a new building, new structure, new installation or any extension thereof, in the case of any other service;

shall not be deemed to be construction within the meaning of clause.

- (20) "Owner" includes a mortgage in possession, a person who for the time being is receiving or is entitled to receive, or has received, the rent or premium for any land whether on his own account or on account of, or for the benefit of, any other person or as an agent, trustee, guardian or receiver for any other person or for any religious or charitable institution or who would so receive the rent or premium or be entitled to receive the rent or premium if the land were let to a tenant; and also includes the Head of a Department or an Undertaking of the Central or a State Government, the General Manager of a Railway, the Secretary, or other Principal