

ਪੰਜਾਬ ਸਰਕਾਰ
ਮਕਾਨ ਉਸਾਰੀ ਤੇ ਸ਼ਹਿਰੀ ਵਿਕਾਸ ਵਿਭਾਗ
(ਮਕਾਨ ਉਸਾਰੀ - 2 ਸ਼ਾਖਾ)

ਸੇਵਾ ਵਿਖੇ

1. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਪੁੱਡਾ।
2. ਡਾਇਰੈਕਟਰ, ਨਗਰ ਤੇ ਗਰਾਮ ਯੋਜਨਾਬੰਦੀ ਵਿਭਾਗ, ਪੰਜਾਬ
3. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਗਮਾਡਾ।
4. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਗਲਾਡਾ।
5. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਜੇ.ਡੀ.ਏ., ਜਲੰਧਰ।
6. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਪੀ.ਡੀ.ਏ., ਪਟਿਆਲਾ।
7. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਏ.ਡੀ.ਏ. ਅੰਮ੍ਰਿਤਸਰ।
8. ਮੁੱਖ ਪ੍ਰਸ਼ਾਸਕ, ਬੀ.ਡੀ.ਏ. ਬਠਿੰਡਾ।
9. ਮੁੱਖ ਨਗਰ ਯੋਜਨਾਕਾਰ, ਪੰਜਾਬ।
10. ਮੁੱਖ ਨਗਰ ਯੋਜਨਾਕਾਰ, ਪੁੱਡਾ।

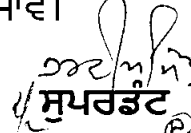
ਮੀਮੇ ਨੰ: 17/04/21-5ਮਉ2/1590-99

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ: 28/12/21

ਵਿਸ਼ਾ: To introduce a rule u/s 38(2) prescribing conditions and restrictions for compounding of offence under The Punjab Apartment and Property Regulation Act, 1995.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿਚ।

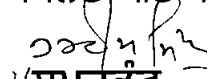
2. ਵਿਸ਼ੇ ਅੰਕਿਤ ਮਾਮਲੇ ਦੇ ਸਬੰਧ ਵਿਚ ਆਪ ਨੂੰ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ: GSR 167/PA14/1995/Ss.38 and 45/Amd./2021 ਮਿਤੀ 13-12-2021 ਦੀ ਕਾਪੀ ਜਾਣਕਾਰੀ/ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ/ਵੈਬ ਪੋਰਟਲ ਤੇ ਅਪਲੋਡ ਕਰਨ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ। ਇਹ ਵੀ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਜੇਕਰ ਇਸ ਮਾਮਲੇ ਦੇ ਸਬੰਧ ਵਿਚ ਕੋਈ ਇਤਰਾਜ਼ ਆਪ ਦੇ ਦਫਤਰ ਪਾਸ ਪ੍ਰਾਪਤ ਹੁੰਦੇ ਹਨ ਤਾਂ ਉਸ ਤੋਂ ਸਰਕਾਰ ਨੂੰ ਜਾਣੂ ਕਰਵਾਇਆ ਜਾਵੇ।


ਸੁਪਰਡੰਟ

ਪਿੱਠ ਅੰਕਣ ਨੰ: 17/04/21-5ਮਉ2/1600

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ: 28/12/21

ਉਤਾਰਾ ਜਨਰਲ ਮੈਨੇਜਰ (ਆਈ.ਟੀ) ਪੁੱਡਾ ਨੂੰ ਭੇਜਦੇ ਹੋਏ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੂੰ ਵਿਭਾਗ ਦੇ ਵੈਬ ਪੋਰਟਲ/ਵੈਬਸਾਈਟ ਤੇ ਅਪਲੋਡ ਕੀਤਾ ਜਾਵੇ।


ਸੁਪਰਡੰਟ

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HOUSING -2 BRANCH)

NOTIFICATION

The 13th December, 2021

No. G.S.R. 167/P.A.14/1995/Ss. 38 and 45/Amd./2021.-The following draft of rules, further to amend the Punjab Apartment and Property Regulation Rules, 1995, which the Governor of Punjab proposes to make in exercise of the powers conferred by section 45 read with sub section (2) of section 38 of the Punjab Apartment and Property Regulation Act, 1995 (Punjab Act No 14 of 1995) and all other powers enabling him in this behalf, is published as required by sub-section (1) of the said section 45, for the information of the persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration by the Government or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette, together with any objection or suggestion, which may be received by the Principal Secretary to Government of Punjab, Department of Housing and Urban Development, Chandigarh, from any person before the expiry of the period so specified with respect to the said draft, namely:-

DRAFT RULES

1. (1) These rules may be called the Punjab Apartment and Property Regulation (Amendment) Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in Official Gazette.

2. In the Punjab Apartment and Property Regulation Rules, 1995 (herein after referred to as a said rules), for rule 31, the following rule, shall be substituted, namely:-

"31 Compounding of offences.- (1) Notwithstanding anything contained in these rules, the competent authority on an application, made by the promoter in Form APR-V-A, may either before or after the institution of the proceedings for prosecution, compound an offence of developing an unauthorized colony.

(AGHN 26, 1943 SAKA)

(2) On receipt of an application under sub-rule (1), the competent authority may, if it deems proper, compound the said offence on the fulfillment of following conditions and restrictions by the promoter, namely: -

- (a) the colony should fulfill all the provisions and norms required for grant of license at the time of application and the promoter shall obtain a license in accordance with provisions of the Act and the rules made thereunder;
- (b) the promoter along with his application shall submit, proof of ownership of land falling under the unauthorized colony as specified under the Act;
- (c) the unauthorized colony should be in conformity with the provisions of Master Plan notified for the area and other controls;
- (d) the constructions, existing on the site of unauthorized colony, should conform to the Punjab Urban Planning and Development Building Rules, 2021 or Building Bylaws of the Department of Local Government, whichever applicable;
- (e) at the time of passing of compounding order, if permission for change of land use (CLU) of land falling under the unauthorized colony, has not been obtained by the promoter, the same shall be deemed to be issued provided double the amount of change of land use charges prevalent at that time is paid by the promoter, in the Government Treasury;
- (f) the promoter shall deposit the compounding fee which shall include prevailing External Development Charges (EDC), License Fee (LF), Social Infrastructure Fund (SIF) and Urban Development Fund (UDF) along with following additional fees, namely:-

Sr. No.	Colony	Percentage of total EDC, LF, SIF, UDF
1.	Industrial Colony	Ten percent
2.	Residential Colony	Twenty percent
3.	Commercial Colony	Thirty percent

The aforementioned compounding fee shall be payable in accordance with rule 32;

- (g) the promoter shall pay compounding fee in respect of compoundable violations in buildings existing in unauthorized colony as per

(AGHN 26, 1943 SAKA)

compounding policy of that Concerned Development Authority, prevalent at the relevant time. However, non-compoundable violations in the existing buildings, shall be removed or demolished by the promoter before compounding orders passed by the competent authority;

- (h) before passing of compounding orders by the competent authority, layout plan of colony shall be technically approved from the prescribed authority according to planning norms and the promoter shall be bound to develop the colony according to approved layout plan;
- (i) after an offence of the promoter has been compounded by the competent authority, if the said promoter repeats a breach of the provisions of the Act, then ten percent additional compounding fee shall be charged from him for every violation, when such an offence is committed under the Act; and
- (j) compounding of offence and regularization of unauthorized colony shall not be considered by the competent authority, if such colony falls,-
 - (i) within the distance of sixteen kilometers from the outer boundary of the Union Territory of Chandigarh;
 - (ii) within such restricted area, where any development is prohibited under any Central or State Act; and
 - (iii) within such area, which is an encroachment over the public land."

3. In the said rules, in rule 32, the words, brackets and figures "sub-rule (3) or sub-rule (4) of " shall be omitted.

SARVJIT SINGH,

Principal Secretary to Government of Punjab,
Department of Housing and Urban Development.