

Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013

CHHATTISGARH

India

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Rule

CHHATTISGARH-MUNICIPAL-CORPORATION-AND-MUNICIPALITIES- of 2013

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Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013 Published vide Notification No. F-7-8/18/2011, dated 12th February, 2013 Last Updated 15th October, 2019 Notification No. F-7-8/18/2011 dated the 12th February, 2013.
- In exercise of the powers conferred by Section 292-A, 292-B, 292-C, 292-F and 292-1 read with Section 433 of the Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956) and Sections 339-A, 339-B, 339-C, 339-F and 339-1 read with Sections 355 and 356 of the Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961), the State Government, hereby, makes the following rules, relating to the Registration of Colonizer, Terms and Conditions, namely :-

1. Short title, extent and commencement.

(1) These Rules may be called the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013. (2) These rules shall apply within the limits of all Municipal Corporation, Municipal (3) These rules shall come into force from the date of its publication in the Official Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires, -(a) "Act" means in case of Municipal Corporation, Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956) and in case of

Municipal Council and Nagar Panchayats, Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961);(b)"Competent Authority" means in relation to Municipal Corporation, the Municipal Commissioner; and in relation to Municipal Council and Nagar Panchayat, the Chief Municipal Officer;(c)"Development Expenses" means expenditure to be incurred as, approved by the Competent Authority for the completion of the internal and external development works;(d)"External Development Work" means the following development works, as per prescribed criteria :-(i)New roads to be constructed in the shape of approach road starting from the limit of the colony to an existing road of the town;(ii)If the road attached to the colony exists, in that case the expenses to be incurred on the proposed widening of the existing road;(iii)Laying of electric line from the limits of the colony to the existing electric line for the supply of electricity in the colony;(iv)The expenditure on connecting the existing system to the underground sewerage from the limits of the colony;(v)If water supply in the colony is proposed at the level of urban water supply system, then in that case the laying of new pipe line from the limits of the colony upto the existing pipe line;(vi)In respect of approach road of the colony under sub-clause (i) and widening of the existing road under sub-clause (ii) it shall be necessary for the Competent Authority to clearly determine as to what extent the approach road should be widened and under the widening of the existing road how much width is meant for and what shall be the quality of construction of such road i.e. whether it shall be a road of WBM or asphalt or of cement concrete.(e)"Form" means the form appended to these rules ;(f)"Internal Development Works" means the following development works to be done within the limits of the colony under the prescribed standards :-(i)Levelling;(ii)Demarcation of the proposed roads and plots sanctioned in the layout;(iii)Construction of the proposed road (as per IRC standards);(iv)If road exists at present on the land of the colony, in that case construction or widening of the road on the basis of sanctioned layout (as per IRC standard);(v)Construction of culverts (as per IRC standards);(vi)Construction of storm water drain (as per PHE standards);(vii)Implementation of internal water supply system (as per PHE standards);(viii)Construction of concealed sewage line (as per PHE standards);(ix)Construction of septic tank (if proposed) (as per PHE standards);(x)Fixation of electric poles under the internal electricity system (as(xi)Construction of overhead tank;(xii)Development of proposed open areas in the colony;(xiii)Plantation on road side and in green belts;(xiv)Construction of rain water harvesting system;(xv)Development of adequate parking facility;(xvi)Grey-water collection, treatment, and recycling system, wherever applicable in terms of any current law;(xvii)Compliance with relevant requirement with respect to colonies as may be stipulated by the Government of India under the Environment (Protection) Act, 1986 and/or any other law.(g)"Municipal Area" means such area as defined under clause (34-a) of Section 5 of the Municipal Corporation Act, 1956 and which is situated within the limits of Municipal Corporation, Municipal Council or Nagar Panchayat, as the case may be;(h)"Municipality" shall have the same meaning as assigned to it under clause (18) of Section 3 of the Municipalities Act, 1961 and shall include Municipal Corporation, Municipal Council or Nagar Panchayat, as the case may be;(i)"Plot Holder" means any such person who holds plot from any person under any transfer document or under any transfer agreement, in any municipal area to construct colony;(j)"Treasury" means the cash section of the municipality.(2)Words and terms not defined here shall carry the same meaning as assigned to them in the Act.

3. Registration of colonizer or builder.

(1) Any person who intends to undertake development of colony under Section 292-A of Municipal Corporation Act, 1956 and under Section 339-A of Municipalities Act, 1961 shall apply in Form-One appended to these rules. (2) The application in Form-One under sub-rule (1) must be accompanied by the following documents : (i) copy of the receipt, in proof of depositing the registration fee in the treasury of the Municipality and Municipal Corporation as mentioned in Rule 4. (ii) Bank Guarantee (BG) in favour of the competent authority, for a period covering the entire period of registration requested, according to the following scale :-

S. No.	Area	Amount of Bank Guarantee
(a)	Municipal Corporation having population of three lacs or more.	Rs. 10 lacs
(b)	Municipal Corporation having population of less than three lacs	Rs. 5 lacs
(c)	Municipal Councils Rs.	Rs. 3 lacs
(d)	Nagar Panchayats	Rs. 1 lac

Provided that registered cooperative housing societies shall not be required to furnish bank guarantee along with application for registration; Provided further that if their application is allowed, they shall be required to furnish bank guarantee according to the above scale within ninety days from the date of their application is allowed, failing which the registration certificate shall not be issued. (3) In case the application for registration is rejected, the bank guarantee and the balance amount shall be refundable to the applicant after deducting twenty percent of the (4) The registration certificate shall be issued in Form-Two appended to these rules. (5) The Registration Certificate shall be valid for five years and may be renewed thereafter.

4. Registration and renewal fees.

(1) The registration and renewal fees shall be as follows:-

S. No.	Area	Amount of
	Registration Fee	
	Renewal Fee	
(a)	Municipal Corporation having population of three lacs or more	Rs. 30,000/- Rs. 30,000/-
(b)	Municipal Corporation having population of less than three lacs	Rs. 20,000/- Rs. 20,000/-
(c)	Municipal Councils	Rs. 10,000/- Rs. 10,000/-
(d)	Nagar Panchayats	Rs. 5,000/- Rs. 5,000/-

(2) The registration and renewal fees shall be deposited in the treasury of the Municipality and Municipal Corporation against a proper receipt.

5. Disqualification for registration.

- Application for registration shall be liable for rejection in one or more of the following cases :-
(a) Any information given in the application is not correct or is incomplete;
(b) The applicant, or any partner or trustee or director, as the case may be, has been-
(i) convicted by a court in India of an offence punishable under Section 153-A or Section 171-E or Section 171-F or sub-section (2) or sub-section (5) of Section 505 of the Indian Penal Code, 1860 (No. 45 of 1860) or under the Protection of Civil Rights Act, 1955 (No. 22 of 1955) or under Section 125 of the Representation of the People Act, 1951 (No. 43 of 1951), or Sections 3 and 4 of the Dowry Prohibition Act, 1961 (No. 28 of 1961) or Section 10 or Section 11 of the Chhattisgarh Local Authorities (Electoral Offences) Act, 1964 (No. 13 of 1964), or for any cognizable offence punishable under any current Law of the land unless a further period of six years has elapsed since his release after undergoing the sentence;
(ii) sentenced to imprisonment for a period of not less than two years;
(c) If the registration certificate of the applicant was rejected earlier under Rule 7 or 14 ;
(d) If a competent court has declared the applicant as a person of unsound mind.

6. Maintenance of register of colonizers and builders.

(1) The Competent Authority shall maintain a register in Form-Three wherein the full details of the registration certificate issued under these rules shall be entered together with-
(a) full address of the applicant;
(b) the terms and conditions subject to which registration certificate has been granted;
(c) details of their bank guarantee and expiry/renewal dates of registration.
(2) It shall be the responsibility of the person who has obtained the registration certificate to inform the Competent Authority in case of any change in any particular contained in his application form within thirty days from the date of such change.

7. Cancellation of registration certificate.

(1) The Competent Authority on his own motion or on information from any source and for reasons to be recorded in writing, may cancel the registration certificate for contravention of any of the term, condition or terms or conditions or any provision of the Act or these rules : Provided that no registration certificate shall be cancelled unless a reasonable
(2) An appeal against any order or cancellation of registration certificate under sub-rule (1) may be filed before the State Government within thirty days from the date of the order of cancellation of registration certificate, in the form of a simple application, stating therein the grounds for appeal and attaching a copy of the order passed under this rule.
(3) The appeal under sub-rule (2) shall be considered and disposed off by the State Government in accordance with the principles of natural justice within a period of three months from the date of receipt of the appeal.

8. Application for the development of the colony and permission fee.

(1) When a colonizer registered under Rule 3 wants to establish any colony and take up development work, he shall submit an application in five copies to the Competent Authority in Form-Four

together with the fee prescribed under sub-rule (2) at least ninety days before the proposed date for starting the development work of the colony or sale of plots.(2)Fee for the permission of development of the colony shall be payable as follows and it shall be deposited by the colonizer in the treasury of Municipality or Municipal Corporation, as the case may be, and a true copy of the receipt shall be enclosed with the application to be submitted under sub-rule (1):-

S. No.	Area	Fee for Permission for development of Colony
(a)	Municipal Corporation having population of three lacs or more.	Rupees fifty thousands per hectare
(b)	Municipal Corporation having population of less than three lacs	Rupees twenty-five thousands per hectare
(c)	Municipal Councils	Rupees ten thousands per hectare
(d)	Nagar Panchayats	Rupees five thousand per hectare

9. No objection certificates to be obtained.

(1)On receipt of the application under Rule 8, the Competent Authority shall obtain the following no objection/ permissions :-(a)Under the Urban Land Ceiling Act, 1976 ;Explanation. - This shall apply only in respect of old cases and not in cases where land was acquired after repeal of Urban Land Ceiling Act, 1976;(b)Necessary permission under the Chhattisgarh Town and Country Planning Act, 1973;(c)NOC from the Nazul Officer.(2)If no objection certificate or permission prescribed in sub-rule (1) is not given by the concerned departments within ninety days of the receipt of letter from the Competent Authority, then it shall be deemed to have been given and the application shall be disposed off under Rule 8 within one hundred and twenty days from the date of the receipt of application:Provided that an intimation in this regard shall be sent in writing to the concerned department and if at any time it is found that the concerned department was prevented from issuing NOC due to default of applicant himself and/or NOC could not have been issued by the concerned department in favour of applicant then the application may be dismissed if it is pending for consideration or order of registration, if any, may be recalled.(3)If no information from the Competent Authority is received by the applicant colonizer within the period specified under sub-rule (2), then on expiry of the said period, permission shall be deemed to have been granted to the applicant colonizer, but in counting of the above period of time, the period from the date fixed for obtaining any additional information or documents, from the applicant and the date of receipt of such information or document, shall be reduced. This deemed permission shall be valid to the extent that it does not violate the provisions of any Act/Rules/Bye-laws for the time being

10. Transfer/reservation of land/plots dwelling units for Economically Weaker Sections (EWS) and Low Income Group (LIG).

(1)In every residential colony in the Municipal area, out of the total area, fifteen percent of the land shall be transferred by the colonizer to the Competent Authority for economically weaker sections as follows :-(a)The process of transfer shall be spread over two stages as follows :-

Letter of Intent in Form-Five to transfer land to be submitted along with an application
Stage-I under Rule 8, location-map of land as offered by the colonizer and accepted by the
Competent Authority.

Stage-II Transfer and possession deed on Form-Six within fifteen days of receipt of provisional
sanction of application for development of colony.

(b) If in the opinion of the Competent Authority the land proposed/offered for Economically Weaker Sections as provided under Section 292-B and as mentioned in clause (a) above, is not suitable for residential purpose, he shall intimate accordingly to the applicant within fifteen days and the applicant shall offer alternate land, or undertake to develop the land at his cost to make it suitable for residential purposes to the satisfaction of the competent authority. (c) If the Competent Authority finds the application worthy of sanction, he shall issue a provisional sanction letter in Form-Seven and call upon the applicant to submit duly registered deed of transfer and possession of the land, duly registered. (d) The transfer deed shall be executed and duly registered after the Competent Authority makes payment for the land at a flat rate as may be fixed by the Government from time to time, but not exceeding one rupee per square foot. (e) On receipt of registered transfer deed and possession of land under clause (d), the Competent Authority shall issue the final letter of permission for development of colony. The work relating to development of colony shall not be started by the colonizer unless he receives the letter of final permission. (f) Under no circumstance shall the land earmarked for economically weaker sections be alienated or used by the applicant colonizer for any other purpose. (2) If for any reason whatsoever, instead of transferring land according to sub-rule (1) within the residential colony, the colonizer offers to transfer and at an alternate location, he may do so subject to the following conditions :- (a) The land offered must be suitable for construction houses for the economically weaker sections, to the satisfaction of the Municipal Officer; (b) The land offered must be within the Municipal limits; (c) The land offered must be within a radial distance of not more than two kilometres from the boundary of the residential colony : Provided that the land offered must have land-use of "residential" in the Master Plan and it must have a clear approach road. (d) The total value of the land offered must match the value of fifteen percent of the land in the residential colony : Provided that in no case shall the area of land offered must be less than the area of land prescribed under Section 292-B, the colonizer would transfer under sub-rule (1); Explanation. - For the purpose of this rule, "value of land" shall be based on the Collector's rate of valuation based on the current Guiding Principles for Market Value of Immovable Property applicable for the city. (e) The alternate land offered may be in the name of a third-party, provided that the land-owner's irrevocable consent agreeing to grant advance possession and transfer land in favour of the Competent Authority as required of the colonizer under these rules must be duly obtained and confirmed by the applicant; (f) the process of transfer of land in all cases shall be the same as under sub-rule (1). (3) Where the colony is proposed on a small piece of land, the area of which is less than one acre and the colonizer under clause (c) of sub-section (1) of Section 292-B of the Chhattisgarh Municipal Corporation Act, 1956 or Section 339-B of the Chhattisgarh Municipalities Act, 1961, as the case may be, exercises the option of paying fee, he shall do so in the following manner :- (a) The amount shall be paid at the current rate for raw land for the area as prescribed by the District Collector. (b) The amount shall be deposited in the designated "Services to the Poor Fund" bank account of the Municipality and a copy of the receipt along with a letter on Form-Eight shall be attached to the application under Rule 8, (4) In addition to transferring land for economically weaker sections under sub-rule (1) or (2), the colonizer shall reserve at least

ten percent of the fully developed plots or, in alternate offer, constructed houses/flats in the colony for persons belonging to the low income group.(5)If developed plots are reserved under sub-rule (4), they shall not be less than 500 square feet each, and not more than 600 square feet each.(6)If constructed houses/flats are reserved under sub-rule (4), the following conditions must be fulfilled :- (a)The built up area of each house/flat should not be less than 400 square feet and more than 500 square feet;(b)Each house/flat must have piped water supply facility and concealed sewerage facility;(c)Each house/flat must have a toilet.(7)The developed plots or constructed houses/flats reserved under sub-rule (4) must be sold by the colonizer to persons belonging to low income group only, after obtaining from them an affidavit to this effect:Provided that if the plot/house/flat remains unsold for a period of six months, the colonizer may, with written approval of the Competent Authority, sell the plots/houses/ flats reserved for low income group to any buyer at open market prices.Explanation. - The income criterion for identifying low income group shall be according to the norms prescribed by the State Government and prevailing at the time of sale.(8)A member of the low income group shall not be eligible to buy more than one dwelling unit.(9)The colonizer shall file with the Competent Authority, particulars of the low income group persons to whom the plots/houses/flats reserved for them under sub-rule (4) are sold.

11. Permission for development works.

- On receipt of the application under Rule 8, subject to the provisions mentioned in Rules 9 and 10, and after receiving advance possession of land for economically weaker sections to his satisfaction in accordance with clause (b) of sub-rule (1) of Rule 10 and after fulfilling the following conditions, permission for the development of the colony shall be granted in Form-Nine by the Competent Authority-(i)Out of the plots or houses or flats, as the case may be, to be developed by the Colonizer, the plots, houses or flats as the case may be, in number of fifteen percent in respect of plots or houses and ten per cent in respect of flats, leaving the plots, houses or flats, as the case may be, transferred or reserved for transfer to the Competent Authority for the economically weaker sections and leaving the plots, houses or flats, as the case may be, reserved for low income group, shall have to be mortgaged in favour of the concerned Municipality. These plots, houses or flats, as the case may be, shall be released from mortgage and will be available to the Colonizer for sale on the completion of internal development works of the colony subject to sub-rule (2) of Rule 13. The notice regarding the numbers of plots, houses or flats, as the case may be, as mortgaged may be got published in newspapers for information of the general public by the Competent Authority and a copy of such notice shall also be sent to the Sub-Registrar.(ii)The colonizer shall have to deposit an amount equal to two percent of the estimated cost to be incurred on the internal development of the colony as supervision fee in the treasury of the concerned Municipality.(iii)On the basis of the total area of the colony, the amount at the rate of rupees one hundred per square metre for external development cost, shall be deposited by the colonizer in the designated bank account of the Municipality in cash or by Bank Draft:Provided that if the colonizer completes the external development work of the colony as per the prescribed specification then it shall not be necessary for him to deposit the said amount.(iv)The rate under clause (iii) relates to base year 2011 and it shall automatically be increased by five percent every year thereafter :Provided that nothing contained in this clause shall limit the power of the State Government to revise the rates from time to time.(v)The amount deposited for external development under clause (iii) shall be kept in a separate Bank

account by the Competent Authority. The withdrawal from this account shall only be made for the purpose of external development works of that colony.(vi)The Colonizer shall complete the development works within a period of three years from the date of deposit of the amount under clause (iii) and shall inform the Municipality accordingly.(vii)The colonizer shall have to comply with the criteria prescribed by the Municipality in respect of the handing over of the colony to the Municipality for maintenance.(viii)The information of completion of the development work of the colony shall be given by the colonizer to the Competent Authority, on receipt of the information the work completion certificate shall be issued by Competent Authority within a period of fifteen days after inspection of the development works of the colony, if the development works are found to be completed. It shall be deemed that the concerned colony has been transferred to the Municipality for maintenance on the date of issue of work completion certificate.(ix)The colonizer shall have to manage the minimum necessary facilities such as drinking water, shelter, toilets etc. for the labourers engaged in the development and construction work of colony and permission for development of colony shall be given only after such arrangements have been made.

12. Permission for Building Construction.

- Permission for building construction in a colony shall be granted only when the Competent Authority ensures that the development works as per prescribed norms have been completed in the colony, but in case of group housing this condition shall not apply.

13. Period for completion of internal development works of the colony.

(1)The colonizer will be required to complete the internal development works of the colony within a maximum period of five years from the date of issue of the permission of development of the colony under Rule 11.(2)If within the stipulated period in sub-rule (1), the colonizer fails to complete the internal development works of the colony, then the Competent Authority, after giving the colonizer a reasonable opportunity of being heard, shall take up the internal development works of the colony and get the development works completed and on execution of such works the expenditure incurred thereon shall be recouped by selling of the plots mortgaged under clause (i) of Rule 11.

14. Effect of non-compliance of Rule 11.

- If prior to the receipt of permission under Rule 11, any colonizer starts the development work of the Colony or sells the plots or prepares to sell the plots then in such circumstances the Competent Authority may cancel the registration of the colonizer and take such legal action as he decides to take under the law:Provided that the registration shall not be cancelled until such colonizer has been given a reasonable opportunity of presenting his case :Provided further that the reasons for cancellation of registration shall necessarily be recorded in writing.

15. Management of the land of illegal colony.

- The Competent Authority shall take over the management of an illegal colony under Section 292-F

of the Chhattisgarh Municipal Corporation Act, 1956, or 339-F of the Chhattisgarh Municipalities Act, 1961, as the case may be, as follows :-(a)he shall issue a notice and publish it three times in atleast two daily local newspapers of which one must be of Hindi language and call upon all the persons interested in the said land to show cause within such period as may be specified therein, that why the management of the said land should not be taken over by him.(b)On the expiry of the period specified in the notice, the Competent Authority shall consider the objection or suggestion, if any, received with reference to the notice or otherwise, and if he considers necessary, require any such person who has raised any objection, to present himself in person or through an authorized representative with all the relevant documents for oral hearing.(c)After hearing the parties if present on the date fixed for hearing and after making any further inquiry in the matter which he may think proper, the Competent Authority-(one) may take over the management of the land if he finds any illegal diversion or illegal colonization; or, (two) may drop proceedings if he is satisfied that the colony is not subject to illegal diversion or illegal colonization.(d)In the discharge of his duty for management of land, the Competent Authority may confer upon one or more officers subordinate to him, such powers as he may think necessary for proper management, protection and preservation of the property and wherever necessary, for the collection of rents and profits, for any suit or prosecution or any other legal proceedings arising from management, protection and preservation of the property.(e)If the Competent Authority has taken over the management of land under clause (c), he shall, directly or through an agency, draw up a scheme for the development of such land and its allotment in which the following points shall necessarily be included-(i)the criterion for the allotment to such plot holders of the colony concerned who have deposited the development fees;(ii)criterion for sale of the remaining plots;(iii)time for the completion of the development work;Explanation. - In the said scheme, the procedure of allotment shall have to be completely transparent.(iv)the scheme, as prepared above shall be published for information of the general public by the Competent Authority in the manner as he may deem fit.(f)The expenses incurred by the Competent Authority on the management of the land shall be included in Development charges of the land and shall be recoverable on pro-rata or on any reasonable basis from persons to whom the plots have been allotted under the scheme.

16. Agreement with buyer.

- Every colonizer, before receiving either directly or through an agent by whatever name called, payment from a buyer against sale of a plot or a house or a flat, shall execute an agreement in Form-Ten.

17. Repeal and savings.

- From the date of commencement of these rules, all rules and bye-laws corresponding to these rules, if in force immediately before the commencement of these rules and, in particular, the Chhattisgarh Nagar Palika (Registration of Colonizer, Terms and Conditions) Rules, 1998, as amended from time to time, shall stand repealed :Provided that anything done or any action taken under the rules and bye-laws so repealed, shall, unless such thing or action is inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

Form-One[See Rule 3 (1)]Application for RegistrationTo,Municipal

Commissioner/Chief Municipal OfficerMunicipal Corporation/Municipal Council/Nagar PanchayatApplication for registration as a colonizer is submitted as per the following details:-

1. Prescribed fee for registration Rs.....has been deposited in the treasury of Municipal Corporation/Municipal Council/ Nagar Panchayat vide receipt No dated (true copy is enclosed).

2. Bank Guarantee for Rs issued in your favour by (name of the bank) valid for years is enclosed.

3. Other required details are as follows :-

(1)Name of the applicant with complete present address and permanent address : r(2)Is the applicant a Private person/Private Company/ Public Company/Firm or Society ?(3)If the applicant is-(a)An individual, his nationality ?(b)A Private Company, the place of registration together with the nationality of all members of company.(c)A Public Company, the nationality of the Directors, the place of issue and percentage of equity capital owned by Indian Nationals.(d)A Firm or association, the nationality of all partners.(e)An institution (Society), the details of registration and Managing Members.

4. The profession or nature of business of the applicant.

5. Details of immovable and movable property owned by the applicant.

6. Whether the applicant has developed any land before the date of this application ? If yes, give details thereof.

7. Whether applicant has sufficient financial resources for the establishment of colony (give particulars of Net Worth).

8. Whether applicant has been convicted for any offence? If yes, give details.

9. Income Tax permanent account number (enclose copy of the details of IT Returns submitted in the last year).

10. Nature of joint interest, if any.

11. If the applicant intends to supervise the works, his previous experience be mentioned. If he intends to appoint a manager, the name of the manager, his qualifications, nature and extent of his previous experience, if available,

should be mentioned and his consent letter should be attached.

I/We hereby declare that the particulars furnished above are correct and I/We are ready to furnish any other details as may be required by you. I/We declare that I/We have read and understood the provisions governing colonization contained in the Act, Rules and the CG Town and Country Planning Act, and I/We promise to abide by these failing which my/our Certificate as Colonizer will be liable for rejection.

Yours faithfully,

Place.....

Date..... (Signature and Designation of the Applicant)

Form-Two[See Rule 3 (4)]Registration Certificate

Date..... RegistrationNo.....

Subject to the terms and conditions specified below and under the Chhattisgarh Municipal Corporation Act, 1956/Chhattisgarh Municipalities Act, 1961 and the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013 made thereunder.

(Name of the Person/Firm/Company/Society) being granted the Registration Certificate)

(Registered/Permanent Address)

is hereby registered as colonizer.(1)This registration is to the extent of the Municipal area of.....(2)The colonizer has to inform about the establishment of every additional colony before its establishment.(3)Permission for the development of colony/permission to start the development works shall have to be obtained for each colony separately.(4)The eligibility for the establishment of colony, development work, allotment of plots/houses in the colony or to make agreement for allotment shall be subject to the permission for development being granted as per rules.(5)The Registration shall be subject to any change/amendment in the laws relating to colonization and to any policy changes of the Government subsequent to the issue of this Certificate.

Seal of the Municipality

Place.....

Date..... (Name and Designation of the Competent Authority)

Form-Three[See Rule 6]Register of Colonizers

1. Date and year of issue of Registration Certificate

2. Registration Certificate Number

3. Name of the person to whom Registration Certificate is issued

4. Father's Name (if an individual)

5. If Firm, Company or association or Society, names of all the Directors/ Partners/Executive Members

6. Special Terms, Conditions and Restrictions subject to which registration certificate is granted

7. Date of cancellation of Registration Certificate and the reasons for cancellation in brief

8. Date of receipt of application under Rule 8

9. Date of issue of permission under Rule [12]

10. Particulars of Bank Guarantee

(i)Name of the Bank(ii)Amount of Bank Guarantee(iii)Period of Validity(iv)Period of Enforcement

11. Date of renewal of Bank Guarantee

Form-Four[See Rule 8]Application for development of colonyTo,(1)The Municipal Commissioner, Municipal Corporation(2)The Sub-Divisional Officer (Revenue)Municipal Area.....District.....Application for permission for development of colony is submitted as per the following details

1. Full Name of the Applicant (Specify whether a person, firm, Cooperative Society, Society, Company or any other Category).

2. Colonizer Registration Certificate (Issuing ULB, Number and Date, Attach Copy).

3. Present Address

4. Details of the land of which development is required alongwith Survey No.

5. Right under which the applicant holds the land.

6. Details of immovable property owned by the applicant.

7. Whether Applicant has developed and land prior to submission of this application. If so, state the details.

8. Details of financial resources for establishment of colony. Give details of Net Worth.

9. Whether the applicant has been convicted of any offence. If so, state the details.

10. Following documents are enclosed with the application :-

(1)For the permission of development of colony, prescribed fee of Rs.....(Rupees.....) has been deposited in the treasury of Municipality vide receipt No.....dated..... (True Copy is enclosed).(2)True Copy of the Certificate and documents of Sub-Registrar, Registration for the purpose of giving proof of title, ownership or interest in the land on which permission to establish the colony is required.(3)True Copy of land diversion certificate of the land which is to be developed.(4)Proposed development plan.(5)Details of 15% land earmarked for transfer to Municipality for economically weaker sections. (EWS)(6)Details of 10% plots proposed to be reserved for low income group (LIG).(7)Details of plots proposed to be mortgaged as per Rule 12 (1).(8)Statement of estimated expenditure for development works of the colony, which has to be certified by any qualified engineer and true copy of the receipt indicating its number and date in proof of the deposit of the amount equal to 2% of the amount shown in the statement of estimated expenditure in the treasury of Municipality.I/We hereby declare that the details given above are true and I/We are ready to furnish any more details required by you. Kindly permit me/us to commence the work of construction of the colony.Yours faithfully,Signature of the ApplicantForm-Five[See Rule 10(1)]Letter granting advance possession of land for EWS housing

From : Place :; Date:.....

To,The Competent AuthorityMunicipal Corporation of.....Dear Sir,In support of my application for development of colony under Rule 8 at.....I wish to submit as follows this letter of intent:(1)My/our proposed colony is on a land of.....acres. Of this, I/We have earmarked 15% land ad measuring.....acres for economically weaker sections. This land is clearly earmarked the map of the proposed colony.(2)I/We confirm that I/we have clear title over the above land and I/we hereby grant advance possession of the above land to you. ORI/We conform that Shri/Smt..... has clear title over the above land and his/her irrevocable consent to grant advance possession of the above land to you has been duly obtained.(3)If in your opinion the land earmarked under clause (1) is not suitable for residential purpose, I/We shall make alternate land available in the area of the proposed colony, or at our cost shall develop the land to make it suitable for residential purposes to your satisfaction, provided you intimate to us in this regard within fifteen days.(4)Under no circumstances shall the land earmarked for economically weaker sections be alienated or used by me/us for any other purpose.Yours truly,Signature and Seal of the applicantForm-Six[See Rule 10 (1) (b)]Deed granting advance possession of land for Economically Weaker SectionsKnow all men by these presents that I/We,

Shri/Smt./M/s..... resident of.....do hereby state, as follows :

- 1. That, I/we am/are the owners of a parcel of land admeasuring..... located at described in the map attached hereto and forming part of this deed.**
- 2. That, I/we propose to develop a colony at.....and have submitted an application for permission under the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013 to the Competent Authority, namely.....**
- 3. That, the Competent Authority has provisionally granted permission vide his letter No.....dated..... subject to my/our granting advance possession of land to the Competent Authority for construction of dwelling units for the economically weaker sections of society.**
- 4. That, I/we of our free will and pleasure hereby grant advance possession of the following land to the Competent Authority for the above purpose.**
- 5. That, the above land is marked on the location map attached hereto and forming part of this deed.**
- 6. That, the Competent Authority take possession and use the above land for the above purpose without any further reference to me.**
- 7. That, the transfer deed in respect of the above land shall be executed after the Competent Authority makes payment in terms of the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013.**

In confirmation of the above, I/we have put my/our signature hereto in my/our own hand on the.....day of.....in the year in the presence of the witnesses named below. Signature, Name and Address

Witnesses:

1. 2.

Form-Seven[See Rule 10(1)(c)]Letter for provisional grant of permission for development of colony
From:Competent AuthorityMunicipal Corporation
of.....To,M/s.....Subject : Provisional Grant of Permission for Development of Colony.
Reference : Your Application dated under Rule 8 of the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013 for Permission to Develop Colony at.....With reference to the above, permission to develop above colony is granted provisionally, subject to your submitting the Deed Granting Advance Possession of Land for EWS Housing under Rule 10 of the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013. Please note that in case you fail to comply with the above rule within the prescribed time limit of fifteen days, this provisional permission shall automatically be cancelled and become null and void without any further notice to you. Issued under my signature and seal on the.....day of.....,20.....Signature and Seal of the Competent Authority
Form-Eight[See Rule 10(3)]Letter confirming payment in lieu of land for EWS
From :Place :.....; Date :.....To,The Competent AuthorityMunicipal Corporation of.....
Dear Sir,In support of my application for development of colony under Rule 8 at..... I wish to submit as follows this letter of intent:-
(1)My/our proposed colony is on a small piece of land, the area of which is less than one acre and under clause (c) of sub-section (1) of Section 292-B of the CG Municipal Corporation Act, 1956, or 339-B of the CG Municipalities Act, 1961, as the case may be, I/We wish to pay fee in lieu of transferring land for economically weaker section.
(2)Accordingly, I/We have paid an amount of Rs..... calculated according to Rule 10(2) into the designated "Services to the Poor Fund" bank account of the Municipality and a copy of the receipt No..... dated is attached to the application under Rule 8.
Yours truly,Signature and Seal of the applicant
Form-Nine[See Rule 11]Permission for development of colony
Date..... Permission No.....
Subject to the terms and conditions specified below under the Chhattisgarh Municipal Corporation Act, 1956/Chhattisgarh Municipal Corporation and Municipalities thereunder
Shri/Smt./M/s.....Son of.....of resident of.....
Mohalla.....Village/Ward.....Town.....Tehsil.....
District.....is permitted to start the development work in the residential colony.....situated in village.....khasra No.....Total area.....

1. Conditions mentioned in the No Objection Certificate issued by the Competent Authority under the provision of the Urban Land Ceiling Act, 1976 shall have to be complied with.

2. Conditions of the diversion of land under Chhattisgarh Land Revenue Code, 1959 shall have to be complied with.

3. Conditions of permission for Development received under the Chhattisgarh Town and Country Planning Act, 1973 shall have to be complied with.

4. Development/Construction of plots/houses for economically weaker sections shall have to be done firstly.

Municipal Commissioner/ Sub Divisional Officer (Revenue) Form-Ten [See Rule 16] Agreement with buyer This Agreement between: M/s..... (name of the colonizer) having his registered office at..... and a local office at..... hereinafter called the "Colonizer" (which expression shall include his successors in interest and assigns; of the First Part; and Shri/Smt..... (name of the buyer) son/daughter/wife of..... resident of..... hereinafter called the "Buyer"; of the Second Part. Whereas the Colonizer is developing a colony named..... at..... (location of the colony) for sale of plots/houses/flats; And whereas the Buyer is interested in buying a plot/house/flat in the above colony; And whereas the two parts are keen to reduce to writing the points of agreement between them before the buyer makes payment to the colonizer; Now this agreement witnesses as follows; Part-A : Particulars of the Colonizer/Colony (1) Colonizer's Registration Number and date (2) Name of the Municipality where Registration was obtained (3) Registration Valid Upto (4) Location and Survey Number of Colony Land (5) Area of land (6) Colonizer's right over land of proposed colony (7) Whether there are any disputes regarding title of land of the proposed colony? (8) Whether there are any encumbrances over the land of the colony? (9) Whether land of proposed colony has been duly diverted for residential purposes. If yes, particulars of the diversion order (10) Whether plan has been approved by the appropriate authority under Chhattisgarh Town and Country Planning Act, 1973. If yes, particulars of the approval order (11) Whether development permission has been granted under the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013. If yes, particulars of permission (12) Whether approval of Chhattisgarh Environment Control Board, if applicable, has been obtained. Part-B : Particulars of Plot/House/Flat

- | | | |
|------|---|----------------|
| (1) | Plot/House/Flat identification number | |
| (2) | Total area (Plot/Built up/Plinth/Carpet) which the Buyer will receive | |
| (3) | Accommodation details | |
| (4) | Type of construction | |
| (5) | Type/Brand of sanitary fittings | |
| (6) | Species of wood proposed to be used | |
| (7) | Door type | |
| (8) | Brand of paint(s) to be used | |
| (9) | Brand of electrical fittings | |
| (10) | Type of flooring in rooms | |
| (11) | Type of flooring in toilets | |
| (12) | Whether individual overhead tanks will be provided | CC/Sintex Type |
| | Type of Overhead Tank | |
| (13) | Common Facilities in which the buyer will have ashare | |

(14)	Can the buyer get special works, fixtures donethrough the colonizer ? What are the terms and conditions forsuch customization ?	
(15)	Whether Power Backup System	Yes/No
Part-C : Particulars of Internal Development		
(1)	Levelling	Yes/No
(2)	Demarcation of the Roads and Plots	Yes/No
(3)	Internal roads	
	(a) Type of internal roads	Tarmac/Cement Concrete
	(b) Width of internal roads	
(4)	Construction of Culverts	Yes/No
(5)	Construction of Storm Water Drain	Yes/No
(6)	Internal Water Supply System	Municipal Supply/Own Source
(7)	Whether Colony Overhead Tank (OHT) will be providedCapacity of OHT	Yes/No
(8)	Concealed Sewage Line	Yes/No
(9)	Septic Tank	Common/ Separate
(10)	Power Supply	Underground Cable/Electric Poles
(11)	Power Backup System	Yes/No
(12)	Children's Park	Yes/No
(13)	Size of Children's	Park
(14)	Items in Children's Park	
(15)	Walking Track	Yes/No
(16)	Security Office	Yes/No
(17)	Green Belts	Yes/No
(18)	Green Belt Area	
(19)	Rain Water Harvesting system	Yes/No
(20)	Parking Facility	Dedicated/ Common
(21)	Area of Dedicated Parking Facility Area of CommonParking Facility Visitors Parking Facility	Yes/No
(22)	Grey-water Collection, Treatment, and RecyclingSystem	Yes/No
(23)	Solid Waste Management	Yes/No
(24)	Fire Extinguisher System	Yes/No
	Fire Alarm System	Yes/No

- (25) Whether Lift(s) will be installed Yes/No Number
of Lift(s) to be installed
- (26) Compound Wall
- (27) Colony Gate

Part-D : Particulars of External Development

- | | | |
|-----|---------------------------------|-----------|
| (1) | Approach Road | Yes/No |
| (2) | Width of Approach Road | |
| | (a) Present | |
| | (b) Proposed | |
| (3) | Type of approach road | Tarmac/CC |
| (4) | Electric Line | |
| (5) | Under Ground Sewerage | |
| (6) | Storm Water Drainage | |
| (7) | Culverts | |
| (8) | Quality of Construction of Road | |

Part-E: Financial Matters

- (1) Cost of the plot/house/flat (including internal/external development charges)
- (2) Whether cost is firm or variable
- (3) Taxes, if any
- (4) Whether colonizer will arrange for housing loan
- (5) Whether there are any freebies/commercial incentives included. Details thereof.
- (6) Terms of Payment

Instalment	Stage	Payment in %	Payment in Rs.
First	On Signing Agreement		
Second			
Third			
Fourth			
Fifth			
Total	100%		

|-| (7) Payment to be made by the buyer to colonizer in the name of: |-| (8) Grace period for making payment after receipt of demand notice |-| (9) Interest applicable if payment gets delayed beyond the grace period |-| (10) Position regarding insurance |-| (11) If the buyer desires to cancel the deal half-way, what are the deductions that will be made from the payments made by him ? || } In acceptance of the above terms and conditions, the two parts have put their signatures and seal on

the.....day of.....(month) of.....(year) at..... (place) in the presence of the witnesses named below.

(Buyer) (Colonizer)

Witness-1 : Witness-2 :