NOTIFICATION

Short title and application.

1. (1) These Rules may be called the Pondicherry Land Acquisition and Development Scheme Rules, 1969.

(2) They shall apply to all projects undertaken by the Government of Pondicherry under the Government of India Land Acquisition and Development Scheme.

Definitions

2. In these rules, unless the context otherwise requires:-

(a) ‘Committee’ means the Committee constituted under rule 6;
(b) ‘Forth’ means a form appended to these rules
(c) ‘Government’ means the Government of Pondicherry
(d) ‘Low Income Group’ means persons whose income does not exceed Rs.7,200/- per annum.
(e) ‘Middle Income Group’ means persons whose income exceeds Rs.7,200/- but does not exceed Rs.18,000/- and
(f) ‘Senior Town Planner’ means the Senior Town Planner of the Government of Pondicherry.

Acquisition, Development and Lay-out

3. (1) The Government may acquire lands and develop them for the purpose of housing of various categories.

(2) The Senior Town Planner shall prepare a lay-out to cover the lands acquired under sub-rule (1). The lay-out shall provide for

(a) Plots of varying sizes to suit the needs of the Low Income Group and the Middle Income Group.
(b) Plots for construction of building for commercial and other non-residential purposes.
(c) Requisite facilities and amenities such as parks, playgrounds, schools, hospitals, dispensaries, welfare and community centers and other public utilities like water supply, sewerage, electricity etc and
(d) Such other amenities as, in the opinion of the Senior Town Planner, are necessary.

Reservation of plots for certain purposes

4. Out of the plots provided for in the lay-out under clause (1) of sub-rule (2) on rule 3, the Government may reserve:

(a) Such number of plots as it may deem necessary for the purpose of Industrial Housing Scheme and
(b) Not exceeding 25% of the plots for allotment to Government servants.
5.  (i) The plots for residential purposes other than those reserved under rule 4 shall be sold to persons to whom the plots are allotted by the Committee.

(ii) The plots for Commercial and non-residential purposes shall be sold by public auction or by inviting open tenders to the highest bidder.

(iii) Not more than one plot shall be sold to any individual or firm.

(iv) No plot shall be sold to a person.

(a) Who is not domiciled in the Union Territory of Pondicherry;
(b) Who owns a house or developed plot in any town in the Union Territory of Pondicherry (Whether in his/her own name or in the name of his/her wife /husband or minor children:

Provided that the Government may, in exceptional cases, relax this condition.

“In the case of persons owning a share in ancestral land or house or owning a house in a dilapidated condition or in a congested area”.

6.  (i) The Government shall appoint a Committee consisting of the Minister-in-change of Housing and Urban Development, the Senior Town Planner and three other members. The Minister shall be the Chairman and the Senior Town Planner, The Member Secretary of the Committee.

(ii) The term of officer of the members shall be such as specified by the Government.

(iii) The quorum at any meeting of the Committee shall be three and all questions shall be decided by majority of votes.

(iv) The functions of the Committee are:-

(a) To induce applications from those who are eligible for allotment of plots for residential purposes after giving them the requisite information regarding the area, cost, the number of plots available for various categories etc.

(b) To scrutinize the applications received; and

(c) To allot the plots after taking into account the preferences, if any indicated by the applicants.

(v) The decision of the Committee with regard to allotment or any of the matters mentioned in sub-rule (4) shall, subject to the provisions of rule 10, be final and conclusive.

7.  (1) An application for allotment of a plot shall be made in form I and shall be addressed to the Sectary to the Committee, viz, the Senior Town Planner.
(2) Every such application shall be accompanied by the following documents:-

(i) An income certificate given by the Income-Tax Officer/ Member of the Legislative Assembly/ a Mayor of a Commune/ A Revenue Officer not below the rank of a Tahsildar;

(ii) A certificate of domicile in the Union Territory of Pondicherry;

(iii) A declaration made before the 1st Class Magistrate that the applicant does not own a house or developed plot in any town in the Union Territory of Pondicherry (Whether in his/her own name or in the name of his/her wife/husband or minor children).

(3) An application not accompanied by the documents mentioned in sub-rule (2) shall be liable to summary rejection.

Procedure for allotment of residential plots

8. (1) After considering all the applications received, the Committee shall allot the plots to the applicants taking into accounts the preferences indicated by them in their applications.

(2) The allotment shall be made in accordance with such criteria as the Government may specify in this behalf.

(3) While allotting, the plots, the preference shall be given to those who are eligible for aid under the various schemes in the order of priority given below:

   i. Reservation for Defence personnel
   ii. Slum Clearance Scheme
   iii. Subsidised Industrial Housing Scheme
   iv. Low Income Group Housing Scheme
   v. Middle Income Group Housing Scheme and
   vi. Rental Housing Scheme for Government employees

(4) An allotment order in form. II shall be sent by the Secretary of the Committee to every person to whom a plot has been allotted.

Conditions of allotment

9. (1) Within 15 days from the date of receipt of the allotment order, the allottee shall inform the committee of his acceptance of the allotment failing which the allotment order shall be liable to be cancelled.

(2) The allotment shall be subject to the following conditions:-

   (a) The allottee shall pay 25% of the approximate cost of the plot along with the intimation of his acceptance of allotment and the remaining 75% within three months from the date of such acceptance.
   (b) The allottee shall furnish an undertaking to the effect that:-

      (i) he will get the building plans approval by the Senior Town Planner before starting the construction.
(ii) The Purchaser shall start the construction within a period of two years from the date of commencement of the title deed and complete the construction within a period of three years;

(iii) he will not sell or transfer in any other manner his plot to any person without the prior permission of the Government and where such permission is given by the Government he will sell or transfer his plot subject to the condition that 50% of the un-earned increase in value of the plot is paid to the Government.

(c) Failure to observe any of the conditions mentioned in sub-clauses (i) to (iii) referred to above will entail in the cancellation of the allotment and also forfeiture of an amount not exceeding 20% of the amount paid by the allottee along with the intimation of acceptance.

(3) The Secretary of the Committee shall inform every allottee the final cost of the plots and the difference between the approximate cost and the final cost shall be adjusted either by the allottee paying to the Government the difference or vice versa, as the case may be

**Explanation: For the purpose of this rule:-**

(a) ‘Approximate cost’ shall mean the cost of plot for residential as well as commercial and non-residential purposes based on the value of land and the cost incurred in carrying out development works.

(b) ‘Final cost’ shall mean the cost of plot for residential purposes arrived at as follows:

The difference between the approximate cost of the plots for commercial and non-residential purposes and the amount realized from such plots by auction or tender shall be calculated first. This difference shall be distributed amount the plots for residential purposes in proportion to their area. The cost arrived at after adding or subtracting such proportion of the difference shall be the final cost of each plot.

(4) The letter of acceptance and undertaking shall be in form III.

**Power of Government to decide disputes.**

10. In case of any doubt or dispute arising in the matter of allotment of plots by the Committee, the decision of the Government shall be final.
FORM – I
(See Rules 7 (1)
Application for allotment of a plot

1. Name of the applicant (In block letters) : 

2. Father’s name : 

3. Present residential address : 

4. Permanent address : 

5. Profession of the applicant : 

6. No. of members of the family and their relationship with the applicant who will be living in the house when constructed. : 

7. Total income of the applicant per annum. (Income certificate should be attached) : 

8. Any other earning member of the family living with the applicant and his/her annual income : 

9. Whether the applicant is domiciled in the Union Territory of Pondicherry? If so, a certificate to that effect should be attached. : 

10. Whether the applicant possesses a house or plot in his own name or in the name of his wife/husband/minor children within the Union Territory of Pondicherry. If not, a declaration from a 1st class magistrate should be attached. : 

11. Size of the plot required : 

12. Preference, if any, of plot. Plot No. may be given in order of preference. : 

13. Any additional information, which the Applicant may desire to give. : 

DECLARATION
I hereby declare that the information given above is true and correct and if any of the statement made by me is found to be false, it shall be open to the Committee to reject my application. I have read the Pondicherry Land Acquisition and Development Scheme Rules, 1969 and I agree to abide by those rules.

Place: 
Signature of the Applicant
Date:
FORM – II

(See Rule 8 (4)
ALLOTMENT ORDER

Thiru …………………………………………………………… is allotted a residential plot No. ………………………. measuring an area of …………………………… in the ………………………………….

2. The approximate cost of the plot is Rs ………………………………………………… (Rupees …………………………………………………) of which 25% namely Rs. ……………………… (Rupees …………………………………………………) should be remitted along with the letter of acceptance within 15 days from the date of receipt of this order.

3. The allottee should given the letter of acceptance and the undertaking required under Rule 9(2) of the Pondicherry Land Acquisition and Development Scheme Rules, 1969, in the Proforma enclosed (Form III).

4. Failure to give the letter of acceptance together with 25% of the approximate cost and the required undertaking will entail the allotment order being cancelled.

Place:  
Date:  

Secretary of the Committee.
FORM – III
(See Rule 9 (4))
Letter of acceptance and undertaking

To
The Secretary
Allotment Committee
(Senior Town Planner)
Land Acquisition and Development Scheme
Pondicherry.

Sir,
I accept the allotment of Plot No.       Measuring an extent of ........ in ............Scheme) made to me under your allotment order No. ........ dated ....

2. I am remitting herewith Rs. ........... (Rupees ....................................................) being the 25% of the approximate cost of the plot.

3. As required under rule 9(2) of the Pondicherry Land Acquisition and Development Scheme Rules, 1969, I hereby undertake that

   (i) I will pay the remaining 75% of the approximate cost within three months from this date.

   (ii) I will get the building plans approved by Senior Town Planner before starting the construction.

   (iii) I will start the construction within a period of two years from the date of allotment and complete it within a period of three years.

   (iv) I will not sell or transfer in any other manner my plot to any person without the prior permission of the Government and where such permission is given by the Government, I will sell or so transfer only at such price as may be fixed by the Government.

4. I also agree that, if I fail to observe any of the conditions mentioned above, the committee may cancel the allotment made to me and also forfeit 20% of the amount remitted along with the letter of acceptance.

5. I also undertake to pay further amount, if any, when final cost of the plot is determined.

Place: 
Date: 
Signature
Address: