

The Times of India 09.12.2013

Property owners to pay for squatting on civic utility space

AHMEDABAD: Armed with a new resolution, the estate and town planning department of the Ahmedabad Municipal Corporation (AMC) in the next few months will set off to either acquire or seek monetary compensation from property owners in the city where there is a shortfall in the required 40% land for civic amenities as mandated in the Gujarat Town Planning And urban Development Act. However, this deduction will not be applicable to the schemes which have already been finalized by the government.

The issue will stir a hornet's nest as many residential societies are not clear whether the builders or the societies have to pay for the shortfall. The basic purpose of this mandatory land deduction is to lay utility lines like drainage and water supply lines, construct roads and space for common social amenities.

For almost two decades, town planning officers in cases of almost 112 TP schemes in the city covering 10,933 hectares, had not deducted the mandatory 40% land before allowing construction. This was largely done under political influence where the property owner got away by paying a miniscule amount as "betterment charges" in lieu of keeping the land. A large part of this problem lies in the former Ahmedabad Urban Development Authority (Auda) areas which were acquired by

the AMC in 2006.

After a detailed exercise spanning almost three years, the officials found that in many TP schemes deduction had been only 5%, 13% and 25%. The issue is going to trigger litigations as in the majority of the cases builders have booked profits and have already handed over the functioning of the housing societies to the residents. The anomaly was found in 86 TP schemes that were prepared 25 years ago and are in various stages of approvals. In 14 new TP schemes being prepared, the AMC is planning to remove anomalies.

"We see this problem to be of some magnitude in the eastern belt especially in Isanpur, Hathijan, Ramol, Nikol, Naroda areas where there are a number of societies that have new owners. In the western part, there are plots which are still open and can be acquired by the AMC," says a senior town planning officer. "Even if residents drag us to court, the citizens will be at loss as the deduction is as per the GTP Act," adds the official.

Under the new resolution, property owners will be liable to pay for the shortfall as per the prevailing jantri rates for up to 500 square metres, wherever there is no scope for acquisition. In case of open plots where the shortfall is more than 500 square metres, the owners will be liable to pay as per the jantri rates for the first 500 square metres and almost double the jantri rates for any extra piece of land above 500 square metres.

"It's like the impact fee now. The builders constructed and illegally sold properties to the gullible people" says Dinesh

Written by Administrator

Monday, 09 December 2013 12:08 -

Mankad, a resident on CG Road.