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GREATER MOHALI AREA DEVELOPMENT AUTHORITY SAS NAGAR

(POLICY BRANCH)

To

The Estate Officer,
GMADA, SAS Nagar.

District Town Planner,
SAS Nagar.

No. GMADA (Policy)/2013/ 15263-64
Dated: 21/6/2013.

Subject: Policy regarding disposal of retail outlets.

Reference on the subject cited above.

The Authority in its 15th meeting held on 28-5-2013 vide agenda item No. 15.19 has approved the policy for the allotment of retail outlets. The detailed terms and conditions for the disposal of retail outlets are enclosed herewith for further necessary action.

DA/ As above.

Administrative Officer (Policy),
for Chief Administrator.

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Greater Mohali Area Development Authority

POLICY REGARDING DISPOSAL OF RETAIL OUTLETS

1. Applicability :

This Policy shall be applicable to disposal of retail outlet sites for Government owned Oil Marketing Companies on leasehold basis for a period of fifteen years with sole option of the Authority (GMADA) with regard to further extension beyond 15 years.

2. Eligibility :

Government owned Oil Marketing Companies only would be eligible to bid under this policy subject to the condition that the intending bidder or its authorised retail outlet dealer, as the case may be, has cleared all its previous outstanding dues to the Authority (GMADA) before the designated date which shall be before the last date of receiving bids.

Government owned OMC's will be three companies namely Indian oil Corporation Ltd., Bharat Petroleum Corporation Ltd. and Hindustan Petroleum Corporation Ltd.

3. Mode of Disposal :

(i) As and when the Authority intends to dispose off such retail outlet sites, a communication will be made to all the Government owned Oil Marketing Companies seeking bids over and above the reserve price of Rs 55/- per sq yard per month. The dimensions of the site would be annexed to such invitation to offer alongwith a layout plan of each site.

(ii) While submitting the bid, the intending bidder will be required to deposit an amount equivalent to 5% of the reserved price as Earnest Money (refundable / adjustable) through a Demand Draft favouring Greater Mohali Area Development Authority payable at SAS Nagar.

(iii) There shall be a condition precedent for clearance of all outstanding dues for any intending bidder OMC to be eligible for bidding. In case, any amount stands payable by any OMC or its authorised retail outlet dealer, to the Authority as on the last date of receiving bids, the bid of such OMC shall not be opened for evaluation.

(iv) After the last date of receipt of bids, all valid bids shall be opened except any bid falling under clause (iii) and the said retail outlet site shall be allotted on lease to the highest bidder.

4. Lease & Usage :

(i) The lease shall be made only in the name of the OMC and not in the name of any individual dealer of the OMC.

(ii) The period of lease shall be fifteen years from the date of allotment. Any further increase in the lease period shall be the sole discretion of the Authority and on such terms and conditions as may be determined by the Authority in case it decides to extend the lease term.

(iii) An interest free security equivalent to one years lease money amount and the lease money for the first month shall be payable within 30 days of the issue of the letter of allotment and only thereafter the possession shall be handed over. The amount of lease money shall be as per the bid accepted by the Authority.

(iv) The lease money shall increase @ 5% compounded annually and rounded off to the nearest hundred with the first increase to be effectuated from the 1st April of the next financial year.

(v) The lease money shall be payable by the first day of every month and in case of default the OMC shall be liable to pay penal interest @ 18% p.a compounded annually.

(vi) The site shall be used only for the retail sale of petroleum products, auto washing and other allied activities of a retail outlet. Upto 10% of the total area can be used for commercial purposes, other than sale of petroleum products, but the lease money for this area shall proportionately increase by 100% of the bid amount.

(vii) In case of site situated on State Highway / Scheduled Road the lease money shall be increased by 25 % and in case of National Highway, it shall be increased by 50 % of the rate.

5. Other Conditions

(i) No OMC whose bid is accepted shall be permitted to withdraw or surrender his bid on any ground, and in case it does so, the eligibility fee shall stand forfeited in full.

(ii) The Chief Administrator, GMADA or any other officer authorized by him reserves the right to accept or reject the highest bid or withdraw the site without assigning any reason, even if the bid is higher than the reserve price. In case the highest bid is not accepted, the eligibility fee shall be refunded in full.

(iii) The highest bidder shall obtain the requisite permissions under the Indian Explosives Act and the relevant Petroleum rules from the District Magistrate or any other Authority at its own level within 6 months from the date of issue of Letter of Intent. No further extension in time shall be given for this purpose and the monthly lease shall become payable either from the date of issue of allotment letter or expiry of six months from the date of issue of letter of intent, which ever is earlier.

(iv) At the expiry of the term of the lease, the lessee shall surrender the site to the Estate Officer of the Authority or to any other officer authorized by the Estate Officer in this behalf and to remove all structures erected together with any material lying on the land within 7 days of the expiry of the termination of the lease and deliver vacant possession of the land in level state and in a good condition as it was obtained at the time of taking over of possession subject to the changes caused by reasonable wear and tear or irresistible forces.

(v) The allotment letter shall be issued immediately on receipt of required permissions from various departments and on receipt of monthly lease money in advance along with security amount and lease will start from the date of issue of allotment letter.

(vi) The number of filling points shall be installed at the site as per norms fixed by the Ministry of Surface Transport, Government of India.

(vii) The site is being leased only for use as a Petrol Pump only. It shall not be used for any other purpose and no fragmentation / sub-division of the site or change of land use shall be permitted. Violation of any of these conditions or any other condition of lease shall render the site liable for resumption.

(viii) The possession of the site can be taken by the highest bidder immediately after issuance of allotment letter. In case the lessee fails to take possession of the site, it shall be deemed to have been handed over. The lessee shall be allowed to undertake construction after the possession of site is given subject to the sanction of the building plan.

(ix) The land shall continue to vest in the name of the Authority.

(x) 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

(xi) The lessee shall have to complete the building within 1 year from the date of issue of allotment letter, after getting the plans of the proposed building approved from the Estate Officer. In case of non-construction, the allottee may be allowed extension in time at his own request for construction of the building on the payment of extension fee as determined by GMADA from time to time. In case no request is received within 30 (thirty) days of the expiry of prescribed period, the Estate Officer, shall initiate the proceedings for the resumption of the site as per the provisions of The Punjab Regional and Town Planning and Development Act, 1995 and rules / regulations made there-under and as amended from time to time.

(xii) On completion of the building, the lessee shall apply in the prescribed form to obtain completion certificate from the competent authority of GMADA.The lessee will not be allowed to change any part of the building or construct additional building without the approval of revised building plan by Competent Authority.

(xiii) The lessee shall have to pay all general and local taxes, rates and fees processes 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 Greater Mohali Area Development Authority or by the Municipal Corporation or Municipal Committee or any other statutory authority, as the case may be.

(xiv) 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.

(xv) 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 prevalent rules, Acts and regulations amended from time to time.

(xvi) 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 the 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.

(xvii) Construction on the site shall be regulated by the Zoning Plan / Punjab Urban Planning & Development Authority (Building) Rules 1996 and Policies/Guidelines framed from time to time by the office.

(xviii) The highest bidder shall have to sign the lease deed after the issuance of allotment letter but before the start of construction on the site.

(xix) Suitable entry and exit retro reflective signboards, as per norm / specification shall be installed for guidance for motorist.

(xx) GMADA reserves the right to modify and change the lay-out plan without assigning any reasons.

(xxi) In case of any dispute or difference arising out of the terms and conditions of bid or allotment letter, the same shall be referred to the Chief Administrator of the Authority as the Arbitrator, whose decision shall be final and binding on all the parties.

ਗਰੇਟਰ ਮੋਹਾਲੀ ਏਰੀਆ ਡਿਵੈਲਪਮੈਂਟ ਅਥਾਰਿਟੀ, ਮੋਹਾਲੀ

ਸੇਵਾ ਵਿਖੇ

ਮਿਲਖ ਅਫਸਰ
ਗਮਾਡਾ, ਮੋਹਾਲੀ।

ਨੰ:ਗਮਾਡਾ/(ਪ੍ਰਸ਼ਾਸ਼ਨ)/2013/ 16090
ਮਿਤੀ: 5/7/2013 .

ਵਿਸਾ:- ਪੈਟਰੋਲ ਪੰਪ ਦੀਆਂ ਸਾਈਟਾਂ ਅਲਾਟ ਕਰਨ ਸਬੰਧੀ ਪਾਲਿਸੀ ਵਿੱਚ ਸੋਧ ਕਰਨ ਬਾਰੇ।

ਹਵਾਲਾ:- ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ:41476 ਮਿਤੀ 19-11-2012 ਦੀ ਲਗਾਤਾਰਤਾ ਵਿੱਚ।

ਅਥਾਰਿਟੀ ਵੱਲੋਂ ਮਿਤੀ 28-5-2013 ਨੂੰ ਹੋਈ ਮੀਟਿੰਗ ਵਿੱਚ ਮੱਦ ਨੰ: 15.19 ਨਾਲ ਪੈਟਰੋਲ ਪੰਪ ਦੀਆਂ ਸਾਈਟਾਂ ਅਲਾਟ ਕਰਨ ਸਬੰਧੀ ਪਾਲਿਸੀ ਤੇ ਵਿਚਾਰ ਕਰਨ ਉਪਰੰਤ ਪਾਲਿਸੀ ਵਿੱਚ ਸੋਧ ਕਰਦੇ ਹੋਏ ਫੈਸਲਾ ਕੀਤਾ ਹੈ ਕਿ ਅੱਗੋ ਵਾਸਤੇ ਸਰਕਾਰੀ ਤੇਲ ਕੰਪਨੀਆਂ ਨੂੰ ਬੰਦ ਲਿਫਾਫੇ ਵਿੱਚ ਬਿੱਡ ਰਾਹੀਂ 15 ਸਾਲ ਲਈ ਲੀਜ ਤੇ ਅਲਾਟ ਕੀਤੀ ਜਾਵੇ। ਬਿੱਡ ਲਈ ਸਾਈਟ ਦੀ ਰਿਜਰਵ ਕੀਮਤ 55/- ਰੁਪਏ ਪ੍ਰਤੀ ਵ:ਗ: ਪ੍ਰਤੀ ਮਹੀਨਾ ਰਾਖਵੀਂ ਰੱਖੀ ਗਈ ਹੈ। ਸਰਕਾਰੀ ਤੇਲ ਕੰਪਨੀਆਂ ਹਰੇਕ ਸਾਈਟ ਦੀ ਸੇਲ ਵੱਜੋਂ ਸੰਭਵਤਾ (potentiality) ਨੂੰ ਧਿਆਨ ਵਿੱਚ ਰਖਦੇ ਹੋਏ ਬੰਦ ਲਿਫਾਫੇ ਵਿੱਚ ਲੀਜ ਦੇ ਰੇਟ ਦੇ ਸਕਣਗੀਆਂ।

ਲੀਜ ਦੀ ਰਕਮ ਹਰ ਮਹੀਨੇ ਦੀ ਪਹਿਲੀ ਤਾਰੀਖ ਨੂੰ ਦਫਤਰ ਵਿਖੇ ਜਮਾਂ ਕਰਵਾਉਣ ਯੋਗ ਹੋਵੇਗੀ। ਮਿਤੀ 01-04-2014 ਤੋਂ ਬਾਅਦ ਅਲਾਟ ਕੀਤੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਸਾਈਟਾਂ ਲਈ ਹਰ ਸਾਲ 5% ਦੀ ਦਰ ਨਾਲ ਰਾਖਵੀਂ ਲੀਜ ਵਿੱਚ ਵਾਧਾ ਕੀਤਾ ਜਾਵੇਗਾ। ਲੀਜ ਜਮਾਂ ਨਾ ਕਰਵਾਉਣ ਦੀ ਸੂਰਤ ਵਿੱਚ 18% ਚਕਰਵਿਧੀ ਵਿਆਜ ਵਸੂਲਿਆ ਜਾਵੇਗਾ। ਇਕ ਸਾਲ ਦੀ ਲੀਜ ਦੇ ਬਰਾਬਰ ਰਕਮ ਸਬੰਧਤ ਤੇਲ ਕੰਪਨੀ ਵੱਲੋਂ ਸਕਿਉਰਿਟੀ ਵੱਜੋਂ ਜਮਾਂ ਕਰਵਾਈ ਜਾਣੀ ਹੈ। ਜੇਕਰ ਪੈਟਰੋਲ ਪੰਪ ਸਟੇਟ ਹਾਈਵੇ ਜਾਂ ਸ਼ਡਿਊਲਡ ਰੋਡ ਤੇ ਹੈ ਤਾਂ ਲੀਜ ਦੀ ਰਕਮ 25% ਅਤੇ ਜੇਕਰ ਨੈਸ਼ਨਲ ਹਾਈਵੇ ਤੇ ਹੈ ਤਾਂ ਲੀਜ ਦੀ ਰਕਮ 50% ਵਧ ਹੋਵੇਗੀ।

ਸਾਈਟ ਦੇ ਰਕਬੇ ਦਾ 10% ਤੱਕ ਹਿੱਸਾ ਵਪਾਰਕ ਵਰਤੋਂ ਲਈ ਵਰਤਿਆ ਜਾ ਸਕਦਾ ਹੈ ਪਰ ਜਿੰਨਾ ਰਕਬਾ ਵਪਾਰਕ ਮੰਤਵ ਲਈ ਵਰਤਿਆ ਜਾਵੇਗਾ ਉਨੇ ਰਕਬੇ ਦੀ ਲੀਜ ਨਾਰਮਲ ਲੀਜ ਤੋਂ ਦੁਗਣੀ ਵਸੂਲੀ ਜਾਵੇਗੀ। ਭਾਵ ਤੇਲ ਕੰਪਨੀ ਵੱਲੋਂ ਬਿੱਡ ਰਾਹੀਂ ਭਰੀ ਗਈ ਰਕਮ ਦੀ ਥਾਂ ਤੇ ਉਸ ਤੋਂ ਦੁਗਣੀ ਰਕਮ ਵਸੂਲੀ ਜਾਵੇਗੀ। ਬਿੱਡ ਸਬੰਧੀ ਸਰਤਾਂ ਪਹਿਲਾਂ ਹੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 15263-64 ਮਿਤੀ 21-6-2013 ਨਾਲ ਜਾਰੀ ਕੀਤੀਆਂ ਜਾ ਚੁੱਕੀਆਂ ਹਨ।

ਤੇਲ ਕੰਪਨੀਆਂ ਜਾਂ ਉਹਨਾਂ ਦੇ ਡੀਲਰਾਂ ਨੂੰ ਪੁਰਾਣੀਆਂ ਅਲਾਟ ਕੀਤੀਆਂ ਸਾਈਟਾਂ ਦੀ ਬਕਾਇਆ ਲੀਜ ਦੀ ਰਕਮ ਜਮਾਂ ਕਰਵਾਉਣੀ ਹੋਵੇਗੀ। ਜੇਕਰ ਕੋਈ ਤੇਲ ਕੰਪਨੀ ਜਾਂ ਉਹਨਾਂ ਦਾ ਡੀਲਰ ਬਕਾਇਆ ਰਕਮ ਜਮਾਂ ਨਹੀਂ ਕਰਵਾਉਦਾ ਤਾਂ ਉਸ ਤੇਲ ਕੰਪਨੀ ਨੂੰ ਨਵੀਂ ਸਾਈਟ ਦੀ ਅਲਾਟਮੈਂਟ ਲਈ ਨਹੀਂ ਵਿਚਾਰਿਆ ਜਾਵੇਗਾ।

ਪੁਰਾਣੀਆਂ ਪੈਟਰੋਲ ਪੰਪਾਂ ਦੀਆਂ ਅਲਾਟ ਕੀਤੀਆਂ ਸਾਈਟਾਂ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਲੀਜ ਦੀਆਂ ਸਰਤਾਂ ਵਿੱਚ ਕੋਈ ਤਬਦੀਲੀ ਨਾ ਕਰਨ ਦਾ ਵੀ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਪਰ ਜੇਕਰ ਅਲਾਟੀ ਚਾਹੇ ਤਾਂ ਪੁਰਾਣੀ

ਲੀਜ ਦੀ ਰਕਮ ਜਮਾਂ ਕਰਵਾਉਣ ਉਪਰੰਤ ਲੀਜ ਨੂੰ ਖਤਮ ਕਰਵਾ ਸਕਦਾ ਹੈ ਅਤੇ ਨਵੀਂ ਪਾਲਿਸੀ ਅਧੀਨ ਉਹੀ ਸਾਈਟ ਉਸੇ ਤੇਲ ਕੰਪਨੀ ਨੂੰ ਦੁਬਾਰਾ ਨਵੀਂ ਪਾਲਿਸੀ ਅਧੀਨ ਲੀਜ ਤੇ ਦੇਣ ਦਾ ਵੀ ਫੈਸਲਾ ਲਿਆ ਹੈ।

ਅੱਗੋਂ ਵਾਸਤੇ ਪੈਟਰੋਲ ਪੰਪ ਦੀਆਂ ਸਾਈਟਾਂ ਉਕਤ ਅਥਾਰਿਟੀ ਦੇ ਫੈਸਲੇ ਅਨੁਸਾਰ ਅਲਾਟ ਕੀਤੀਆਂ ਜਾਣ। ਅਲਾਟੀ ਦੀ ਬੇਨਤੀ ਤੇ ਪਹਿਲਾਂ ਅਲਾਟ ਕੀਤੀ ਪੈਟਰੋਲ ਪੰਪ ਦੀ ਸਾਈਟ, ਬਣਦੀ ਲੀਜ ਪ੍ਰਾਪਤ ਹੋਣ ਦੀ ਸੂਰਤ ਵਿੱਚ ਪੁਰਾਣੀ ਲੀਜ ਖਤਮ ਕਰਦੇ ਹੋਏ ਨਵੀਂ ਸੋਧੀ ਪਾਲਿਸੀ ਅਨੁਸਾਰ ਸਾਈਟ ਉਸੇ ਤੇਲ ਕੰਪਨੀ ਨੂੰ ਅਲਾਟ ਕਰ ਦਿੱਤੀ ਜਾਵੇ।

ਪ੍ਰਬੰਧਕ ਅਫਸਰ (ਪਾਲਿਸੀ)
ਵਾ: ਮੁੱਖ ਪ੍ਰਸਾਸ਼ਕ