

Report of the State-level Committee to recommend a policy framework for the Chandigarh Periphery Controlled Area and regulating constructions therein.

1. INTRODUCTION

1.1 The Chandigarh Periphery Controlled area was created with the twin objectives of ensuring a planned future expansion of the New Capital City and to prevent mushrooming of unplanned construction around it. The Punjab New Capital (Periphery) Control act, 1952 accordingly aimed at regulating the use of land and preventing unauthorized and unplanned urbanization in a 16 kilometres periphery.

1.2 Since then, planned satellite townships of SAS Nagar (Mohali) and Panchkula have come up in the Periphery in addition to a large cantonment. Further in 1990, the State Government declared an area of 10,000 Acres near Dera Bassi, falling within 23 villages of Patiala district, to be a Free Enterprise Zone (FEZ), where the setting up of industries was to be permitted.

1.3 Notwithstanding the regulatory framework, enforcement has been patchy. Appreciating the emerging ground realities, the Punjab Government had in 1998 decided to permit an across-the-board regularization of all unauthorized constructions, which had already come up within the Periphery up to and including 7.12.1998. Simultaneously, it was also decided to evolve a policy framework which would permit the setting up of institutions related to education, health etc., with low density of built-up area, within the Periphery, apart from permitting activities related to leisure and tourism.

2. THE COMMITTEE

2.1 Accordingly, a Committee headed by the Chief Secretary was constituted by the State Government in its order of September 10, 2003 to suggest an appropriate and transparent policy framework for the Periphery.

2.2 Taking cognizance of this Committee, the Honourable Punjab and Haryana High Court in Civil Writ Petition No. 14357 of 2002 directed:

(i) that the Committee should critically examine the problems and bottlenecks in the proper development of Periphery and to suggest a policy framework which would ensure planned development of the area;

(ii) that the issue of regularization of unauthorised constructions which have already come up in Periphery should also be examined by this Committee;

(iii) that on the basis of the recommendations made by the Committee the State Government shall take a decision whether or not to regularize such constructions;

(iv) that the State Government shall also examine the reasons for the coming up of unauthorized constructions, rationale for their regularizing and steps to stop such construction in future including imposition of exemplary fine and setting up of Special Courts to deal with such illegal constructions;

(v) to fix responsibility of the officers/employees responsible for abetting such constructions and setting up a Tribunal headed by a retired Judge of the High Court to deal with the cases of illegal constructions.

2.3 Further, in Civil Writ Petition No. 7187 of 2003 the Hon^{ble} Punjab and Haryana High Court has also sought the views of the State of Punjab about extending the *abadi deh* area/*lal lakir* of the villages in Periphery, and this issue was also referred to the Committee.

3. THE DELIBERATIONS – BROAD POLICY FRAMEWORK

3.1 The Committee held numerous meetings and also formally obtained the comments of relevant Departments of the Government such as Revenue, Industries, Housing and Urban Development and Local Government. Views of the public at large were also sought through placement of advertisements in newspapers to which there was considerable response.

3.2 At the outset the Committee observed that it was first necessary to take into account the changing character of the city of Chandigarh. It was seen in this context that the city was initially conceived as the capital of post-partition Punjab and its planning by and large reflected the needs thereof. Over time, however, Chandigarh is not only the administrative capital of two State Governments and a Union Territory but also an important commercial and institutional hub which houses the regional offices of Companies and Institutions catering to several States in the northern region. It has also become an important investment destination for Indian and multinational Companies. The changed character of the city has put considerable pressure on housing and social infrastructure, which was not initially catered for. There is also increased need for connectivity and the provision of civic amenities. A special mention needs to be made of a large population of the city, which is unable to afford housing on account of its very high cost and has gravitated into the villages in the immediate vicinity of the city as well as several unplanned and unauthorized new colonies. It is in this backdrop that a fresh look has to be taken of the regulatory framework that governs the areas immediately surrounding the city of Chandigarh so that the future needs of the city can be adequately catered for in a planned manner.

3.3 It is also necessary to take note of the fact that even with all difficulties being faced, Chandigarh is still one of the more liveable cities in the northern region. With its close proximity and easy connectivity to the national capital, it has also become an attractive investment destination. It would, in the view of the Committee, not be realistic for any State Government not to take advantage of this opportunity and leverage its proximity to Chandigarh to its best economic interest. Thus, industrial promotion in the vicinity of Chandigarh has also to be envisaged and provided for.

3.4 In the light of the issues brought out in the foregoing paragraphs, the broad policy framework within which the Committee approached the entire issue of controlling the periphery of Chandigarh are enumerated below:-

a) Housing for the increasing population of the city is perhaps the most urgent requirement that has to be provided for. In that context, a realistic view has to be taken of existing unauthorized structures. Policy also needs to cater for the normal

growth of village populations as well as migration from outside specially of persons from economically weaker sections.

b) It is necessary also to take into account the increased attraction of the city and its environment as in investment destination.

c) Catering for further growth would involve heavy investment in road connectivity, provision of civic amenities, electricity, water supply and sewerage. Accordingly, it was considered desirable that the overall policy framework should also generate adequate resources for the provision of such facilities. A multidisciplinary sub group was asked to advise on the imposition of such charges after studying the existing pattern in neighbouring State of Haryana.

d) The Committee noted the wide disparity between the level of civic and urban infrastructure in the city and its surrounding towns and villages. Accordingly, the available resources needed to be suitably deployed to ensure balanced growth. Such resources, it was felt, could also be raised and credited towards a dedicated fund which could be used for developing and upgrading basic infrastructure in the periphery area and specially for the settlements therein.

4. RECOMMENDATIONS Given the above approach and considering the ground realities, existing status of the Periphery, emerging problems of unregulated and unauthorised development, need for promoting planned development and eliminating unauthorised and illegal constructions, the Committee, proposes to address various issues on the following lines:-

(a) Periphery Controlled Area Plan

In order to meet the emerging needs of population growth, promote planned and systematic development of the entire area and to check haphazard, unregulated and unplanned development, the Committee suggests the preparation of a omprehensive **Land Use Plan** for the entire Periphery Controlled Area. Such a broad land use plan could provide for urbanisable zones, industrial parks, institutional and residential areas where such development could be taken up while also highlighting the trunk services and infrastructure to support such development. It should also highlight the sub-areas which need to be preserved and conserved in order to effectively protect the quality of environment and ecology in the Periphery. However, until such a Plan becomes final in statutory terms, change of land use may be permitted as in interim measure, by the State Government in accordance with other specific recommendations of this Committee. This plan needs to be put in place in the shortest possible time frame as that would then provide the framework for future growth based on well established principles of town and area planning. To implement a plan of this magnitude, it would be advisable to consider setting up of an independent Statutory Authority with a dedicated initial corpus and full administrative, financial and planning autonomy.

(b) Housing Schemes in the Periphery With only limited planned urban areas available in the cities of Chandigarh, SAS Nagar and Panchkula and the growing demand for housing, it was noted that those who could not afford shelter in these urban areas, found place on the fringes of the city, usually in the adjoining settlements/villages, inside or outside the Abadi areas in an unauthorized manner.

Considering the above situation, it is proposed that suitable pockets for Housing/Residential use in the Periphery area be earmarked which can be developed by the Private parties or Government/Semi-Government Agencies. While permitting such development, it must be ensured that adequate provisions are made for public utilities/facilities and services. Special care must be taken to ensure that housing needs of the economically weaker sections are catered for in adequate measure. Detailed policy prescriptions in this respect are at Annexure A.

(c) Unauthorized Constructions The Hon'ble High Court in its orders in CWP No. 14357 of 2002 had tasked the Committee to examine the issue of regularization of unauthorized constructions and also desired it to examine the need to set up a Tribunal to deal with cases of illegal constructions, besides suggesting imposition of exemplary fines to stop such constructions in future. The issue relating to unauthorized constructions were discussed in detail. In the absence of any detailed formal survey, a broad figure of about 1500 constructions was estimated based on the number of notices issued by PUDA's Regulatory Wing since 8.12.1998, the date till which all the previous constructions had been regularized. With a view to preventing large-scale demolitions and consequential human problems, the Committee recommends a strictly one time regularisation of unauthorised constructions, adopting, however, a well defined and selective approach restricting it only to small/medium residential and petty commercial constructions. The Committee recommends that such regularization, with a cut-off date should involve the imposition of reasonable composition fees and land-use conversion "charges" on a pre-defined scale, which may be pegged at a lower rate for smaller plots. Large residential units could be considered for regularisation in accordance with the policy proposed for farmhouses. Alternatively, such units could be regularized on imposition of substantively higher composition fee. No regularization would be allowed in any case where the construction interferes with the provision of trunk infrastructure. However, no such regularization should be permitted in areas prohibited for development by virtue of being covered under the Indian Forest Act, 1927, the Forest Conservation Act, 1980 or the Punjab Land Preservation Act, 1900 or in areas where construction is not permitted under any other law. To avoid any misuse of such regularisation, the committee proposes to fix the cut off date with slight retrospective effect like 1st November, 2005. The Committee feels that the problem of unauthorized constructions needs to be addressed by constant and effective vigil, for which the field officers like Sub Divisional Magistrates and their staff besides PUDA officers need to be fully involved and held accountable. Clear administrative guidelines need to be put in place bringing out the staff who is to be responsible for detecting illegal construction, taking legal action and enforcing the same. Statutory powers of the Deputy Commissioner under the Periphery Act to carry out demolitions could also be delegated to designated officers (e.g. **SDMs**). A dedicated field enforcement machinery within PUDA or in the Department of Town and Country Planning also needs to be created so that the demolition orders are implemented in letter and spirit and, more importantly, mushrooming of illegal constructions is nipped in the bud. Suitable amendments in the Act may also be made to vest the Deputy Commissioners with statutory powers to issue injunctions against unauthorized construction, in addition to the existing powers to demolish such constructions. It is further suggested that the Act be amended so as to provide a fine which may extend up to Rs.50,000/- instead of Rs.5,000/- presently and in case of continued violation, with a fine of Rs.5,000/- per day instead of the present

rate of Rs.500/-. Regular monitoring of progress in respect of tackling unauthorized construction cannot be overemphasised. It is felt that at least a quarterly review needs to be undertaken at the Government level. The Committee is of the view that in case the proposals in the above paragraph are operationalized, there may not be any necessity to set up the Special Tribunal to deal with cases of unauthorized construction. However, the credibility of a sustained campaign in this respect would depend critically on the fairness of the process. Towards that end, the setting up of an Ombudsman could be thought of who would oversee the entire process, entertain complaints from citizens and is empowered to give directions to the concerned authorities. The Ombudsman will have to be vested with suitable powers but care needs, at the same time, to be taken to ensure that there is no intervention in matter relating to the hearing of cases and the execution of orders passed by the Competent Authority.

(d) Institutions Considering the fact that Chandigarh and SAS Nagar are emerging as fast-developing nodes, it is natural that institutions with larger land requirements would tend to get located here. In addition, the area is becoming ripe for establishing sports, recreation, leisure and tourism-related activities. The Committee feels that such institutions and activities, which have requirement of large open/vacant land area but smaller built-up area, can be considered for location within the entire Periphery. Accordingly, it would be appropriate to consider the option of locating such activities within the Periphery, subject to detailed guidelines, land and development norms being put in place, which are brought out in the detailed guidelines placed at **Annexure-B**.

(e) Free Enterprise Zone

- (i) **Free Enterprise Zone:** The area declared as Free Enterprise Zone (FEZ) near Dera Bassi should continue to be used for industries, although institutions could also be permitted in accordance with the prescribed guidelines. In order to ensure rational development and provision of basic infrastructure and services in the area, a broad developmental framework needs to be prepared along with a development plan indicating roads/trunk infrastructure, including areas reserved for residential and institutional needs. There shall be no conversion/betterment charge for the new industrial units coming up in the FEZ. However, these shall be liable to pay the External Development Charges.

- (ii) **Industrial** Industrial Parks may also be permitted as “mega projects” in areas earmarked as industrial & residential for such uses respectively within the Outline Master Plan area of SAS Nagar (Mohali). The Empowered Committee on Mega Projects has already permitted integrated mixed use Industrial Parks, where at least 60% of the land is used for industry, free of external development charges and change of land use charges in the periphery. This is a major policy incentive for making land available to industry at reasonable rates. In the Committee’s opinion such a policy may continue in respect of the industrial sectors in the Mohali sectoral grid and FEZ for general industry and for areas planned in Mohali’s Master Plan for IT Industry. The policy on grant of additional incentives to industry would, however, need to be periodically reviewed with a view to the continuation of such benefits.

(f) Municipal Towns in Periphery Committee recommends that the existing towns of Kharar, Banur, Zirakpur, Dera Bassi should continue to provide avenues for future growth and development by ensuring adequate supply of developed land for residential, commercial, institutional and industrial purposes. Master Plans of these Towns need to be prepared under the Punjab Regional and Town Planning & Development Act, 1995, within the overall ambit of the Controlled Area Plan. Further expansion in the municipal limit of these towns has also to be regulated so that it conforms to the overall Development Plan for the Periphery Area. It is proposed that the future expansion of municipal limits of the existing Periphery towns should be frozen, until these Master Plans have been finally notified. Thereafter, if need arises, such expansion can be considered, strictly in accordance with the approved Master Plan subject, of course, to the payment of the conversion charges as are being proposed in the report. New Municipal Councils or Nagar Panchayats within the Periphery should be notified only after the overall Development Plan has been put in place.

(g) Existing Rural Settlements Considering the existing as well as future development needs of the villages falling within the Periphery as well as with a view to cater to their increasing population, it would be prudent to provide a sufficiently compact and contiguous belt of land around the village “*phirni*” for ensuring the organic growth of these villages. Any area falling between the “*lal lakir*” and the “*phirni*” of the village shall also be treated as a part of the extended belt. The area should be allowed to be used primarily for meeting individual residential and petty commercial needs of the existing and future population of a village. However, charges for change of land use should be levied on prescribed rates, except in the case of bonafide residents. No industry should be permitted in such area. Similarly, formal colonization shall also not be permitted in the extended ‘*abadi*’ area on the pretext of this recommendation alone. With these caveats, the Committee proposes to allow the village “*Abadi*” area extension by 60%, subject to a minimum of 50 metres and maximum of 100 metres in radial length from the “*phirni*”. However, where the existing *Abadi Deh* or a part thereof is an area which forms a part of the rural/agriculture and afforestation zone of the Outline Master Plan/Draft Comprehensive Master Plan/Comprehensive Master Plan prepared under the Punjab Regional and Town Planning & Development Act, 1995, the extent of such area shall be limited to 50 metres. Permitting construction in the notified forest areas falling in these villages would, of course, be subject to due approval as regards change of land use. No permission should, however, be granted in any area which falls within the sectoral grid of SAS Nagar (Mohali), as reflected in the Outline Master Plan. The extent of area where such constructions are to be permitted will be demarcated and certified for each village falling within the Periphery by the Revenue Authorities, subject to the final approval of PUDA. In order to promote planned development, it is proposed that construction in the area should be regulated by a set of simple building norms, subject to payment of Land-Use conversion charges and in accordance with other details as contained in **Annexure-C**. However, to avoid hardship to villagers and land owners, the area in the extended ***abadi deh*** shall be exempted from the provisions of the Punjab Apartment and Property Regulation Act, 1995.

(h) Farmhouses With a view to encouraging low-density development and to meet the basic residential demand of landowners in the area, Farmhouses were permitted as far back as 1966. However, they could come up only beyond the 8-kilometre belt, in cases where land holding was more than 5 acres. Keeping in view the high land values, it would be appropriate that the norms for Farmhouses are liberalised, with the area requirements brought down to 2.5 acres and construction being permitted within the 8 kilometre belt as well. However, the construction of Farmhouses should be regulated by guidelines as per **Annexure-B**.

(i) Land-use Conversion Charge – Periphery Development Fund As has been earlier observed, any optimal development of the Periphery has necessarily to be accompanied by considerable state-led investment in urban infrastructure. Similarly, the existing urban and rural settlements must also become beneficiaries in any resource-raising that might be leveraged through a system of granting land-use change permissions. It would be neither fair nor just to burden the State exchequer alone with the responsibility of funding such development works, without any concomitant additional resource mobilization. On the other hand, ignoring this aspect at the policy formulation stage would result in irretrievably losing the best opportunity for providing supporting infrastructure at optimal cost.

In view of this, the Committee suggests that conversion of land use and betterment charge should be imposed, if need be, through an amendment of the Periphery Act. The Committee recommends that there should be an in-built betterment charge applicable to lands abutting the road network within the conversion charge itself. This is fully justifiable because of the initial investment by the Government in the form of land acquisition and construction of National / State highways, Sector roads and other roads. Betterment charge could be in the form of a percentage premium over and above the conversion charge. These “charges” should be credited to the Government treasury and should be dedicated to the provisions and maintenance of physical infrastructure in the periphery. The Department of Housing and Urban Development in consultation with the Finance Department, may work out the administrative and legal details to manage this Fund. However, the model adopted by the State Government for regular release of Social Security pensions may serve as a useful prototype to ensure that receipts on account of this charge are released in the ordinary course of business to the nodal agency. The Governing Body of this Fund should be a high level body, headed preferably by the Chief Minister, and in addition to Ministers and the Administrative Secretaries concerned, may also have representation of the elected representatives like MLAs, Presidents of the Municipal Bodies and Panches/Sarpanches whose territorial jurisdiction falls within the Periphery. While the Governing Body would, no doubt, be in the best position to settle competing demands for resources, it is suggested that the first charge on this Fund should be the basic development works in the village from which revenue receipts arise. The imposition of a fair and optimal level of conversion charge is crucial to the success of this policy package which must be adequate to generate enough funds to finance creation of new roads and other physical and social infrastructure in the periphery area. The multidisciplinary group has worked out the details of External Development Charges based on basic infrastructure requirements (Annexure D-II) which need to be put in place to provide facilities broadly comparable to Chandigarh. The scale of conversion charge is similar to the one being levied by Haryana Government in the satellite town of Panchkula. The Committee generally agrees with the scale of these charges including the licence fee proposed by the sub group (Annexure D-I) as it provides a reasonable competitive edge to Mohali compared to the charges being levied in Panchkula (Annexure D-III). It is also worth mentioning that while suggesting the different charges, the differential between the permissible FARs between Mohali and Panchkula has been duly taken care of. These charges are proposed for the outline Master Plan of Mohali and can be suitably adjusted for remaining areas of the Periphery. Such charges would, however, not be imposed when land is provided for public utilities and other services such as Government Schools, Dispensaries, Veterinary Centres, Post Offices, Police Stations and the like. The aforesaid conversion charges and other fees should be in

addition to, and not in substitution of, the External Development Charges (EDC) that are payable within the framework of the Punjab Apartment and Property Regulation Act, 1995.

(j) Total Repeal of the Periphery Act Not Recommended: The Committee has received suggestions from different quarters to totally repeal the Periphery Act. In this context, attention is drawn to the changing character of the city of Chandigarh, alluded to in paragraph 3.2 of this report. This transition also necessitates a fresh look at the regulatory framework governing the Periphery. However, the Committee, even after due deliberation, is unable to recommend the total repeal of the Act, as it would remove all curbs on sub optimal construction and haphazard urban development in the Periphery. The Committee noted that the process of drawing up Master Plans in the State as a whole has yet to effectively take off and towards that end, the State Government is contemplating to amend the Town and Country Planning Act with a view to permitting quick finalization of such plans. However, it will be several years before Master Plans would be in place and till then, it is necessary to have a legal framework effective in the Periphery of Chandigarh, which is currently provided by this Act. It would, therefore, be inadvisable to remove the legal umbrella, which is available to exercise control over land use till such time as detailed planning is put in place. The Committee has also separately suggested the imposition of EDC and conversion charges in reasonable measure with a view to generating resources for providing requisite infrastructure for urbanization which will and is inevitably taking place. It would not be possible to levy such charges if there is no umbrella legislation, which provides for it and in the absence of the levy of such charges planned growth in the Periphery area would not be possible. For all these reasons, the Committee is of the view that it would be inadvisable to repeal The Punjab New Capital (Periphery) Control Act, 1952.

7. CONCLUSION: The Committee had to balance and optimise between divergent and often conflicting demands and requirements. For instance, the purist view of freezing the Periphery as agricultural was contradictory to the very reasonable demand to allow for the expansion of the “*abadi dehs*” or for permitting housing in a planned manner. Similarly, although institutions and leisure facilities have been recommended, the norms of FAR and built-up area, have been pegged on the lower side. Conversion charges were also deemed necessary to raise resources for the overall development of the Periphery, although the Committee was acutely conscious that it may add to overall project cost. While the Committee recommends strict compliance with the up-to-date Outline Master Plan of SAS Nagar, it also suggests the speedy formulation of an over-arching Periphery Development Plan for the entire region. Nevertheless, pending finalization of the latter, the Committee recommends that limited change of land use may be permitted as per the recommendations contained in this Report. Even though existing constructions have been proposed to be regularised on purely humanitarian grounds, the Committee has strongly recommended a zero tolerance enforcement and regulatory regime, in the post-Policy phase. However, enforcement of the regulatory regime would only be sustainable in the long run if total Area Planning of the Periphery is taken up in right interest and brought to its logical conclusion at the earliest. The prescription proposed by the Committee is to be viewed as a comprehensive package, which needs to be comprehensively implemented. The Committee sincerely hopes that it would have addressed the concerns of all the stakeholders in a judicious, balanced

and practical manner. It is now for the State Government to consider, approve and implement both the regulatory and development aspects of this policy in prescribed time frames. Chief Administrator, PUDA Secretary, Housing & Urban Dev. (Member Secretary) (Member) Secretary, PWD (B&R) Principal Secretary, Industries (Member) (Member) Principal Secretary, Local Govt. Financial Commissioner, Revenue (Member) (Member) Chief Secretary (Chairman)

ANNEXURE-A GUIDELINES FOR PERMITTING PLANNED AND ORGANIZED RESIDENTIAL DEVELOPMENT IN THE PERIPHERY.

Planned residential development shall be permitted in the Periphery only in: - (a) The area delineated as “residential” in the Outline Master Plan/Draft Comprehensive Master Plan/Comprehensive Master Plan, prepared under the Punjab Regional Town Planning and Development Act, 1995, subject to a minimum area of 100 acres; (b) The area beyond 10 kilometres of the Chandigarh boundary, as a completely self contained and integrated residential townships, subject to a minimum area of 500 acres. Such townships shall provide independent access from the highways, make sufficient provision for water supply and sewage disposal, provide adequate housing for weaker sections and will have adequate social infrastructure in terms of educational, medical and recreational facilities; (c) The Municipal and Nagar Panchayat towns, as a “mega project” or otherwise, subject to compliance with the Master Plan, or any draft master Plan, of the town. However, no such permission shall be granted in:- i. The area notified for land acquisition for any public purpose; or ii. Area notified under the Indian Forest Act, 1927 or the Forest Conservation Act, 1980 and under Section 4 and 5 of the Punjab Land Preservation Act, 1900 or any other law which prohibits such activity. Provided the land shall be in the shape of a single compact unit held in single joint or corporate ownership. 2. “Residential” development may include:- (a) Normal plotted development; or (b) High-rise apartments and Group Housing; or (c) Commercial development, within the maximum stipulated norms in an approved residential township, or in the mixed land use zone.

3. The developer shall obtain a regular licence from the Competent Authority under the Punjab Apartment and Property Regulation Act, 1995. External Development Charges (EDC), Conversion Charges and Licence Fee shall be payable as per the approved/notified rates, unless specifically exempted by the Competent Authority. The recommendations of the Committee are at Annexure-D.4. Development Norms

a) The prescribed development norms under the PUDA Building Rules, 1996 including all statutory and town planning norms, under the Punjab Apartment and Property Regulation Act, 1995 shall apply. b) Compliance with the Master Plans, including any notified draft Master Plan would also be necessary.

ANNEXURE-B GUIDELINES FOR PERMITTING INSTITUTIONS, RECREATIONAL ACTIVITIES (INCLUDING SPORTS) AND FARMHOUSES.1.

Subject to the other conditions mentioned hereinafter, setting up of Farmhouses, institutions, infrastructure relating to recreational and leisure activities, including sports shall be permitted in the Periphery Controlled Area, except in the:- (a) Area covered by the Outline Master Plan/Draft Comprehensive Master Plan/Comprehensive Master Plan, prepared under the Punjab Regional Town Planning and Development Act, 1995, unless the prescribed land-use is compatible with the use in question; or (b) Area notified for compulsory land acquisition for any public purpose; or (c) Area notified under the Indian Forest Act, 1927 or the Forest Conservation Act, 1980 and under sections 4 and 5 of the Punjab Land Preservation Act, 1900, or under any other law which prohibits such activity. 2. The institutions to be permitted would generally be associated with education, including medical education, research, art and culture. Sports infrastructure could be confined to recognized games and sporting activities, whereas recreation and leisure infrastructure may include amusement parks, open-air theatres, theme parks etc. but not shopping malls, cinema halls, multiplexes and the like. 3. The minimum area required for any of these activities would be as described in the chart at the end of this Annexure. However, if at any stage, the total area of site falls below the stipulated limit, the permission granted shall automatically lapse and building, if any, constructed shall be deemed to be illegal and unauthorized. 4. Land shall be in the shape of a single compact unit, held in single or joint ownership of natural or artificial juridical persons, or combination thereof. 5. The institutional and recreational sites shall have an independent access from a public road having a minimum width of 40 feet. In case of sites not abutting a public road, a connecting passage of not less than 40 feet width (which would be used as public thoroughfare) shall be mandatory. If access is required to be taken from a National/State Highway, it shall be taken through a service lane to be developed at the expense of the applicant. However, in case of Farmhouses, an independent access from a revenue “*rasta*” or public road shall suffice.

6. The building shall have a minimum setback of 200 feet from the National/ State Highway and at least 100 feet from any other metalled road. The minimum setback on other sides shall be equivalent to the height of the building. 7. No sub-division of the land would be subsequently permitted. 8. Adequate provision for parking shall be made within the site.

9. Minimum Area and Development Norms

Building Type	Minimum size (acres)	Floor-Area Ratio (FAR)	Ground Coverage (%)	No. of stories	Height (feet)	Hard Surface (%)
Farm Houses	2.5	4%	2%	2	Single (18) Double(28)	10%
Institutions	5	30%	15%	3	38	30%
Recreational activities	10	5%	3%	2	28	10%
Sports activities	10	2%	1%	2	28	5%

MODE OF ALLOTMENT

PUDA advertises the schemes for allotment of Residential Plots, Commercial, Institutional Sites, Built-up houses in its various Urban Estates in the Press from time to time. These advertisements are also displayed on the internet. Selection from amongst those who apply is done by draw of lots or on the basis of competitive bidding depending on the nature of the project.

SCHOOL SITES (Free-hold basis)

1. To Govt. schools Free of Cost
2. In case of Private Schools By way of auction to Trusts & Societies registered under the Acts and Statutory Bodies and other entities promoted by the Central Govt. or State Governments.

INSTITUTIONAL SITES: (Free-hold basis) Cultural & Literary Human Resources By way of scrutiny & Interview, Dev. etc, Hospital, Nursing Home sites. after inviting applications at reserve price. (To Trusts & Societies Regd.)

RELIGIOUS SITES: (On Lease hold basis) Trusts & Societies Regd. under the Acts. By way of scrutiny, interview after inviting applications.

DISPOSE OF RESIDENTIAL PLOTS, COMMERCIAL SITES AND INSTITUTIONAL SITES FROM 2002 TO 2005.

- a) Residential plots 3652
- b) Commercial sites 954
- c) Institutional sites 138

Apart from above, rate of interest to the applicants whose earnest money is not refunded within 90 days from the date of draw (total 180 days from date of closing scheme) has now reduced to 5.5% per annum for the period beyond 181st day.

Whereas PUDA (Building) Rules, 1996 (hereinafter called the Rules) were framed under the Punjab Regional and Town Planning and Development Act, 1995 primarily to regulate and promote construction of buildings on dwelling units allotted under the said Act; 2. Whereas, number of violations of the said Rules have been committed by the allottees of the dwelling units while undertaking the additions/alterations on such dwelling units and the Competent Authorities under the Act have launched proceedings for resumption/cancellation of allotment of such dwelling units; 3. Whereas, Section 53 of the Punjab Urban Planning and Development Authority (Building) Rules, 1996, provides that the Chief Administrator may relax of any the provisions of these Building Rules, 1996 for reasons to be recorded in writing in respect of any class or a category of cases; 4. Whereas, sound suggestions were sought from the allottees of the dwelling units, Registered Agencies, Resident Welfare Associations of PUDA dwelling units, Professional Organisations or other interested groups to examine the need based changes in the dwelling units supported with reasoning and proposed sketches, plans of the units for examining the feasible, need based changes in the dwelling units with a view to undertake a revision, modification or relaxation wherever required and possible. 5. Whereas, numerous

representations have been received from various quarters such as allottees of the dwelling units, Associations etc. for modification or relaxation in the dwelling units. 6. Whereas, it has been felt that an objective, transparent, uniform and rational policy needs to be immediately put in place to ensure uniformity and eliminate subjectivity and discretion on the part of officers dealing with such cases and avoid undue hardship to the allottees to remove constructions raised in the violation of the Rules;. 7. Whereas, in order to examine and study the issue in depth, a Committee under the Chairmanship of Advisor Technical, PUDA, with Senior Architect, PUDA, as Convenor and Deputy Director (QC), PUDA, Divisional Town Planner, PUDA and Senior Law Officer (HQ), PUDA, as members was constituted to suggest a simple, rational and policy in this regard;

8. Whereas, the Committee considered in detail the different sets of violations of Rules committed and studies threadbare the implications of such violations in terms of living conditions, quality of space, air, light and ventilation and consulted the Chief Architect, Punjab and made detailed recommendations; 9. Whereas, after consideration of the matter and the recommendations made by the Committee, the larger public interest and the need to frame a rational, transparent, and objective policy, I, A.S.Chhatwal, IAS, Chief Administrator, Punjab Urban Planning and Development Authority, in exercise of powers conferred under Section 53 of the Punjab Urban Planning and Development Authority (Building) Rules, 1996, relax the provisions of the Building Rules, 1996 and allow some need based changes in the dwelling units constructed by the Punjab Urban Planning and Development Authority in Punjab as per Annexure attached.

Dated, SAS Nagar, A.S.Chhatwal, the October, 2005 CHIEF ADMINISTRATOR PUDA-Policy-A-1-2005/ Dated: A copy of the above alongwith Annexure is forwarded to all the Heads of Branches, PUDA, for information and necessary action. DA/Annexure Admn. Officer (Policy), for Chief Administrator.

NEED BASED CHANGES ALLOWED IN THE DWELLING UNITS CONSTRUCTED BY PUDA IN PUNJAB. ANNEXURE Level A) Where no intimation or approval is required from PUDA: Allottee may undertake Additions and Alterations at his own level without any intimation to PUDA. **Level B) Where prior intimation for ratification of records is required by PUDA:** Allottee may undertake Additions and Alterations at his own level but only a formal prior intimation may be made to PUDA for updating its records. **Level C) Where prior approval is required from PUDA:** Allottee can undertake Additions & Alterations only after submission of proposed drawings and prior sanction by PUDA in accordance with para 3,5,6,7,9,10, of Part II of PUDA (Building) Rules, 1996, i.e. Procedure for Submission of Building Applications, as amended from time to time. To further simplify the procedure, permissible additions/alterations which are common for all categories of dwelling units have been categorized “**General Additions/Alterations**” while other **Additions/Alterations have been considered for permission under category-wise/scheme specific**”. All these Need Based changes i.e. additions & alterations shall be permitted in all houses/flats constructed by PUDA & located in the State of Punjab **subject to fulfillment of conditions enumerated at the end which shall have an over riding effect.** **I) COMMON TO ALL TYPES OF FLATS/RESIDENCES BUILT BY PUDA.**

A) Where no intimation or approval is required from PUDA:-

- 1) Up to a Maximum of 1’-6” wide sun shade over doors & windows to be constructed in RCC, or up to a maximum of 2’-6” width to be constructed in light weight material i.e. fiber glass, polycarbonate sheet etc.
- 2) To provide openable / fixed glazing in the balcony / verandah provided it does not damage the structural stability of the dwelling unit and light and ventilation to corresponding rooms is not affected.
- 3) To provide a steel grill in the verandahs where light and ventilation of the adjacent rooms is not affected but can provide security to the dwelling units.
- 4) To provide MS grill/fencing on the front boundary wall up to a maximum height of 6’-0” including height of the boundary wall.
- 5) Wicket Gate 3’-9” wide, along the side boundary wall in the rear courtyard, where the side of house abuts the road having right of way width up to 45’-0” shall be permitted. However no wicket gate shall be permitted on V-3, V-4 and V-5 roads (i.e. roads having right-of-way width above 45’), public open spaces and reserved spaces etc. subject to the Road berm policy of PUDA.
- 6) To increase the width of the main gate up to a maximum width of 12’-0”, wherever provided, in line with the existing front boundary/ wall of the Flat/Houses.
- 7) Pointing or any other finish on the external walls, Plaster on the exposed brick & other walls.
- 8) Use of snowcem, on the external surface.

- 9) To provide underground /over head PVC water tank with in the Building line, subject to structural stability of the building.
- 10) PVC pipes mounted on surface permitted for proper drainage of water from upper floor balcony subject to obtaining No Objection Certificate from lower floor / ground floor owners.
- 11) To convert the scooter/car garage into store only for personal use.
- 12) To increase the height of the existing window(s) by lowering the sill level.
- 13) Alteration/Removal of 4 ½" thick non load bearing internal walls.
- 14) The maintenance of road berms may be in accordance with the Revised Policy on Landscaping of Road Berms in front & side of plots in Urban Estates of Punjab, but further subject to condition of obtaining of No Objection Certificate from upper floor residents/owners.
- 15) For providing separate/approachable water connection for each flat, allottees may approach Municipal Council/PUDA for independent connections at their own costs.
- 16) For utilization of open spaces, may rest with all the allottees of the scheme by mutual consent, or by the intervention of Welfare Association represented by at least 60% of allottees. No structure either temporary or permanent is permitted in the open space.

B) Where prior intimation for ratification of records is required by PUDA:-

- 1) To provide coverage on the balconies wherever not provided with light weight material such as fiber glass / polycarbonate sheets etc.
- 2) To construct a store/green house in rear courtyard on the ground floor and terrace on the upper floors, with a temporary roof made of light weight material such as fibre glass, polycarbonate sheet etc to a maximum extent of 100 sq. ft. or 40% of the area of the rear courtyard/terrace, whichever is less, subject to a maximum height of 8'-0" from the floor level of the dwelling unit and further subject to the condition that light and ventilation of the existing areas is not affected. *Owners occupying more than one floor or independent houses shall take this benefit at only one floor level.*

C) Where approval is required from PUDA:-

- 1) To construct 3'-0" wide projected balcony on such front and rear facades where no terrace/balcony exists, not covering more than 2/3rd of the width of the façade subject to condition no. 5 of this policy i.e. Over riding condition.
- 2) To provide a cut out of the maximum size of 9.00 sq.ft. with a flap door within the parapet height for approaching the terrace for maintenance purpose only, through a cat ladder, wherever not already provided by PUDA

3) To provide one additional window per room up to a maximum size of 2'-0"x6'-0" having a sill level of minimum 2'-3" from floor level on the end wall of the corner house/flat.

4) Any additions /alterations or changes in end walls, common places etc not covered in relaxations above.

II) CATEGORY-WISE /SCHEME SPECIFIC ADDITIONS / ALTERATIONS IN FLATS/ HOUSES BUILT BY PUDA

1) Category of House: LIG flats 4 storied. Location: Sector-64, SAS Nagar. a. A gate of 3'-9" width is permitted on the boundary wall at ground floor. (Level B)

2) Category of House: MIG-14 Location: Jalandhar. a. Extension in rear bedroom is permitted in the form of extension of bedroom up to verandah both for ground floor and first floor subject to the condition that light and ventilation is not compromised. (Level C) b. Cut out behind common stair may be covered and converted into WC, it is permitted only on ground and first floor subject to maintenance of building line of adjacent room. (Level C)

3) CATEGORY OF HOUSE: HIG (Independent) Location: Sector-48-C & Sector 70, Mohali and Ludhiana. a. Staircase to be constructed outside the room is permitted but should be restricted up to a maximum of verandah line. (Level C)

OVER RIDING CONDITIONS:- All these Additions/Alterations shall be permitted subject to compliance of the following conditions which shall have an over riding effect on such relaxations:-

1. Safety Assurance will be the sole responsibility of the allottee for any Additions / Alterations with minimal inconvenience to allottees in the adjoining / upper / lower floors.
2. Addition & alteration shall be permitted only for non load bearing, 4- 1/2" thick partition walls subject to following conditions: a. Obtaining a No Objection Certificate from immediate, upper & lower owners. b. Submission of structural stability certificate obtained from qualified structural Engineer, invariably for its stability. This will also apply to any structural changes involved/undertaken.
3. No addition/alteration shall encroach upon Government land.
4. No projections / Chajjahs, balcony etc. shall encroach upon the Government land.
5. Additions/alterations or changes in common walls of two or more dwelling units & floors in dwelling units having more than ground floor, should be carried out only on mutual written consent of all concerned allottees.
6. It shall be mandatory if allottees in a complete block or cluster of blocks mutually agree to changes affecting external surface i.e. pointing, plastering, colouring, painting etc. to maintain uniformity/harmony.
7. No construction is permitted on the roof top as per original scope & design of House/Flat.

CHIEF ADMINISTRATOR, PUDA.

Government of Punjab

**Department of Housing and Urban Development
(Housing Branch-II)**

To

The Chief Town Planner,
Punjab, Chandigarh
Memo No. 18/182/06-6HG2/5598
Dated 17.07.2007.

Subject: Policy of minimum area requirement for setting of

Residential/Commercial Colony.

It has been decided to adhere to the following minimum size criteria for development of colonies in the State of Punjab (other than Chandigarh periphery area) with immediate effect:-	Category	High Potential zone	Medium Potential Zone	Low Potential Zone
Residential (Plotted)		100 Acres	50 Acres	25 Acres
Group Housing		10 Acres	10 Acres	5 Acres
		independent & 5 acre as a part of plotted colony.	independent & 5 acre as a part of plotted colony	
Commercial		2 Acres	2 Acres	2 Acres
Knowledge Park e.g. Information technology Park or as per definition decided by the Department of Industries.		10 Acre	10 Acre	10 Acre
Industrial Park for manufacturing (Industries other		50 Acre	50 Acre	50 Acre

than Knowledge
Park)

Subject:- ALLOTMENT OF PLOTS/HOUSES UNDER OUSTEE CATEGORY IN VARIOUS URBAN ESTATES OF PUDA.

Ref:- This office letter no. PHDB-Ado (HQ)-94/30528-40 dated 26.9.94.

2. Please refer to the communication on the subject cited above, vide which a broad-policy with regard to allotment of plots to oustees category alongwith other issues was circulated. The issue regarding allotment of residential built-up houses apart from plots to the oustee category has been engaging our attention since long and the detailed matter was placed before the 38th meeting of the

Finance & Accounts Committee held on 23.9.03 vide item no. 38.12. While considering the agenda

item threadbare, the Finance & Accounts Committee has decided as-under:-

a) The built up houses should be allotted to an oustee in the Urban Estate for his bonafide residence.

b) No application from the concerned oustee will be entertained after a period of one year from the date of taking possession of his acquired land.

c) An oustee will be allotted a built-up house as mentioned below :-

Land acquired Category of House

½ acre to 3 acre L.I.G.

Between 3 to 5 acre M.I.G.

Above 5 acre H.I.G.

Note: However, if on the land which has been acquired, there is a dwelling unit, the house of LIG

category may be allotted even though the area acquired may be less than ½ acres.

3. The price chargeable for allotment of built-up house to the oustees would be the same as

applicable for general category.

4. All oustees of any joint khata would be entitled to one built up house only as per entitlement.

5. An oustee (s) would either be allotted built-up house as mentioned in para 2(c) above or plot as

per policy dated 29.9.94. No double benefit would be allowed.

6. An oustee would be required to give consent as to whether he would prefer allotment of a builtup

house as per entitlement or a residential plot.

7. Request/consent of an oustee for built up house will only be considered, if there is a planning of

PUDA to construct houses in that particular Urban Estate in which the land of oustee has been

acquired. In case PUDA is not going to build houses then an oustee shall be entitled for allotment of

plot as per policy mentioned in the letter under reference which is reproduced as under:

Land acquired Size of Plot

½ acre to 3 acre 100 sq. yds.

Between 3 to 5 acre 200 sq. yds.

Above 5 acre 500 sq. yds.

However, if on the land where there is a dwelling unit, 100 sq. yds. plot is to be allotted even

though the area acquired is less than ½ acre.

The above said policy shall come in to force with immediate effect.

TERMS AND CONDITIONS FOR AUCTION OF COMMERCIAL SITES

Auction of sites will be subject to the following terms and conditions:

1. Sale of sites by auction is subject to the provisions of The Punjab Regional and Town Planning

and Development Act, 1995 and rules / regulations framed thereunder from time to time.

2. The intending bidders are required to deposit refundable / adjustable eligibility fee of Rs.

_____ (Rs. _____). The amount of eligibility fee shall be paid in cash or by

an account payee demand draft drawn in favour of Punjab Urban Planning and Development

Authority payable at _____, against proper receipt issued by the office of Estate

Officer, PUDA, _____ before the commencement of the auction. Any person interested

to bid for more than one site will be required to deposit the eligibility fee separately for each plot.

No person / company(s) or association(s) are eligible for participation in the auction if the

eligibility fee is not deposited before the commencement of the auction.

3. The reserve price for corner plots shall be 10% extra.

4. Successful bidders shall have to pay 10% (ten percent) of the highest bid amount in cash or by

an account payee demand draft drawn in favour of Punjab Urban Planning and Development

Authority payable at _____, the fall of hammer. Another 15% (Fifteen percent) of the

bid amount shall be paid within 30 (thirty) days from the date of auction. The balance 75%

(Seventy five percent) amount shall be paid either in 4 (four) equated yearly instalments with

interest @ 12% (twelve percent) per annum or can be paid in lump-sum within 60 (sixty) days

from the date of issue of the allotment letter whereby a rebate of 5% (five percent) will be given

on the balance 75% (seventy five percent) amount. In case of payment by instalments, the first

instalment will become due immediately after one year from the date of auction. The payment

shall be accepted only by means of an account payee demand draft drawn in favour of Estate

Officer, Punjab Urban Planning and Development Authority payable at _____.

Payments by cheque will not be accepted.

5. In case the successful bidder does not deposit the 15% (fifteen percent) amount within 30 (thirty)

days from the date of auction, then the 10% (ten per cent) amount already deposited by him

shall be forfeited and the applicant will have no claim in this regard. However, this period can be

further extended upto 180 days, on making a written request of the applicant within 30 days on

payment of surcharge and penal interest of the delayed period. Surcharge shall be @ 1.5% for

30 days, 2% for 60 days, 2.5% for 90 days and 3% for 180 days of delayed payment.

In addition

penal interest shall also be charged @ 18% for the delayed period.

6. In no case a bid less than the reserve price shall be accepted.

7. No person whose bid is accepted shall be permitted to withdraw or surrender his bid on any

ground, and in case he does so, his eligibility fee shall stand forfeited in full.

8. The Chief Administrator, PUDA or any other officer authorised by him reserves the right to

accept or reject the highest bid or withdraw the site from auction without assigning any reason,

even if the bid is higher than the reserve price.

9. In case the highest bid is not accepted, the eligibility fee shall be refunded in full but without any interest.

10. PUDA will issue the detailed allotment letter to the successful bidder within a period of 6 weeks

after the conduct of auction and on receipt of 25% (twenty five percent) amount.

11. No separate notice will be sent for the payment of yearly instalments. Payment shall be made in

accordance with the schedule to be mentioned in the allotment letter.

12. In case the instalment is not paid by the due date then without prejudice to any action under

section 45 of the Punjab Regional and Town Planning and Development Act, 1995, allottee shall

be liable to pay penalty on the amount due, at the following rates for the delayed period:-

Sr. No Delayed period Rate of Penalty

1. If the delay is upto one year Normal applicable rate of interest for + 3% p.a. for the delayed period

2. If the delay is upto 2 years Normal applicable rate of interest for + 4% p.a. for the delayed period

3. If the delay is upto 3 years or more Normal applicable rate of interest for + 5% p.a. for the delayed period

13. In case a person bids on behalf of a firm or company or an association etc., the bidder shall

produce to the satisfaction of the Presiding Officer, necessary documents to show that the firm or company or an association, as the case may be, has been duly registered under the relevant law and that bidder has the authority to bid and enter into an Agreement of Sale on its behalf with PUDA.

14. The possession of the site will be given within 90 (Ninety) days from the date of issue of allotment letter. In case the allottee fails to take possession of the site within the stipulated period, it shall be deemed to have been handed over on the due date.

15. The allottee shall have to complete the building within 3 (three) years from the date of issue of allotment letter, after getting the plans of the proposed building approved from the Estate Officer.

This period of 3 years may be extended by the Estate Officer in the manner and on payment of

such fee as fixed by the Authority or its committee from time to time, if he satisfied that the failure

to complete the building within the said period was due to a cause beyond the control of the

allottee. If the allottee fails to make a request or to satisfied the Estate Officer for non construction of the building, the Estate Officer shall resume the site as per provisions of the

Punjab Regional and Town Planning and Development Act, 1995 and

Rules/regulations made

thereunder as amended from time to time.

16. The land shall continue to vest in the Punjab Urban Planning and Development Authority until

the entire consideration money together with interest or any other amount due, if any, to the

Authority on account of sale of such site, is paid in full to the Punjab Urban Planning and

Development Authority.

17. The allottee shall have no right to transfer, by way of sale, gift, mortgage or otherwise, the plot or

any other right title or interest in the said plot except with the prior permission of the Estate

Officer. While according such permission on the application of the allottee, the Estate Officer

which may be granted subject to payment of such fee/charges, as may be determined from

time to time.

18. Site shall be used only for _____ (Trade to be mentioned) and not for any other trade

without the permission of the competent authority.

19. No trade involving fire explosive or hazardous or obnoxious trades causing pollution which is

dangerous to public safety will be permitted

20. Change in trade shall be permitted on payment of such charges and on such terms and conditions as may be defined under policy from time to time.

21. The covered passage within Verandah and on the side of commercial site, wherever provided shall not be encroached upon or used for any other purposes whatsoever and shall be maintained properly.

22. No fragmentation / sub-division of the site and change of land use shall be permitted.

23. On payment of the entire consideration money together with interest due to the Punjab Urban Planning and Development Authority, on account of sale of the plot, the allottee shall have to execute a Deed of Conveyance in the proscribed form and in such manner as *may* be directed by the Estate Officer, PUDA, within three months of the payment of entire consideration money together with interest or any other amount due to PUDA on account of transfer of the plot.

24. The allottee shall have to pay all general and local taxes, rates and fees imposed or assessed on the said plots/buildings by the competent authority. This shall include maintenance charges in respect of infrastructure facilities and other facilities as determined by the Punjab Urban Planning and Development Authority or by the Municipal Corporation or Municipal Committee or any other statutory authority, as the case may be.

25. The site is offered on "as is where is" basis and the Authority will not be responsible for leveling the site or removing the structures, if any, thereon.

26. The exact size of the site and its dimensions are subject to variation as per actual measurement at the time of delivery of possession of the site. In case the actual area exceeds the area offered, the bidder would be required to deposit the additional price *for* the excess area proportionately as per auction price.

27. The Competent Authority may, by his officers and representative at all reasonable time in reasonable manner after 24 (twenty four) hours notice in writing, enter in and upon any part of the plot/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the prevalent rules, Acts and regulations as amended from time to time.

28. The Competent Authority shall have the full rights, powers and authority at all times to do

through its officers and representatives all acts and things which may be necessary and expedient for the purpose of enforcing compliance with all or any of terms & conditions and reservations imposed and to recover from the allottee as first charge upon the said site, the cost of doing all or any such act and things and all costs incurred in connection therewith, or in any way relating therewith.

29. The display of advertisement on the walls of the site or at site or on the structures erected thereon in whatsoever manner shall be subject to the orders and other instructions as may be issued by the Competent Authority from time to time.

30. PUDA's building controls will be applicable for the construction on the sites.

31. PUDA reserves the right to modify and change the lay-out plan without assigning any reason.

32. No interest will be paid for any amount whatsoever deposited with PUDA.

33. In case of any dispute or difference arising out of the terms and conditions of auction or allotment

letter, the same shall be referred to the Chief Administrator, PUDA. The decision of the Chief

Administrator in this regard will be final and binding on all the parties.

POLICY FOR ALLOTMENT OF LAND FOR SETTING UP REFRIGERATED OUTLETS FOR MARKETING OF FRESH AND PROCESSED FRUITS/VEGETABLES AND FOOD PRODUCTS TO PUNJAB AGRI AND EXPORTS CORPORATION LTD.

REF NO.—283-96/15-1-2003

1. Punjab Agri and Exports Corporation Limited is a State Government undertaking engaged in the task of promoting production and export of fresh/processed fruits and vegetables from the state. In order to give a boost to the consumption of fresh and processed fruits/vegetables, Corporation is setting up an integrated facility of Food Park in the state with facilities of automated nursery to provide better quality seedlings with assured buy back under contract farming, modern grading and packing house and controlled atmosphere cold storage with refrigerated vans and food marts for export and domestic marketing. The Food Park would offer opportunities of better price to the producer and quality goods to consumer at most competitive price by eliminating middle man through the mechanism of a chain of Food Marts set by the Punjab. Agri Export Corporation. The Food Marts would market the fresh/processed fruits and vegetables to the urban and rural consumers.

2. Food Marts are like small shops on the pattern of outlets opened by National Dairy Development Board in Delhi, which would be set up in the appropriate urban and rural locations for selling these products. The Corporation proposes to facilitate the setting up of these food mart by the private entrepreneurs on a franchise basis to sell

pre-packed fresh/frozen fruits and vegetables/processed foods and other food items like ice-cream, all kinds of bakery/poultry/dairy products, cold drinks etc. to meet the daily requirements of household in the area. Each of these food mart is likely to cater to the daily requirements of 500 dwelling units.

3. Punjab Agri Corporation proposes to set up around 400-500 such food marts in the state and has requested PUDA to make space available in the various urban estates developed by it. The projected area requirement for each food mart has been placed as 1200 square feet. Through this scheme Corporation not only intends to benefit both producers and consumers but also generate employment opportunities in the state besides assisting the State Government in its efforts of diversification of agriculture towards horticulture produce.

4. In order to make each Food Mart viable, Punjab Agri Export Corporation has suggested that allotment of 1200 sq. feet of land be made on a 99 years lease basis with a moratorium period of 5 years and thereafter the franchisee would pay 1-2% of the gross sales as lease charges.

5. The proposal of Punjab Agri Export Corporation with regard to setting up of food marts in urban estates, area required for each food mart and the terms and conditions of allotment of land has been examined, Views of the field ACA's have been obtained and the matter was also discussed with the M.D. Punjab Agri Export Corporation. During the course of these discussions it has been felt that the setting up of such outlets, within residential precincts developed by PUDA would help in making available both fresh and frozen food, fruit and vegetables to the residents at the most competitive prices. It is observed that area of 1200 sq. ft, for each mart suggested for allotment appears to be on the higher side and needs to be scaled down keeping in view the requirements of sale and storage of food marts. With regard to pricing of the land to be made available for food marts it was felt that linking the same with the sale would require monitoring of sales on day to day basis. Keeping in view the operational and monitoring problems of such a system, it would be desirable to make the land available on monthly rental basis. However, in order to make the project viable in the initial stages, system of deferred payment could be adopted.. After careful consideration, it is proposed that food marts may be permitted to set up by Punjab Agri Export Corporation in various Urban Estates developed by PUDA on following terms and conditions:

(i) The land for food marts made available to Punjab Agri Export Corporation shall be on leasehold basis.

(ii) Lease shall be initially for a period of 33 years which could be renewed on such terms and conditions as may be mutually agreed.

(iii) PUDA shall enter into lease agreement with Punjab Agri Export Corporation only and not with any lessee/franchisee of corporation.

(iv) The area of each food mart to be leased shall be kept between 600-800 sq. ft. excluding the circulation area.

(v) The land shall be made available on monthly rental basis and rent chargeable from the corporation shall be as under:-

Sr. No. Name of U/E

Rent Proposed

1. (a) SAS Nagar, Ludhiana Jalandhar, Patiala Rs. 1500/- p.m. (for Residential areas)

(b) (for Commercial areas) Rs. 2000/- p.m.

2. (a) Bathinda, Batala, Phagwara Kapurthala Rs. 1000/- p.m. (for Residential areas)

(b) (for Commercial areas) Rs. 1350/- p.m.

However, initially a moratorium period of 3 years for the payment of the rent shall be provided to make venture viable. Rent for this period shall become payable in lump sum after the expiry of said period of 3 years. Rent chargeable shall be renewed after every 3 years with an increase of 10% every 3 years.

(vi) The rent shall be paid before the 10th of the starting calendar year i.e. from January of every year, in advance. In case the rent is not paid before the 10th January for a period of one year in advance, 15% surcharge will be leviable with 18% interest shall be charged for the defaulting period. The defaulting period should not exceed 6 months thereafter, the Estate Officer will be empowered to get the site evicted under the provision of the lease. (vii) In case of breach of any condition of the lease deed, the decision of the Chief Administration shall be binding on the Corporation.

(viii) All taxes will be borne by the Corporation and PUDA will not be responsible for any taxes/cess etc. Before handing over the possession of the site to corporation, the corporation shall have to enter upon agreement with PUDA, but no agreement will be signed between lessee/franchise and PUDA.

(ix) Electricity, water charges payable will be the responsibility of the corporation and the franchisee.

(x) Construction of building shall be subject to the conditions that all construction shall be undertaken as per plan approved by PUDA.

(xi) Only fresh produce and processed food products should be sold and no permission will be given to prepare any item, at the outlet. Site shall be permitted to be used as restaurant/eating house.

(xii) In case of any breach of condition or the food mart closing down, PUDA will have the absolute right to resume the land alongwith structure after cancellation of the lease.

The agenda is approved in the Finance & accounts committee, meeting held on 29-11-2002 vide agenda item no. 33.17.

**Subject : ALLOTMENT OF GROUND FLOOR HOUSES TO HANDICAPPED/
BLIND PERSONS.**

It has come to the notice of the Authority that some persons having 40% or above disability do not apply under the reserved category of physically handicapped and they apply for allotment under the general category. On being declared successful in the draw for allocation of houses, they are bound to accept the allotment of houses made to them by holding draw of house numbers. The matter has, therefore, been considered at the level of Finance Committee in its meeting held on 15.5.98 vide Agenda item No. 18.09 and it has been decided as under:-

1. That 2% reservation in the allotment of houses may be provided only to persons having 40% or above disability or 100 % blind persons and these houses may be reserved on the ground floor.
2. If any person having 40% or more disability is declared successful from amongst general category in the draw of lot for allocation of a house, his request, if any, for the allotment of ground floor house, may be considered only if the request for allotment of ground floor house is received before holding the draw for house numbers. Therefore, after considering such requests, ground floor houses will be reserved for such applicants. Such requests may also be considered if any house on the ground floor under general category is available for allotment on account of surrender or otherwise. (*Issued vide Endst. No. PUDA-P&C-98/7350-59 Dated 2-10-98*)

Subject: REGARDING WAIVER OFF THE EXTENSION FEE IN HARDSHIP CASES.

Please refer to the subject cited above.

The Govt. of Punjab Department of Housing & Urban Development vide notifications dt. 8.10.2001 issued vide no.G.S.R.102/P.A.II/95/S:180/Amd.(2)/2001 amended the rules 13 of the Punjab Regional & Town Planning and Development (General) Rules, 1995 w.e.f. 22nd August, 1995. The Sub rule 6 of rule-13 of this notification provides that in genuine cases of hardship of a class of person(s), the committee may by general or specific order remit or waive off partly or fully the extension fee for any person(s) for the reasons to be recorded in writing. The Finance Committee vide item No. 21.10, 23.10, 25.06 and 26.13 have decided to consider the cases of following categories of hardship for waiving off extension fee:-

1. Serving Soldiers and officers of Armed Forces shall be given additional time for completion of the construction equal to the total period spent by them in posting at non family stations.
2. Death of the allottee, case of war widows, next of kin of police and para-military forces killed in action, allottees suffering from diseases that make it impossible for him to carry out construction within the stipulated period or the cases of Government officers/officials who are required to serve outside the State in accordance with the conditions of their service. It is clarified that the posting at Chandigarh tantamount to posting within the Punjab this decision would be applicable only to the Govt. officers/officials of the Punjab Govt. and Public Sector Undertakings of Punjab Government and in case of war widows, the decision would be applicable to only war widows who have been allotted plots under the "serving & retired defence personnel and para military forces including war widows of these categories".
3. The concession shall also be available to the spouses of officers/officials who are required to serve outside the State in accordance with the conditions of their service. It is clarified that in the above context, posting at Chandigarh tantamount to posting within the Punjab.
4. The waiver policy is applicable to the original allottee as well as to the subsequent transferees. In the case of transferees no accumulated extension fee, relating to the period prior to the date of transfer in favour of the applicant would be waived off and the waiver in respect of the subsequent portion shall be granted only after clearing of the old arrears. You are advised to send only those cases for waiving of extension fee which covers under the aforesaid guidelines for approval of the Finance & Accounts Committee.

Subject : POLICY REGARDING PERMITTING RESIDENTIAL BUILDING FOR INSTALLATION OF STD, PCO, FAX OR PHOTOSTAT MACHINE IN URBAN ESTATES OF PUNJAB.

The matter regarding permitting residential building for installation of STD, PCO, FAX or Photostat Machine in Urban Estates of Punjab was placed before Finance & Accounts Committee in its 33rd meeting vide agenda item no. 33.09 held on 29-11-2002 and the committee approved the proposal for granting permission to use

residential buildings which are at a distance of 200 meters from commercial sites for installation of STD, PCO, FAX or Photostat Machine, Cybernetic in Urban Estates of Punjab Subject to the following conditions:-

1. The area to be used for the purpose shall not exceed 20% of the covered area at the ground floor subject to the maximum of 15 sq. mtrs.

2. Permission shall be granted on payment of annual fee along with security:-

Fee Security

a) EWS/LIG houses & upto 100 sq. yds. Rs. 3000/- per annum Rs. 5,000/-

b) 101 sq. yds to 250 sq.yds & MIG houses Rs. 6000/- per annum Rs. 10,000/-

c) Above 250 sq. yds & HIG houses Rs. 10,000/- per annum Rs 10,000/-

3. The above fee shall have to be paid in advance for the whole year.

4. Calendar year will start from 1st April and end on 31st March.

5. Permission shall be granted by the Estate Officer concerned.

6. Sign board up to an area of 2 sq.ft. shall be permitted.

7. No external changes in the building shall be allowed.

8. Premises shall not be used for running any training Institution or Typing College.

9. The Estate Officer may withdraw at any time the permission, thus granted, in case of violation or any of the above condition or in case the permission causer public nuisance.

10. Permission shall be granted on a year to year basis.

You are requested to take further action in the matter.

(Issued vide No. 269-82 Dated 15-01-03)

Subject : REVISION OF TRANSFER POLICY OF RESIDENTIAL/COMMERCIAL PLOTS. EXTENSION & TRANSFER POLICY OF INDUSTRIAL PLOTS. EXTENSION POLICY OF INSTITUTIONAL PLOTS.

In supersession of previous instructions on the subject cited above, issued vide No. PUDA-P&C-97/2526-2537 dated 27.10.97, the transfer policy of residential/commercial plots is amended in view of the decision taken by the Finance Committee in its 20th meeting vide Agenda item No. 20.16 as under:-

RESIDENTIAL/COMMERCIAL PLOTS:

i) The transfer fee may be charged @ 2.5% of allotment price or auction price of the plot in case of residential plots and 2.5% of the auction price in case of commercial plots, subject to the minimum as under:-

RESIDENTIAL COMMERCIAL

Plots msg. 500 Sq. yds. Rs. 40,000/- Booth Rs. 25,000/-

Plots msg. 400 Sq. yds. Rs. 30,000/- SSS Rs. 40,000/-

Plots msg. 300 Sq. yds. Rs. 20,000/- SCO/SCF Rs. 75,000/-

Plots msg. 250 Sq. yds. Rs. 15,000/-

Plots msg. 100 Sq. yds. Rs. 10,000/-

Plots msg. 150 Sq. yds. Rs. 7,500/-

Plots msg. 150 Sq. yds. Rs. 5,000/-

ii) Family transfer may be allowed on payment of following transfer fee:

RESIDENTIAL COMMERCIAL

500 Sq. yds. Rs. 10,000/- Booth Rs. 10,000/-

400 Sq. yds. Rs. 8,000/- SSS Rs. 20,000/-

300 Sq. yds. Rs. 6,000/- SCO/SCF Rs. 30,000/-

250 Sq. yds. Rs. 5,000/-

200 Sq. yds. Rs. 4,000/-

150 Sq. yds. Rs. 3,000/-

Below 150 Sq. yds. Rs. 2,000/-

iii) Addition/Deletion of the name of spouse may be allowed on the following rates:-

Residential Rs. 2,000/-

Commercial Rs. 5,000/-

iv) The processing charges in case of transfer/issue of NOC will be as under:-

Residential plots Rs. 1,000/-

Commercial plots Rs. 2,000/-

v) Not transfer is to be allowed where the conveyance deed has been signed and where there is any construction on the plot.

vi) The above rates of transfer fee will be applicable from the date of decision of this transfer policy i.e. 16.9.97.

vii) Other provisions of the transfer policy already existing will remain unchanged.

INDUSTRIAL PLOTS:

EXTENSION POLICY :

Extension in time for completion of building as per approved plan and installation of machinery, may be allowed only upto 31.12.1998 on payment of extension fee @ Rs. 200/- per Sq. yd. No extension will be granted beyond 31.12.98 and the allottee may be asked to complete the buildings and install machinery by 31.12.98 on payment of extension fee, failing which resumption proceedings will be started.

TRANSFER POLICY :

The transfer of industrial plots may be allowed on payment of charges and fulfilment of conditions as follows:-

- i) Extension fee may be charged as proposed above.
- ii) Transfer fee @ Rs. 100/- per sq. yd. in lumpsum Rs. 15/- per sq. yd. per year from the date of original allotment/last transfer.
- iii) Family transfer may be allowed on payment of Rs. 20,000/-
- iv) The transfer shall only be allowed if the building is completed as per approved plan and machinery installed and conditions of allotment are fulfilled.
- v) Permission to transfer the plots will be subject to the condition that the transferee shall use the plot only for the industrial purposes.
- vi) No transfer fee is payable for transfer in death cases.
- vii) Normally the transfer is allowed till the conveyance deed is not executed. But in view of condition No. 9 of the allotment letter, the allottee shall have to obtain NOC from PUDA before transferring his rights. For obtaining permission to transfer/NOC, the allottee shall have to pay Rs. 2,000/- as processing charges.

A part from above, the following policy guidelines for giving permission to transfer and issuing NOC where the conveyance deed has been executed, may also be adopted:-

- i) Signatures of the transferor(s)/Transferee(s) must be attested by the Bankers. In case of companies, resolution of Board of Directors authorising the signatory for moving the application for NOC/permission to transfer, should be submitted with passport size photograph duly attested by Magistrate, for both the Transferor/Transferee.
- ii) All outstanding dues must be cleared before issue of permission to transfer or NOC.
- iii) Project report of the proposed transferee should be attached and the project should be free from pollution and environmental hazards. The project should not be on the banned list of pollution and Environment Control Board.

EXTENSION POLICY FOR INSTITUTIONAL PLOTS :

The following extension fee rates will be applicable:-

Allotments made before 1995:

Upto 31.12.98 Rs. 50/- per Sq. yd.

Upto 31.12.99 Rs. 100/- per Sq. yd.

Allotments made in 1995 and thereafter :

1st year 4% of allotment price.

2nd year 7% of allotment price.

The allottee will have to complete the 50% construction within one year and 50% during next year and will make the institute operative.

(Issued vide letter no. 4379-90 Dated 9-7-99)

Subject:- AMENDMENT IN THE TRANSFER POLICY OF PLOTS/HOUSES.

Please refer to the subject cited above.

2. Under the policy of transfer of plots dated 29-1-88, issued by the Govt. of Punjab, Department of Housing & Urban Dev. vide Memo No. 3/26/88/2HG1/1178 dated 29-1-88, the permission granted is valid for sixty days from the date of registration of dispatch and shall be revoked after this period. The matter has been examined by the Finance and Accounts Committee in its meeting held on 20-3-97 vide Agenda Item No. 13.05 and it has been decided to modify the present policy as under:-

“Extension beyond the permissible limit of sixty days may be allowed, for two terms of thirty days each on payment of administrative charges @ 5% and 10% of transfer fee for 1st & 2nd extension respectively subject to minimum of Rs. 500/- and Rs. 1000/- for the consecutive terms. The Estate Officer may be empowered to allow this extension (reasons to be recorded in writing by Estate Officer). However, in extremely hard case/ extension beyond this period may be allowed by Estate Officer on payment of 10% incremental increase per month for the subsequent period. This will apply in case of transfer of plots as well as houses.”

(Issued vide Endst. No. PUDA-Policy/AP-1-97/596 Dated 22-05-97)

PUNJAB URBAN PLANNING & DEV. AUTHORITY CHANDIGARH.

To

All Addl Chief Administrator,
PUDA, Ludhiana/Patiala/Jalandhar/Bhatinda/Mohali.
All Estates Officers,
PUDA, Mohali, Ludhiana, Jalandhar, Bhatinda, Amritsar,
Ferozepur, Patiala.
No. PUDA-Policy-02/6141-52
Dated:-20-08-02

Sub:- Policy for condonation delay in respect of residential plots, commercial /Residential plots allotted through auction and institutional sites.

Please refer to the subject cited and this is to inform that under the existing policy guidelines, the initial 15% amount towards the price of the residential/commercial plots is required to be paid within 30 days from the date of issue of allotment letter and in the case of institutional sites within 90 days from the date of issue of letter of intent.

It is felt that in some genuine cases allottees could not make the payment of 15% initial amount within the stipulated period under circumstances beyond their control. Keeping in view the genuine difficulties of the allottees, the matter was placed before the Finance and Account Committee in its 32nd meeting held on 9.8.02 vide agenda item no 32.18 with the proposal that some extra period beyond the stipulated period may be allowed on payment of surcharge. The Finance & Accounts Committee have approved the proposal as under:-

1. Condonation of delay in respect of residential plots:-

Sr.No.	Period of condonation	Officer who can condone the delay	Rate of surcharge leviable on 15% amount
1.	Upto 30 days from the expiry of prescribed period in allotment letter	Estate Officer	1.5% of the amount due.
2.	Upto 60 days From the expiry of prescribed	Addl. Chief Administrator	2% of the amount due

PUNJAB URBAN PLANNING & DEV. AUTHORITY CHANDIGARH

To

All Addl Chief Administrator,
PUDA, Ludhiana/Patiala/Jalandhar/Bhatinda/Mohali.
All Estates Officers,
PUDA, Mohali, Ludhiana, Jalandhar, Bhatinda, Amritsar,
Ferozepur, Patiala.
No. PUDA-A/Cs (Works)-2003/
Dated:-1-10-2003

Sub:- Penalty to be charged for default in payment of instalments or any other fee due, to PUDA.

Please refer to the Administrative Officer(Policy) letter no. PUDA-Policy-02/6155-66 dt. 20.08.2002 on the subject cited.

2. The Authority in its 23rd meeting held on 23.09.2003 has revised the rates of penalty to be charged from the allottees of residential plots, built-up houses and commercial or institutional sites in case of delay in payment of installment (i.e principal and interest) any other fee due. The revised rates of penalty are as under :-

a) If the delay is upto one year = normal applicable rate of interest +3% p.a for the delayed period.

b) If the delay is upto 2 year = normal applicable rate of interest +4% p.a for the delayed period.

c) If the delay is upto 3 year or more = normal applicable rate of interest +5% p.a for the delayed period.

3. The penalty at the above rates shall be charged for the delayed period subject to the condition that the penalty so worked out shall not exceed the amount of installment due/fee due.

4. In case of school sites, where the installment are interest free the rate of penalty would such as applicable for residential plots (i.e the normal applicable rate of interest for allotment of residential plots = 3% ,4% and 5% p.a for delay up to 1 year, 2 years and 3 years or more respectively) on the amount of instalment due/fee due.

5. In case of default in payment of installment by the allottee beyond three years, necessary resumption under section 44 & 45 of the Punjab Regional and Town Planning and Development Act, 1995 shall be initiated.

6. For the sake of clarification, it is informed that the normal applicable rate of interest will be the rate of interest mentioned in the allotment letter of residential plots, built-up houses and commercial or institutional sites, as the case may , at which the instalment are recoverable or as amended from time to time.

7. The above rates of penalty will comes into effect w.e.f. 01.10.2003.

Chief Accounts Officer.

Endst. No.PUDA-A/Cs (W) 2003/11027 Dated:-1/10/03

A copy of above is forwarded to:-

- 1) Additional Chief Administrator(Policy), Punjab Urban Planning and Development Authority, Chandigarh.
- 2) Additional Chief Administrator (Poroject's) Punjab Urban Planning and Development Authority, Chandigarh for information and necessary action.

Chief Accounts Officer

**PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY
PUDA BHAWAN SECTOR 62 SAS NAGAR
(Policy Branch)**

To

All Addl. Chief Administrators,
PUDA.

All Estate Officers,
PUDA.

No. PUDA-Policy-A-1-2006/ 2734-44

Dated 22/12/06.

Sub:- Allotment of land for setting up Milk Booth/Bar- Policy thereof.

The matter with regard to allotment of land for setting up milk booth/bar by Milkfed and Haryana Dairy Development Co-operative Federation Ltd., any other State Government Organisation or any Private Manufacturing Milk Products Company in the various Urban Estate developed by PUDA was discussed in the Finance & Accounts Committee of PUDA in its meeting held on 16-11-2006 vide item No. 52.07 and decided as under:-

1. The land for milk booth/bar shall be allotted on lease-hold basis to the highest bidder.
2. Lease shall be initially for a period of 5 years, which could be renewed on such terms and conditions as may be mutually agreed upon.
3. PUDA shall enter into lease agreement with the Organisations only and not with any lessee/franchise of Organisation.
4. The area of each milk booth to be leased shall be kept between 80-100 sq. ft. excluding the circulation area.
5. The reserved monthly bid amount shall be fixed as under:-

Sr. No.	Name of Urban Estate	Resevered bid amount
1.	a) SAS Nagar, Ludhiana, Jalandhar, Patiala(for residential areas) b) -do- (for commercial areas)	Rs. 1500/- per month. Rs. 2000/- per month.
2.	a) Bathinda, Batala, Phagwara, Kapurthala (for residential areas) b) –do- (for commercial areas)	Rs. 1000/- per month Rs. 1350/- per month

Subject:- Consolidated Reservation Policy for allotment of houses and plots in PUDA. 1.		
2.	Scheduled Castes/Scheduled Tribes	15%
3.	Physically Handicapped/Blinds	3% and 3% for Rehri Market developed by PUDA as per decision taken by the Finance Committee vide Agenda Item No. 33.06 which is issued vide letter No. PUDA/Policy/A3/02/9391-405 dated 27.12.2002
4.	Freedom Fighters	2%
	i) Serving and retired Defence Personnel and Paramilitary Forces including war widows of these categories	4%
	ii) 100% Disabled soldiers of Punjab Domicile	1%
5.	Gallantry award winners from the Defence services and paramilitary forces who have distinguished themselves by acts of bravery and valour in the defence of our Country, both in war and peace time and Punjab Police Personnel awarded with President Police Medals for Gallantry and Police Medals for Gallantry.	Decision taken by the F & A Committee vide agenda item No. 51.27 which is issued vide letter No. PUDA-Policy/2136-49 dated 11.8.06.
6.	Legal heirs of Army/Paramilitary forces/Punjab Police, the Personnel killed in action (war or on law & order duty)	2%
7.	Sports persons who are medal winners of Olympic, Common wealth or Asian Games. Mountaineers who have scaled Mount Everest and possess the requisite	2%

certificate from the
Competent Authority.

8.

Riot Affected and Terrorist
Affected Families

Note: This reservation
shall be applicable to this
category till 31.12.2011.

5%

Decision taken by the F &
A Committee vide agenda
item No. 51.27 which is
issued vide letter No.
PUDA-Policy/2136-49
dated 11.8.06.

PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY MOHALI (POLICY BRANCH)

To

1. Additional Chief Administrator,

PUDA, Patiala, Jalandhar and Bathinda 2. All Estate Officer, PUDA, Patiala, Jalandhar, Bathinda and Amritsar. No.PUDA-Policy-A-1-2008/ 314-320 Dated:3-3-2008

Subject:- Revised policy for granting permission to installation of Communication Towers/Antennae to be installed by Tele-Com Operators in areas falling under the purview of PUDA.

The policy already circulated vide letter No. 684-703 dated 8.3.2005 has been re-considered in the 53rd of Finance & Accounts Committee vide agenda item No. 53.06 and revised policy for granting permission to installation of Communication Towers/antennae to be installed by Telecom Operators in areas falling under the purview of PUDA has been substituted as under:- 1.0 Installation/regularization of Communication Towers/Antennae will be permitted. i) On built up portion of the commercial, industrial & institutional sites. ii) On the open space within the commercial, industrial & institutional sites outside the prescribed setbacks. Area covered by the parking and earmarked for any other amenity will not be permitted for installation of tower. 1.0 No installation of tower shall be permitted on any listed heritage building or for any other building prohibited for any new construction. 2.0. Request to grant permission/regularisation for installation of Communication Tower/Antennae shall be received in the office of concerned Estate Officer in form AT-I alongwith bank draft for Rs. 1,00,000/- (Rs. One lac only) per tower as building application tax. Separate applications will be submitted for each tower. The application shall be accompanied by: i) Consent letter of Property/Building owner. ii) Four sets of Ferro Prints and two prints on tracing cloth/tracing film. iii) A Bank draft of Rs. 1,00,000/- (Rs. One lac only) drawn in favour of concerned Estate Officer.

iv) Structural safety certificate from any one of the following Institutes.

Indian Institute of Technology (IIT), Delhi.
Central Building Research Institute (CBRI), Roorkee.
Rail India Technical and Economic Services Ltd. (RITES), Delhi.
National Council for Building Material, Faridabad.
Indian Institute of Technology (IIT) Roorkee.
Punjab Engineering College Chandigarh.
Thappar Institute of Technology Patiala.
Guru Nanak Engineering college Ludhiana.

Recognised Structural Engineer.

v) An indemnity bond shall be given on a stamp paper of Rs. 100/- duly attested by the competent authority indemnifying PUDA in case of accident or any cause arising due to concerned company's installations in annexure 'A'

(ii) That the applicant shall submit an undertaking on stamp paper of Rs.10/- duly attested by the competent authority to the effect that they shall take special precautions for fire safety and lightening.

(iii) That the applicant shall furnish to assessor (House Tax) and PUDA, copy of the agreement concluded between the cellular or basic telecom operator and the owner of the building. A proof in this regard is to be submitted by the applicant to the Estate Officer concerned.

(iv) Generator sets installed at the tower site to cater to the power requirements of the antennae should conform to the noise and emission norms prescribed by Punjab Pollution Control Board (PPCB) An NOC to this effect is to be submitted from Punjab Pollution Control Board (PPCB).

3.0 In case the tower is shared by any other cellular operator/operators, an additional amount of Rs. 50,000/- (Rs. Fifty thousand only) per sharing shall be payable. 4.0 Each application received in the office of Estate Officer for installation of Communication Tower/Antenna shall be examined in the terms of : i) Suitability of site/building. ii) Structural safety of the building/site where tower is to be installed. iii) Structural safety of tower/antennae. iv) Location and distance from High Tension Electric line, if any. v) Maximum height permitted in the area. vi) Height Restrictions due to air-funnel or due to location of defence installations including restrictions imposed by any statutory authority. 5.0 The licensee shall share the towers for fixing their respective antenna provided that the prescribed conditions are duly fulfilled so as to ensure curtailing of multiple towers and optimizing the use of the existing one. 6.0 In case of any complaint against such tower construction, the same shall be referred to the office of Director General, Cellular Operators Association of India and Secretary General, Association of basic Telecom Service to investigate the complaints and take remedial measures wherever necessary. 7.0 After the case is examined and clearance from Town Planning, Engineering and Architectural Wings are obtained, permission to install towers will be granted on form ST-I subject to following conditions:- i) Height of the tower shall be within the permissible limits. In case the building/site falls in an air-funnel or any other prohibited area, then prior permission of height etc. of such authority shall be obtained. ii) Construction at site shall be in accordance with the structural/construction details submitted with the plan and shall be carried out under the supervision of a qualified structural engineer. iii) Constructed tower shall be of the design and structure, as approved by the authority and shall be erected under the guidance and supervision of a qualified engineer.

iv) Structural safety of the building and tower shall be the responsibility of the telecommunication company. v) Permission granted shall be valid for a period of 1 year which can be renewed further on annual basis on payment of Rs. 50,000/-. vi) No change in the location, plan or design of the tower shall be made without prior approval of the sanctioning authority. vii) Estate Officer or any officer/official duly authorised by him will have the right to inspect the site and structure at all times without any prior notice. viii) Annual periodic report shall be submitted by the operator about the safety of building and the installation. ix) Company shall be liable to pay all taxes, fees, charges etc. which may be levied by any authority from time to time. x) In case of violation of any terms and conditions, permission granted can be withdrawn or cancelled at any time. However, before withdrawing/cancellation of permission, an opportunity, to the operator company shall be provided. xi) The permission granted can also be withdrawn at any time in the public interest. 8.0 In case of refusal, Estate Officer shall communicate the decision on form RT-1, specifying the reasons for such refusal. 9.0 In case any tower of the antenna is erected without a valid permit in the property, the Estate Officer concerned shall issue notice to the land/building owners for getting the structure regularized in form RT-2. 10.0 All applications for installation of Communication tower/antenna shall be disposed off within a period of 2 weeks from their receipt in the office of Estate Officer. 11.0 The above policy shall be applicable with immediate effect. Sd/-

Administrative Officer (Policy) for Chief Administrator. Endst.No.PUDA-Policy-A-1-2008/ 321 Dated: 3.3.2008 A copy of above is forwarded to the Director-cum-Secretary, Department of Information Technology, SCO No. 193-95, Sector 34-A, Chandigarh for information & necessary action. Sd/- **Administrative Officer (Policy) for Chief Administrator.** Endst.No.PUDA-Policy-A-1-2008/ 322-28 Dated: 3.3.2008 A copy of above is forwarded to the following for information and necessary action:- The Spice Communication Pvt. Ltd. The Bharati Mobile Ltd.(Airtel). The HFCL Infotel Ltd. The Reliance Infocom Ltd. The Vodafone. The Tata Tele Services. The BSNL. Sd/- **Administrative Officer (Policy) for Chief Administrator.**

AT-I**Draft for application for erection of Towers/Antennae**

No. Dated: To Estate Officer, PUDA, _____. **Subject:- Application for regularization/erection of the Tower/Antennae.** Sir, I/We have erected/intend to erect a tower/antennae alongwith cabin on property No./roof top of the building No. _____ located at _____. As per procedure laid down in the Building Bye laws, I/we/am/are enclosing the following documents:

1. Consent letter of building owner.

2. Four sets of Ferro Prints and two prints on tracing cloth/tracing film.

3. Structural safety certificate from any one of the following institutions:-

- Indian Institute of Technology (IIT), Delhi.
- Central Building Research Institute (CBRI), Roorkee.
- Rail India Technical and Economic Services Ltd. (RITES), Delhi.
- National Council for Building Material, Faridabad.
- Indian Institute of Technology (IIT) Roorkee.
- Punjab Engineering College Chandigarh.
- Thappar Institute of Technology Patiala.
- Guru Nanak Engineering college Ludhiana.
- Recognised Structural Engineer.

4. That I/we are enclosing a demand draft/call deposit receipt No. amounting to Rs. 1,00,000/-, in favour of Estate Officer, PUDA _____ drawn on _____ Bank as one time permission charges (building application tax) @ Rs. 1,00,000/- per tower and Rs. 50,000/- per tower as annual license renewal fee.

5. In case the tower is shared by any other cellular operator/operators, an additional amount of Rs. 50,000/- (Rs. Fifty thousand only) per sharing shall be payable.

6. That I/we are enclosing an indemnity bond on a stamp paper of Rs. 100/- duly attested by the competent authority indemnifying PUDA to the effect.

A) That I/we shall be solely responsible for any damage to the building and for public safety from the tower erected on property No. _____ situated at _____.

B) That I/we fully understand that in case of buildings, which were/are unauthorized or which may be so declared at a later point of time, permission for installation or towers shall be granted on fulfillment of all the above conditions but shall not imply any change whatsoever on the status of the unauthorized building and shall be without prejudice to the right of PUDA to demolish the said building through the due process of law. In undertaking such demolition PUDA will not be under any obligation to send prior intimation to the owner of the tower, nor will it be liable for loss of the tower as a consequences of demolition of the unauthorized building.

7. That I/we are enclosed an undertaking on stamp paper of Rs. 10/- duly attested by the competent authority to the effect that I/we shall take special precautions for fire safety and lightening.

8. That I/we are enclosing a proof that I/we furnished to Assessor & Estate Officer, a copy of the agreement concluded between me/us and the owner of the building.

9. That I/we shall furnish an NOC from Punjab Pollution Control Board(PPCB) for the generator sets to be installed at the Tower site to cater to the power requirements of the antennae after the same is inspected by PPCB.

You are requested to regularize/to grant permission for erection of tower/antennae
Encl. as above **Applicant**

Form ST-I

PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY

To _____

No. Dated: **Subject:- Permission**

for installation of Communication Tower on plot/site

No._____ **Sector/Phase**_____ **Urban Estate**_____. Sir, With reference to your application dated _____ for installation of Communication Tower on plot/site No. _____ Sector/Phase _____ Urban Estate _____ the permission to install tower is granted subject to the following conditions:-

i. Construction at site shall be in accordance with the structural/construction details submitted with the plan and shall be carried out under the supervision of a qualified structural engineer.

ii. Constructed tower shall be of the design and structure, as approved by the authority and shall be erected under the guidance and supervision of a qualified engineer.

iii. Structural safety of the building and tower shall be responsibility of the telecommunication company.

iv. Permission granted shall be valid for a period of one year which can be further renewed on annual basis on payment of Rs. 50,000/-.

v. Company shall be liable to pay all taxes, fees, charges etc. which may be levied by any authority from time to time.

vi. No change in the location, plan or design of the tower shall be made without prior approval of the sanctioning authority.

vii. Height of the tower shall not exceed _____ feet.

viii. Estate Officer or any officer/official duly authorised by him will have the right to inspect the site and structure at all times without any prior notice.

ix. Annual Periodic report shall be submitted about the safety of building and the installation.

x. In case of violation of any terms and conditions, permission granted can be withdrawn or cancelled at any time. However, before withdrawing/cancellation of the permission, an opportunity to the operator company shall be provided.

xi. The permission granted can also be withdrawn at any time in the public interest.

One set of sanctioned plan is enclosed for further action. **Estate Officer**
PUDA_____

Form RT-1

PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY

To

_____ No. Dated: Subject:- Refusal for installation of Communication Tower on plot/site No. _____ Sector/Phase _____ Urban Estate _____. Sir, With reference to your application dated _____ for installation of Communication Tower on plot/site No. _____ Sector/Phase _____ Urban Estate _____, the permission to install tower is refused due to following reason/reasons:-

(i) Inadequacy of structural safety of the building.

(ii) Inadequacy of structural safety of the tower.

(iii) Location of the tower outside the zoned area/area earmarked for parking and providing amenities.

(iv) Height of the proposed Tower exceed the maximum height permissible in the area.

(v) Presence of H.T. electrical lines in close vicinity.

(vi) Any other reason/s (specify).

ChequeNo. _____ dated _____ drawn on _____ (Name of the Bank) for Rs. 1,00,000/- is enclosed. **Estate Officer PUDA** _____

Form RT-2 Draft of notice for regularization of Towers/Antenna in the Urban Estate of PUDA_____ No. Dated: To Mr/Mrs./Ms/-----

Subject:- Erection of the tower/antennae without a valid permit in property No._____. Your attention is invited on the subject mentioned above. The tower alongwith cabin has been erected in property No._____without the valid approval from PUDA. It has been observed that so far no request has been received for getting the structure regularized. You are hereby given an opportunity to get the structure regularized, failing which PUDA will proceed as per law to get the unauthorized structure removed. The structures shall be regularized on the following terms and conditions. An application shall have to be made to the Estate Officer, PUDA_____ for regularization of the tower/antennae alongwith cabin put up on property No./roof top of the building No._____located at_____. The application should be made alongwith the following documents:-

1. Consent letter of Property/Building owner.
2. Four sets of Ferro Prints and two prints on tracing cloth/tracing film.
3. Structural safety certificate from any one of the following Institutes.
 - a) Indian Institute of Technology (IIT), Delhi.
 - b) Central Building Research Institute (CBRI), Roorkee.
 - c) Rail India Technical and Economic Services Ltd. (RITES), Delhi.
 - d) National Council for Building Material, Faridabad.
 - e) Indian Institute of Technology (IIT) Roorkee.
 - f) Punjab Engineering College Chandigarh.
 - g) Thappar Institute of Technology Patiala.
 - h) Guru Nanak Engineering College Ludhiana.
 - i) Recognised Structural Engineer.
4. A one-time permission charges of Rs. 1, 00,000/- per tower as building application tax and Rs. 50,000/- per tower as annual license renewal fee.
5. In case the tower is shared by any other cellular operator/operators, an additional amount of Rs. 50,000 per sharing shall be payable.
6. An indemnity bond shall be given on a stamp paper of Rs. 100/- duly attested by the competent authority indemnifying PUDA in case of accident or any cause arising due to concerned company's installations.

i) That they shall be solely responsible for any damage to the building and for public safety from the tower erected on property No. _____ situated at _____.

ii) In case of buildings which were unauthorized or which may be so declared at a later point of time, permission for installation of towers on it shall be granted on fulfillment or all the above conditions. However, that shall not imply any change whatsoever in the status of the unauthorized building and shall be without prejudice to the right of PUDA to demolish the said building through the due process of law. In undertaking such a demolition, PUDA will not be under any obligation to send prior intimation to the owner of tower, nor will it be liable for loss of the tower as a consequence of demolition of the unauthorized building. The operators shall indemnify PUDA to this effect.

7. That the applicant shall submit an undertaking on stamp paper of Rs. 10/- duly attested by the competent authority to the effect that they shall take special precautions for fire safety and lightening.

8. That permission shall not be granted for any residential premises or any listed heritage building or for any other building prohibited for any new construction.

9. That the applicant shall furnish to assessor (House Tax) and PUDA, copy of the agreement concluded between the cellular or basic telecom operator and the owner of the building. A proof in this regard is to be submitted by the applicant to the Estate Officer concerned.

10. Generator sets installed at the tower site to cater to the power requirements of the antennae should conform to the noise and emission norms prescribed by Punjab Pollution Control Board (PPCB) An NOC to this effect is to be submitted from Punjab Pollution Control Board (PPCB).

11. The licensee shall share the towers for fixing their respective antennae provided that the prescribed conditions are duly fulfilled so as to ensure curtailing of multiple towers and optimizing the use of the existing one.

12. In case of any complaint against such tower construction, the same shall be referred to the office of Director General, Cellular Operators Association of India and Secretary General, Association of Basic Telecom Service to investigate the complaints and take remedial measures wherever necessary.

You are hereby requested to apply for regularization of the already erected tower and submit the documents as asked for within 15 days, failing which the Estate Officer will have to proceed with the action under various provisions of Punjab Regional & Town Planning & Development Act, 1995 and Bye Laws made thereunder. **Estate Officer PUDA**

INDEMNITY BOND FOR ERECTION OF TOWER AND ALLIED BUILDINGS

This indemnity bond is executed at on this day of (Month) (Year) by Shri/M/s _____ resident of _____ (aged) Years, who is owner of Plot/Site/Building No. Phase/Sector Station (hereinafter called the owner) in favour of Punjab Urban Planning & Development Authority(herein after called the PUDA). Whereas the owner has submitted to the PUDA plans for regularization/sanction of erection of tower & allied buildings over plot/site/building No. _____ under the provisions of the Punjab Regional and Town Planning and Development Act, 1995 and the Rules/Policies made thereunder. And whereas the PUDA has agreed to regularize/sanction the aforesaid construction subject to the condition that the owner shall indemnify the PUDA in the event of any loss or damage caused to the adjoining buildings/properties on account of the construction of the said erection of tower and buildings either at the time of digging of the foundation or in the course of its construction or even thereafter and also against any claim of any concern thereto. And whereas the owner has agreed to execute an indemnity bond to the above effect and also to abide by the terms imposed by PUDA to the grant of sanction of erection of tower/allied buildings.

NOW THIS DEED WITNESSES

1. That in consideration of the sanction of the plans of the owner for regularization/construction of the erection of tower and allied buildings the owner undertake that he/they shall at any times keep the PUDA harmless and free from any liability, loss or damages following from any injury or damage caused to either adjoining properties or to any person as a consequence of the construction of tower and allied buildings at the time of digging of its foundation or during the course of its construction or at anytime thereafter.
2. The owner agrees and undertake that in the event of any claim made by any person or persons against the PUDA either in respect of the sanction granted by the PUDA to the owner for erection of tower and buildings or in respect of the construction or the manner of construction of the erection of tower and building by the owner or the consequences flowing from the said sanction the owner shall be responsible and liable and not the PUDA.
3. The owner agrees and undertakes to indemnify the PUDA fully in respect of any amount which the PUDA may be required to pay to any persons either by way of compensation of damages or on any other account as a result of any claim or suit or any other proceedings concerning the sanctioning of the construction of the erection of tower and building or the making thereof and also in respect of costs and expenses which the PUDA may incur on defending any action.
4. Without prejudice to the above undertaking the owner hereby binds itself to pay to the PUDA to the full extent any amount which the PUDA may be required to pay person in connection with, relating to or concerning the sanctioning of the erection of tower and allied building or the making thereof.
5. That I/we fully understand that in case of buildings, which were/are unauthorized or which may be so declared at a later point of time, permission for installation of towers shall be

granted on fulfillment of all the above conditions but shall not imply any change whatsoever on the status of the unauthorized building and shall be without prejudice to the right of PUDA to demolish the said building through the due process of law. In undertaking such demolition, PUDA will not be under any obligation to send prior intimation to the owner of the tower, nor will it be liable for loss of the tower/allied structure as a consequences of demolition of the unauthorized building.

6. The permission granted is also subject to the terms and conditions of allotment of site/plot/building and in case of violation of any of the terms and conditions of allotment, the permission so granted shall not be in any way restrict PUDA to take action against violation under the provisions of Punjab Regional and Town Planning and Development Act, 1995 and the Rules/Policies made thereunder.

7. The owner further agrees and undertakes that this bond shall remain in full force and effect till the owner faithfully observes and performs the undertaking herein before contained.

In witness whereof the owner above names has signed this bond on this _____ day of _____ at _____. **INDEMNIFIER**

Witness:-

1. . 2. .

PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY
PUDA BHAWAN SECTOR 62 SAS NAGAR
(Policy Branch)

Whereas PUDA (Building) Rules, 1996 (hereinafter called the Rules) were framed under the Punjab Regional and Town Planning and Development Act, 1995 primarily to regulate and promote construction of building on plots/sites allotted under the said Act ;

2. Whereas number of violations of the said Rules have been committed by the allottees of the plots/sites while undertaking the construction on such plots/sites and the Competent Authority under the Act have launched proceedings for resumption of such plots/sites;

3. Whereas numerous representations have been received from such allottees of plots/sites to compound the violations of Rules committed. The Estate Officer of PUDA have also been repeatedly asking for guidelines to deal with such cases of violation of Rules;

4. Whereas it has been observed that there is no such policy in PUDA to deal with cases pertaining to constructions undertaken in the violation of Rules in a consistent and regular manner;

5. Whereas Section 157 of the Punjab Regional & Town Planning Act, 1996 provides for composition of violations of the Rules made under the Act;

6. Whereas it has been felt that an objective, transparent, uniform and rational policy needs to be immediately put in place to ensure uniformity and eliminate subjectivity and discretion on the part of officers dealing with such cases and avoid undue hardship to the allottees to remove constructions raised in the violation of the Rules and in getting the completion certificate for their building;

7. Whereas in order to examine and study the issue in depth, a Committee under the Chairmanship of Additional Chief Administrator (HQ) with, Advisor (Architecture), PUDA Senior Town Planner, PUDA Senior Architect, PUDA, Estate Officer, Mohali, Estate Officer, Ludhiana and Advisor (TP) as members was constituted to suggest a simple, rational and objective policy in this regard;

8. Whereas the Committee considered in detail the different sets of violations of Rules committed, studied threadbare the implications of such violations in terms of living conditions, quality of space, air light and ventilation. The Committee also studied in detail the pattern followed in the State of Haryana and Union Territory, Chandigarh. The Committee made detailed recommendation regarding the offences to be compounded, the extent of compounding and the charges to be levied for such compounding;

9. Whereas after careful consideration of the matter and the recommendations made by the Committee, the larger public interest and the need to frame a rational, transparent, and objective policy, I Suresh Kumar, Chief Administrator, Punjab Urban Planning and Authority, in exercise of power conferred under proviso to Section 157 of the Punjab Regional and Town Planning Act, 1995, hereby prescribe rates of compensation for compounding of the violations of PUDA (Building) Rules 1996 as provided in the Schedule attached to this order instead of demolition or alteration of such buildings. However, in the case of non-compoundable violations, the building shall have to be altered as per Rules.

Sd/-

DATED: 6.11.2003 SURESH KUMAR
CHANDIGARH CHIEF ADMINISTRATOR

Endst. No. PUDA (Policy)-2003/7486-7505 Dated : 6-11-03

Copy of the above orders along with the Schedule is forwarded to the following for information and further necessary action:

1. All Additional Chief Administrator's of PUDA
2. Chief Town Planner, Punjab, Chandigarh.
3. All Estate Office.
4. Senior Architect.
5. Senior Town Planner
6. Advisor (TP), PUDA

Sd/-

Administrative Officer(Policy).

SCHEDULE REGARDING COMPOSITION FEE/CHARGES FOR COMPOUNDING VIOLATIONS OF PUDA (BUILDING)	NATURE OF VIOLATION	RATES OF COMPOSITION FEE/CHARGES
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RULES,1996. Sr.No.

1.

BUILDING PLAN

(A) Construction raised without getting the building plans approved from the Competent Authority but construction conforming to building bye-laws.
(a) Residential Buildings.

(a) @ Rs 10 (Ten) per sq. feet of covered area including area under basement.

(b) Commercial Buildings.

(b) @Rs 20 (Twenty) per sq. feet of covered area including area under basement.

(c) Institutional Buildings

(c) @Rs 20 (Twenty) per sq. feet of covered area including area under basement.

(d) Industrial Buildings

(d) @Rs 20 (Twenty) per sq. feet of covered area including area under basement.

(B) Raising of construction after making major changes in approved plan without getting the revised/superseded plan sanctioned.

Also includes charges otherwise levied for sanction of building plans.*

(a) Residential Buildings

(a) @ Rs. 5 (Five) per sq.feet of covered area including area under basement.*

(b) Commercial Buildings

(b) @Rs. 10 (Ten) Per Sq. feet of covered area under basement.*

(c) Institutional Buildings

(c) @Rs. 10 (Ten) Per Sq. feet of covered area under basement.*

(d) Industrial Buildings

(d) @Rs. 10 (Ten) Per Sq. feet of covered area under basement.*

(C) Variation in Internal Planning with minor changes.

*Also Includes charges otherwise levied for sanction of revised building plan.

(C) Rs. 1000/- per floor.

**PUNJAB URBAN PLANNING AND DEV.AUTHORITY
SHAIBZADA AJIT SINGH NAGAR**

To

All. Addl. Chief Administrator,

PUDA,

All Estate Officer,

PUDA,

Chief Engineer,

PUDA,

All Superintending Engineer,

PUDA,

Chief Accounts Officer,

PUDA,

Chief Town Planner,

PUDA, Chandigarh.

Senior Town Planner,

PUDA, Mohali.

No.PUDA-Policy-UE-2/03/7867-7890

Dated:-4.12.2003

SUB: Policy regarding Conversion of Trade of Commercial sites falling in Urban Estates of Punjab.

PUDA has been following a policy of disposal of commercial sites by way of auction based on the trades specified for each site. However, It has been observed that once the sites are sold, large scale conversions in carrying out of trade/business takes place on account of the prevailing market forces.

2.0 The issue regarding permitting conversion of trade of commercial sites has been engaging the attention of the Punjab Urban Planning & Development Authority for a considerable time and a number of representations have been received in this regard.

3.0 The Finance & Accounts Committee of PUDA in its 39th meeting held on 22.10.03 considered the issue vide agenda item no. 39.03. After considering various issue involved, hardships caused and difficulties encountered by the allottees and necessity for providing flexibility and freedom to carry on trade, allowing market forces to operate freely and realizing full potential of commercial sites, the Committee has decided to permit change of trade subject to the following conditions:

(a) Commercial activities shall henceforth be divided into three categories, namely, General Trades, Special Trades and Prohibited Trades. Details of these are given in statement attached as Annexure-A.

(b) Change of trade would only be permitted to sites sold under categories of Special Trade to the General Trade on payment of such charges as specified in para-4.

(c) No change of trade shall be permitted in case of sites sold under general trade to special trade and Prohibited trade.

(d) In case of shops, which are multi-storeyed and are sold as shop-cum-flats or shop-cum-office or shop-cum-office-cum-flats, the conversion of upper floors from residential to

office/shop or from office to shops would also be permitted on the payment of conversion charges. However, use of upper floors will be related to the trade permitted at ground floor subject to conditions (b) & (c) above.

(e) Architectural controls pertaining to external façade/ compulsory verandah/corridor/passage shall not be permitted to be altered in case of change of trade. However, the internal changes required from functional point shall be permitted subject to the provision of building bye-laws/zoning plans, architectural controls with prior approval of the competent authority. Revised plans should take due care for structural safety and fire hazards of structures. Further no additional coverage shall be permitted and FIR shall remain unchanged.

(f) Conversion charges shall be levied on the basis of covered area including the area under the verandah/public passage/stair-case except the area of basement, if any.

(g) Change of trade shall be permitted on making an application in the prescribed form to Estate Officer concerned alongwith prescribed charges and subject to the prior approval of the Estate Officer.

(h) Change of trade will not permit any sub-division or amalgamation of commercial properties. However, amalgamation of two commercial properties shall be permitted subject to the condition that both sites have the same trade and are under same ownership with prior approval of the Estate Officer with prior approval of the Estate Officer as per existing policy for amalgamation of sites in urban estates.

4.0 Conversion charges

The rates to be charged for conversion of trade are linked to the potential of the city where the site is located. For this purpose the state has been divided into two distinct zones i.e. High Potential Zone and Low Potential Zone. Cities of Ludhiana, Jalandhar, SAS Nagar and Amritsar comprise the High Potential zone whereas remaining towns and cities are treated as part of the Low Potential zone for the purpose of levying the conversion charges. The conversion rates to be charged for change of trade shall be as follows:

(a) Rs. 100/- (Rs. One hundred only) per square feet for conversion of trade on ground floor for sites falling in the High Potential zone and Rs. 75/- (Rs. Seventy five only) per sq.feet for sites falling in the Low Potential Zone.

(b) Rs. 50/- (Rupees fifty only) per square feet for conversion of trade on upper floor premises for sites falling in the High Potential Zone and Rs. 35/- (Rs. Thirty five only) per sq.feet for sites falling in the Low Potential Zone.

(c) Conversion charges at the above rates shall be calculated for the entire built up area/area permitted under each use to be built on the said plot except the area under basement irrespective of the fact that building has been fully/partially constructed.

(d) Payment may be made in lumpsum or in 4 equated six monthly installments. In case payment is made in lumpsum within sixty days of permission then a rebate of 5% may be given. In case payment is made in installments then interest @ 12% per annum shall be charged. For delayed payment additional penal interest as per approved policy should be charged.

(e) Change of trade in case of rehries shall also be allowed by levying conversion charges of Rs. 75/- (Rs. Seventy five only) per sq.feet for sites falling in the High Potential Zone and Rs. 55/- (Rs. Fifty five only) per sq.feet for sites falling in Low Potential Zone as defined in this para above, based on the area allotted to each rehri

subject to payment schedule mentioned at (d) above. However, no Prohibited Trade i.e. trade involving fire hazard or public safety shall be allowed.

5.0 The above policy should be brought to the notice of all concerned and wide publicity should be given.

6.0 The above policy shall be applicable with immediate effect.

DA/ As above.

Administrative Officer (Policy)

For Chief Administrator.

Annexure 'A'**(New Commercial Trades)**

(I) GENERAL TRADE shall mean trade involving display/retail/sale of general merchandise and shall include any trade listed below or any other trade which may be added subsequently:

(a) DISPLAY/ SALE OF:

1. Aerated water, non-alcoholic beverages, alcoholic beverages, wine, liquor
2. Artwares
3. Bakery products and confectionery goods.
4. Books & Stationery
5. Computer software, hardware, I.T. enabled services.
6. Crockery and utensils
7. Domestic appliances and gadgets, sewing machines.
8. Electrical and electronic goods and equipments.
9. Furniture
10. Automobiles & automobile spare parts.
11. Hosiery goods and readymade garments, fabric & textile.
12. Ornaments and Jewelry.
13. Pan, biri, Cigarettes & Tobacco
14. Photo and Mirror frame
15. Photographic goods
16. Packed Poultry, fish & meat products.
17. General Provisions including toiletries
18. Sports goods/ Musical instruments.
19. Suit cases/ Boxes.
20. Seeds, flowers, plants.
21. Shoes and leather goods.
22. Audio-visuals
23. Dairy products
24. Medicine, surgical and hospital equipment

(b) PROFESSIONALS:

1. Architects
2. Barbers, beauticians
3. Doctors
4. Photographers.

5. Opticians
6. Pen repairs
7. Tailors
8. Watch makers/ repairers
9. Travel Agents, Tour operators.
10. Computer based networking services, cyber-café
11. Financial consultants & share brokers
12. Legal advisors
13. Property dealers
14. Medical laboratories & diagnostic centres
15. Coaching centres
16. Entertainment centres including video game parlours
17. Fitness centres, Health centres.
18. Banks and Financial service
19. Telecom/ Mobile services.

Miscellaneous

(1) Restaurants

(2) Lodging Houses, Guest houses, hotels

2 SPECIAL TRADE shall mean trade involving manufacturing/ repairing/ servicing/ processing and display/ sale of goods so manufactured/ repaired/ serviced/ processed and shall include any trade listed below or any other trade added subsequently:

1. Aerated water.
2. Artificial teeth.
3. Artwares
4. Bamboo and cane products.
5. Baan, Cane and rope.
6. Card Board and paper products.
7. Cotton and silk cardigans
8. Dolls
9. Educational and Drawing instruments.
10. Shoes and leather goods garments.
11. Furniture
12. Gold and Silver foil zari work.
13. Hats,Caps, Turbans including embroidery
14. Hosiery including knitted garments embroidery

15. Ink
16. Jewelry/ ornaments
17. Ice, Ice-cream & cream
18. Steel/ Iron household goods
19. Lacquer work and bangles
20. Musical instruments
21. Photo and Mirror frames.
22. Photographic goods
23. Radio assembly
24. Small domestic appliances and gadgets
25. Steel wire products
26. Suit Case and Boxes
27. Sports goods.

(a) **PROCESSING:**

1. Book binding and embossing.
2. Cycle repair
3. Fruit preservation
4. Handloom
5. Oil expeller
6. Metal Polishing
7. Optical lense grinding
8. Painting including signboard painting
9. Stove repair.
10. Tin repairing.

(b) **PROFESSIONS:**

1. Bharhbunja
2. Iron Mongers
3. Laundry and Dry cleaning
4. Lock-smith
5. Atta Chakki
6. Rui Penja
7. Scooter/Car repair
8. Tents, Utensils, Here surface
9. Meat & Fish products

10. Halwai Shops &

11. Kabari

Miscellaneous

1. Bakery

2. Building Material

3. Coal Depot

4. Excise vends

5. Crains (wholesale)

6. Iron and steel Merchant

7. Automobile services

8. Printing press, Photo copy & reprographies

9. Timber

10. Transport sites

11. Fruits & Vegetables

(3) **PROHIBITED TRADE** shall mean the trade listed below or any other trade which may be added subsequently involving public nuisance, risk and hazard to health, safety, property, life and liberty of the individual, community, area etc, and includes trades involving:

(i) Explosives

(ii) Chemicals of hazardous nature

(iii) Highly inflammable materials

(iv) Slaughtering of animals/birds

(v) Storage, processing of Skins & hides

(vi) Petroleum and petroleum products including LPG

**PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY, CHANDIGARH
(P&C BRANCH)**

To,

The Addl. Chief Administrator,
Punjab Urban Planning & dev. Authority,
Mohali/ Ludhiana/ Patiala.

The Estate Officer,
Punjab Urban Planning & Dev. Authority,
Mohali/ Ludhiana/ Jalandhar/ Amritsar/ Ferozepur/ Bathinda and Patiala.
No. PUDA-P&C-97/185-194
Dated: 15-1-98

Subject: Grant of extension in construction period- revision of rates of extension fee
w.e.f. 1.1.98.

	Residential plot	Commercial plot
The rates of extension fee in respect of residential and commercial plots are hereby revised w.e.f. 1.1.98 as under:- Period of extension		
1st year		No extension fee is applicable for the first three years as three years time is given for construction in the allotment letter.
2nd year		
3rd year		
4th year	2 % of the prevailing rate	2% of auction price
5th year	2 % of the prevailing rate	2% of auction price
6th year	2.5 % of the prevailing rate	2.5 % of auction price
7th year	2.5 % of the prevailing rate	2.5 % of auction price
8th year	2.5 % of the prevailing rate	2.5 % of auction price
9th year	3 % of the prevailing rate	3 % of auction price
10th year	3 % of the prevailing rate	3 % of auction price

REVISED POLICY ON LANDSCAPING OF ROAD BERMS IN FRONT AND SIDES OF PLOTS IN URBAN ESTATES OF PUNJAB.

1) Landscaping of road berms of V1, V2 & V3 roads will be permitted to be undertaken by reputed Institutions/ Corporate houses/ Commercial establishments and Registered Resident Welfare Associations having necessary capability and resources to undertake such projects subject to the approval of the detailed landscaping scheme. However, individuals shall not be permitted to undertake the landscaping of such portions of road berms.

2) Individuals and Institutional plot owners/occupiers shall be permitted to undertake landscaping of road berms in front and or side of their premises on all internal roads of urban estates i.e. V4, V5 & V6 subject to the following conditions: -

- i) The portion of the road berm that can be used for landscaping shall be restricted to the entire available depth of road berm subject to leaving a minimum of 5 feet adjoining all internal metalled roads except shopping street (V4) where a minimum distance of 8 feet would be left from the metalled portion. However, a plot owner/occupier may plant green grass only in minimum depth of 5 feet (or 8 feet in case of V4) mentioned above. However, where footpaths have already been provided by PUDA or Municipal Council, then the area permitted for landscaping shall be limited to the portion excluding the area under footpath.
- ii) In case of V6 internal roads where the width of available road berm is less than 5 feet then entire berm area shall be permitted for planting grass only and no plants, trees, shrubs or fencing shall be permitted in this portion of the road berm. The owner/ occupier will be permitted to pave the footpath with standard design and colour of slabs.
- iii) The area of road berms permitted for landscaping shall be used for planting grass, ornamental shrubs, cactus, seasonal flowers and ornamental trees only.
- iv) Landscaping only at the level of road berms shall be permitted and no raising, lowering of berms shall be allowed. No toe walls shall be permitted. However, fencing of standardized colour and design approved by PUDA (Annexure -II) up to a height of 2 feet-3 inches(Two feet three inches) to enclose the landscaped area with appropriate supports shall be permitted within the landscaped area.
- v) No landscaping of road berms shall be allowed unless front and side boundary wall of plot is constructed.
- vi) The area to be maintained shall be kept in a good sanitary condition maintaining the level of kerb/ footpath.
- vii) The area to be permitted shall be open at all times to the inspection by PUDA or any other agency authorized to do so.
- viii) Plot owner shall have no right or interest or title in the land allowed to be landscaped, which will continue to vest with PUDA. The permission is totally conditional and revocable.
- ix) The plot owner shall not cause any hindrance or damage to the services laid underneath the road berms. In case of any damage to such services, owner shall be liable to compensate to the extent of damage thus caused.
- x) Plot owner shall permit maintenance or repair of the services to be carried out and shall not claim any compensation for the damage caused in the normal course of undertaking repair of such services.
- xi) In case of violation of any conditions governing the landscaping of the road berms, a 15 day notice will be given to the owner/occupier to remove the violation voluntarily. If the violation remains after the expiry of the 15 day notice period, then a penalty @ Rs.25/- (Rs.Twenty Five) per square foot of the violated area shall be charged on the 16th day. Thereafter, a fine @ Rs.5/- per sq.ft., shall be charged for each day of continued violation. If the violation is not removed by the owner/occupier within 30 days of issue of the notice, then

the same shall be removed by the concerned authority at the risk and cost of the owner/occupier without further notice and the cost thus incurred would be recovered from the concerned plot owner/occupier alongwith the penalty.

xii) Landscaping of any portion of road berms including Cul-de-sacs (deadend roads) within the sectors/areas not covered under the policy shall be permitted to be undertaken by organizations/ persons on the merits and case to case basis within the above policy framework by the concerned Additional Chief Administrator.

xiii) No hedges, trees or shrubs shall be planted in the "vision splay" areas at the road junctions for vehicular and pedestrian safety reasons. Only grass and flowers/ornamental hedges of less than 12 inches height shall be permitted in the "vision splay" areas. The dimensions of the standardized "vision splay" areas are given in Annexure - I.

xiv) Slanting of kerb stone for facilitating vehicular parking shall be allowed on case to case basis for which owner shall take permission from the Concerned Authority and the entire expenditure on this account shall be borne by the owner.

(3) Incidental open spaces not exceeding 30 feet in width adjoining corner plots shall be allowed to be landscaped within the above policy framework by individuals till such time these spaces are required for meeting the parking and other needs of the area and community subject to the condition that provision relating to "vision splays" indicated in sub-para (xiii) above shall be strictly adhered to. No damages or compensation will be paid when such spaces are required in the future for development/use by the community. In the event of incidental open spaces adjoining corner plots being used for parking and other needs of the community then a minimum of 5 feet wide strip adjoining the plot shall be left and shall be allowed to be fenced upto a height of 2 feet 3 inches for landscaping purposes to preserve the privacy of the corner plot owners and for carrying out maintenance works.

- Notification of this policy by PUDA will be deemed to be the notice for removal of violations (of this policy) within 3 months from the date of publication of this policy as approved by the Hon'ble High Court on 8-4-05 in CWP No. 8783 of 2000 in the local news papers etc. On expiry of 3 months, the violations shall be removed at the risk and cost of owner/occupier of the premises as per subpara 2 (xi) above.