

PUNJAB URBAN PLANNING & DEVELOPMENT AUTHORITY
PUDA BHAWAN SECTOR 62 SAS NAGAR
(Policy Branch)

Whereas PUDA (Building) Rules, 1996 (hereinafter called the Rules) were framed under the Punjab Regional and Town Planning and Development Act, 1995 primarily to regulate and promote construction of building on plots/sites allotted under the said Act ;

2. Whereas number of violations of the said Rules have been committed by the allottees of the plots/sites while undertaking the construction on such plots/sites and the Competent Authority under the Act have launched proceedings for resumption of such plots/sites;

3. Whereas numerous representations have been received from such allottees of plots/sites to compound the violations of Rules committed. The Estate Officer of PUDA have also been repeatedly asking for guidelines to deal with such cases of violation of Rules;

4. Whereas it has been observed that there is no such policy in PUDA to deal with cases pertaining to constructions undertaken in the violation of Rules in a consistent and regular manner;

5. Whereas Section 157 of the Punjab Regional & Town Planning Act, 1996 provides for composition of violations of the Rules made under the Act;

6. Whereas it has been felt that an objective, transparent, uniform and rational policy needs to be immediately put in place to ensure uniformity and eliminate subjectivity and discretion on the part of officers dealing with such cases and avoid undue hardship to the allottees to remove constructions raised in the violation of the Rules and in getting the completion certificate for their building;

7. Whereas in order to examine and study the issue in depth, a Committee under the Chairmanship of Additional Chief Administrator (HQ) with, Advisor (Architecture), PUDA Senior Town Planner, PUDA Senior Architect, PUDA, Estate Officer, Mohali, Estate Officer, Ludhiana and Advisor (TP) as members was constituted to suggest a simple, rational and objective policy in this regard;

8. Whereas the Committee considered in detail the different sets of violations of Rules committed, studied threadbare the implications of such violations in terms of living conditions, quality of space, air light and ventilation. The Committee also studied in detail the pattern followed in the State of Haryana and Union Territory, Chandigarh. The Committee made detailed recommendation regarding the offences to be compounded, the extent of compounding and the charges to be levied for such compounding;

9. Whereas after careful consideration of the matter and the recommendations made by the Committee, the larger public interest and the need to frame a rational, transparent, and objective policy, I Suresh Kumar, Chief Administrator, Punjab Urban Planning and Authority, in exercise of power conferred under proviso to Section 157 of the Punjab Regional and Town Planning Act, 1995, hereby prescribe rates of compensation for compounding of the violations of PUDA (Building) Rules 1996 as provided in the Schedule attached to this order instead of demolition or alteration of such buildings. However, in the case of non-compoundable violations, the building shall have to be altered as per Rules.

Sd/-

DATED: 6.11.2003
CHANDIGARH

SURESH KUMAR
CHIEF ADMINISTRATOR

Endst. No. PUDA (Policy)-2003/7486-7505 Dated : 6-11-03

Copy of the above orders along with the Schedule is forwarded to the following for information and further necessary action:

1. All Additional Chief Administrator's of PUDA
2. Chief Town Planner, Punjab, Chandigarh.
3. All Estate Office.
4. Senior Architect.
5. Senior Town Planner
6. Advisor (TP), PUDA

Sd/-

Administrative Officer(Policy).

SCHEDULE REGARDING COMPOSITION FEE/CHARGES FOR COMPOUNDING VIOLATIONS OF PUDA (BUILDING) RULES,1996.

Sr.No.	NATURE OF VIOLATION	RATES OF COMPOSITION FEE/CHARGES
1.	BUILDING PLAN	
	(A) Construction raised without getting the building plans approved from the Competent Authority but construction conforming to building bye-laws. (a) Residential Buildings. (b) Commercial Buildings. (c) Institutional Buildings (d) Industrial Buildings (B) Raising of construction after making major changes in approved plan without getting the revised/superseded plan sanctioned. (a) Residential Buildings (b) Commercial Buildings (c) Institutional Buildings (d) Industrial Buildings (C) Variation in Internal Planning with minor changes.	(a) @ Rs 10 (Ten) per sq. feet of covered area including area under basement. (b) @Rs 20 (Twenty) per sq. feet of covered area including area under basement. (c) @Rs 20 (Twenty) per sq. feet of covered area including area under basement. (d) @Rs 20 (Twenty) per sq. feet of covered area including area under basement. Also includes charges otherwise levied for sanction of building plans.* (a) @ Rs. 5 (Five) per sq.feet of covered area including area under basement.* (b) @Rs. 10 (Ten) Per Sq. feet of covered area under basement.* (c) @Rs. 10 (Ten) Per Sq. feet of covered area under basement.* (d) @Rs. 10 (Ten) Per Sq. feet of covered area under basement.* *Also Includes charges otherwise levied for sanction of revised building plan. (C) Rs. 1000/- per floor.

2.	DAMP PROOF COURSE (DPS)	
	(A) For not obtaining DPC certificate but DPC as per the sanctioned plans. (i) Residential Plots (ii) Booths (iii) S.S shops/SCF's SCO's (iv) Institutions (v) Industrial plots upto 1 kanal (vi) Industrial plots above 1 kanal (vii) Group housing or Rental housing However, if within 10 days of making application on the prescribed Performa, if the approval will be deemed to be granted with no penalty imposed. (B) In case of plots where DPC is not as per the approved building plan but is as per bye-laws and santionable. (C) Changing DPC after getting DPC certificate but conforming to building bye-laws.	(i) @ Rs. 1 (One) per sq/feet of covered area at the ground level. (ii) @Rs. 7500/- (iii) @Rs.10,000/- (iv) @Rs.10,000/- (v) @Rs.7500/- (vi) @Rs.10,000/- (vii) @Rs.10,000/-per half. Acre. (B)Two times the Rates, as defined at 2 (A) above. (C) Two times the Rates, as prescribed at 2 (A) above.
3.	Roof Level Certificate.	Changes to be levied on the pattern and the rates as defined in Para (2) for the DPC certificate.
4.	Excess Covered Area	
	(A) Excess Covered Area including area under steps/ramps beyond permissible limits but within zoning lines; (a) In Residential Plots upto 5% (b) In commercial plots upto 10% at ground level & at higher floors ; (c) Institutional and Industrial buildings upto 5% (B)Excess covered area beyond zoning line upto 5% (C) Excess covered area beyond zoning line but within permissible limits.	(a)@ Rs. 200 per sq. ft for area upto 2% @ Rs. 400 per sq. ft for area above 2%. No compounding of area above 5%. (b)@ Rs. 400 per sq.ft. for area upto 5% and @ Rs. 800 per sq. ft. for area above 5% No compounding of area above 10%. (c) as in the case of Residential buildings. (B) @ 3 times of Rate prescribed at 4 (A) above. (C) @ 2 times of Rate prescribed at 4 (A) above.

5.	CANTILEVER/PROJECTION	
	(A) Additional Cantilevered projection beyond sanctionable limits but within the prescribed depth. However, no violation in the depth of projection to be compounded. (B) Side projection in corner plots up to 1'-6" above 6'9" height on public land. However projection of depth larger than 1'6" and below 6'-9" and at roof level not to be compounded. (C) Cantilevered projection not shown on the building plan but sanctionable.	(A) @ Rs. 100 per sq.ft. (B) @ Rs. 100 per sq. ft. (C) @ Rs. 10 per sq.ft.
6.	HEIGHT OF THE BUILDING	
	(a) In case of buildings covered under frame control. (b) In case of buildings not covered under frame control. (i) Upto 6" (ii) Above 6" up to 1 feet (iii) Above 1 feet	(a) No height variation allowed (b) Compoundable as per the following: (i) Rs. 1000/- (ii) Rs. 2500/- (iii) No compounding allowed.
7.	HEIGHT OF BOUNDARY WALL, LOCATION AND TYPE OF GATE	
	(a) Width of gate (b) Variation in height of front Boundary wall upto 10% . (c) Beyond 10% (d) Change in position of gate in marla houses.	(a) No compounding fee is to be Charged on gate width upto 12 feet. In addition a wicket gate of 3'-0" is allowed in the front boundary wall. Gate of larger width not be compounded. Violation of side gate and gate on rear side not be compounded. (b) Rs. 500/- However Metallic grill/ perforated Zafrī upto maximum of 3 feet height above the permissible height of boundary wall shall be allowed with no compounding fee levied. (c) No compounding allowed. (d) Rs. 500/-
8.	LIGHT & VENTILATION	
	(a) Variation in General Light & Ventilation. (b) Non-provision of Exhaust fan/ flue in Kitchen.	(a) Reduction upto 10% to be compounded @ Rs. 100/- per Sq. ft. Beyond 10% no compounding allowed. (b) Rs. 500/-

	(c) Variation of size/ shape of windows.	(c) Allowed subject to the condition that no violation of air-light & ventilation norms.
9.	STAIR CASE	
	(a) Riser and Treads. (b) Provision for winder (steps) at landing only. (c) Reduction in width of staircase. (d) W.C. provided under staircase.	(a) Variation up to 5% to be compounded @ Rs.100/- per step. No compounding if variation is more than 5%. (b) Rs.200/- for each winder(step). (c) Reduction up to maximum of 3" allowed with compounding charges of Rs.1000/-per staircase to be levied subject to provisions of fire safety. (d) Allowed in case the height of W.C is 7'-6"from plinth level. In case of height between 6'-0"and 7'-6"then compounding fee @ Rs. 2000/-to be charged. However, no compounding allowed in case the height of W.C is less than 6'-0" from plinth level.
10.	VENTILATING SHAFT	
	(a) Area of shaft (b) Shaft covered at 7'-0"height. (c) Omission of shaft	(a) Maximum reduction in area up to 10% may be compounded @ Rs.800/- per sq.ft. (b) Allowed in case air, light& and ventilation is as per rules. (c) Not to be compounded.
11.	Height and size of habitable and other rooms without changing the location of the rooms.	Variation in height up to 3" and 5% of permissible area may be compounded @ Rs,500/- for each variation.
12.	Temporary store in rear courtyard.	Temporary store, up to a maximum of 40% area of courtyard or 100 sq.ft., whichever is less, may be permitted in the rear courtyard along the rear boundary wall of material, as defined in the standard design and location plan for being used as store with roof height not exceeding 7'-6". However, roof shall not be of RCC/ RBC.
13.	UNAUTHORISED SEWER CONNECTION	
	(A) Residential Buildings (i) Upto 6 marla (ii) above 6 and Upto 10 marlas (iii) Above 10 marlas and upto 1 kanal (iv) Above 1 kanal	(i) Rs.5000/-* (ii) Rs.10,000/-* (iii) Rs.15,000/-* (iv) Rs.20,000/-*

	(A) <u>Commercial Buildings</u> (i) Single storyed shops (ii) SC0's/SCF of one bay (iii)SCO's /SCF of Two bay (iv) Hotels and Lodging-cum-Restaurant (v) Semi-Industrial shops (A) <u>Industrial Buildings</u> (i) up to 1 Kanal plot (ii) above 1 kanal upto 4 kanal plot (iii) for each additional 4 Kanal or part thereof. (A)<u>Group housing/Office buildings</u> (E) <u>Institutional Buildings.</u>	(i) Rs. 15,000/-* (ii) Rs.25,000/-* (iii) Rs.35,000/-* (iv) Rs.50,000/-* (v) Rs.15,000/-* (i) Rs.15,000/-* (ii) Rs.30,000/-* (iii) Rs10,000/-* Rs. 5 per Sq. ft.* Rs. 10,000/- per half acre.* *In case the unauthorized sewer connection is found to be faulty and not conforming to the technical requirements, then such connection shall be rectified and cost of such rectification shall be recovered from the plot owner in addition to the compounding charges.
14.	BASEMENT	
	(a) Basement constructed under the built up area of commercial building where not provided/ permitted in the Architectural Control Design. (b) Basement constructed without getting the building plan sanctioned but otherwise permissible/sanctionable.	(a) @ Rs. 350/- per sq. ft. for maximum of the area permitted as ground coverage excluding the area under the public corridor subject to the conditions specified in this regard. However basement under public corridor not to be compounded. (b) @ Rs. 10/- (Ten) per sq. ft. of the area under basement.
15.	CHANGE IN LAND USE	Not to be compounded
16.	Construction of toilets in commercial sites where no toilet is allowed.	Permitted. No compounding fee to be charged.

17.	Construction of toilet, cycle/scooter stand in rear courtyard in the commercial sites.	No compounded.
18.	Store Converted into kitchen provided it conforms to the norms of air, light and ventilation.	Rs. 1500/-
19.	Cupboards/bay windows provided outside the zoning line.	To be counted towards covered area and compounded @ and limitation prescribed in para (4) above.

Note:

- (i) In case of independent built up houses having single ownership, the compounding of violations shall be allowed on the conditions and rates as specified above in the case of residential plots.
- (ii) In case of flatted development, having multiple units and ownerships, compounding of violations will be as specified under a separate policy framework.
- (iii) In case of commercial sites, compounding of excess construction/ coverage in the courtyard will be decided for each block of such sites, keeping in view the Architectural Control Design of each category and location of such sites on case to case basis.
- (iv) The rates prescribed shall be increased by 10% over and above the rates prescribed above in a cycle of every 2 years with first increase effective from 1.1.2005.
- (v) Minor changes as mentioned at Sr. No. 1 (C) shall include:
 - (a) Change of position of doors, windows and ventilators.
 - (b) Size/shape of doors, windows and ventilators.
 - (c) Combining of bath & w.c. if provided separately in the building plan.
 - (d) Making separate bath & w.c. out of combined toilet provided in the building plan.
 - (e) Non construction of party-walls between rooms subject to structural safety.
 - (f) Change in thickness of walls, size of columns subject to structural safety.

All changes other than mentioned above shall be treated as major changes

Sd/-
CHIEF ADMINISTRATOR,
PUDA.