

GOVERNMENT OF PUNJAB
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(HOUSING- II BRANCH)

Notification

The 23rd June 2005/6-7-2005

No. 17/17/01-5HGII/6930- In exercise of powers conferred by section 34 of the Punjab Apartment and Property Regulations Act, 1995 (Punjab Act No. 4 of 1995), the Governor of Punjab is pleased to revise Policy on External Development charges with regard to payment of External Development Charges by the promoters in licensed colonies as under :-

1. This policy shall be called New External Development Charges Policy (In short new EDC Policy), 2004.
2. This shall be deemed to have come into force on and with effect from 23rd day of February, 2004.
3. The basic rates of EDC as applicable to various Cities/Towns/Other areas shall be :-

(i)	For corporations Towns (and within 15 Kms of its periphery)	Rs. 3,50,000/-per gross acre
(ii)	'A' class municipal Towns (and within 5kms of its periphery)	Rs. 2,50,000/- per gross acre
(iii)	Other cities/towns and other areas (and within 5kms of its periphery)	Rs. 1,50,000/- per gross acre
(iv)	Commercial/Group Housing/Complexes	Rs. 5,00,000/- per gross acre

In case a colony falls within the periphery of Municipal Corporation and Municipal Council as mentioned above, the higher of the two rates shall be applicable.

4. EDS arrears as per earlier one time settlement policy dated 7th December, 2001 are capitalized from 1st March, 2002 to 29th February, 2004 @ 15% interest per annum which further capitalized @ 1.5% incremental interest till 31st May, 2004. The interest liability for the period from 1st April, 2004 to 31st May, 2004 will be calculated/intimated separately and will be recovered along with last installment of the 80% amount while working out the recoverable amount the amount outstanding against the promoter as on 28th February, 2002 as per terms and conditions of license will be taken as the base line.
5. The 20% of the capitalized amount, which required to be deposited by the promoter by 30th June, 2004 with an undertaking that he will withdraw all appeals, revisions and writ petitions, if any, and will not challenge, this policy in any Court of Law, the basis EDC rates and methodology of calculation, except the arithmetical calculations (Specimen of undertaking can be obtained from the office of Chief Administrator).
6. The balance 80% shall be deposited in five half yearly installments with 12% interest per annum.
7. Where letter of intent was issued before 7th December, 2001, the previous higher rate of Rs. 7,07,250per acre etc. shall stand revived, if the promoter fails to deposit at least 20% of the capitalized amount of EDC arrears within the stipulated time-frame i.e. upto 30th June, 2004.

8. In other cases, failure to meet the deadline to deposit 20% of the capitalised amount shall result in penal rate of 18% per annum being charged to calculate the capitalised amount and the subsequent installments of accumulated EDC, arrears shall attract interest @ 15% per annum instead of 12% per annum, in addition the penal action against the promoters under provisions of Punjab Apartment and Property Regulation Act, 1995 and statutory rules, framed there under shall be initiated.
9. Since it is a special one-time concession being offered to the promoters liquidate the old pending arrears, so it is required to voluntarily furnish a written, irrecoverable and legal undertaking in the specified format to the effect that the revised basic rates (except the calculation part) and the schedule of the payment shall not be challenged, in any Court or Tribunal or commission or Appellate/Reversionary Forum whatsoever including the invocation of writ jurisdiction of the courts.
10. All the old cases which may have filed before any judicial/quasi judicial authority regard to EDC shall be withdrawn.
11. In case any promoter fail to deposit the amount as per the above schedule and furnish the required undertaking by due date, it will be presumed that he do not accept this offer and in that event, the old rates of EDC will stand revised in respect of old licences and penal action under Punjab Apartment and Property Regulation Act, 1995 and rules framed there under will be initiated against him.
12. Any previous communication by the Competent Authority adopting a different rates/schedule/terms and conditions in respect of EDC assessment shall deemed to have been set aside and/or withdrawn but shall be simultaneously deemed to have been substituted by the new communication to be issued by the Competent Authority in accordance with the directions contained in the statutory orders passed on 23rd Feb , 2004. However, for clarification it is again retreated that if the promoter fails to deposit the amount as per schedule of this policy and furnish the required undertaking the old rates of EDC of the year 1998 shall be charged by the Competent Authority.
13. The Appellate Authority shall dispose of the pending appeals in accordance with this policy and remand the case back to the Competent Authority for action in accordance with this policy. However, where the question in appeal relates to matters other than the EDC rate, the same shall be continued to be heard and decided on merits.
14. This policy has already become operational W.E.F. 23rd Feb., 2004.

Chandigarh :
The 23rd June, 2005

K.B.S.SIDHU
Secretary to Government of Punjab,
Department of Housing and Urban Development.

Endst. No. 17/17/2001-5HGII/

Dated:

A copy with a spare copy is forwarded to the Controller , Printing and Stationery, Punjab , Chandigarh, with the request to publish this notification in the Punjab Government Extra Ordinary Gazette and 100 spare copies thereof may be supplied to this Department for office use.

Sd

Secretary Housing & Urban Development

Endst. No. 17/17/2001-5HGII/

Dated:

A copy is forwarded to the Principal Secretary, Local Government for information and necessary action.

Sd

Secretary Housing & Urban Development

Endst. No. 17/17/2001-5HGII/

Dated:

A copy is forwarded to the Chairman, Licence Holder Colonies Association , SCO No. 523-24, Sector 70, Mohali.

Sd

Secretary Housing & Urban Development

Endst. NO. 17/17/2001/5HGII/6935

Dated: 6-7-05

A copy is forwarded to the following for information and necessary action. It is requested that this notification may be circulated to all the concerned field officers .

1. Chief Administrator, PUDA, PUDA Bhawan, Sector – 62, SAS Nagar (Mohali).
2. Chief Town Planner, Punjab, Chandigarh.

Secretary Housing & Urban Development.

ਨਗਰ ਅਤੇ ਗਰਾਮ ਯੋਜਨਾਬੰਦੀ ਵਿਭਾਗ , ਪੰਜਾਬ

ਪਿੱਠ ਅੰਕਣ ਨੰ: 3851-73-ਸੀਟੀਪੀ(ਪਬ)/ਛਛ-7 ਮਿਤੀ 12/7/05

ਉਪਰੋਕਤ ਦਾ ਇੱਕ ਉਤਾਰਾ ਹੇਠ ਲਿਖਿਆਂ ਨੂੰ ਸੂਚਨਾਂ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ :-

1. ਸੀਨੀਅਰ ਨਗਰ ਯੋਜਨਾਕਾਰ (ਸ.ਮੁ.)- 1 ਅਤੇ 2/ਐਸ.ਏ.ਐਸ.ਨਗਰ/ਪਟਿਆਲਾ/
ਨੁਧਿਆਣਾ/ਜਲੰਧਰ/ਅੰਮ੍ਰਿਤਸਰ।
2. ਜਿ.ਲਾ ਨਗਰ ਯੋਜਨਾਕਾਰ (ਸ.ਮੁ.) /ਮੰਡੀ ਮੰਡਲ ,ਪੰਜਾਬ , ਚੰਡੀਗੜ੍ਹ/ਐਸ.ਏ.ਐਸ.ਨਗਰ/
ਫਤਹਿਗੜ੍ਹ ਸਾਹਿਬ /ਪਟਿਆਲਾ/ਸੰਗਰੂਰ/ਬਠਿੰਡਾ/ਲੁਧਿਆਣਾ/ਫਰੀਦਕੋਟ/ਫਿਰੋਜ਼ .ਪੁਰ/ਜਲੰਧਰ/
ਹੁਸ਼ਿਆਰਪੁਰ/ਅੰਮ੍ਰਿਤਸਰ/ਗੁਰਦਾਸਪੁਰ ।
3. ਡਿਪਟੀ ਜਿ.ਲਾ ਨਗਰ ਯੋਜਨਾਕਾਰ , ਰੋਪੜ ਅਤੇ ਕਪੂਰਥਲਾ ।

ਸਹਾਇਕ ਨਗਰ ਯੋਜਨਾਕਾਰ,
ਵਾ: ਮੁੱਖ ਨਗਰ ਯੋਜਨਾਕਾਰ ,
ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।