

PUNJAB VIDHAN SABHA

Bill No. 12-PLA-2015

THE PUNJAB REGIONAL AND TOWN PLANNING AND
DEVELOPMENT (AMENDMENT) BILL, 2015

A

BILL

further to amend the Punjab Regional and Town Planning and Development Act, 1995.

BE it enacted by the Legislature of the State of Punjab in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Punjab Regional and Town Planning and Development (Amendment) Act, 2015. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Regional and Town Planning and Development Act, 1995, for section 83, the following section shall be substituted, namely :— Substitution of section 83 of Punjab Act 11 of 1995.

“83. Any permission granted under this chapter shall remain in force in accordance with the terms and conditions of such permission. In case there is any change in Master Plan of the area for which permission has been granted, the permission so granted, if not availed shall lapse after a period of two years from the date of notification of such change in the Master Plan.

Explanation.—The term ‘availed’ shall mean that the Promoter to whom change of use of land has been granted should have got approved Layout Plan/Building Plan of the project from the Competent Authority and further at least twenty five percent of the project should have been implemented.”

STATEMENT OF OBJECTS AND REASONS

The Punjab Regional and Town Planning and Development Act, 1995 was enacted to make provision for better planning and regulating the development and use of land in Master Plan areas. Section-80 of this act provides that any person who wants to develop his/her land in any Master Plan is required to take permission of the Competent Authority in respect of development of land or change of land use of his/her land. Further Section 83 provides that the permission granted under Section-80 shall remain in force for a period of 2 years from the date of such permission which may be extended maximum up to 2 years on year to year basis. If such permission is not availed within a period of 2 years and no extension is sought then the permission is lapsed and the fee deposited by the person is forfeited. In case of new permission, person has to pay the fee again for the same purpose.

The Govt. has realized that due to recent global melt-down and economic depression in the market, it has become very tough for the Real Estate Developers to avail the permission of change of land use within a stipulated period of 2 years as these projects require huge investments which are difficult to manage within this period under such circumstances.

As a result of this phenomena the Real Estate Industry of the State is facing a lot of hardships and the urban development is also the sufferer. The Government, therefore, want to take remedial measure for removing the genuine hardships of the people and to boost the urban development. The Government has, therefore, decided to amend the Section-83 of the Punjab Regional and Town Planning and Development Act, 1995 as given below :—

83. Any permission granted under this chapter shall remain in force in accordance with the terms and conditions of such permission.

However, in case there is any change in Master Plan of the area for which permission has been granted, the permission so granted, if not availed shall lapse after a period of two years from the date of notification of such change in the Master Plan.”

The term 'availed' shall mean that the Promoter to whom Change of Land Use has been granted should have got approved Layout Plan/Building Plan of the project from the Competent Authority and further atleast 25% of the project should have been implemented.

Hence, this bill.

SUKHBIR SINGH BADAL,

Deputy Chief Minister,
Punjab.

CHANDIGARH :
The 24th March, 2015.

SHASHI LAKHANPAL MISHRA,
Secretary.

N.B.—The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 24th March, 2015 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).