

No: GIDC/ATP/ 19Date: 12 /01/2023**CIRCULAR****Subject: Regularization of Unauthorized Construction in GIDC Estates****Preface:**

GIDC was established with an objective to promote industrial development in the State. However, due to rapid increase in the industrial development there are instances of unauthorized construction in GIDC Estates. By removal and pulling down such unauthorized construction the economic activity, employment and corresponding investment would be adversely impacted. GIDC has therefore decided to introduce this policy circular for regularization of unauthorized construction. This policy shall be applicable to only those applications which are received in the prescribed format and manner during period of 4 months from the date of this circular.

Schedule of Penalty applicable for Unauthorized Construction

Sr. No.	Category	Rates
1	2	3
1	For total built up area Upto 50 Sq.mts.	Rs. 3000
2	For total built up area exceeding 50 Sq.mts. and upto 100 Sq.mts.	Rs. 3000/- plus additional Rs 3000/-
3	For total built up area exceeding 100 Sq.mts. and upto 200 Sq.mts.	Rs. 6000/- plus additional Rs 6000/-
4	For total built up area exceeding 200 Sq.mts. and upto 300 Sq.mts.	Rs. 12000/- plus additional Rs 6000/-
5	For total built up area exceeding 300 Sq.mts.	Rs. 18000/- plus additional Rs 150/- per every Sq.mts. exceeding 300 sq.mts.

Note:

1. The figures in column 2 is total unauthorized built up on all floors
2. Above rates shall be applicable for residential use only
3. For other than residential use, twice the rates of as mentioned above shall be applicable
4. Violation in the common plot shall be regularized only for residential and commercial uses subject to limit of 50% ground coverage and for permissible use only.
5. The unauthorized construction in common plot shall be regularized only on the consent of allottees who share the interest therein and for the purpose of common utility only.
6. In case of any deficit in sanitation facility lump sum charge of Rs. 7500/- shall be paid in addition to above
7. Change of purpose / use shall not be permitted / regularized under this policy circular

8. The additional height of the building shall not be regularized under this policy circular
9. Required Fire safety measures and Structural Stability shall be the responsibility of the registered person on record and the allottee. Necessary NOC of concerned authorities shall have to be furnished by the allottee.

For Parking

Sr. No.	Description (in Sq.mts.)	Rates
1	Deficit parking space for residential use	15% of prevalent Allotment Price
2	Deficit parking for Non-residential use	30% of prevalent Allotment Price

Provided that

- (i) The additional FSI to be regularized shall be 50 % of maximum permissible FSI as per CGDCR – 2017 for D-9 category for residential and commercial uses and 33 % of maximum permissible FSI as per CGDCR – 2017 for D-9 category for industrial use. (e.g. – In case of GIDC for industrial plots having an area more than 5000.00 Sq.mts., and maximum permissible built up of 50 % of the plot area, on ground floor, the maximum permissible FSI as per CGDCR – 2017 is 1.6. In such cases additional FSI of 0.528 shall be permissible for regularization. Therefore, total FSI permissible after regularization shall be 2.128)
- (ii) These Regulations shall apply to all the uses including Residential, Commercial and Industrial except for industrial units of Hazardous/obnoxious nature as per GPCB/MoEF norms/ Competent Authority.
- (iii) No regularization shall be done for construction done beyond the plot boundary.
- (iv) Regulations of any other Authority like R&B, Factory Act, Fire Prevention Act, Indian Electricity Act etc. shall have to be strictly adhered to. Necessary NOC of concerned authorities shall have to be furnished by the allottee.
- (v) The applicant shall have to submit "To the scale map with Area calculation" showing the violative construction required to be regularized, duly marked, as per Annexure A
- (vi) 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.
- (vii) This policy shall be applicable to only those applications which are received in the prescribed format and manner during period of 4 months from the date of this circular.

Conditions of the Policy

- (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", through GIDC website: www.gidc.gujarat.gov.in

- (B) 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.
- (C) The field office within a period of six months from the date of application shall scrutinize the case.
- (D) Any unauthorised construction that is not considered for regularization upon scrutiny under this circular shall have to be first removed by the Allottee, only then the approval with respect to regularization shall be considered.
- (E) Subsequently, an order requiring the applicant to pay fees within a period of two months shall be issued, failing which the application shall stand rejected.
- (F) The regularization of unauthorized construction for industrial plots upto 5000.00 Sq.mts. shall be approved by the Superintending Engineer having jurisdiction and for plots above 5000.00 Sq.mts. shall be approved by the Chief Engineer, GIDC, Head Office, Gandhinagar
- (G) An internal Committee consisting of VC & MD, ATP and SE(HO) is constituted for resolving any dispute regarding the regularization of unauthorized construction done, as per this circular
- (H) Chief Engineer shall forward progress report of action taken on such applications to VC & MD, GIDC, Gandhinagar, by 5th of every month.

-Sd-

(Dr. Rahul Gupta)
Vice Chairman & Managing Director
GIDC, Gandhinagar

Issued by


General Manager (E& A)
GIDC, Gandhinagar

Copy to:

All Head of the Departments (HO)	– for information
All Divisional Managers	– for information
All Superintending Engineers	– for information
All Regional Managers	– for information
All Executive Engineers	– for further necessary action
All Dy. Executive Engineers	– for further necessary action
Federation of Industries	– For information
All Industrial Associations	– For information

Annexure A

Application Form for the Regularisation of Unauthorised Construction

To,
The Chief Engineer, GIDC, Gandhinagar

I/We hereby apply for getting the unauthorised construction regularised as described in accompanying relevant drawings alongwith the relevant certificates and undertakings, as the case may be.

1. Name of the allottee:
(Attach documentary proof like OCA)
2. Layout/building plan sanctioned by the appropriate authority or any other authority? If yes, date of sanction and order number submit the copy of the approved plan

(a) Plot area : (sq.mtrs.)

(b) Details of violation;

Description	Unit	Actual area	Approved or Approvable as per CGDCR	Violation (C-D)
A	B	C	D	E
i. Built up area	Sq.mtr.			
ii. FSI	Sq.mtr.			
iii. Common plot (residential and Commercial only)	Sq.mtr.			
iv. Parking				
Note : i. Cases where the building permission has been granted earlier, in such cases details to be filled in column-D shall be as per the sanctioned plan only for which authentic sanctioned documents shall be enclosed which includes plans and development permission ii. In other cases the building permission has not been granted details to be filled in column-D shall be as approvable under prevailing CGDCR.				

3. I am hereby furnishing the Undertaking for NOC's/approvals, in respect to the following matters:

- i. _____
- ii. _____
- iii. _____

4. Declaration : I hereby certify and declare that:

- (a) For violation in the provision of sanitary facility, I abide to make the necessary provision as directed by authority in this regard
- (b) I have submitted the plans for the portion for which I wish to get the unauthorized construction regularised.
- (c) For that portions for which I have not submitted to regularise, I shall pull down such portions on my own.
- (d) The information provided by me/us in the application and documents submitted along with are true to the best of my/our knowledge. Also I am aware that, if found incorrect it shall lead to criminal proceedings and accordingly action shall be taken.

Date :

Name and Signature of the applicant / allottee
Address /Phone number.

- (a) I, the under signed registered/authorized architect/Engineer, hereby certify that, while preparing the plan for the said unauthorised construction, I/we have inspected the site and accordingly the plans are prepared.
- (b) The information provided by me/us in the application and documents submitted along with are true to the best of my/our knowledge. Also I am aware that, if found incorrect it shall lead to criminal proceedings and accordingly action shall be taken.

Date :

Registration No.

Name and Signature of the architect/engineer

Address /Phone number.

**Instruction to applicant regarding particulars, documents and maps to be submitted
alongwith the application**

1. Certified copy of proposed layout plan of plot for regularization
2. Copy of the sanctioned layout plan duly certified by registered Architect or Engineer
3. Stability Certificate of Structural Engineer
4. No dues certificate of GIDC
5. NOC/approval/Undertakings required