

-; CIRCULAR :-

Sub:- Policy regarding requirement of minimum construction for considering Utilization of plot/shed and other properties

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Ref:- Resolution No:- 35/ALT/478/2015

Vide policy circular dated 31/05/2008, the corporation has introduced the policy of minimum 20% ground coverage construction for considering utilization of allotted property, and after that some nature of industries were identified which are required more open area and looking to nature of such industry, they are exempted from criteria of minimum 20% ground coverage construction vide policy circular dated 18/09/2008.

In view of above policies, the corporation received many representations for more clarifications and some minor changes in the policy for transfer, amalgamation, subdivision etc, under the circumstances an agenda was placed to the Board meeting and as per resolution passed vide no:35/Alt/478/2015, policy regarding requirement of minimum construction for considering utilization of plot/shed and other property will be as below with immediate effect.

- (1) If any allottee has got their building plan approved before 31/05/2008 and has utilized the property allotted to them according to the approved building plan but if ground coverage construction is less than 20%, such property shall be considered as utilized property for the purpose of transfer, sub-division, amalgamation etc., by charging additional amount of 10 % of prevailing allotment price of the particular estate over and above the applicable charges for proposed transfer, amalgamation, subdivisions etc.

After such transfer, amalgamation, sub-divisions etc. the immediate beneficiary is required to construct and utilize the property as per general policy of corporation, failing which Non utilized penalty as per prevailing policy will be levied and until and unless the property in question is utilized as per policy of Corporation, such beneficiary shall not be allowed to further transfer amalgamation, sub-divisions etc. of the property in question..

- (2) For those cases prescribed in policy circular dated 18/09/2008 for which relaxation in minimum 20% ground coverage construction has been given If proposal is received for transfer of such property to carry out any same type of the activity as mentioned in the circular, then same may be done without levying any non-utilization penalty.

However, if such property is being transferred for the purpose other than as mentioned in the above stated circular, permission for such transfer shall be given by charging additional amount of 10 % of prevailing allotment price of the particular estate over and above the applicable charges for the purpose of transfer.

After such transfer the immediate transferee is required to construct and utilize the property as per general policy of Corporation failing which Non-utilized penalty as per prevailing policy will be levied and until and unless the property in question is utilized as per policy of Corporation, such transferee shall not be allowed to further transfer the property.

- (3) If more than one plot/shed/property is allotted to allottee, which are contiguous in nature but are not amalgamated till date and if there is 20% or more ground coverage construction of total area of all the property together but technically each of the individual plot allotted is not having minimum 20 % ground coverage and accordingly as per the policy of the corporation, they are considered as non utilized attracting non utilized penalty, the same can be regularized by levying Non- utilized penalty for each such open plot as per the policy of the corporation in following way.

- (i) If the allottee of the plot wants to amalgamate such plots, they can be given such permission for amalgamation by charging non utilization penalty equivalent to 20 % of prevailing allotment price of that particular estate with regards to plot/plots/property which are technically not utilized as per the policy of the corporation. It is further clarified that out of bunch of plots owned by applicant, N.U. penalty is not to be levied with regards to the plot/plots which are technically utilized by allottee for establishing their industry but such N.U. Penalty is required to be levied only in respect of the plot/plots forming part of the bunch of plots owned by applicant which are technically non-utilized. Once such plots are amalgamated, the resulting amalgamated plot shall be governed as per the standard policy of corporation governing amalgamated plot.
- (ii) If the allottee of such plots does not want to amalgamate his plots and desires to continue his industry on non-amalgamated plots which are contiguous in nature, he can be given such permission by regularizing non utilization by charging non utilization penalty equivalent to 30% of prevailing allotment rate of that particular estate

However, if such allottee wants to sell all or any of the plot in future, each of the plot allotted to him requires to be scrutinized as an individual plot and each of the plot having less than 20% ground coverage/construction requires to be treated as non utilized plot and in case of request for transfer the same will be governed as per the prevalent transfer policy of the corporation.

It is further clarified that after above mentioned regularization if original allottee transfers any of the plot/plots/property, and continue to own remaining plot/plots/property in such scenario original allottee will be exempted from paying N.U. penalty with regards to the plot/plots/property still owned by him.

- (4) From experience, it has come to the notice that apart form the activities exempted from requirement of minimum 20% of ground coverage construction, there are number of other

industries which require very little ground coverage construction and require more open space. To identify such industries which require less than 20% ground coverage construction but which are not appearing in the current list of exempted industries, a committee headed by Chief Engineer, GIDC and having two Divisional Manager/General Managers and two Superintending Engineer's as members(to be nominated by Hon'ble VC&MD, GIDC) will be formed. The committee shall submit its recommendation within three months of its formation and the same shall be put up before the Board for approval, and on approval, a list of such identified industries will be communicated accordingly.

Sd/-

Vice Chairman & Managing Director

Copy to :-

- 1) All officers of the corporation for information and n/a
- 2) President federation of industries of associations Ahmedabad for info. pl
- 3) President of all recognized industrial estates Associations
- 4) Manager (S & A) GIDC Gandhinagar for uploading on website

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Executive Director (E.&A)