GOVERNMENT OF PUNJAB
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(HOUSING –BRANCH)

1. Chief Administrator,
Punjab Urban Planning & Development Authority (PUDA).
PUDA Bhawan,
S.A.S Nagar.

2. Competent Authority ,
Punjab Apartment and Property Regulation Act (PAPRA),
PUDA Bhawan,
S.A.S Nagar.

2. Chief Town Planner, Punjab,
Chandigarh.

NO. 9/83/04-5HG II / 14226-228
Dated, Chandigarh, the 17th December , 2004

Subject : Policy decision regarding granting of licences to develop colonies under the Punjab Apartment and Property Regulation Act, 1995 vis-à-vis the schemes of the Improvement Trusts.

The question of issue of licences to promoters by the Competent Authority, under the Punjab Apartment and Property Regulation Act, 1995, in respect of land where the schemes of Improvement Trusts are being planned or being executed, has been engaging the attention of State Government for a considerable time.

2. It has been noted that in many cases after the promoters have applied to the Competent Authority for grant of licence to develop a colony, under the Punjab Apartment and Property Regulation Act, 1995, the land is subsequently notified by the Improvement Trusts under section 36 of the Punjab Town Improvement Act, 1922. IN same cases, Improvement Trust issues such notifications after a lapse of many months from the filling of such applications by the promoters, with the Competent Authority.

3. A question has been frequently raised as to what policy stance should the Competent Authority under Punjab Apartment and Property Regulation Act. 1995 take in these cases especially considering that the Punjab Apartment and Property Regulation Act, 1995, has over-riding effect over all the other laws including the Punjab Town Improvement Act, 1922, by virtue of section 43 of Punjab Apartment Property Regulation Act, 1995.

4. It is now clarified that as a general policy, the Competent Authority Punjab Apartment and Property Regulation Act (PAPRA) shall be entitled to issue licences against the applications received from the promoters in such cases, provided the land in question has been notified by the Improvement Trust concerned, under section 36 of the Punjab Town Improvement Act, 1922, subsequent to the date of submission such applications. Further the land in question shall be exempted from compulsory land acquisition by Improvement Trust /State Government , even if the Trust scheme is finally sanctioned under section 42 of the Punjab Town Improvement Act, 1922.

5. This policy decision issues with the approval of the Chief Minister, Punjab.

6. It is requested that this policy decision may be communicated to all concerned for information and compliance.

Joint Secretary Housing and Urban Development

Endst. NO. 9/83/04-5HGII/14229-231 Dated 17/12/04

A copy is forwarded to the following for information :-

1. Chief Secretary, Punjab
2. Principal Secretary to Government of Punjab , Department of Finance.
3. Principal Secretary to Government of Punjab , Department of Local Government.

Joint Secretary Housing and Urban Development

Endst. NO. 9/83/04-5HGII/14232-233 Dated 17/12/04

A copy is forwarded to the following for information :-

1. Principal Secretary to Chief Minister, Punjab.
2. Secretary / Housing Urban Development Minister , Punjab.

Joint Secretary Housing and Urban Development