

GOVERNMENT OF PUNJAB
DEPARTMENT OF HOUSING & URBAN DEVELOPMENT
(HOUSING-2 BRANCH)

Notification

The August 17, 2016

No. 12/05/2016-5Hg2/820947/1 As an endeavor to regulate the development outside Municipal limits of Towns/ Cities, Lal Lakir of village abadi, Cantonment Boards, urban estates/focal points, the Govt. of Punjab had extended the Punjab Urban Development Authority (Building) Rules to the entire State of Punjab. But it was observed that some constructions have come up outside the limits of municipalities, Lal lakir of villages, cantonment boards, urban estates/focal points, in the state of Punjab as standalone projects without any approval of the Competent Authority which was required to be regulated so as to bring these constructions into the planning framework and to ensure proper accessibility, parking, setbacks and other utilities required for the convenience and safety/ security of the public.

In order to regulate these constructions, the Government of Punjab had formulated a policy vide Notification No. 12/2/15-5Hg2/ 869 dated 06.05.2015. But while implementing this policy certain anomalies were brought to the notice of the Govt. by Punjab Unaided Technical Institutes Association (PUTIA). Therefore, in order to remove these anomalies, the Governor of Punjab is pleased to supersede the previous policy issued vide Memo No. 12/11/08/5Hg2/ 5803 dated 29.08.2008 and Notification No. 12/2/15-5Hg2/ 869 dated 06.05.2015 and to approve this policy as given below:-

1 Composition fee for the buildings which have been constructed without getting building plans approved from the competent authority but has obtained conversion of Land use from the Competent Authority :-

- i. Where Construction is in conformity to building rules
- ii. Where Construction is not in conformity to building rules

(a). Composition fee where Construction is in conformity to building rules

In these cases the composition fee shall be as mentioned below:-

Sr. No.	Type of Building	Compounding Fee
(a)	Residential Building Plotted Group housing	@ Rs.10/- (Rupees ten) per sq. ft. of covered area.

		@ Rs.20/- (Rupees twenty) per sq. ft. of covered area.
(b)	Commercial Building	@ Rs.30/- (Rupees thirty) per sq. ft. of covered area.
(c)	Institutional / Public Building	@ Rs.20/- (Rupees twenty) per sq. ft. of covered area.
(d)	Hotel, Dhaba, Restaurant, Hospital	@ Rs. 20/- (Rupees twenty) of per sq. ft. of covered area.
(e)	Industrial Building and other buildings	@ Rs.10/- (Rupees ten) per sq. ft. of covered area.

(b). Composition fee where Construction is not in conformity to building rules

In these cases the composition fee shall be as mentioned below:-

Extent of Construction	Composition fee
i)Construction within permissible limits	Composition fee shall levied as per para -1(a)
ii)Construction above permissible limits: List of major changes/ violations to be compounded and applicable fee	
Nature of Violation	Compounding Fee
EXCESS GROUND COVERAGE & COVERED AREA	
(i) Excess covered Area including area under steps/ ramps within required zoned area / set backs	
a) In Residential plots upto 5% of the permissible covered area/ ground coverage.	a) @ Rs. 15/- per sq. ft. for area upto 5%. No compounding of area above 5%.
b) In case of the residential plotted buildings a room of maximum 5% of the permissible area on the ground floor or 150sqft whichever is less shall be compoundable in the back courtyard.	b) Rs. 30 / per sq. ft
c) In case of Group Housing upto 5% of the permissible covered area/ ground coverage.	c) (i) F.A.R = Rs 40/- per Sq. Ft. (ii) Ground Coverage = Rs 100/- per Sq. ft.

<p>d) In case of Institutional/ Public Buildings upto 5% of the permissible covered area/ ground coverage.</p> <p>e) In commercial plots / Buildings upto 3% of the permissible covered area/ ground coverage.</p> <p>f) Industrial Buildings and other buildings upto 5% of the permissible covered area / ground coverage.</p> <p>(ii) Ground coverage and covered area outside required setbacks.</p> <p>Note: No compounding above permissible excess coverage as fixed under this policy shall be allowed.</p>	<p>d) @ Rs. 40/- per sq. ft. for area upto 5%. No compounding of area above 5%.</p> <p>e) @ Rs. 60/- per sq. ft. for area upto 3%, in addition to applicable EDC and other charges. No compounding of area above 3%.</p> <p>f) @ Rs. 20/- per sq. ft. for area upto 5%, in addition to other applicable charges. No compounding of area above 5%.</p> <p>Not Compoundable</p> <p><i>Note: The additional FAR achieved by the owner of the building by constructing excess covered area as specified in this policy shall be chargeable on pro-rata basis on prevalent charges subject to fulfillment of safety norms and other provisions of Govt. policy/ building rules etc.</i></p>
CANTILEVER/ PROJECTION (Residential plotted)	
<p>a) Additional Cantilevered Projection beyond sanctionable limits but within the prescribed depth.</p> <p>b) Side projection for protecting joinery in Corner plots upto 1'-6" above 6'-9" high on public land. However projection of depth larger than 1'-6" and below 6'-9" and at roof level not to be compounded.</p> <p>c) Cantilevered projection not shown on the building plan but sanctionable.</p>	<p>a) @ Rs.100/- per sq. ft.</p> <p>b) @ Rs.100/- per sq. ft.</p> <p>c) @ Rs.20/- per sq. ft.</p>
BASEMENT	

(a) Basement constructed without getting the building plan sanctioned but otherwise permissible/sanctionable.	(a) Residential buildings @ Rs.10/- per sq. ft. of the area under basement as permissible in building rules. (b) Commercial buildings @ Rs.30/- per sq. ft. of the area under basement as permissible in building rules. (c) Institution / Public buildings @ Rs. 20/- per sq. ft. of the area under basement as permissible in building rules. (d) Industrial building and other buildings @ Rs.10/- per sq. ft. of the area under basement as permissible in building rules.
PARKING	
Parking	Parking violations regarding number of cars are not compoundable. However variation in width/slope of ramp leading to parking and basement up to maximum 5% to be compounded at @ Rs10,000/- per ramp entry.

*Composition fee is inclusive of building scrutiny fee as applicable for approval of building plans.

(2) Composition fee for the buildings which have been constructed without getting CLU and where Building Plans are also not approved by the Competent Authority.

1. Where Construction is in conformity to building rules
2. Where Construction is not in conformity to building rule

a) Composition fee where Construction is in conformity to building rules

In these cases the composition fee shall be as mentioned below:-

Sr. No.	Type of Building	Compounding Fee
(a)	Residential Building Plotted Group housing	@ Rs.11/- (Rupees Eleven) per sq.ft. of covered area. @ Rs.22/- (Rupees Twenty two) per sq.ft. of covered area.
(b)	Commercial Building	@ Rs.33/- (Rupees Thirty three) per sq.ft. of covered area.

(c)	Institutional / Public Building	@ Rs.22/- (Rupees Twenty two) per sq.ft. of covered area.
(d)	Hotel, Dhaba, Restaurant, Hospital	@ Rs. 22/- (Rupees Twenty two) of per sq. ft. of covered area.
(e)	Industrial Building and other buildings	@ Rs.11/- (Rupees Eleven) per sq.ft. of covered area.

b) Composition fee where Construction is not in conformity to building rules

In these cases the composition fee shall be as mentioned below:-

Extent of Construction	Composition fee
(i) Construction within permissible limits	Composition fee shall levied as per para -2(a)
(ii) Construction above permissible limits: List of major changes/ violations to be compounded and applicable fee	
Nature of Violation	Compounding Fee
EXCESS GROUND COVERAGE & COVERED AREA	
(i) Excess covered Area including area under steps/ ramps within required zoned area / setbacks:	
a) In Residential plots upto 5% of the permissible covered area/ ground coverage.	a) @ Rs. 16.50 per sq. ft. for area upto 5%. No compounding of area above 5%.
b) In case of the residential plotted buildings a room of maximum 5% of the permissible area on the ground floor or 150sqft whichever is less shall be compoundable in the back courtyard.	b) Rs. 33/- per sqft
c) In case of Group Housing upto 5% of the permissible covered area/ ground coverage.	c) (i) F.A.R = Rs. 44/- per Sq. Ft. (ii) Ground Coverage = Rs 110/- per Sq. ft.
d) In case of Institutional/ Public Buildings upto 5% of the permissible area/ ground coverage.	d) @ Rs. 44/- per sq. ft. for area upto 5%. No compounding of area above 5%.

<p>e) In commercial plots / Buildings upto 3% of the permissible area/ ground coverage.</p> <p>f) Industrial Buildings and other buildings upto 5% of the permissible area/ ground coverage.</p> <p>(ii) Ground coverage and covered area outside required setbacks.</p> <p>Note: No compounding above permissible excess coverage as fixed under this policy shall be allowed.</p>	<p>e) @ Rs. 66/- per sq. ft. for area upto 3%, in addition to applicable EDC and other charges. No compounding of area above 3%.</p> <p>f) @ Rs. 22/- per sq. ft. for area upto 5%, in addition to other applicable charges. No compounding of area above 5%.</p> <p>Not Compoundable.</p> <p><i>Note: The additional FAR achieved by the owner of the building by constructing excess covered area as specified in this policy shall be chargeable on pro-rata basis on prevalent charges subject to fulfillment of safety norms and other provisions of Govt. policy/ building rules etc.</i></p>
CANTILEVER/ PROJECTION (Residential plotted)	
<p>(a) Additional Cantilevered Projection beyond sanctionable limits but within the prescribed depth.</p> <p>(b) Side projection for protecting joinery in Corner plots upto 1'-6" above 6'-9" high on public land. However projection of depth larger than 1'-6" and below 6'-9" and at roof level not to be compounded.</p> <p>(c) Cantilevered projection not shown on the building plan but sanctionable.</p>	<p>(a) @ Rs.110/- per sq. ft.</p> <p>(b) @ Rs.110/- per sq. ft.</p> <p>(c) @ Rs.22/- per sq. ft.</p>
BASEMENT	

(a) Basement constructed without getting the building plan sanctioned but otherwise permissible/ sanctionable.	(a) Residential buildings @ Rs.11/- per sq. ft. of the area under basement as permissible in building rules. (b) Commercial buildings @ Rs.33/-per sq. ft. of the area under basement as permissible in building rules. (c) Institution/ Public buildings @ Rs. 22/- per sq. ft. of the area under basement as permissible in building rules. (d) Industrial building and other buildings @ Rs.11/- per sq. ft. of the area under basement as permissible in building rules.
PARKING	
Parking	Parking violations regarding number of cars are not compoundable. However variation in width/slope of ramp leading to parking and basement up to maximum 5% to be compounded at @ Rs.11,000/- per ramp entry.

* Composition fee is inclusive of building scrutiny fee as applicable for approval of building plans.

Notes: (i) In these cases prior approval of CLU is mandatory at government level.

(ii) *In addition to the above charges, the CLU, EDC and LF shall be chargeable @ 2% addl. Charges per year from the year of violation/ construction without permission on prevalent charges. For the fraction of a year the pro-rata charges shall be chargeable. The SIF and any other charges shall also be levied in lump sum on the total CLU, EDC and LF charges so calculated of the total plot area.*

(3) Composition fee for the buildings for which CLU and Building Plans are approved but the Construction is not in conformity to the approved plans.

- i. Within permissible limits.
- ii. Beyond permissible limits.

a) Composition fee where Construction is within permissible limits of building rules.

In these cases the composition fee shall be as mentioned below:-

Sr. No.	Type of Building	Compounding Fee
(a)	Residential Building Plotted Group housing	@ Rs. 2.5/- (Rupees Two and Paisa 50) per sq. ft. of covered area as per approved plan and Rs. 5/- (Rupees Five) per sq.ft. of covered area for additional covered area within permissible limits. @ Rs. 5/- (Rupees Five) per sq.ft. of covered area as per approved plan and Rs. 10/- (Rupees Ten) per sq.ft. of covered area for additional covered area within permissible limits.
(b)	Commercial Building	@ Rs. 5/- (Rupees Five) per sq.ft. of covered area as per approved plan and Rs. 10/- (Rupees Ten) per sq.ft. of covered area for additional covered area within permissible limits.
(c)	Institutional / Public Building	@ Rs. 5/- (Rupees Five) per sq.ft. of covered area as per approved plan and Rs. 10/- (Rupees Ten) per sq.ft. of covered area for additional covered area within permissible limits.
(d)	Hotel, Dhaba, Restaurant, Hospital	@ Rs. 5/- (Rupees Five) per sq.ft. of covered area as per approved plan and Rs. 10/- (Rupees Ten) per sq.ft. of covered area for additional covered area within permissible limits.
(e)	Industrial Building and other buildings	@ Rs. 2.5/- (Rupees Two and Paisa 50) per sq.ft. of covered area as per approved plan and Rs. 5/- (Rupees Five) per sq.ft. of covered area for additional covered area within permissible limits.

b) Composition fee where Construction is not within permissible limits of building rules.

In these cases the composition fee shall be as mentioned below:-

Extent of Construction	Composition fee
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i)Construction within permissible limits	Composition fee shall levied as per para -3 (a)
ii)Construction above permissible limits: List of major changes/ violations to be compounded and applicable fee	
Nature of Violation	Compounding Fee
EXCESS GROUND COVERAGE & COVERED AREA	
<p>(iii) Excess covered Area including area under steps/ ramps within required zoned area/ setbacks:</p> <p>a) In Residential plots upto 5% of the permissible covered area / ground coverage.</p> <p>b) In case of the residential plotted buildings a room of maximum 5% of the permissible area on the ground floor or 150sqft whichever is less shall be compoundable in the back courtyard</p> <p>c) In case of Group Housing upto 5% of the permissible covered area / ground coverage.</p> <p>d) In case of Institutional/ Public Buildings upto 5% of the permissible covered area / ground coverage.</p> <p>e) In commercial plots / Buildings upto 3% of the permissible covered area / ground coverage.</p> <p>f) Industrial Buildings and other buildings upto 5% of the permissible covered area / ground coverage.</p>	<p>a) @ Rs. 15/- per sq. ft. for area upto 5%. No compounding of area above 5%.</p> <p>b) Rs. 30 / per sqft</p> <p>c) (i) F.A.R = Rs. 40/- per Sq.Ft. (ii) Ground Coverage = Rs. 100/- per Sq.Ft.</p> <p>d) @ Rs. 40/- per sq. ft. for area upto 5%. No compounding of area above 5%.</p> <p>e) @ Rs. 60/- per sq. ft. for area upto 3%, in addition to applicable EDC and other charges. No compounding of area above 3%.</p> <p>f) @ Rs. 20/- per sq. ft. for area upto 5%, in addition to other applicable charges. No compounding of area above 5%.</p>

<p>(iv) Ground coverage and covered area outside zoning line</p> <p>Note: No compounding above permissible excess coverage as fixed under this policy shall be allowed.</p>	<p>Not Compoundable</p> <p><i>Note: The additional FAR achieved by the owner of the building by constructing excess covered area as specified in this policy shall be chargeable on pro-rata basis on prevalent charges subject to fulfillment of safety norms and other provisions of Govt. policy/ building rules etc.</i></p>
<p>CANTILEVER/ PROJECTION (Residential plotted)</p>	
<p>(a) Additional Cantilevered Projection beyond sanctionable limits but within the prescribed depth.</p> <p>(b) Side projection for protecting joinery in Corner plots upto 1'-6" above 6'-9" high on public land. However projection of depth larger than 1'-6" and below 6'-9" and at roof level not to be compounded.</p> <p>(c) Cantilevered projection not shown on the building plan but sanctionable.</p>	<p>(a) @ Rs.100/- per sq. ft.</p> <p>(b) @ Rs.100/- per sq. ft.</p> <p>(c) @ Rs.20/- per sq. ft.</p>
<p>BASEMENT</p>	
<p>(a) Basement constructed without getting the building plan sanctioned but otherwise permissible/ sanctionable.</p>	<p>(a) Residential buildings @ Rs.10/- per sq. ft. of the area under basement of permissible in building rules.</p> <p>(b) Commercial buildings @ Rs.30/- per sq. ft. of the area under basement of permissible in building rules.</p> <p>(c) Institution / Public buildings @ Rs. 20/- per sq. ft. of the area under basement of permissible in building rules.</p>

	(d) Industrial building and other buildings @ Rs.10/- per sq. ft. of the area under basement of permissible in building rules.
PARKING	
Parking	Parking violations regarding number of cars are not compoundable. However variation in width/slope of ramp leading to parking and basement up to maximum 5% to be compounded at @ Rs10,000/- per ramp entry.

* Composition fee is inclusive of building scrutiny fee as applicable for approval of building plans.

List of minor changes/ violations to be compounded and applicable fee:

Minor changes shall include:

- i. Variation in size of room's etc. maximum upto 5%.
- ii. Change of position of doors, windows and ventilators.
- iii. Combining of bath & W.C., if provided separately in the building plan.
- iv. Making separate bath & W.C., out of combined toilet provided in the building plan.
- v. Non- construction of party-walls between rooms subject to structural safety.
- vi. Any reduction in the corridor width is permissible subject to Fire safety guidelines and Building Rules.

***All changes other than mentioned above shall be treated as major changes. The above mentioned minor changes shall be compounded @ Rs. 10,000/- per floor of the building.**

Extension of time limit for submission of applications:-

The compounding fee mentioned in this policy shall be applicable to all those cases which are submitted to the department of Town and Country Planning within a period of three months from the date of notification of this policy. After which, the compounding fee as prescribed in the compounding policy of the concerned Special Development Authorities of the area shall be applicable.

Note:

- Any violation not covered in this policy but found compoundable shall be compounded as per provision of the compounding policy of the concerned development authorities in whose jurisdiction the site falls.
- The competent authority to compound such buildings will be the same officers of the department of Town and Country Planning as notified by the Government vide

notification no. 1/149/96-4HG1/569 dated 21st January, 2005 or amended from time to time.

- This policy shall not be applicable on those buildings and marriage palaces which are already covered under the policies dated 21.8.2013 and 28.10.2014 (regularization of unauthorized colonies/ buildings/ plots policies) and 16.11.2012 (regularization of marriage palaces).
- Only those buildings shall be covered under this policy which fulfills the government instructions/ provisions of respective master plans/regional plans and PUDA building rules.
- Labour Cess @ 1% or amended from time to time of the estimated construction cost of the building shall be chargeable as per rules/ instructions of Labour Commissioner, Punjab.
- This policy shall not be applicable on those buildings and sites which have been constructed prior to 21.01.2005 (the date of applicability of PUDA building rules, 1996 in areas outside M.C. limit in the State of Punjab). In case the promoter re-erects or constructs new building within the existing premises, he has to get permission of the Competent Authority for re-erection or for erecting new building by paying building scrutiny fee **and CLU, EDC, LF for proportionate area of the new building**. In case the owner adds new land to the existing premises having buildings constructed before 21.01.2005, then he/ she has to get permission for the additional land only, by paying prevailing CLU, License Fee, EDC charges etc. as per policy of the Govt. It is further clarified that in case of construction of new buildings or re-erection of old buildings the owner has to fulfill the building norms for new/ to be re-erected buildings **and the site should fulfill the area norms fixed by Govt./ Affiliating Authority for that particular land use for which the permission is sought**.
- That for compounding of unauthorized buildings constructed between 21.01.2005 to 16.08.2007, no CLU, EDC and License fee shall be charged as it was not chargeable during this period of time. However, the owners of these buildings have to pay the composition fee on building structure as fixed under this policy for compounding of their buildings as the Punjab Urban Planning and Development (Buildings) Rules 1996 were applicable throughout the State of Punjab during this period.
- For compounding of unauthorized buildings constructed after 17.08.2007, the owner has to pay CLU, EDC, License/ Permission fee etc. (if these charges are not paid) as fixed by the Govt. along with composition fee on buildings as fixed under this policy.
- To prove that the building has been constructed before 20.01.2005 or between 21.01.2005 to 16.08.2007, any of the following documents has to be produced along with the application:
 1. Electricity/ Telephone/ Sewer/ Water Supply Bill of the building; or
 2. Sale Tax Number/ Receipt of tax paid on any business being run in the building; or

3. Certificate of affiliation/ admission register or any other document which may prove the existence of the building; or
4. In case of Industrial buildings – consent to operate from PPCB; or
5. Any other documents which may serve as proof for the above said purpose.

In addition to the above, the Competent Authority shall ascertain the year of construction and must pass a speaking order regarding the year of construction of the building. This order will be appealable and the Appellate Authority will be the Secretary/ Principal Secretary Housing and Urban Development.

- The compounding fee shall be deposited through a bank draft in favor of the competent authority of the department of Town and Country Planning.
- In case of existing building where no space is left for setback on any of the one side or rear, then the owner has to get a certificate from the fire authorities for getting relaxation, which shall be limited to one setback only. However, no relaxation shall be granted for front setback. In case a public street of minimum width of 20ft is passing along one side of the existing building, this 20ft wide public street may be considered as a side setback, in this case also NOC from fire department is mandatory.
- Violation of the Distance between two buildings within a site/adjoining site as per the Rule No. 17 of PUDA Building Rules 2013 is not compoundable.
- The height achieved in addition to approved height of the building shall be exempted from the provisions of the compounding policy provided that the building with additional height fulfills the norms such as FAR, Setbacks, distance between buildings and structural and fire safety norms. In case the building with additional height does not fulfill these norms then such building shall not be compoundable and the owners of such building(s) has to rectify the building accordingly or the additional height has to be removed. However, if due to additional height the owner achieves additional covered area also then the additional covered area shall be compoundable subject to provisions of this policy.
- Any variation in travel distances required as per the fire norms specified in N.B.C. are not compoundable, and if required the needful alterations shall be made in the plans.
- Fire safety certificate and structural safety/stability certificates for existing buildings shall be submitted along with the application.

This policy shall not be applicable on the buildings constructed on the following areas:-

- 1) Buildings built over land belonging to State/ Central Government/ Public Undertakings/ Panchayat/ Shamlat lands/ Jumla Mushtarka Malkaan/ Waqf Board/ Land under PLPA etc. without consent of the concerned department.
- 2) Restricted areas under Works of Defense Act, 1903, the Ancient Monuments and Archeological Sites and Remains Act, 1958, the Punjab New Capital (Periphery) Control Act, 1952 or any other Act prohibiting the development of colonies/ buildings in a particular area.
- 3) Within the restricted zone near the Airport/ other defense installation/ Military areas as per their Acts/ Notification.
- 4) Within the restricted zone along Scheduled Roads.
- 5) Any area prohibited under any other law of the Central/ State Govt.

Dated,
Chandigarh

Viswajeet Khanna, IAS
Principal Secretary to Government, Punjab,
Housing & Urban Development Department

Endst. No. 12/5/2016-5Hgll/ 2-947/2 Dated: 17/8/16

A copy along with a spare copy is forwarded to the Controller, Printing and Stationery Department, Punjab, SAS Nagar with request to publish this notification in the Punjab Govt. Gazette (Ordinary) and send 200 copies of the same.


Special Secretary