

# **Chhattisgarh Vishesh Kshetra (Achal Sampatti ka Vyayan) Niyam, 2008**

CHHATTISGARH

India

## **Chhattisgarh Vishesh Kshetra (Achal Sampatti ka Vyayan) Niyam, 2008**

### **Rule**

### **CHHATTISGARH-VISHESH-KSHETRA-ACHAL-SAMPATTI-KA-VYAYAN of 2008**

- Published on 2 March 2009
- Commenced on 2 March 2009
- [This is the version of this document from 2 March 2009.]
- [Note: The original publication document is not available and this content could not be verified.]

Chhattisgarh Vishesh Kshetra (Achal Sampatti ka Vyayan) Niyam, 2008Published vide Notification No. 438/1572/32/2007, dated 2.3.2009Last Updated 16th September, 2019Notification No. 438/1572/32/2007. - In exercise of powers conferred by Section 68 read with section 85 of Chhattisgarh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973), the State Government hereby makes the following Chhattisgarh Vishesh Kshetra (Achal Sampatti Ka Vyayan) Niyam, 2008, the same having been previously published as required by sub-section (1) of Section 85 of the said Act, namely : -

## **Chapter I Preliminary**

### **1. Short title, application and commencement of the rules.**

(a)These rules may be called Chhattisgarh Vishesh Kshetra (Achal Sampatti ka Vyayan) Niyam, 2008.(b)They may be applicable within the limits notified for the Special area under section 64 of the Act.(c)They shall apply for the transfer of all lands and immovable properties which are acquired or purchased by the Authority or transferred from the State Government to the Authority.(d)It shall come into force with effect from the date of its publication in the Official Gazette.

## 2. Definitions.

- In these rules, unless the context otherwise requires -(a)"Act" means the Chhattisgarh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973);(b)"Authority" means the Special Area Development Authority constituted under section 65 of the said Act;(c)"Basic premium of externally developed land or plot" means the cost of land acquisition, cost of rehabilitation, maintenance and administrative cost, including cost of external development;(d)"Chairman" means the Chairman of the Authority;(e)"Chief Executive Officer" means the Chief Executive Officer of the Authority;(f)"Person" means individual and includes company, firm or any other juristic person by whatsoever name it may be known;(g)"Plot" means the part of open land, which has separate identity and bears an independent number in the layout plan made by the Authority;(h)"Undeveloped Land" means land where no development has been made;(i)"Underdeveloped land" means the open land on which city level trunk infrastructure is developed or is intended to be developed but internal infrastructure is not developed;(j)"Upset premium of open land or plot" means the minimum premium fixed for the open land or plot as the case may be, put to tender or auction;(k)"Reserve premium of land or plot" means the premium fixed for saleable land earmarked for various land uses by assigning different weightage as decided by the Authority to the basic premium of externally developed open land;(l)"Immovable property" means property of the Authority which includes undeveloped, underdeveloped, developed open land, plots, flats, shops, office, rooms and other buildings;(m)"State Government" means the State Government of Chhattisgarh;(n)"Lease", "Lessor" and "Lessee" and "Licence", "Licensor", "Licensee" and "freehold" shall have the same meaning as assigned to them by Transfer of Property Act 1882 (Act No. IV of 1882);(o)"Transfer of property" means the transfer of property defined under Section 5 of the Transfer of Property Act 1882 (Act No. IV of 1882).

## Chapter II

### Procedure for Transfer of Property

#### 3.

Lands and other immovable properties of the Authority may be transferred by one or more of the following procedures -(a)By public auction; or(b)By inviting tenders; or(c)By direct negotiations with the party; or(d)By inviting applications on conditions and premium as determined; or(e)For Religious, Social, Educational, Health, Cultural and Community use like grave yards, burial grounds, on premium and terms as determined.

#### 4.

The property of the Authority shall ordinarily be transferred only on lease hold right or on license, on payment of premium and ground rent or premium and/or license fees, as the case may be :Provided that notwithstanding anything contained under the provisions of these rules where the property is to be transferred to the Government of India or the State Government or where, the Authority land is to be exchanged or intended to be exchanged with adjoining private or

Government land for the purpose of a regular layout of plots or for adjustment of the boundaries of private property, the acquisition of which is proposed to be abandoned, or in the case of free Hold land purchased by the Authority from private land owners, or wherever the State Government through any specific order permits, transfer of the Authority land may be made on free hold right on the terms and conditions as may be decided by the Authority.

## 5.

Subject to the provisions of these rules, the property or part thereof is transferred on lease, it shall ordinarily for a period of Thirty years. When the period of lease is fixed Thirty years, the right of renewal of lease shall be for each term of Thirty years, for two such terms subject to an increase of maximum Hundred percent of the annual lease rent prevailing at the time for each renewal, as decided by the Authority. Provided that if the lease is required to be given for more than thirty years, because of use specific to the property, the Authority may for the reason to be recorded in writing for fixing such period, may grant lease of the property for such period which shall not exceed Ninety Nine Years, subject to an increase in lease rent in every thirty years.

## 6.

Subject to the provisions of these rules, for the property to be transferred on license, the premium and/or license fees period and conditions shall be decided by the Authority.

## 7.

Notwithstanding anything contained in these rules, for the security of "he land acquired by the Authority or Government land, the land may be transferred by the Chief Executive Officer for agriculture purpose only on temporary lease or license for a period not exceeding three years, on lease rent or license fees, as the case may be, as decided by the Authority however, preference in such allotment shall be given to the person from whom the land has been acquired or bought by the authority and is also resident of the same village.

## 8.

(1)The Authority shall, taking into consideration, the cost of land acquisition, cost of rehabilitation, maintenance and administrative cost, development cost, location and usage of the property, fix reserve premium every year for different land uses which shall come in force from the first day of June of every year :Provided that in case it is not fixed for any year, reserved premiums for the current year shall be determined by enhancing the premiums reserved for the previous year by Ten percent which shall come in force from the first day of June of that year.(2)Notwithstanding anything contained in these rules, the Authority may, for any specific area or category of immovable property, considering increase in the value of land or due to status of development, make special revision of the reserved premium at any time, which shall come into effect from the date of order.(3)Transfer of immovable property of the Authority, in general, shall not be done on less than

the premium reserved for the property concerned or the category that of: Provided that when the land or plot is used for the purpose of Public Private Partnership agreement like Build-Own-Operate-Transfer agreement, Build-Own-Operate-Maintain agreement, Build and Transfer agreement, Build-Lease-Transfer agreement, Build-Operate-Transfer agreement, Lease and Management agreement, Management agreement, Rehabilitate-Operate-Transfer agreement, Rehabilitate-Own-Operate-Maintain agreement, Service Contract agreement, Supply-Operator-Transfer agreement or any other Public Private-Partnership agreement known by any name whatsoever, the transfer may be done considering the technical-economical feasibility of the project, on less than the reserved premium as decided by the Authority.

## 9.

(1) Except as provided in the clause (c) of rule (3) and clause (e) of rule (3), every immovable property of the Authority shall be transferred by auction or by inviting tenders or applications, by issuing public notice. (2) Public notice for transfer means such advertisement which is published in two widely circulated news papers, out of which one should be of English and in electronic media. In the advertisement, brief description of the property, main conditions of transfer, reserved premium, cost of the form containing detailed conditions, amount of security to be deposited, place, date and time of auction or last date, place and time of submission of tender or application, as the case may be, shall be mentioned. Such public notice shall also be pasted in the notice board of the office of the Authority. (3) For the auction or tender or application as the case may be, there shall be a minimum gap of Fifteen days in between the date of publication of the advertisement and the date of auction or last date of submission of tender or date from which the application shall be received, as the case may be.

## 10.

(1) Where it is proposed to transfer Authority's property by auction, the proceeding of auction shall be conducted under the supervision of a person who is authorised by general or special order of the Chief Executive Officer : Provided that the Authority, instead of holding the auction it self, may employ professional auctioneer for the auction. (2) The transfer of property may be made to the registered co-operative societies by limited auction or tender among them. (3) Auction shall be subject to the following conditions, in addition to any other conditions which the Authority may deem fit - (i) Amount of Security deposit which the Authority may fix, but such amount shall not be less than Five percent of the reserved premium of the immovable property, will essentially be deposited in cash or by bank draft, by every person who intends to participate, within the date and time fixed, otherwise he will not be eligible to take part in the auction. (ii) Bid of the auction shall commence from more than the reserved premium or upset premium fixed by the Authority for the purpose of auction only. The Chief Executive Officer, after recording reasons in writing, may cancel the auction at any stage. If he finds that no fair bid is forthcoming, he may postpone the auction for any future date to be declared later. (iii) When any property is put to auction, the highest bid shall be taken as fit for consideration for acceptance. If in the opinion of the Chief Executive Officer the highest bid is not satisfactory or is less than the reserved premium, the Chief Executive Officer may reject the bid and order for fresh auction, which shall be held on any future date to be declared later

:Provided that instead of fresh auction, the Chief Executive officer with the prior approval of the Authority, may call the highest bidder or all the bidders for negotiation, on the place, the date and time fixed therefor, after written intimation. Sealed proposals may be obtained after negotiation and shall be opened, in the presence of the participants who wish to remain present:Provided that the negotiation shall be called with an objective to derive common conditions and/or for enhancement of highest bid only.(iv)The competent Authority shall not be bound to accept the highest bid.(v)When the highest bid is accepted for consideration of acceptance by the Chief Executive Officer, the bidder shall forthwith deposit Thirty percent of the bid amount as advance deposit and the security deposit of other bidders shall be refunded. On acceptance of the highest bid by the Authority, the highest bidder shall deposit in the office of the Authority the balance amount in cash or by bank draft within Thirty days from the date of intimation of acceptance. If such amount is not deposited within the stipulated period, the amount of security advance deposited by the highest bidder shall be forfeited.(4)If the proposal for transfer of any property on the highest bid is not accepted, the advance amount and the security deposit shall be refunded but no interest will be payable on it.(5)On acceptance of the highest bid and on depositing the full amount subject to the condition of payment of annual ground rent on premium at the rate of Two percent along with other conditions, the property shall be transferred after the execution and registration of the lease deed.

## 11.

(1)Where the property is proposed to be transferred by inviting tender, the tender shall be invited by the Chief Executive Officer or the officer authorized by him by a general or special order.(2)For the tenders, the conditions shall be decided by Authority on the basis of technical-economical feasibility of the project, by general or special sanction, in respect of every property.(3)If so provided in the condition of tender, the Chief Executive officer by recording reasons in writing on the basis of merits and demerits, may extend the period for payment of balance amount of premium of lease together with the interest as decided by the Authority by general or special order, but such extension in any case shall not be more than Twelve months.(4)Where the payment of premium is accepted in installments as provided in the sub rule (3), the property shall be mortgaged with the Authority by the lessee.(5)Tender, in addition to any other conditions which the Authority may deem fit, shall be subject to the conditions mentioned hereunder -(i)Such Amount of security which shall not be less than Ten percent of the reserved premium, as may be, decided by the Authority, shall essentially be deposited by every person participating in the tender, in cash or by bank draft, within date and time fixed otherwise he will not be eligible to participate in the tender.(ii)Tender shall be opened by the officer authorized by the Chief Executive Officer by general or special order and shall be opened in the presence of tenderers or their Authorized agents who wish to remain present.(iii)Tenders which shall be essentially sealed, after opening of them and after retaining the amount of security of the two highest tenderers, the amount of security of other tenderers shall be refunded.(iv)The competent Authority shall not be bound to accept the highest tender or any other tender.(v)If any tender is not found suitable, all the tenders shall be rejected and fresh tenders shall be invited, provided that instead of inviting fresh tender, the Chief Executive officer with the prior approval of the Authority, may call the highest tenderer or all the tenderers for negotiation on the place, date and time fixed therefor, after written intimation. Sealed proposals may be obtained after negotiation and shall be opened in the presence of the participants who wish to remain present:Provided that

the negotiation shall be called with an objective to derive common conditions and/or for enhancement of highest tender rate only.(vi)After acceptance of the tender by the competent Authority, the successful tenderer shall deposit the balance amount of tender in the office of the Authority within Thirty days of written intimation. If such amount is not deposited within the stipulated time the amount of security shall be forfeited and the tender will be rejected :Provided that if in the conditions of tender provision for payment in installment is made and agreement is executed in this regard, the premium amount shall be payable in accordance with such agreement.(vii)On acceptance of the tender and after deposit of full amount of the premium and after registration of the lease deed, the property shall be transferred :Provided that if in the notice inviting tenders there is a condition for execution of lease deed and its registration on part payment of the premium, then subject to such conditions the lease deed may be executed and registered, and the property may be transferred.(viii)If the tender for lease of any property is not accepted the amount of security shall be refunded but no interest on it shall be payable.(ix)Annual ground rent of two percent of sanctioned premium shall be payable on the property transferred by tender and shall be deposited in advance by the lessee on the first date of April every year.

## 12.

(1)Where the property is proposed to be disposed off by direct negotiation, the premium and other conditions of the transfer shall be in accordance with the general or special approval given by the Government on the resolution of the Authority. Annual ground rent of Two percent of the premium shall be payable and shall be deposited in advance by the lessee on the first date of April every year.(2)Only those property shall be transferred by direct negotiation which are required for Central Government/State Government, or Central/State Government, Public undertaking and the land use should conform to the land use prescribed in the Development Plan/Zonal plan, as the case may be :Provided that transfer of undeveloped land, underdeveloped land or plot as per provisions of sub rule (1) of rule 12 may be made in accordance with the provisions of the development plan or zonal plan by the Authority on prior approval of the State Government to such institution or firms which intend to establish such special industries or services which the Government has decided or may decide from time to time which generate employment opportunities of specific types in the State :Provided further that for the implementation of the development plan of the Authority, land, plot or other immovable property may be transferred to the persons affected by the Chief Executive Officer in accordance with the general or special order issued by the State Government under the Rehabilitation Policy of the Authority.(3)Notwithstanding anything contained in these rules, the Chief Executive Officer may directly transfer land on application on temporary lease or license for a period not exceeding Three years for the use of temporary store or work place for construction equipment and such other purposes which the Authority may decide from time to time at such premium, ground rent and other conditions which the Authority may determine from time to time. The Chief Executive Officer may transfer land on license for holding circus fair, exhibition and such other shows on license fees and other conditions which the Authority may determine from time to time.

### 13.

(1) In case of transfer of property by inviting application from public the conditions, premium according to location and size of the property and income group of beneficiaries shall be decided by the Authority. (2) Transfer of immovable property by inviting application shall be made by lottery. (3) The Authority may transfer properties on hire purchase or self financing or such other schemes, which shall be published in public notice, that the Authority may decide after considering the income group and need of the beneficiaries. (4) Properties transferred by inviting applications shall be subject to payment of the annual ground rent at Two percent of the premium determined for plot and in the case of or multistoried building proportionately charged rent, as decided by the Authority.

### 14.

(1) For the need of public or community uses such as Educational, Medical, Religious, Social or for Charitable trust constituted for Charitable purpose, or for Government or Semi-Government institutions, the land or the plot may be transferred on lease to reputed educational and medical institutions or charitable public trusts, or religious public trust on such premium as the State Government may generally or specially decide from time to time, by the Authority on the basis of application, under the following conditions in addition to any other conditions which the Authority may decide - (i) The Authority shall have powers to prescribe eligibility criterion for allotment of land or plot for specific uses. The Authority shall also have powers to allot land or plot on direct application or by draw of lots among the eligible application. (ii) The land or the plot which is to be allotted on lease, should conform to the land use prescribed in the Development Plan or Zonal plan. (iii) For allotment of land for Temple, Church, Mosque, Gurudwara or any other religious purpose and grave yard or Kabristan, prior sanction of the Government shall be necessary. (iv) Such land or plot allotted on lease to any institution will not be transferred to any other institution without prior sanction of the Authority. (v) Such land or plot and structure on it, if not being used for the purpose for which it is transferred, may be resumed by the Authority, but before issuing such order reasonable opportunity to the lessee to be heard shall be provided. (vi) If the property or part thereof is needed for the use of the Government or the Authority itself or for public purpose, the property may be resumed by the Authority but lessee shall be given reasonable opportunity of hearing, before passing such order. (vii) If the property is resumed under the clause (4) and clause (5) of sub rule (1), the concerned shall be reimbursed not more than the amount paid to the Authority for the Land or Plot and the cost of building or any other structure authorisedly erected on the land by the lessee minus depreciation. If a question arises as to the adequacy of the amount of compensation to be paid under this condition, such question shall be referred to the Government whose decision shall be final. (2) Every lease shall be subject to the condition that if the Land or the plot is not used within three years for the purpose for which it is allotted, the Authority shall have the power to cancel the lease and resume the possession of the land. If the land or plot is resumed under this condition the amount paid to the Authority, after deducting Twenty percent therefrom shall be refunded. (3) If the Land or plot allotted on lease is at any time used for holding a circus, fair exhibition or any other performance or show to which public or a section of public are admitted on payment of fee or charges, the lessee shall pay to the Authority a sum equivalent to Twenty five

percent of fees or charges collected by him.

## Chapter III

### Terms of lease

#### 15.

The lessee shall execute lease deed within three months from the date of allotment and get it registered at his own cost, bearing all the expenses on stamp duty, registration charges, cost of map and any other charge which is applicable at the time of the registration.

#### 16.

(1) Lessee shall during the period of lease pay all rates taxes and all other charges due and becoming due in respect of the land and on immovable property thereupon. (2) The lessee shall pay to the Authority for services made available by the Authority such as water supply, sewerage, management of solid waste, at such rates or charges which the Authority shall decide from time to time.

#### 17.

(1) The lessee during the lease period shall not, without obtaining permission, construct any building, carry on any construction of any structure or development or make any change or modification and shall not allow any other to do so. (2) For development permission and building permission and completion, the Development rules in force at that time and Chhattisgarh Bhoomi Vikas Niyam, 1984 shall be applicable. (3) If any person against the conditions of lease or unauthorisedly or illegally takes any property in his possession or constructs without obtaining permission the Chief Executive officer shall have the power to secure summary eviction in the manner provided by the Chhattisgarh Land Revenue Code, 1959 in addition to taking any other action under the provision of Law.

#### 18.

(1) The lessee shall commence and complete the development and or construction works for which the land has been granted, by obtaining development and/or building permission as the case may be, within the time specified in the conditions of transfer. (2) Where the lessee does not obtain the permission of development and/or building construction as the case may be within the time specified by the Authority, the extension in time to commence and complete the development and/or construction may be granted by the Chief Executive Officer, on payment of surcharge by the lessee at the following rates -

Block of time extension	Period of Extension	Amount of surcharge as percent of the premium
-------------------------	---------------------	---



First	Twelve months or part thereof	Twenty
Second	Twelve months or part thereof after the First extension of time	Twenty five
Third	Twelve months or part thereof after the Second extension of time	Thirty
Fourth	Twelve months or part thereof after the Third extension of time	Thirty five
Fifth	Twelve months or part thereof after the Fourth extension of time	Forty

Provided that the extension in time shall be granted for Twelve months or its part only at one time and such extension shall be granted maximum for five years.(3)Where the development and/or construction, as the case may be is commenced by the lessee as per terms of agreement after obtaining development and/or building construction permission but fails to complete the work due to unavoidable circumstances, the extension in time for the completion of work may be granted by the Chief Executive Officer on payment of the following surcharge by the lessee-

Block of time extension	Period of time	Amount of surcharge as percent of the premium
First	Twelve months or part thereof	Five
Second	Twelve months or part thereof after the First extension of time	Seven
Third	Twelve months or part thereof after the Second extension of time	Ten

Provided that the extension in time shall be granted for Twelve months or its part at one time and such extension shall be granted maximum for three years.

## Chapter IV

### Miscellaneous

#### 19.

If the conditions of lease or license as the case may be, is violated, the Authority shall have power to terminate the lease or license and re-enter into the property and forfeit the amount paid to the Authority :Provided that before terminating the lease or license and making re-entry into the property, a notice shall be served and reasonable opportunity of hearing shall be given to the lessee or the licensee.

#### 20.

The restoration of the lease or license may be done if the lessee or the licensee promises and files a duly notarised affidavit that the breaches for which the lease or license, as the case may be was terminated within 90 days of notice of resignation, considered, on payment of restoration charge

which shall be fixed by the Authority shall be revived.

## 21.

At the expiration or sooner determination of the period of lease or license as the case may be, the lessee or the licensee shall take down and remove all building and the structures with the foundations thereof constructed by him on the land fill up excavation made for such purpose at his own expense and shall hand over the possession of the demised land to the Authority. The premium amount deposited for the demised land shall not be refunded :Provided that if the Authority intends to retain the structure constructed on the land, it shall intimate in writing to the lease holder before 90 days of the completion period of the lease. In such a case the Authority shall pay the cost of construction of the structure at the rates prevailing at that time minus depreciation :Provided further that if the land or plot is used for the purpose of Public Private Partnership agreement like Build-Own-Operate-Transfer agreement, Build-Own-Operate-Maintain agreement, build and Transfer agreement, Build-Lease-Transfer agreement, Build-Operate-Transfer agreement, Lease and Management agreement, Management agreement, Rehabilitate-Operate-Transfer agreement, Rehabilitate Own-Operate-Maintain agreement, Supply-Operator-Transfer agreement or any other Public Private-Partnership agreement the land and the properties on it shall vest in the Authority free of any cost or charge.

## 22.

(1)The lessee or the licensee, as the case may be shall not sale, mortgage, gift or otherwise hand over or transfer any land or immovable property thereon to any other person, without obtaining prior permission of the Authority. Such permission will not be given until a sum equal to Ten percent of the prevailing premium of the land/Plot or immovable property is not deposited by lessee with the Authority :Provided that the above provision shall not be applicable if the property is mortgaged with the Central Government, State Government, Nationalised bank. Life Insurance Corporation, Chhattisgarh State Finance Corporation, Housing and Urban Development Corporation or other Financial Institution which are approved by the Authority from time to time :Provided further that if the condition of transfer has been specifically provided in the condition of lease or license, as the case may be, such transfer may be made under the provisions of the condition.(2)The permission for the transfer of the lease or license, as the case may be, under sub rule (1) shall be given for remaining period of the lease or license and execution of lease deed or agreement and its registration shall be essential.

## 23.

(1)Where the lessee or the licensee as the case may be, does not pay any part of the premium or ground or lease rent or fees or service charges or any other charge and the amount remains as balance, the Authority shall have power to recover penal surcharge for delayed period and to recover the balance as arrears of land revenue :Provided that if the arrears remain unpaid for three years, the Authority shall have powers to terminate the lease or the license, as the case may be, and re-enter into the property.(2)If the lessee or licensee as the case may be does not deposit the

premium or any part thereof according to terms of agreement, the Authority shall have power to terminate the lease and forfeit the amount deposited. Any amount of loss caused to the Authority shall be recoverable.(3)If the Chief Executive Officer has sufficient reasons to determine that the lessee or the licensee, as the case may be, is unable to use the demised property for the purpose for which it is leased or licensed the amount deposited for the lease or license, after deducting service fees as the Authority may decide from time to time the balance amount shall be refunded and the lease or license shall be terminated.

## **24.**

The lessee or the licensee, as the case may be, shall not affix or display or permit to be affixed or displayed on the plot or on any structure or part thereof any sign board, sky sign, neon sign or any other advertisement without previous permission in writing of the Chief Executive Officer. Permission shall be granted on payment at the rate and on such conditions as decided by the Authority, from time to time :Provided that no permission shall be required for the sign board and neon sign of size prescribed by the Authority, affixed or displayed for own business use of the lessee or licensee.

## **25.**

For carrying out certain business which the Authority shall notify from time to time, on the demised property, it shall be essential to obtain license by depositing the license fees, at such rate, as may be decided by the Authority. The Authority, according to specific nature of business may allow exemption from obtaining license or issue license on such conditions, which it may decide from time to time.

## **26.**

The lessee or licensee, as the case may be or shall use the immovable property as the case may be, for the specific purpose for which it is granted. If it is found that the demised property is not being used for the specific purpose for which it is demised, the Chief Executive Officer shall have power to terminate the lease or license and to re-enter into the property. The amount paid to the Authority shall not be refunded.

## **27.**

Plot allotted on lease or license shall not be sub divided or two or more plots shall not be amalgamated. If it is found that the plot is sub divided or amalgamated, the Chief Executive Officer shall have power to terminate the lease or license as the case may be, and the demised land along with structures thereon shall vest with the Authority and the amount which had been paid to the Authority shall not be refunded.

**28.**

The lessee or licensee, as the case may be shall have such access to the land as is provided at the spot. The development works shall be taken in hand in the area by the Authority according to its programme of works and completed as early as possible but non execution of the works shall not entitle the lessee or licensee, as the case may be to withhold or object to the payment of ground rent or to make any claim against the Authority.

**29.**

Any notice or demand for payment required to be given to or made upon the lessee or licensee shall be sufficiently given or made if sent to the lessee or licensee through the post by the registered letter addressed to the lessee or licensee at the demised land and any notice or demand sent by the post shall be deemed to have been delivered in the course of post.

**30.**

If the Authority in future grants any additional benefits due to amendments in the development plan are development rules, such as additional floor area ratio or change in use or any concession whatsoever which may be financially beneficial to the lessee or licensee, the Authority shall have power to charge additional premium and/or fees, as the case may be, at the rate decided by it and proportionate increase in the lease rent.

**31.**

The Authority shall have powers to decide procedure, to prepare legal documents and to nominate signing authority on its behalf.

**32.**

In the event of there being any conflict between these rules and the terms and conditions of the lease or the license, as the case may be, granted by the Authority, the rules shall prevail.

**33.**

In these rules the powers of the Authority may be delegated by the Authority to the Chairman or any other officers or several officers of the Authority.

**34.**

(1)Any person aggrieved by any order passed under these rules may appeal to the State Government within thirty days of the date of communication of the order to him.(2)The State Government, for sufficient cause may extend the period prescribed for appeal.(3)The State Government, after giving

reasonable opportunity to be heard, by order, may remand any case for further enquiry or decision or may pass any other order as may be deemed just and proper, and its order shall be final.

**35.**

The Authority, with the previous approval of the State Government may in public interest relax any rule in special case or cases.