

C.G.ANADHIKRIT VIKASH KA NIYAMITIKARAN NIYAM, 2002

tr. *1./uW17/2002. " frQiZ) 2-22-øiftævra Jß?J38 Q. 30-5-2001. " 190] 1. 2. (10) 31 2002—5TQUI 9, 1924 2002 fizm-2002 3fi.fi•qq, 2002 13 fiqq, 2002" ' '3fi.ft:rq" t, 2002, 379 380 3. 4. s. (2) (1) (2) (1) (2) (1) (2) (3) (4) C) 31 2002 312* 2002 t. 90 üm. 30 •fä•q-a () qfiqåA, gr(l i.a •qfifi-9fi GRI *TTI. 189' 2000" Hi fqa-fa.n F) aafFTd ææfil, (6) (tro (2) (83) 31 2002 (3) 60 60 100 100 200 200 2- 3. 4. (1) 2. (2) a-qr V. qürtr. (s) (3) 4% 6% (4) 380 (I) (6) 22.5% 380 (2) (7) (1) 2. 3. 4. 5. (1) 2. (2) 31 2002 fi13 : (3) 20 20 60 60 100 100 -Q 200 200 (2) (3) 12.5% (4) 12.5% (5) 17.5% (6) 17.5% (7) aifäg 1 1 1 380 (3) (1) 2. 3. 4. 6. 7. 8. (8) (1) (2) (3) (4) (2) 4 31 2002 (3) 60 60 100 100 200 200 (4) 4% 5% (5) 33 QTIT, 1-4-1991 7 VFiq-'*1" *ft-a, f«fi3ii a, 3R?i *Til. t, 41 æiqg t, 6 380 (4) 31 2002 3 üfiYQ) 2. 3. 4. s



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Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Adhiniyam, 2002, the Government of Chhattisgarh, hereby, makes the following rules, namely . Short title These rules may be called "Chhattisgarh Anadhikrit Vikas ka Niyamitikaran Niyam, 2002" Definition 2. 3. S. (1) (2) In these rules, unless the context otherwise requires, "Act" means Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Adhiniyam 2002. "Forms" means

forms appended to these rules, "Regularisation Certificate" means a written document issued by the

Authority to the applicant stating that such development ceases to be unauthorized. Words and expressions used, but not defined in these rules, shall have the same meaning as assigned to them in the

Act. Application for Regularisation (1) (2) As per the provisions of section 5 of the Act, a person shall make an application for regularisation of unauthorized development. to the Authority, in Form-I, within 90 days from the date of notification of these rules by State Government. The Authority in its discretion, can extend time limit for 30 days, under special circumstances. "[the timings and the place, where applications

for regularisation will be received from the applicant, shall be notified by the Authority. Matters to be Regularized The authority may regularize any unauthorized development in respect of following matter, namely, (ii) (iii) Marginal open space Floor Area Ratio Change of land use, (2) The green area and play ground earmarked in the approved layout of colonies. by the 'Town & Country Planning Department. will not be regularized under any circumstance. Fixation of Penalty (1) (2) For the purpose of deciding the

penal amount to be imposed on any applicant, the area wise market value of the unauthorized development, shall be fixed by the Authority and represented per unit developed area. The Calculation of market rate shall be on the basis of land value per unit area, the construction cost per unit area, and the development cost per unit area. Thus, the market rate shall be calculated as follows : Market rate Land value per unit area + construction cost per unit area + development cost per unit area. 380 (10) (3) (4) (6) 2. 3. 4.

31 2002 Calculation of development expenditure will be made on the basis of development made in the surroundings or development works which will be required to be done, due to regularisation of the unauthorized development. Market value of the land, and valuation of the construction, shall be done as per Bharatiya Stamp Adhiniyam, 1899 and the rules made thereunder 'Moolya Margdarshak Sidhanton Ka Banaya Jaana Aur Unka Punarikshan Niyam, 2000". The Authority shall publish the market rate so fixed for any area, in widely circulated news paper and display the map showing [the different areas having

different categories of rates prescribed by it. (iii) For the purpose of deciding the penal amount in individual cases, the unauthorized development may be categorised into residential and non-residential property on the basis of its purpose and use. The property, which is developed with residential purposes and is used for the same, shall be called residential property. All other developed properties except those defined in sub-rule 5 (S) (ii), shall be termed non-residential properties. In each case, group shall be decided on the basis of total developed area. Thus, the total of authorised area and unauthorised developed area of a single

building shall be taken into consideration for deciding as to which group, the case belongs to. For the calculation of the penal amount to be imposed on residential properties, the applicants shall be classified into either of the four categories on the basis of the area of the unauthorized development, as in the table.

Categories or applicants (2) c TABLE Area of unauthorised development (3) Upto 60 square metres More than 60 square metres and upto 100 square metres. More than 100 square metres and upto 200 square metres. More than 200 square metres. The Penal amount to be imposed for regularisation of unauthorized developed property shall be decided on the basis of the percentage of market rate fixed for the area in which the property is located. The category wise percentage rate for different matters to be regularised shall be as given in the table • 31 2002 380 (11) Matters to be regularized (2) Marginal open space Floor Area ratio TABLE Penal amount as a percentage of area wise market rate for different groups (3) 6% (4)

5% c (5) (6) 22.5% If the unauthorized development, has been done along with deviation in land use as prescribed in the development plan, an additional penalty for group A 1%, for group B 2%, for group C 5% and for group D of the regularisation of floor area ratio market rate, shall be imposed on each category of the applicant as per rule 6 (ii). In those cases where the applicant provides alternative area, additional

penalty will not be imposed on the applicant: For calculation of the penal amount to be imposed on unauthorized developed properties for non-residential purpose, the applicants shall be classified into any of

the five categories (7) 2. 3. 4. S. No. (1) 2. as given in the table : Group of Applicant (2) Group A I Group B I Group C I Group D I Group E I TABLE Area of the unauthorised development (3) Upto 20 square metres more than 20 sq. mtrs. and upto 60 sq. mtrs. more than 60 sq. mtrs. and upto 100 sq. mtrs. more than 100 sq. mtrs. and upto 200 sq. mtrs. more than 200 sq. mtrs. The penal amount to be imposed on the applicant, for regularisation of non-residential pro- perty'. shall be calculated as a percentage of market rate decided for the area in which the property is located. -The percentage rate for different matters to be regularized, shall be as per the table : Matters 10 be regularised (2) Marginal open space Foot area ratio TABLE Percentage market rates for different groups Group (3) 12.5% Group (4) 12.5% Group (5) 17.5% Group (6) 17.5% Group (7) 25% 380 (12) (8) S. No. uqqa, 31 2002 If the unauthorised development has been done along with deviation in the land use as prescribed in the development plan, an additional penalty for group A1 for group B1 2%, for group C1 for group D1 7%, and for group E1 10%, of the regularisation of floor area ratio market rate. shall be imposed on the applicant as specified in sub-rule 7 (ii). In those cases where the applicant provides alternative area, additional penalty will not be imposed on the applicant for flat area. In case of the Multi-storied Buildings, the penal amount to be imposed shall be decided on the basis of categorisation of flats on the basis of its built up area, as follows . TABLE Specification area of Category of Flats (2) constructed area mtrs. and Penal amount to be imposed area upto 60 sq (3) . mtrs. percentage (4) (5) For each matter of regularisation. 2. 3. 4. 6. area more than 60 sq. upto 100 sq. mtrs. area more than 100 sq. mtrs. and upto 200 sq. mtrs. area more than 200 sq. mtrs. the unauthorised development has been done along with deviation in the land use as prescribed in the development plan, an additional penalty for group F 1 for group F 2 2%, for group F 3 5% and for group F 4 10% of the market rate, as specified in sub-rule 8, shall be imposed on the applicant. In those cases where the applicant provides an alternative area, additional penalty will not be imposed on the applicant. Procedure of Regularisation of unauthorised development (1) (2) (3) The authority shall consider only such applications for regularisation of unauthorised developments which came into existence after 1-4-1993 and before the date of notification as per rule 3 (i). The authority shall serve a notice on the applicant. if his unauthorised development is found fit for regularisation as per provisions of section 7 of the Act in

Form 11. Notice should be issued within 90 days of the application as far as possible. The Authority shall pass an appropriate order under section 6 (1 y (ii) of Act as far as possible within thirty days from date of receipt of the objections, Such orders shall be issued by the Authority in Form-11. If a request in writing is made to the authority to allow the payment in instalments, the Authority may pass such order as it deems fit, for payment of such penal amount in equal instalments. not exceeding four in number. The instalments shall be equally spaced and the first instalment should be before the expiry of one month while the last instalment should not fall later than one year. An interest @ simple annual rate, will be charged to the applicant. 31 2002 380 (13) (4) If in a case, the Authority is of the opinion. that the case is not suitable for regularisation either under the provisions of section 7 of the Act, or after considering any of the objections raised, the application shall be rejected and the applicant will be informed, mentioning the reasons thereof, in Form 7



8. Certificate of Regularisation If the Authority is satisfied that the applicant has complied with the requirements made under these rules, and has paid the penal amount laid down in Rule 6 it shall issue a certificate in



Form-V along with the plan and outlay of such regularized development.under its signature and seal of office, for regularization of such un- authorized development. Remittance of Penal Amount Collected

The. penal amount so collected shall be remitted to Government treasury, in a separate revenue head, specified for this purpose by the Government. By order and in the name of the Governor of Chhattisgarh,

VIVEK DHAND. Secretary. 380 (14) Secretary, 31 2002 FORM J (See rule 3) Application for regularisation of unauthorized development District Regularisation Authority, I hereby submit an application for the regularisation of unauthorised development carried by me, under section 5 of Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Adhiniyam, 2002. I herewith, submit the following information along with the maps, drawings and photographs of the unauthorized developed property—
Name of the Applicant. Ownership Title. Description of land. revenue village Towns Planning Scheme, Survey No./Plot No./Khasra No. Whether this unauthorised development is included in the Layout plan/building plan, and has been sanctioned by the competent authority, If yes, mention 2. 3. 4. 2. 5



6. Dated .Sanction order No. Date of sanction. Whether the unauthorised development is without any approval or- in contravention to the sanction accorded in respect of Sl. No. (4) as follows : Total Area in Sq. Marginal open space Floor Area Ratio Change of land use Description of contravention in case of parking/recrea- tional space or sanitation facility or fire safety. MITS. Signature of the App}icant (Full Name and Address) Place. ,, Declaration [IWe. hereby, declare that the above information submitted by me/us, is correct and I/We shall submit. further any information desired by you in this regard. Place ,, Date ,, (Applicants name & signature) 31 2002



FORM 11 [sec rule 6 (1)] 380 (15) Demand Notice for Regularisation of Unauthorised Development
 ShriBhramati.... WHEREAS I, (he undersigned. is of the opinion on the basis of your application
 dated.....,.....,thal you have carried out. owned or occupied the unauthorized development of the
 building in respect of the on Khasra premises Tenment No.fflat No./Sub p19t No. of the villagen. P.
 Scheme. Description of the property . NOW, therefore, in pursuance of the provisions of the section (5) of
 the Chhattisgarh Regularisation of Un- authorized Development Act, 2002, you are liable to pay the below
 mentioned penal amount in respect of such unauthorized development, namely : Sr. No. (1) 2. 3

4. Description (2) Marginal open space Floor Area Ratio Change in land use Category (3) Area in sq.mt. (4) Rates Rs./Sq. mt. (5) Amount in Rs. (6) From..... . Others . Total to..... If you are desirous of being heard, you may write to the undersigned for hearing within a period of one month from the date of receipt of this notice and may represent your case with alt relevant records on such date as may be given.
 Dated the Place : Secretary District Regularisation authority, District.... 380 (16) To, ShrilSmL. 31 2002
 FORM [See rule 6 (2)) Order for Regularisation of Unauthoriéed development WHEREAS, I, the undersigned is of the opinion that the unauthorised development carried out by you on Khasra No. Plot No. area/colony/street.... . is fit for rcgutarisation under the provisions OF section 7 of lthe Chhattisgarh Anadhikril Vikas Ka Niyamitikaran Vidhcyak



2002. NOW, THEREFORE, after duly considering the objections and suggestions received and in pursuance of provisions of section 5 of the Act, I, declare the unauthorised development as regularised. subject to the remittance of(in words). the Government treasury within a period of . action under section 8 of the relevant Act shall be taken. Date . Place : . , ...days from the date of this notice, failing which, . Secretary District Regularisation Authority, District . 31 2002 FORM See mlc 6 (4) in colony/street... 380 (17) Order regarding rejection of application for regularisation of unauthorised development To, Shri/Smt. WHEREAS, I, the undersigned is of the opinion that the information contained in your application regarding the regularisation of unauthorised development carried out by you on Plot No. J Khasra No. . , ...is not satisfying the conditions for regularisation as per the provisions of the section 7 of the Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Vidheyak, 2002, or the regularisation is not in the public interest. NOW, THEREFORE, in pursuance of the provisions of section 6 (1) (i), the application dated.... submitted by you for regularisation of unauthorised is hereby rejected. You are hereby, directed to remove immediately the unauthorised development, failing which, action under the relevant Act shall be taken. Date : Secretary District Regularisation Authority, 380 (18) 31 2002



FORM V (See rule 7) Certificate of Regularisation This to certify that the unauthorised development carried out, owned or occupied by Shri/Smt. , s/o, D/o . letter No. , ...on..... , ...on Revenue Khasra No./Final Plot No. Premises. Tenement No./Flat No./House of village. P. Scheme without the permission of the competent authority or in contravention to the permission granted vide dated..... is hereby regularized under section 6 of the Chhattisgarh Regularisation of Unauthorised Development Act, 2002 after fulfilment of requirements under the Chhattisgarh Regularisation of Unauthorised Development Rules, 2002 and for following mentioned matters. Sr. No. (1)

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3. Dated the . Matters of Regularisation (2) Marginal open space Floor Area Ratio Change in land use Place Encl. : Map Drawing & Design. Area in sq. mt. (3) Secretary District Regularization Authority, District..... mfr—2002.

