GREATER MOHALI AREA DEVELOPMENT AUTHORITY PUDA BHAWAN,SECTOR 62,S.A.S.NAGAR.

OFFICE ORDER

1. Whereas number of violation of the PUDA (Building) Rules 1996 have been committed by the allottees of the plots/sites/houses while undertaking the construction of such plots/sites/houses and the competent authority under the Act have launched proceedings for resumption of such plots/sites/houses.

2. Whereas PUDA framed compounding policy for compounding violations of PUDA(Building)Rules,1996 vide order dated 6.11.2003, and another policy called Need Based Changes in the dwelling units constructed by PHDB/PUDA and plots in the Urban Estates was framed and circulated vide endst.No.PUDA-Policy-A-1-2005/3775-3875 dt.5.12.2005. Further GMADA framed such policy for plots/Houses falling under the jurisdiction of GMADA vide order dated 31.8.2010 issued bearing endst.no.GMADA-Arch-2010/11393 dt. 7.9.2010.

3. Whereas on the representations received from the Resident Welfare Associations of the allottees of MIG(S) and LIG House, after consideration of the matter and recommendations made by Need Based Changes Committee of GMADA , and keeping in view the larger public interest, some facilities/relaxations regarding compounding of un-authorized structures, were granted to the allottees of MIG(s) and LIG Houses in exercise of powers conferred under the provisions of Section 157 of the Punjab Regional and Town Planning & Development Act,1995 vide office order dated 28-7-2011 issued vide Endst. No. GMADA/Arch/2011/9004-9032 dt. 28-7-2011.

4. Whereas during hearing of CWP 7714 of 2012 (Brij Lal Sharma Vs. State of Punjab & Others) before the Hon'ble Punjab and Haryana High Court, some technical anomalies came to the notice, which had arisen due to the said relaxations and it was desired by the Hon'ble High Court to reconsider the matter afresh. Accordingly, after detailed discussion by a committee of officers on 30-10-2012 , it was felt that the relaxations related with the compounding of violations, provided to the allottees of MIG(S) houses, Phase-XI issued vide endst. No. GMADA-Arch-2011/9004-9032 dated

28-7-2011 be withdrawn. Accordingly, vide office order dated 21-11-2012, the relaxations provided to the allottees of MIG(S) houses situated in Phase-11, SAS Nagar were withdrawn with immediate effect. Consequently, the said writ petition was disposed of by Hon'ble High Court vide order dated 03-12-2012.

5. And whereas again a number of representations were received from the Resident Welfare Associations of the allottees of MIG(S) for not considering their demands regarding additions/alterations in their houses. Which had been made in terms of living conditions of the residents in the policies referred above and whereas representation has also been received from the association of allottees of Bulk Material Market of sector -65, SAS Nagar for allowing basic provisions of coverage area i.e. FAR, height and basement to commercial sites at par with other commercial sites of SAS Nagar. Therefore, after consideration of the entire matter and recommendations made by the Need Based Changes Committee, and keeping in view the larger public interest compounding of unauthorized structure were granted to the allottees of MIG(S) and Bulk Material Market and in exercise of powers conferred under the provisions of Section 157 of the Punjab Regional and Town Planning & Development Act,1995, vide office order dated 23-11-2015 issued vide Endst. No. GMADA-Arch-2015/466-475 Dated 23-11-2015.

6. Whereas numerous representations have been received from the Resident Welfare Associations of allottees of the EWS & LIG categories of Houses/flats for allowing need based changes regarding additions/alterations in the dwelling units . With the passage of time the accommodation needs of allottees have multiplied due to growth in family size and improvement in general prosperity & standard of living. Moreover the sky-rocketing land prices in urban areas have made the developed land beyond the reach of lower and middle class of society.

7. Whereas section 54 of the Punjab Urban Planning and Development Authority (Building) Rules 2013 provides that the competent authority may relax any the provisions of these Building Rules 2013 for reasons to be recorded in writing in respect of any class or a category of cases.

8. Whereas the committee already constituted under the chairmanship of Additional Chief Administrator, GMADA has re-examined the issue threadbare from different angles raised by the Resident Welfare Associations pertaining to the policy on need based changes and compounding policy and keeping in view the nature of violations, quality of space, air, light and ventilation, made detailed recommendations for compounding the construction raised in violation of rules in the built up EWS and LIG categories of houses/flats.

9. Whereas after consideration of the matter and recommendations made by the Committee, and keeping in view the larger public interest, and in exercise of powers conferred under proviso to Section 157 of the Punjab Regional and Town Planning and Development Act, 1995, the rates of compounding fee and terms and conditions for compounding of the violations of the Punjab Urban Planning & Development Authority(Building)Rules 2013 are hereby determined as mentioned in the Schedule attached to this order for EWS and LIG categories of houses/flats in SAS Nagar instead of demolition of such construction raised in violation of the building rules. However, in the case of non-compounding violations action shall be taken in accordance with law.

Dated: 4/7

Chief Administrator,
GMADA,SAS Nagar.

SCHEDULE

SCHEDULE REGARDING COMPOSITION FEE/CHARGES FOR COMPOUNDING VIOLATIONS OF PUDA (BUILDING) RULES, 2013.

Sr. No.	Dwelling Units (flats) constructed by PHDB/PUDA	Compoundable Need Based Changes
1	i) HE flats (G+2),three owners at Sector-55,59, SAS Nagar ii) HE flats (G+1,two owners) 61, 63, SAS Nagar iii) LIG Flats (G+2, Three owners) Sec-65 iv) LIG Flats (G+1, Two owners) Sec- 66 v) LIG Flats (G+1, Two owners) Sec-70, SAS Nagar vi) EWS flats (G+2,two owners),Sector 57,SAS Nagar.	i) Up to 100% coverage in the rear courtyard of ground floor & terraces on upper floors (as the case may be) of flats (Dwelling units)for construction of store/room with toilet having RCC/RBC roof of height equal to the existing floor height (9'-9") is allowed subject to the condition that allottee shall make suitable arrangements for the light and ventilation through sky light/mechanical ventilation for the additional construction viz a viz the original existing construction done by PUDA/GMADA. No approach and construction on the roof of this store/room is allowed. However approach to the roof for the maintenance purpose is allowed only by a removable ladder. ii) For First floor allottees of EWS flats at Sector 57, extension of roof of future room on second floor is allowed up to open balcony.
2	i.LIG flats (G+3, Four owners)Sector- 64	Up to 100% coverage in the front courtyard of ground floor and for the first, second and third floors allottees on the terraces of the store/room constructed by ground floor/lower floor allottees of flats (Dwelling units) for construction of store/room with toilet having RCC/RBC roof of height equal to the existing floor height (9'-9") is allowed subject to the condition that allottees shall make suitable arrangements for the light and ventilation through sky light/mechanical ventilation for the for the additional construction viz a viz the original existing construction done by PUDA /GMADA . No approach and construction on the roof of the store/room on the third floor is allowed. However approach to the roof for the maintenance purpose is allowed only by a removable ladder.

GENERAL TERMS & CONDITIONS APPLICABLE TO ALL THE ALLOTTEES

1. The allottees, who have already constructed their houses in accordance with this policy, shall submit their building plans along with compounding fee payable, for record purposes to the EO, GMADA, within 30 days from the notification of policy, failing which penal interest @ 12% per annum shall be charged on the payable compounding fee up to 31.12.2017. However, no construction shall be compounded after 31-12-2017 and further action as per Law shall be initiated.

2. The allottees, who intend to construct their houses in accordance with provision of this policy, shall submit the building plans along with compounding fee payable for record purposes to the EO, GMADA, before starting the construction.

3. The Allottee shall make suitable arrangements for the light and ventilation for the additional construction viz a viz the original existing construction done by PUDA/GMADA.

4. The Allottee shall allow access to the estate services (i.e. Public Health, Electrical etc.) running through any part of the houses.

5. The Ground floor allottee shall insure that the sewer manhole covers are kept openable for maintenance purpose.

6. A certificate from Qualified Structural Engineer (M.E./ M. Tech.) regarding structural stability of the houses will have to be submitted along with the building plans that the foundation of the house would be able to bear the weight of additional construction and the structure will remain stable after the construction of additional area.

   No application without a valid certificate from a qualified Structural Engineer shall be entertained.

7. The allottee will submit an undertaking that he would be fully responsible to bear the expenses of any damage to the neighbouring house which might occur with the construction already done or during any future construction.

8. The allottee will submit mutual consent, in writing, of all allottees i.e. ground floor, first floor, second floor, third floor etc. and also of the adjoining floors having a common wall at the time of submission of building plans .

9. The allottees will pay compounding fee @ Rs. 100/- per square feet for the constructed portion already raised in violation of rules to the extent now being allowed under this policy. Composition fee at the same rate shall be payable for the proposed construction being now allowed to be compounded.

10. It is further clarified that upon the receipt of the duly completed application, the Authority shall stand fully indemnified against the loss of life and limb and any financial loss either to the applicant or to the neighbourers, in particular and the residents of the area, in general

11. No compounding of area beyond the proposed construction being now allowed shall be permitted.

12. Any construction carried out by the allottee in violation of this compounding policy shall be treated as public hazard and a public nuisance apart from being unauthorized and demolition of such unauthorized construction shall be carried out without any further notice. Action shall also be initiated for resumption of the property as per law.

Endst.No:GMADA-Sr.Arch-2017/ 227. Dated: 04.07.2017

1. A copy of the above is forwarded to Estate Officer(Plots/Houses/Regulatory),Chief Engineer, Chief Accounts Officer, Administrive Officer(Policy), STP,Legal Advisor, GMADA, SAS Nagar for information and necessary action.
2. A copy of above alongwith soft copy(CD) is forwarded to General Manager(IT&C),GMADA,SAS Nagar for information and necessary action. He is requested to uploaded this office order on the website of GMADA.
3. A copy of the above is forwarded to Deputy Director,PRO Branch, PUDA for wide publicity.
4. A copy of the above is forwarded to PS/ACS for kind information of Addl.Chief Secretary to Govt. of Punjab Department of Housing and Urban Development,Chandigarh.

DA/As above.

Senior Architect,
For Chief Administrator
GMADA,SAS Nagar.

CC.

1. PS/CA GMADA for kind information worthy Chief Administrator, GMADA, SAS Nagar.
2. PA/ACA,GMADA for kind information of Additional Chief Administrator,GMADA,SAS Nagar.

SELF- DECALRATION

I_____S/o,W/o_____ Resident of House No-_____Sector_____SAS Nagar do hereby solemnly affirm and declare as under :--

That I am the allottee/GPA of House No._____ Sector ____SAS Nagar.

1. That the said House is allotted/transferred to me vide letter no. _____Dated.
2. It is certified that addition/alteration work related with the need based changes has been done/ is proposed to be done in the dwelling unit.
3. It is certified that I will make/ have made suitable arrangement for the light and ventilation for the additional construction viz-a-viz original existing construction done by GMADA.
4. It is certified that I will be fully responsible to bear the expenses of any damage to the neighboring house which might occur with the construction already done or during any future construction.
5. That I shall allow access to the estate services (i.e. Public Health, Electrical etc.) running through any part of the houses.

Deponent

To

The Estate Officer,

GMADA, SAS Nagar.

Subject:- Consent in favor of owner of House No_____ Sector_____,S.A.S.Nagar.

R/Sir/Madam.

I am owner of House No._____Phase/Sector_____, SAS Nagar. I have no objection if the allottee/transferee/GPA holder of upper storey of my house carried out any additional/alteration and construction of balcony as per under need based changes policy of the GMADA. I give my consent to him.

Thanking You,

Yours Faithfully,

House No.....

Phase/Sector.....,

SAS, Nagar.

Mobile No.

FORM-A
(FORM OF APPLICATION)

From

_____ (Allottee /Transferee /GPA/Sub GPA)

_____

_____

To

The Estate Officer,
GMADA,SAS Nagar.

Sir

I/We Propose/ to have carried out alterations in House No._____ Sector _____ SAS Nagar as shown in the plans enclosed herewith.

1. I/We attach,
   a) Three sets of plan showing changes superimposed on existing approved drawing obtained from GMADA in different colors duly signed by the Architect, registered with the Council of Architecture.
   b) Attested copy of Allotment Letter/Transfer Letter/GPA/Sub GPA.

2. I/We attach,
   The proposed changes/ changes carried out are structurally safe and shall not adversely affect the stability of the dwelling unit/adjoining dwelling units.

3. I accept the in the event of any damage/injury being caused to 'third party' from changes so proposed/ carried out in dwelling unit either during the period when changes are being carried out or thereafter, I shall remain liable to third party besides indemnifying the GMADA of any losses, fines and all compensation that GMADA may suffer on account of legal action taken by third party and in the event of applicant failing to recompense GMADA the GMADA shell have right to recover its losses by sale of demised properly.

4. The construction of the building shall be supervised by _____
   (name of the Architect)

You are requested to approve / sanction aforesaid additions/ alterations.

Architect
Sigh with stamp

Signature (s)
Allottee/Transferee/GPA/Sub GPA

Name_____

House No- _____ Sector:_____SAS Nagar.

STRUCTURE STABILITY CERTIFICATE

1) Certified that the building plans showing additional/alterations submitted for approval , safety requirements as stipulated under Rule,..... of Punjab Urban Planning and Development Authority(Building)Rules,2013 and the information given therein is factually correct to the best of our knowledge and understanding.

2) It is also certified that the structural design including safety from natural hazards based on soil conditions has been duly incorporated in the design of the building additions/alterations and these provisions shall be adhered to during construction.

Signature of the Architect:

Signature of the Structural Engineer

(Regd. Structural Engineer)
(ME/ M.Tec.)
(As defined in NBC of India)

Signature of the Owner: