

ALLOTMENT OF LAND TO VARIOUS BODIES, ASSOCIATIONS, TRUST, ORGANIZATIONS OF RELIGIOUS, CHARITABLE, CULTURAL, SOCIAL NATURE

Allotment of Land to Various Bodies, Associations, Trust, Organizations of Religious, Charitable, Cultural, Social Nature and Government, Semi Government Organization and Its Autonomous Bodies on lease Hold Basis Chandigarh Scheme 2005 Allotment of Land to Various Bodies/Associations/Trust/Organizations of Religious, Charitable, Cultural, Social Nature and Governments/Semi-Government Organization and its Autonomous Bodies, on Lease-hold Basis in Chandigarh, Scheme, 2005 [Published in Chandigarh Administration Gazette dated 15.9.2005 at page 6731 exercise of the powers conferred by Section 3 and 22 of the Capital of Punjab (Development and Regulation) Act, 1952 and the rules made thereunder, the Administrator, Union Territory, Chandigarh is pleased to make the following scheme for the Allotment of Sites to various Bodies/Associations/Trust/Organizations of Religious, Charitable, Cultural, Social Nature and Governments/Semi-Government Organizations and its Autonomous Bodies on lease hold basis in Union Territory of Chandigarh, namely : 1. This Scheme may be called "Allotment of Land various Bodies/Associations/Trust/Organizations Of Religious, Charitable, Cultural, Social Nature and Governments/Semi-Government Organization and its Autonomous Bodies, on Lease-hold Basis in Chandigarh, Scheme, 2005." 2. It shall come into force from the date of its publication in the Official Gazette

3. In this scheme, unless the context otherwise requires :—(i) 'Act' means the Capital of Punjab (Development and Regulation) Act, 1952. (ii) 'Allotment' means allotment of land on lease hold basis by way of auction or otherwise under this scheme. (iii) 'Commercial Government Organization' means Government Organizations/Public Sector Undertaking/Other bodies of the Government controlled by any name and style, if earning profits or generating surpluses from its operations is not prohibited in its constitution/governing principles/by-laws/objects clauses. [Actual earning of profits or occasional generation of surpluses are irrelevant for an organization not involved in profit-making if these are ploughed back in the furtherance of the non-profit functioning of the organization. It will not change its character to 'commercial'. Such organization should also not be undertaking commercial sale of goods or services, earning from rents etc.] Allotment of Land to Various Bodies/Associations/Trust/Organizations on Lease-hold Basis in Chandigarh, Scheme, 2005 381 L(iv) 'Institutional purposes' include any activity relating to the field of art, social, charitable, culture, environment, sports, music, political etc.] (y) 'Lease' means the transfer by or on behalf of Chandigarh Administration of the rights of use and occupation of any site to any body/society/ trust/association etc- and the terms of lease shall be construed accordingly. (vi) 'Lease Deed' means the deed in the prescribed Form under this scheme, (vii) 'Others' means applicants other than Central Government, the Government of Punjab and Haryana, commercial and non-commercial undertakings/organizations of these Governments. (Political Party' means any National Political Party declared as such by the Election Commission of India and shall be eligible for allotment, if it has got at least one Member of Parliament elected from the Parliamentary Constituency of Chandigarh in the last 20 years on date of application.] (k) 'Premium' means premium paid or promised to be paid for the transfer of lease hold rights to use the site. (x) 'Religious purposes' means any activity relating to the field of religion. "Rule means Chandigarh Estate Rules, 2007.] (xii) 'Society' means Society registered under the Societies Registration Act, 1860 with the Registrar of firms and Societies, Chandigarh Administration. (xiii) 'Trust' means a Trust registered under the Indian Trust Act, 1926 at Chandigarh. 4, I [An institution/society/trust/association/organizations of religious, charitable, cultural, social, Political nature] and fulfilling the criteria (laid down by the Chandigarh Administration from time to time shall be eligible for allotment of site under this scheme. For the purpose of this scheme, all institutions/associations etc. should be covered under the category of institutional purposes subject to the following criteria • (i) The allotment of site directly subserves the interest of the population of the Union Territory, Chandigarh. (ii) The allotment is conducive to the planned development of the Union Territory of Chandigarh, (iii) 'the institution is of non-profit making character/nature. (iv) The institution is in possession of sufficient funds to meet with the cost of land and the construction of building for its use. (v) The institution has been in existence and functioning for at least 5 years at the time of submitting the application for the allotment of

site. (vi) The institution or trust must be registered at Chandigarh under the Societies Registration Act, 1860 or Indian Trust Act, 1926

5. Land for Chandigarh Administration will be earmarked for its own purposes free of cost

1. Substituted by Chd- Admn. Gaz Notification No. 31/1/4 16.10.2008 2. Added by Chdb Admn. Gaz Notification No. 31/1/4 dated 3, Substituted by Chd. Admn- Gaz Notification Nov 3 1/ 1/4 dated 15. 1.2008 382 Allotment of Land to Various Bodies/Associations/Trusts/Organisations on Lease hold Basis in Chandigarh, Scheme, 2005 Lt6. (i) Land for residential purposes to Central Government and the Governments Punjab, Haryana and Himachal Pradesh including its Autonomous Bodies/Semi Government Organisations. Boards and Corporations owned and promoted by the respective Government will be allotted at a price which would be 48% of average auction price fetched in the auctions held in the last three auction years for the like category of land in the locality. (ii) Land for institutional purposes to Central Government and the Government of Punjab and Haryana will be allotted at a price which would be 15% of the average auction price fetched in the auctions held in the last three auction years of the commercial properties in the locality.] 7. (i) Land for institutional purposes to wholly owned PSUs, Boards and Corporations of Central Government and the Governments of Punjab, Haryana will be allotted at a price which would be 25% of average auction price fetched in the auctions held in the last three auction years of the commercial properties in Chandigarh. (ii) Land for commercial purposes to wholly owned PSUs, Boards and Corporations of Central Government and the Governments of Punjab and Haryana including CITCO will be allotted at a price, which would be of average auction price fetched in the auctions held in the last three auction years of the commercial properties in Chandigarh. 118. If the average auction rates of the same locality are not available then average auction price of like category in the city, as noted in above paras, for the last three auction years will be applicable.] 9. Land for institutional purposes including any activity related to the field of Culture, Social, health, Environment, Sports, Religion, Music, Charitable purposes etc. to non-Government Organizations/bodies/societies/trusts will be allotted through a system of limited auction/tender bids/allotment described here- after [(a) Average of the auction price of residential properties fetched in the auctions held in the last three auction years would be the reserve price or minimum price for the purpose of auction/tender bid allotment] (b) Applications will be invited through an advertisement from the eligible applicants for the sites proposed by the Chief Architect. Eligibility criteria will be defined by the Administration. A Screening Committee presided over by the concerned Secretary and comprised of the following officials will examine the applications in order to determine their eligibility:— Chief Engineer, U.T., Chandigarh, Chief Architect, U. Tt, Chandigarh. Estate Officer, U.T., Chandigarh. Joint Secretary, Finance, U-T., Chandigarh. Concerned Head of Department. (c) Only the applicant found eligible by the Screening Committee shall be allowed to participate in the auction/tender bid or the allotment process. Substituted by Chd. Adm. Circular Notification No. UTFI(4) 0008/6821 dated 16.10.2008 Allotment of Land to Various Bodies/Associations/Trust/Organisations Leasehold Basis in Chandigarh, Scheme, 2005 383 (d) A special committee comprising of District Magistrate, S.S.I. concerned S.D.M., Director Social Welfare and concerned D.S.P. will their recommendations on applications for allotment of land for religious purposes, Chief Architect will also consult this Committee before earmarking sites for religious purposes. 19. A. Land for institutional purposes to the Political Parties will be allotted at a price which would be average of the auction price fetched in the auctions held in the last three auction years of residential properties in Chandigarh.] 10. The Chandigarh Administration may formulate a Special Scheme for a specific purpose. Land for such Schemes (e.g. schemes related to Information Technology, Education Parks, Schools Colleges, Chandigarh Housing Board etc.) will be allotted as determined by the respective Schemes at a price mentioned in that scheme. ii. No land will be allotted for a Guest House or Transit Camp etc. to any Government/PSW or other Government Organizations

12. All non-residential properties will be allotted on lease hold basis

13. Land for all other purposes will be allotted through public auction on lease hold basis

14. Change in land use shall not be allowed unless a speaking order to that effect is passed by the competent authority in writing with cogent reasons and converting circumstances warranting such a change. This change, if allowed, will be subject to conversion charges as decided by Chandigarh Administration. 15. The lessee shall not be allowed to sub-let/sub-lease or further transfer the lease hold

rights in any manner or by any means and the lessee shall not be allowed to part with the possession, 16. The Estate Officer is the competent authority to accept or reject any bid, 'ill. The lease of site/land shall be governed by the provisions of Capital of Punjab Regulation) i 952 and by Chandigarh Estate Rules, 2007 0 *118. The site land will be given initially on lease hold basis for 33 years, which may be extended by two terms of like duration by the Chandigarh Administration considering performance and observance of other terms and conditions of lease and re-fixation of lease amount. The lessee shall have to pay the ground rent annually as per the provisions of the Chandigarh Estate Rules, 2007]. 1. Added b} Chd- Admn., Gaz Notification No dated 2008 2- Substituted by Chd- Admn. Gaz Notification No. 3 MI/4 (dated 15. .2008

