

Low Income Group (Allotment of Sites) Scheme, 1979

PUNJAB

India

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Rule

LOW-INCOME-GROUP-ALLOTMENT-OF-SITES-SCHEME-1979 of 1979

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Low Income Group (Allotment of Sites) Scheme, 1979Published vide Notification Chandigarh Administration Gazette, Extraordinary Dated 15.10.1979 pages 415-416No.

8679-UTFI(III)-79/14992 - Whereas the Chandigarh Administration had framed a Model Scheme in the year 1971 for allotment of residential plots at a concessional rate to persons of low income groups.And Whereas a number of applicants who had applied under the aforesaid scheme, could not succeed in getting a plot:And Whereas In order to satisfy some more remaining applicants, the Chandigarh Administration had framed a fresh scheme called the Low Income Group (Allotment of Sites) Scheme in 1975.And Whereas some of the applicants still could not get a plot under the aforesaid Scheme of 1975.Now Therefore, with a view to satisfying the remaining eligible applicants, the Chief Commissioner, Chandigarh, is pleased to formulate the following scheme, namely :-

2.

This scheme shall be called the Low Income Group (Allotment of Sites) Scheme, 1979.

3.

The Chandigarh Administration may demise plots in sectors 40 and 46 in Chandigarh by draw of plots, on lease hold basis for 99 years to the applicants who had applied under the Model Scheme of 1971. The draw shall be confined to the said remaining applicants who had been considered eligible for allotment under this Scheme framed in 1975 for allotment in Sector 38, Chandigarh.

4.

Those of the aforesaid remaining applicants who have secured a residential site or a house in any urban area anywhere in India including Chandigarh since then, shall not be eligible for allotment under this Scheme.

5.

The premium for allotment under this Scheme shall be charged at Rs. 110 per sq. yard. In addition to the premium the lessee shall also pay ground rent at the rates prescribed under the Chandigarh Lease Hold of Sites and Building Rules, 1973.

6.

The allotment of plots under this Scheme shall be subject to the same terms and conditions as envisaged under the Low Income Group (Allotment of Sites) Scheme, 1975. The relevant terms and conditions of allotment under the said previous scheme are hereby republished as Annexure 'A' for information of all concerned.

7.

For removal of doubts it is hereby declared that the enjoyment of the site allotted on lease hold basis under this scheme shall be subject to the provisions of the Capital of Punjab (Development and Regulation) Act, 1952 and the rules framed thereunder from time to time.

8.

If any difficulty arises in giving effect to the provisions of this Scheme, the Chief Administrator may make such provisions or give such directions not inconsistent with the objects and provisions of this scheme, as he may consider appropriate and necessary. Annexure 'A' Chandigarh Administration Terms and Conditions of allotment of residential sites on lease-hold basis in Sectors 40 and 46, Chandigarh

1. The enjoyment of the site allotted on lease hold basis is subject to the provisions of the Capital of Punjab (Development and Regulation) Act, 1952, and rules framed thereunder from time to time.

2. The applicant shall, unless he refuses to accept the allotment within thirty days of the date of the issue of allotment order, deposit within that period another fifteen per cent of the premium which together with the amount already paid comes to 25 per cent of the premium. In case of failure to deposit the said amount the allotment shall be cancelled and earnest money

forfeited. The Estate Officer/Chief Administrator, Chandigarh, may extend the above said period by another thirty days, if sufficient reasons exist for such extension and the applicant applies for it before the expiry of permissible period of thirty days.

3. In case the applicant refuses to accept the allotment within thirty days of the date of issue of allotment order, and refusal is conveyed to the Estate Officer, through an acknowledgement due registered letter, he will be entitled to claim the refund of the earnest money.

4. The applicant shall be liable to pay to the Chandigarh Administration the remaining 75 per cent of the premium within thirty days from the date of allotment unless he intends making payments in instalments as set out in conditions No. 5.

5. The plots will be allotted on lease-hold basis for 99 years in the first instance. After the expiry of this period the lease may be renewed on such terms and conditions as the Government may decide. In case the allottee intends to pay the balance premium in instalments, the balance of the premium along with the interest thereon at the rate of 7 per cent per annum shall be payable in three equated annual instalment, the first instalment being payable at the expiry of one year from the date of payment of 25 per cent. Interest on the balance of the price shall accrue from the date of issue of allotment order. No interest will be payable if this balance is paid in full by the lessee within thirty days of the date of receipt of allotment order.

6. After making payment of 25 per cent of the premium the lessee shall execute the lease deed, in such manner, as may be directed by the Estate Officer.

7. No fragmentation of the site shall be permitted and the lessee shall not use the site or building erected thereon for the purpose other than that for which the same has been allotted.

8. Each remittance will be remitted to the Estate Officer by means of a demand draft payable to him, drawn on any Scheduled Bank situated close to the Estate Office. Each such remittance shall be accompanied by a letter showing particulars of the site, i.e. Plot No., Allotment letter number and the

date of issue of the allotment order, etc., etc.

9. In case any instalment is not paid by the 10th of the month following the month in which it falls due, a notice shall be served on the lessee calling upon him to pay the instalment within a month together with a sum not exceeding such amount as may be determined by the Estate Officer by way of penalty for delayed payment. If the payment is not made within said period or such extended period as may be allowed by the Estate Officer/Chief Administrator not exceeding three months in all, from the date on which the instalment was originally due, the Estate Officer may proceed to cancel the lease and resume the plot under Section 8-A of the Capital of Punjab (Development and Regulation) Act, 1952. The notice shall be served on the lessee either personally or by affixation on a prominent part of the site or building erected thereon or by the beat of drum.

10. (a) The lessee shall complete the building in accordance with the sanctioned plan within two years of the date of allotment, failing which the plot will be liable to be resumed. The time limit may be extended by the Estate Officer/Chief Administrator if he is satisfied that the failure to complete the building within the said period was due to any cause beyond the control of lessee.

(b) In case of failure to complete the building within the period prescribed in sub-clause (a) above or such period as the Estate Officer/Chief Administrator may extend, the Estate Officer may, if he thinks fit, resume the site and may further forfeit an amount not exceeding 10 per cent of the total money in respect thereof.

11. 10 per cent of the premium shall be charged extra for the corner and preferential sites.

12. The lessee shall not sell or transfer his/her rights in the site or part thereof for a period of fifteen years from the date of completion of the building. After the expiry of this period, the lessee may be allowed by the Government to sell/transfer his rights in the site to any other party subject to the conditions that 50 per cent of the unearned increase in the value of land at the time the site is sold or transferred shall be payable to the Chandigarh Administration before registering the transfer.

13. The applicant, his/her wife/husband or any of the members of his/her family dependent upon him/her should not own any residential plot/house either on lease-hold basis or on free-hold basis in Chandigarh or anywhere else in India.

14. Only one site of land will be allotted to an applicant (inclusive of the dependent members of his/her family).

15. Ground rent at the rent of 2½ per cent of the premium is payable every year. This ground rent may be raised by Government to 3¾ per cent of the premium for the next 33 years and to 5 per cent of the premium for the remaining 33 years of the lease period.

16. The allotment will be made by draw of lots.