

No: GIDC/ATP/22

Date: 01/03/2016

CIRCULAR

Subject: Regularization of Unauthorized Violative Construction

Ref: Board Meeting no. 485 - Agenda no. 15/ATP/485, Resolution no. 129/ATP/485/2015

These regulations, shall apply to GIDC Estates beyond the jurisdiction of Municipal Corporations / Urban Development Authorities / Nagarpalikas / Area Development Authorities, where the plan approving authority is GIDC, as regards unauthorized violative construction to be regularized as per the rates given in the table below:

Regularization of FSI to be permitted in GIDC Estates @ 40% of the prevalent Allotment Price for the area exceeding maximum permissible FSI of 1.6, subject to maximum regularization of FSI up to 2.40.

Schedule of Penalty applicable for Unauthorized Violative Construction for Total Built up area, Margins, Height of Building, Common Plot and Sanitary Facility.

Sr. No.	Category	Rates
1	2	3
1	For total built up area Up to 50 Sq. mts.	Rs. 4000
2	For total built up area exceeding 50 Sq. mts. and up to 100 Sq. mts.	Rs. 8000
3	For total built up area exceeding 100 Sq. mts. and up to 200 Sq. mts.	Rs. 16000
4	For total built up area exceeding 200 Sq. mts. and up to 300 Sq. mts.	Rs. 24000
5	For total built up area exceeding 300 Sq. mts.	Rs. 24000 + Additional, Rs. 200 per every Sq. mts. exceeding 300 sq. mts.

Note:

1. The figures in column 2 is total built up area which is equal to Ground Coverage + built up area on any other floor
2. For violation in the common plot the rates at Sr. No. 1 and 2 of the note is applicable provided that, the unauthorized development shall be regularized only on the consent of owners or occupants who share the interest therein.
3. In case of any deficit in sanitation facility lump sum charge of Rs. 5000 shall be paid in addition to above

For meeting
21/3/2016
AVT

4. Change of purpose not to be permitted / regularized under this circular

For Parking and FSI purpose

Sr. No.	Description (in Sq.mts.)	Rates
1	Deficit parking space	25% of prevalent Allotment Price
2	Excess FSI utilized, exceeding 1.60 FSI, up to 2.40 FSI	40% of prevalent Allotment Price

Note:

Required Fire safety measures and Structural Stability should be provided by the applicant

Provided that:-

- (i) These Regulations shall not apply to industrial units of Hazardous/obnoxious nature as per GPCB/MoEF norms/ Competent Authority
- (ii) No regularization shall be done for projection/development done beyond the plot boundary.
- (iii) Regulations of any other Authority like R&B, Indian Electricity Act etc. shall have to be strictly adhered to.
- (iv) The applicant shall have to submit "To the scale map with Area calculation" showing the violative construction required to be regularized, duly marked.
- (v) The Regularizations will be subject to safety feature. If it is found that by regularization, safety of the Building/Surrounding area is unduly compromised; the approving Authority will have the powers to reject the application.
- (vi) All the applications received by the Field Office will have to be duly verified on site, measured and duly Authenticated with date of site visit, by the Deputy Executive Engineer (DEE) and then submitted to the Plan Approving Authorities. The application shall be processed along with the calculation of penalty to be paid by the Allottee and regularized, within 2 months from the deadline fixed for receiving the application for regularization (By 30th June 2016).

(A) It is provided further that these regulations are not permanent and shall be applicable to the construction done till the date of circular and the Allottee shall have to apply for regularization to the Regional Office of the Corporation along with "To the Scale Map with Area calculation" up to 30th April 2016

- (B) It is provided further that any unauthorized violative construction that is not regularized under this circular will have to be removed by the Allottee subsequently, for which the Allottee shall have to give a written undertaking on a RS. 100 Stamp Paper.
- (C) An internal Committee consisting of VC & MD, SATP and SE (HO) is constituted for resolving any dispute regarding the regularization of unauthorized violative construction done, as per this circular.
- (D) The penalty collected for regularization of unauthorized violative construction as per this circular shall be deposited under a separate head and the same shall be utilized for up gradation of Infrastructure of the GIDC Estates.
- (E) Executive Engineer shall forward the details of applications and regularizations to VC & MD, GIDC, Gandhinagar, by 5th of every month

Sd/-

Vice Chairman & Managing Director
GIDC, Gandhinagar

Issued By

Executive Director (E & A)
GIDC, Gandhinagar

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(M) (S&A)