

Government of Punjab
Department of Local Government
(Town Planning Wing)

To

Commissioner,
Municipal Corporation,
Amritsar, Jalandhar, Ludhiana, Patiala, Bathinda,
S.A.S Nagar, Moga, Phagwara, Pathankot.

Regional Deputy Director,
Urban Local Bodies,
Amritsar, Jalandhar, Ludhiana, Patiala, Bathinda & Ferozepur.

Memo No.

Dated:

Subject:- Guidelines for implementation of notification no. 18/30/2009-5HG2/ 897 dated 01-03-13 of Housing and Urban Development Department Punjab, to exercise and perform the powers and functions of the Competent Authority by the Commissioner Municipal Corporation and Regional Deputy Director, Local Govt. u/s 81 of Chapter XI of the PRTPD Act, 1995 and Rules framed thereunder, within their respective jurisdiction.

The matter regarding Competent Authority to exercise and perform the powers and functions of the Competent Authority by the Commissioner Municipal Corporation and Regional Deputy Director, Local Govt. u/s 81 of Chapter XI of the PRTPD Act, 1995 and Rules framed thereunder, within their respective jurisdiction as notified vide notification no. 18/30/2009-5HG2/ 897 dated 01-03-13 and its applicability as far as requirement of CLU u/s 81 of the PRTPD Act, 1995 within the already developed built-up / urbanized areas (non-scheme areas & scheme areas) & urbanizable areas, procedure & fee applicable has been considered by the Government. The following are the guidelines for the purpose of implementation of the notification within the Municipal Areas:-

1. Competent Authority u/s 81 of the PRTPD Act, 1995 and Rules framed thereunder:-

Category of cases	Competent Authority
<ul style="list-style-type: none">All cases (except Multiplex) in the Notified Master Plan Areas as per notification dated 01-03-13.Multiplexes in the Notified Master Plan Areas as per notification dated 01-03-13.	Commissioners for Municipal Corporation Towns and Regional Deputy Directors for other Towns. The Government in the Department of Local Government.
<ul style="list-style-type: none">All cases in the Municipal Areas where Master Plans are yet to be notified.	The Government in the Department of Local Government.

2. Procedure:-

The owner of land / developer has to apply to obtain permission for CLU u/s 81 of the PRTPD Act, 1995 and Rules framed thereunder in the prescribed application form along with prescribed documents attached as Annexure – I.

3. Category of areas for the purpose of applicability of CLU u/s 81 of the PRTPD Act, 1995 and Rules framed thereunder:-

a) To develop the Agriculture land / vacant undeveloped areas for the first time for urban use (residential, commercial, institutional, industrial etc) as prescribed in the Master Plan:-

- The Owner / Developer of an agriculture land / vacant undeveloped areas within Municipal Limits has to obtain permission u/s 81 of the PRTPD Act, 1995 for conversion of land use from agriculture land / vacant undeveloped area to the prescribed use (residential, commercial, institutional, industrial etc) conforming to the Master Plan provisions, in such form and containing such particulars and accompanied by such documents, plans & fee as prescribed by the Local Government Department from time to time. After obtaining CLU:-

(i) In case the land is to be developed into a scheme / layout plan, the Owner / Developer shall obtain permission / approval of the scheme / layout plan from the concerned Authority under the applicable Acts (PMC Act 1976, PM Act 1911, PTI Act 1922, PAPR Act etc.) and payment of charges / fees as prescribed by the Local Government Department from time to time.

(ii) In case the land is to be developed into a stand alone project in the form of a building / buildings, (i.e. for Group Housing, Commercial, Institutional, Industrial, Multiplexes, Cinema, Marriage Palaces, Hospitals, Nursing Homes etc) the Owner / Developer shall obtain permission / approval of building plans in accordance with the procedure and on payment of fee / charges as applicable and prescribed by the Local Government Department from time to time.

b) To change the existing use of properties / plots in the already developed built up non-scheme areas, to the use permissible in the Master Plan:-

In the already developed built up non-scheme areas, the CLU u/s 81 of the PRTPD Act, 1995 will not be required for erection / re-erection of residential buildings **and** for re-erection of buildings for same use (i.e. commercial, industrial, institutional buildings etc) on the same existing plot, provided the same is permissible and is in-accordance with the Master Plan provisions.

However, to change the existing use of a property / plot in the already developed built up non-scheme areas, to the use which may otherwise be permissible in the Master Plan, the owner of the property / plot shall obtain permission u/s 81 of the PRTPD Act, 1995 from the Competent Authority as per the prescribed procedure and on payment of fee prescribed from time to time.

- c) To change the use of residential plots to commercial in the already executed scheme areas as per policy of 2006 within the framework of Master Plan:-

The change of land use of residential plots to commercial in executed scheme areas, on the streets / roads already declared commercial by the Department of Local Government, Punjab and as such permissible for allowing commercial use as per the Master Plan, will be permitted by the Commissioner of the concerned Municipal Corporation on an application / request of the residential plot holder abutting on such streets / roads & subject to payment of conversion charges as prescribed in the Policy of 2006 or as amended from time to time, after amendment in the scheme is approved by the Govt. under the provisions of the concerned Act (i.e. TP Schemes under Punjab Municipal Corporation Act 1976 and Development Schemes under Punjab Town Improvement Act, 1922) as per the Policy of Department of Local Government, within the framework of Master Plan.

4. **Change of Land Use fee:-**

- 1) The CLU fee, to develop agriculture land / vacant undeveloped areas within Municipal Limits to the prescribed use in the Master Plan or to change the existing use of properties / plots in the already developed built up non-scheme areas to the use permissible in the Master Plan, will be applicable @ **10%** of the Charges prescribed for recovery of cost of providing basic trunk services circulated by the Government vide memo no. CTP (LG) 2011/281-294 dated 07-02-11 **or 5%** of the collector rate, as per decision in the meeting held u/c of then Hon'ble LGM dated 28-08-09 circulated vide memo no. 1/23/09-5LG1/3044-46 dated 17-09-09, **whichever is higher**.
- 2) The CLU fee, to change the use of residential plots to commercial in the already executed scheme areas as per policy of 2006 within the framework of Master Plan, will be at the rates prescribed in the Policy circulated vide memo no. 9/27/06-5LG1/ 6761-63 dated 22-08-06.

The above guidelines are issued with the approval of the Local Government Minister, Punjab.

sd/-

Director-cum-Special Secretary

Endst. No.

Dated

A copy of the above is forwarded to:-

1. PS/LGM for kind information of Local Government Minister, Punjab.
2. PS/PSLG for kind information of PSLG.
3. All the Branch Officers of the Directorate and Government Branches of the Local Government Department, Punjab for information and necessary action.

sd/-

Director-cum-Special Secretary

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APPLICATION FOR CHANGE OF LAND USE

To

The Competent Authority,

Subject: Change of Land use for _____

1.	Name of the Owner		
2.	Father's/Spouse name		
3.	Owner Permanent Address		
4.	Owner Correspondence Address		
5.	Land Measuring in Acres		
6.	Land Falling in Village		
7.	HadBast No.		
8.	Tehsil		
9.	District		
10.	Khasra No.		
11.	Change of Land Use Type	From	To

12.	Processing fee (Attach Bank Draft) (Rs. 5000/- for the 1 st Acre and Rs. 1000/- per acre for subsequent Area)	Amount	Bank Draft No.	Drawee Bank

DECLARATON

I / We do hereby certify that the information furnished above is true and nothing has been mis-stated or kept concealed therein. I/We understand that in case of any wrong information made by me/us, I/We would be liable for criminal prosecution.

Signature of the Owner		Date	D	D	M	M	Y	Y
Address of Owner								

Alongwith three copies of the relevant documents mentioned below to be attached:-

1. Original jamabandi.
2. Original Aks Shajra.
3. Site/Location Plan.

4. Ownership Detail.
5. Memorandum of Articles/Project Report
6. Registered lease deed.
7. Partnership deed.
8. Letter of Authorization for signing on behalf of co-shareholders/ joint owners of the land.

Note: Demand Draft in Favour of Concerned Competent Authority Payable at concerned Authority Location.