

**GOVERNMENT OF PUNJAB
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

The Punjab Apartment and Property Regulation Rules, 1995.

Notification

The 20th November, 1995.

No. G.S.R. 58/P.A. 14/95/S. 45/95.—With reference to the Government of Punjab, Department of Housing and Urban Development, Notification No. GSR/51/14/95/S. 45/95, dated the 22nd September, 1995, and in exercise of the powers conferred by section 45 of the Punjab Apartment and Property Regulation Act, 1995 (Punjab Act No. 14 of 1995), and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Punjab Apartment and Property Regulation Rules, 1995.

¹(2) They shall come into force from the date of their publication in the Official Gazette.

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

(a) 'Act' means the Punjab Apartment and Property Regulation Act, 1995;

(b) 'amenity' includes roads, water supply, street lighting, drainage, sewerage, public parks, schools, hospitals, community centres and other community buildings, horticulture, landscaping and any other public utility service;

(c) 'family' in relation to a person means the individual, the wife or husband as the case may be, of such individual and his or her unmarried minor children;

(d) 'Form' means the form appended to these rules; and

²[(e) 'prescribed authority' means the officer or officers, who may be appointed as such by the State Government by Notification in the Official Gazette.]

(f) 'section' means a section of the Act, and

³[(g) "Unauthorized Colony" means a colony which has been developed in contravention of the provisions of the Act and the rules made thereunder.]

3. Disclosure regarding design and material to be used. [Sections 3(2)(f) and 45(2)(a).]- The promoter shall disclose the following particulars on reasonable notice or demand as respects designs and materials to be used in the construction, namely:-

(a) In respect of design,-

(i) Location Plan of the building;

(ii) Design of the building and of the apartment;

(iii) Elevation;

(iv) Cross sections; and

(v) Structural design;

(b) In respect of materials to be used in the construction of,-

(i) foundation;

(ii) super-structure;

(iii) flooring;

(iv) roofing;

(v) joineries; and

(vi) electric and sanitary fittings.

1. Published in Punjab Govt. Gaz.(Extra) Nov.23,1995 at page 475.

2. Substituted by Govt. of Punjab Notification No GSR 3/PA-14/1995/S.45/Amd.(3)/2011 dated 25.07.2011

3. Clause 'g' added by Govt. of Punjab Notification No. G.S.R.41/PA-14/1995/Ss.38 and 45/Amd.(2)/2010 dated 09.10.2010 published in Punjab Govt. Gaz. (Extra) dated 13.12.2010

4. Reservation of residential apartments and plots for person belonging to economically weaker sections of society.[Section 3(2)(h)(ii), 5(9)] and 45(2)(g)].-

(1) For the purpose of sub-clause (ii) of the proviso of clause (h) of sub-section (2) of section 3 and sub-section(9) of section 5, a person whose family income from all sources does not exceed two thousand six hundred and fifty rupees or such other income limit, as may be fixed by the Competent Authority from time to time, keeping in view the income limit, fixed by the Planning Commission of Government of India, for low income group housing, shall be deemed to be a person belonging to the economically weaker sections of society.

(2) No person belonging to the economically weaker section of the society shall be eligible for allotment of a residential apartment or a residential plot in a colony if,-

- (i) he or she himself or his or her spouse or minor child owns a free hold or lease-hold or on hire-purchase basis a residential plot or a residential building in the Union Territory of Chandigarh or in any Urban Estate in the State of Punjab or in a colony developed under the Punjab Regulation of Colonies Act, 1975 or under the Act or under a housing scheme of the Punjab Urban Planning and Development Authority or a local authority including an Improvement Trust;
- (ii) he is less than eighteen years of age on the date the applications are invited for such allotment; and
- (iii) his family income from all sources exceeds the income limit specified in sub-rule (1).

(3) If the total number of residential apartments is one hundred or more in any building, ten per cent of such apartments and, if total area of a colony is forty hectares or more, ten per cent of the area under residential plots or houses shall be reserved for being sold or leased to the eligible persons belonging to the economically weaker sections of the society.

(4) The constructed size of the apartment or the area of plot to be reserved for being sold or leased to the persons belonging to the economically weaker sections of the society, shall not be less than twenty square metres and more than forty square metres in the case of the apartments and shall not be less than forty square metres and more than ninety square metres of the plot in the case of the colony or such area, as may be determined by the competent authority from time to time with the prior approval of the State Government.

5. Mode of allotment of reserved apartments and plot. .-[Section 3(2)(h)(ii), 5(9)] and 45(2)(g)]-

(1) The promoter shall invite applications for allotment of residential apartments or residential plots reserved for the persons belonging to the weaker sections of the society under rule 4 by publishing a public notice in at least two newspapers widely in circulation in the area where the apartments or plots are situated and a copy of the public notice so published shall be filed in the office of the competent authority.

(2) All applications received by the promoter in response to the public notice published under sub-rule (1), shall be entered serially in a register maintained for this purpose in the office of the promoter and acknowledgement of the receipt thereof in the office of the promoter shall be sent to the applicants.

(3) No application shall be rejected merely on the ground that it is incomplete in any respect and the defect or deficiency found in the application shall be got rectified by the promoter from the applicant.

(4) The promoter shall with the approval of the competent authority determine which of the applicants are eligible for allotment of plots or apartment, as the case may be.

(5) The allotment of plots or apartments, as the case may be, to the eligible applicants, shall be made by draw of lots under the supervision of the competent authority or any of its representative duly authorised by it in this behalf.

6. Price to be paid for allotments for apartments and plots.[Section 3(2)(h)(ii),5(9)] and 45(2)(g)].- The price payable for allotment of plots and apartments reserved to be sold or leased to the persons belonging to the economically weaker sections of the society shall be at least fifteen percent less than the price fixed for the allotment of such plots or apartments to other categories of persons and unless the allottee voluntarily agrees to pay the price so fixed in lump sum, the price shall be payable in instalments to be fixed by the promoter in such a way that it would be recoverable within a period of at least three years from the date of allotment of the apartment or the plot, as the case may be.

7. Disclosure regarding registration and licence.[Section 3(2)(m),and 45(2)(b)].- The promoter shall disclose the number of his certificate of registration granted under sub-section (2) of section 21 and, in the case of a colony, also the validity of licence issued under sub-section (3) of section 5 and display the certificate of registration and the licence so granted at a conspicuous place in his office and make it available for inspection to the persons taking or intending to take an apartment or a plot in the colony and to a person authorised by the competent authority.

8. Supply of copies of documents.[Section 3(2)(n),and 45(2)(a)].- The promoter on demand shall supply true copies, on payment of reasonable charges, of the following documents, namely:-

- (a) title deed of land, certificate of the attorney at-law or an advocate of not less than seven years standing, referred to in clause (a) of sub-section (2) of section 3 and copies of the advertisement issued under section 4;
- (b) copy of the consent of the land owner, if the land does not belong to the promoter as referred to in clause (a) of sub-section (2) of section 3;
- (c) design of apartment, agreement with an architect and a contractor, referred to in clause (f) of sub-section (2) of section 3;
- (d) copy of occupation certificate referred to in section 14; and
- (e) certificate of registration granted under sub-section (2) of section 21 and in case of colony, the permission granted under sub-section (2) of section 5.

9. Additional information to be supplied by the promoter.[Section 4(2) and 45(2)(b)].- The promoter alongwith the information specified under sub-section (3) of

section 4, shall also disclose the information regarding the following matters in the advertisement or prospectus to be issued under sub-section (1) of section 4, namely:-

- (a) the earnest money to be deposited;
- (b) the mode of payment;
- (c) the mode of allotment;
- (d) the interest to be charged;
- (e) the general specifications to be used;
- (f) the common areas and facilities to be provided;
- (g) the infrastructure to be provided; and
- (h) the likely date by which the possession shall be handed over.

10. Application for licence and documents to be used and fee to be paid for grant of licence. [Section 5(1) and 45(2)(c)].- (1) Every promoter who desires to develop any land into colony shall make an application in writing in Form APR I to the competent authority for the grant of a licence under section 5 and shall furnish therewith :-

- ⁴[(a) a demand draft of an amount, to be determined by the Government from time to time by notification in the Official Gazette, which shall include development charges or license fee or permission fee or any other charges in favour of the Government or the competent authority, as the case may be, and drawn on any Scheduled Bank;]
- (b) income tax clearance certificate;
- (c) particulars of experience as promoter showing number and details of the colony or colonies already developed or being developed;
- (d) particulars about financial position of the promoter; and
- (e) the following plans and documents in triplicate, namely:-
 - (i) copy or copies of all the title deeds and other documents showing the interest of the applicant in the land under the colony alongwith a list of such deeds and documents, and if the land is owned by another person the consent of owner of such land;
 - (ii) copy of the Shajra Plan showing the location of the colony alongwith the names of revenue estates, Khasra number and area of each field;
 - (iii) a guide map on a scale of not less than ten centimeter to one kilometer showing the location of the colony in relation to surrounding geographical features to enable the identification of the land;
 - (iv) a survey plan of the land under the proposed colony on a scale not less than 1:1000 showing the spot levels at a distance of thirty metres and where necessary contour plans showing the boundaries and dimensions of the said land, the location of streets, buildings and premises within a distance of at least thirty metres of the said land existing means access to and from existing roads;
 - (v) layout plan of a colony on a scale of not less than 1:1000 showing the existing and proposed means of access to the colony, the width of streets, sizes and types of plots reserved for the economically weaker sections of the society, sites reserved for open spaces, community buildings and schools with area under each and proposed building lines on the front and sides of the plots;

- (vi) an explanatory not explaining the salient features of the colony, in particular the source of whole-some water supply arrangement and site for disposal and treatment of storm and sullage water;
- (vii) plans showing the cross-sections of the proposed roads indicating in particular the width of the proposed drainage ways, cycle tracks and footpaths, green verges, position of electric poles and of any of other works connected with such roads;
- (viii) plans as required under sub-clause (vii) indicating, in addition the position of sewers, storm water channels, water supply and any other public health services;
- (ix) detailed specifications and designs of road works shown under sub-clause (vii) and estimated cost thereof;
- (x) detailed specifications and designs of sewerage, storm water, and water supply schemes with estimated costs of each;
- (xi) detailed specifications and designs for disposal and treatment of storm and sullage water and estimated costs of works;
- (xii) detailed specifications and designs for electric supply including street lighting.

Explanation. (i) In the layout plan of the colony, other than an industrial colony, the land reserved for roads, open spaces, schools, public and community buildings and other common uses, shall not be less than forty five percent of gross area of the land under the colony:

Provided that the competent authority may reduce this percentage, to thirty-five percent where, in its opinion, the planning requirements and size of the colony so justify;

(ii) In the layout plan of an industrial colony, the land reserved for the purposes mentioned in Explanation (i) shall not be less than thirty-five per cent of the gross area of the land under the colony :

Provided that the competent authority may reduce this percentage to twenty five percent where, in its opinion the planning requirements and the size of the colony so justify.

(2) The triplicate plans specified in clause (e) of sub-rule (1) shall be clear and legible azo-prints with the set mounted on cloth.

(3) If the applicant wants to be exempted from providing any one or more of the amenities in a colony, he shall furnish detailed explanatory note in triplicate alongwith the application and if necessary indicating the reasons as to why the said amenity or amenities need not or cannot be provided.

11. Inquiry by competent authority. [Section 5(2) and 45(2)(d)].-

(1) On receipt of application in the prescribed form and complete in all respects under rule 10 of the competent authority shall enquire into the following matters and such other matters, as it may consider necessary, namely:-

- (a) the title of the applicant to the land which is proposed to be converted into a colony;
- (b) extent and situation of the land;
- (c) financial and managerial capacity of the promoter to develop the colony;
- (d) layout plan of the colony;
- (e) plan regarding the development works to be executed in the colony; and
- (2) conformity of development of the colony with neighbouring areas.

(3) The competent authority may, after making enquiry as specified in sub-rule (1) and after giving the applicant a reasonable opportunity of being heard, and also taking into consideration the opinion of ⁵[-] the prescribed authority for the purpose of sub-section (2) of section 5, by an order in writing, reject the application to grant licence if,-

- (a) it does not conform to the requirements of these rules;
- (b) the plans and designs of the development works submitted with the application are not technically sound and workable; or
- (c) the estimated expenditure on water supply main or extra mural and outfall sewerage is not commensurate with the size of the colony.

(3) If after scrutiny of the plans and other necessary enquiries, which the competent authority may deem fit, the competent authority is satisfied that the applicant is fit for the grant of licence, it shall, before granting licence, call upon the applicant to fulfil the conditions laid down in rule 12 within a period of thirty days from the date of the service of notice in Form APR II:

Provided that on application within the aforesaid period of thirty days, for the extension of time limit, the competent authority, if satisfied, may extend such time limit further upto thirty days.

(4) If the applicant fails to fulfill the conditions referred to in sub-rule (3) within the specified period or extended period, if any, the grant of licence shall be refused and intimation of such refusal shall be communicated to the applicant in Form APR III.

12. Conditions required to be fulfilled by the applicant.[Section 5(2) and 45(2)(d)].-(1) The applicant, who is found fit for the grant of a licence under rule 11, shall be asked by the competent authority to.-

- (a) furnish in such form as the competent authority may specify a bank guarantee equal to twenty-five per cent of the estimated cost of the development works certified by the competent authority; and
- (b) furnish an undertaking to enter into an agreement in Form APR IV for carrying out and completion of development works in accordance with the conditions of the licence to be granted; and
- (i) to maintain a separate account in any Scheduled Bank of all sums, taken by him from the persons intending to take or who have taken the plots, as advance or deposit towards the sale price or for any other purpose as required under section 9 and utilize this amount for meeting the cost of development works in the colony and shall, on

demand, in writing, by the competent authority, make full and true disclosure of all transactions in respect of that account;

- (ii) to pay proportionate development charges, if the main lines of roads, drainage, sewerage, water supply and electricity are to be laid out the constructed by the State Government or any local authority;
- (iii) take responsibility for maintenance and upkeep of all roads, open spaces, public parks and public health services for a period of five years from the date of the issue of completion certificate under the building regulations unless earlier relieved of this responsibility and thereupon to transfer such roads, open spaces, public parks and public health services free of costs to the State Government or the local authority, as the case may be;
- (iv) to construct or to get constructed at his own cost schools, hospitals, community centres and other community buildings on the land set apart for this purpose or transfer such land to the State Government either free of cost or on payment of actual cost of development of land, as may be decided by the State Government in which case, the State Government shall be at liberty to transfer such land to any local authority or person or institution on such terms and conditions, as it may deem fit; and
- (v) to permit the competent authority or any other officer authorised by it to inspect the execution of layout and development works in the colony and to carry out all directions issued by it for ensuring due compliance of execution of layout and development works in accordance with the licence granted.

(2) If the competent authority having regard to the amenities which exist or are proposed to be provided in the locality, decides that it is not necessary or possible to provide such amenities, the applicant will be informed accordingly and sub-clauses (ii), (iii) and (iv) of clause (b) of sub-rule (1) shall be deemed to have been modified to that extent.

13. Grant of Licence.[Section 5(3) and 45(2)(e)].- The competent authority shall grant a licence in Form APR V after the promoter has furnished a bank guarantee equal to twenty five per cent of estimated cost of the development works duly certified by the competent authority and the promoter has undertaken to enter into an agreement in Form APR IV for the completion of development works as per conditions of the licence so granted and agrees to deposit the service charges as provided under section 32.

14. Renewal of Licence.[Section 5(4) and 45(2)(f)].-(1) In case the promoter fails to complete the development works within a period of three years specified in sub-section (4) of section 5, he may make an application to the competent authority in Form APR VI for the renewal of his licence atleast thirty days before the expiry period of the licence and the application so made shall be accompanied by:-

- (i) a demand draft for a sum calculated at the rate of fifty per cent of the fee prescribed in rule 10 for issuing a license as renewal fee in favour of the competent authority and drawn on a scheduled Bank;
- (ii) income tax clearance certificate;

- (iii) an explanatory note indicating the details of development works, which have been completed or are in progress or are yet to be undertaken;
- (iv) reasons for non-completion of development works as required in terms of the licence granted to him; and
- (v) the licence.

(2) On receipt of an application under sub-rule (1), the competent authority, shall, if satisfied after making such enquiry, as it may consider necessary, that the delay in execution of development works was for reasons beyond the control of the promoter and there has been no violation of any provision of the Act and the rules made there under, renew the licence for a period of one year.

⁵ In Rule 11(2) the words “the Chief Town Planner ,Punjab who shall be” omitted by Govt. of Punjab Notification No. GSR 53/PA-14/1995/S.45/Amd.(3)/2011 dated 25.7.2011

(3) In case the competent authority is not so satisfied, it shall reject the application and in that case, an intimation in this regard will be sent to the promoter in Form APR VII:

Provided that before rejecting the application, the competent authority shall give the promoter an opportunity of being heard.

15. Recovery of charges incurred on development works.[Section 5(13) and 45(2)(h)].- After the development works have been carried out by the competent authority under sub-section (13) of section 5, the charges incurred by the competent authority for carrying out such development works, shall be recovered by adjusting the amount received as a result of enforcement of the bank guarantee and the balance, if any, shall be recovered from the promoter, subject to the condition that the amount so recovered, shall not exceed the amount the promoter has actually recovered from the allottees by deducting the amount actually spent on development works, and on the allottee subject to condition that the amount so recovered, shall not exceed the amount, which they have to pay the promoter towards the expenses of such development works under the terms of the agreement of sale or transfer.

16. Agreement of Sale.[Section 6(1) and 45(2)(i)].- The agreement of sale to be executed by the promoter with the intending purchasers under sub-section (1) of section 6, shall be in Form APR VIII and shall be accompanied by the following documents, namely:-

- (i) the certificate of title to land having been duly certified by the attorney at law or an advocate of not less than seven years standing;
- (ii) certified copy from the relevant revenue record showing the nature of title of the promoter to the plot of land on which the building of apartments is constructed or is to be constructed and if the land is owned by another person, the consent of the owner of such land to the development of the colony or construction of the building; and
- (iii) the plans and specifications of the apartments as approved by the authority, which is required so to do under any law.

17. Rate of interest on refund of advance money upon cancellation of agreement.[Section 6(2) and 45(2)(j)].- The promoter shall refund full amount collected from the prospective buyers under sub-section (1) of section 6 together with interest thereon at the rate of twelve per cent per annum payable from the date of receipt of amount so collected till the date of re-payment.

18. Fee for settlement of disputes under section 11 (2). [Section 11(2) and 45(2)(k)].- Application under sub-section (2) of section 11 for referring the dispute to the competent authority, shall be accompanied by a fee of rupees two per square metre of the covered area of the apartment subject to a minimum of two hundred rupees in the form of a demand draft drawn on my Scheduled Bank in favour of the competent authority.

19. Particulars to be given and documents to be attached with conveyance deed of apartment.[Section 15 and 45(2)(1)].- The conveyance deed of apartment to be executed under section 15, shall contain the following particulars and shall be accompanied by the following documents, namely:-

- (a) the name, address and other particulars of the allottees;
- (b) the description of the land on which the building and the common area and facilities are located, and whether the land is free-hold or lease-hold and if lease-hold, the period of such lease;
- (c) a floor plan of the building showing the layout and location of the apartment, alongwith the verified statement of an architect certifying that it is an accurate copy of the portions of the plans of the building as filed with and approved by the local authority within whose jurisdiction the building is located;
- (d) the description of the building, stating the number of storeys and basement, the number of apartments in that building and the main material of which it is constructed;
- (e) the apartment number or statement of the location of the apartment, its approximate area, number and dimensions of the rooms, immediate common area to which it has access, and any other details necessary for its proper identification;
- (f) the description of the common areas and facilities appurtenant to such apartment;
- (g) the description of the limited common area and facilities, if any, stating as to which apartments their use is reserved;
- (h) the value of the property and of the apartments and the percentage of undivided interest respectively, in the common areas and facilities and the limited common areas and facilities, if any, appurtenant to such apartment, and a statement that the apartment and such undivided interest, are not encumbered in any manner whatsoever on the date of execution of the conveyance deed of apartment;
- (i) the statement of the purposed for which the building and each of the apartments are intended and restricted as to use;
- (j) the name of the person to receive service or process, together with the residence or place of business of such person; and
- (k) any other particulars or documents, which the parties to the conveyance deed of apartment, may deem desirable to set forth.

20. Form of application. [Section 16(1) and 45(2)(m)]- Application for enforcement of conveyance deed under sub-section (1) of section 16 shall be made in form PR IX.

21. Building Regulations. [Section 21(2) and 45(2)(o)]- In the areas falling within the jurisdiction of a municipality, the rules or regulations or bye-laws of the municipality regulating the matters specified in section 20, shall be applicable and in the areas falling outside the jurisdiction of a municipality, the building rules made under the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act 11 of 1995), shall *mutatis mutandis* be applicable.

22. Release of Bank Guarantee. [Section 45(2)(w)]- After the layout and the development works in a colony have been completed, and a completion certificate in respect thereof has been issued the competent authority, may, on an application in this behalf from the promoter, release within a period of three months of the date of application, the bank guarantee furnished by the promoter after adjusting the amount incurred by the competent authority under sub-section (13) of section 5.

Provided that one-fifth of the bank guarantee shall be kept unreleased to ensure the up-keep and maintenance of the colony for a period of five years from the date of issue of the completion certificate or till such time, as the promoter is relieved of the responsibilities in this behalf, by the State Government or a local authority, as the case may be, whichever is earlier.

23. Certificate of registration.[Section 21(2) and 45(2)(e)].- (1) An application for registration as promoter or as an estate agent, shall respectively, be made in Form APR X and Form XI, and shall be accompanied by a fee of five thousand rupees in the case of a promoter and two thousand and five hundred rupees in the case of an estate agent in the form of a demand draft on a Scheduled Bank in favour of the competent authority.

(2) The certificate of registration shall be issued by the competent authority in the case of a promoter in Form APR XII in the case of an estate agent in Form APR XIII.

24. Qualifications for registration as promoter and estate agent. [Section 22 and 45(2)(p)].- (a) In case the application is for registration as a promoter, the applicant himself, if he is an individual, or one of his employees or one of the partners in case of a firm, or one of the directors in the case of a company, or one of the members of the managing committee in the case of a co-operative society, as the case may be, should be Matriculate or should possess its equivalent qualifications and should not be less than eighteen years of age.

(b) In case the application is for registration as an estate agent, the applicant should be Matriculate or should possess its equivalent qualifications and should not be less than eighteen years of age and should not be in the employment of the Government or a State Government or a State undertaking or a local authority and should not have been dismissed from the service of a Government or a State Undertaking or a local authority.

(c) In case the application is for registration as a promoter, the applicant, himself, or one of his employees or one of the partners, in case of a firm, or one of the directors, in the case of a company, or one of the members of the managing committee in the case of a co-operative society, as the case may be should have atleast five years experience in the field of development of colonies or construction of buildings whether as a construction engineer, an architect, a town planner or as a contractor and in the case of an estate agent, the applicant should have atleast five years experience as an estate agent.

(d) The applicant shall furnish to the competent authority a bank guarantee or security of fifty thousand rupees for registration as a promoter and ten thousand rupees for registration as an estate agent.

25. Fee for renewal of registration.[Section 23 and 45(2)(g)].- The fee for renewal of registration as a promoter or an estate agent, shall be the same as is payable, under rule 23 for granting certification of registration; provided the application is made in Form APR XIV in the case of a promoter and in Form APR XV in the case of an estate agent atleast three months before the expiry of the period of certificate of registration.

26. Form and manner of maintaining accounts and registers and records.[Section 28 and 45(2)(r)].-

(1) Every registered promoter shall maintain:-

- (a) a separate ledger account of each of the allottees of the apartment or plot specifying the name and postal address of the allottees, amount realized from each apartment owner or plot holder;
- (b) accounts showing the details of expense incurred by him or constructing the buildings or apartments or on development works in the colony with the details thereof in accordance with the provisions of section 9; and
- (c) a register in Form APR XVI containing the details of plots or apartments sold by him to the allottees, date of the agreement of sale of such plots or apartments, details of the payment of the sale price and date of handing over the possession and execution of the conveyance deed.

(2) Every estate agent shall maintain a register in Form XVII indicating category of plot and apartment, area of plot and apartment, names and addresses of sellers and buyers consideration money, date of sale and registration of sale deed.

(3) The competent authority shall maintain registers in Form APR XVIII showing particulars of all cases in which licence under sub-section (3) of section 5 is granted or refused and in Forms APR XIX and APR XX showing the particulars of all cases in which certificate of registration is granted or refused to promoters and estate agents respectively, under section 21.

27. Audit.[Section 29 and 45(2)(s)].- (1) Every promoter and estate agent shall get his accounts audited after the close of every financial year by a chartered accountant and shall furnish a statement of accounts duly certified and signed by such chartered accountant alongwith the auditor's report to the competent authority within a period of six months of the close of the financial year.

(2) While auditing the accounts, the chartered accountant shall also verify that amount collected by the promoter for a particular purpose have not been utilized for any other purpose as provided in section 9 and a certificate to that effect shall be recorded by the chartered accountant and a copy of the certificate so recorded, shall be sent by the promoter to the competent authority.

28. Returns.[Section 30 and 45(2)(t)].- (1) The promoter shall furnish to the competent authority six monthly return in Form APR XXI, showing the amount received from the allottees of apartments and plot holders during that period, and amount spent on construction of apartments and on the development of plots, and the balance amount deposited in a bank for development works in the colony or for construction of apartments or for apartments constructed and sold, plots developed and sold and apartments under construction and colonies under development.

(2) The estate agent shall furnish annual return to the competent authority in Form APR XXII within a period of three months of the close of financial year indicating the names and address of the sellers and purchasers of the plots and apartments and dates of execution of conveyance deeds.

29. Utilisation of fund.[Section 32(4) and 45(2)(u)].- The Punjab Urban Development Fund shall, in addition to the purposes specified in sub-section (4) of section 32, also be utilised for-

- (i) the upgradation and moderanisation of technology in town planning and urban affairs;
- (ii) providing training facilities in urban management and town and country planning; and
- (iii) organising seminars, workshops and conferences on town and country planning urban affairs and urban management.

30. Form and manner of filing appeal under section 33 (2).[Section 33(2) and 45(2)(v)]- An appeal against an order of the competent authority under the Act, shall be preferred in writing, signed by the appellant or his duly authorised agent and shall be accompanied by the following documents, namely:-

- (i) a certified copy of the order appealed against;
- (ii) a precise statement of the facts of the case;
- (iii) statement of facts and laws in support of the case; and
- (iv) any other material document of evidentiary value relied upon.

31. Compounding of offences.-(1) Notwithstanding anything contained in these rules, the competent authority on an application, made by the promoter in Form APR-V-A, may, either before or after the institution of the proceedings for prosecution, compound an offence of developing an unauthorized colony.

(2) On receipt of an application under sub-rule (1) the competent authority may, if it deems proper, compound the said offence on the fulfilment of following conditions and restrictions by the promoter, namely :-

(a) that the promoter first of all, shall obtain a license in accordance with the provisions of the Act and the rules made thereunder ;

(b) that the unauthorized colony should not fall within the distance of sixteen kilometres from the outer boundary of Union Territory of Chandigarh;

(c) that the promoter shall submit to the competent authority, the proof of absolute ownership of the land, on which unauthorized colony has been developed by him, form the concerned authority ; and

(d) that the land on which unauthorized colony has been developed, is in conformity of development of the colony with neighbouring areas.

(3) For compounding an offence in the case of an unauthorized colony, developed before the 17th day of August, 2007, in addition to the conditions and restrictions, specified in sub-rule (2), the following conditions shall also be fulfilled, namely :-

(a) the promoter shall deposit such fee by way of demand draft, as may be determined by the State Government from time to time by notification in the Official Gazette by taking into consideration all relevant aspects ;

(b) the width of the access road to such colony shall not be less than thirty-five feet;

(c) the width of the internal roads in such colony shall not be less than twenty-five feet;

(d) in the layout plan of such colony, the land reserved for roads, open spaces, schools and public and community buildings and other common purposes, shall not be less than thirty-five percent of the gross area of such colony ; and

(e) such colony must have a site for water works and Sewage Treatment Plant or it should have been linked with the water supply and sewerage laid down by a local authority in the area of such colony.

(4) (1) For compounding an offence in the case of an authorized colony developed on or after the 17th day of August, 2007, the promoter shall, in addition to other charges, payable in the case of a colony, developed in accordance with the provisions of the Act

and rules, made hereunder, deposit such fee by way of demand draft, as may be determined by the State Government from time to time by notification in the Official Gazette by taking into consideration all relevant aspects. However, the promoter shall have to fulfil all the prevailing norms and criteria, specified by the competent authority for developing a colony under the Act.

32. Mode of making payment.- (1) The promoter of an unauthorized colony, mentioned in sub-rule (3) or sub-rule (4) of rule 31, shall pay twenty-five per cent of the compounding fee to the competent authority within a period of thirty-days from the date of order for compounding an offence of developing such colony.

(2) The balance of seventy-five per cent amount may be paid in six annual equal instalments with ten per cent compound interest:

Provided that if such amount is paid within a period of one year from the date of the order of compounding such offence, then no interest shall be charged from the promoter.

(3) In case, the payment of balance amount is not made within the period, as stipulated in sub-rule (2), the promoter shall pay further interest at the rate of three per cent on the balance amount.

(4) In case, the balance of seventy-five per cent amount, referred to in sub-rule (2), is paid within a period of thirty days from the date of order of compounding an offence by the competent authority, then the promoter shall be entitled to a rebate at the rate of ten per cent on such balance amount.

33. Fulfilment of requirements after compounding an offence.-(1) After an offence of developing an unauthorized colony is compounded by the competent authority, all necessary clearance like 'No Objection Certificate' etc. from the concerned authorities shall be obtained by the promoter of such colony.

(2) All internal development works shall be completed by the promoter of such colony within a period of one year from the date of compounding such offence. The promoter shall also provide a bank guarantee as per provisions of the Act and the rules, made thereunder]

Form APR I
[See rule 10(1)]
Form of Application for the grant of a licence

To

The Competent Authority,

Sir,
I, I/we beg to apply for the grant of a licence to set up a residential/commercial/industrial colony at _____ in district _____.
The requisite particulars are as under :-

- (i) Status of the applicant, whether individual/firm/co-operative society/company.
- (ii) in the case of individual -
 - (a) Name
 - (b) Father's name
 - (c) Occupation
 - (d) Permanent Address.
- (iii) In the case of Firms/Co-operative Societies/Companies -
 - (a) Name
 - (b) Address
 - (c) Major Activities
 - (d) Name and address of Partners/Chief Executive/Full time Directors.
- (iv) Whether applicant is income tax payer, if so give income tax account No. _____
- (v) Name and address of the bank or banker with which account in terms of section 9 of the Act will be maintained _____
- (vi) Details of immovable property held by the applicant _____
- (vii) Particulars about financial position :-
 - (a) latest audited accounts in the case of company/firm/cooperative society; and
 - (b) in case of individual details of his bank accounts.
- (viii) Whether the applicant had ever been granted permission to set up a colony under any other law, if so, details thereof
- (ix) Whether the applicant has ever established a colony or is establishing a colony and if so, details thereof _____
- (x) Agency to take up external development works -

Self	Government Department	Development Authority	Local Authority
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- (xi) Agency to take up internal development works -

Self	Government Department	Development Authority	Development Authority
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(xii) Any other information the applicant may like to furnish.

2. I/we enclose the following documents in triplicate, namely :-

(i) Copy or copies of all the title deeds and other documents showing the interest of the applicant in the land under the proposed colony alongwith a list of such deeds and other documents and if the land is owned by another person, the consent of the owner of such land to the development of the colony or construction of the building;

(ii) A copy of the shajra plans showing the location of the colony alongwith the name of the revenue estate, khasra number of each field and the area of each field;

(iii) A guide map on a scale of not less than 1:1000 showing the location of the colony in relation to surrounding geographical features to enable the identification of the site;

(iv) A survey map of the land under the colony on a scale of not less than 1:1000 showing the spot levels at a distance of thirty metres and where necessary contour plans and the survey will also show the boundaries and dimensions of the said land, the location of streets of atleast thirty metres of the said land and existing means of access to and from existing roads;

(v) Layout plan of the colony on a scale of not less than 1:1000 showing the existing and proposed means of access to the colony, the width of streets, sizes and types of plots, sites, reserved for open spaces, community buildings and schools with area of each and proposed building lines on the front and sides of plots;

(vi) An explanatory note explaining the salient features of the proposed colony, in particular the sources of the water supply, arrangements for disposal and treatment of storm water and sullage water;

(vii) Plans showing the cross sections of the proposed roads showing in particulars width of the proposed carriage ways, cycle, tracks and footpaths, green verges, position of electric poles and of any other works connected with such roads;

(viii) Plans referred to in clause (vii) indicating in addition the position of sewers, storm water channels, water supply and other public health services;

(ix) Detailed specifications and designs of road works as shown in clause (vii) and estimated cost thereof;

(x) Detailed specifications and designs of storm water and water supply scheme with estimated cost of each;

(xi) Detailed specifications and designs for disposal and treatment of storm and sullage water and estimated cost of works;

(xii) Detailed specification and designs of electric supply including street lighting; and

(xii) Names and qualifications of the Engineers and the consent to execute the development work where the promoter himself is to execute such work;

3. I/We enclose the further following documents, namely :-

(i) Demand Draft No. _____ dated _____ for Rs. _____ drawn on _____ bank.

(ii) A copy of the latest statement of annual accounts duly audited by a Chartered Accountant in the case a company or a firm or a cooperative society and disclosure of the account maintained alongwith the name of the bank in the case of an individual.

(iii) Income tax clearance certificate issued by the Income tax authorities.

4. It is further submitted that I/we may be exempted from providing the following amenity or amenities in the proposed colony and an explanatory note in triplicate alongwith plans marked A, B, C, (so on) as to why the said amenity or amenities are not required to be provided in the colony is enclosed.

5. I/we solemnly affirm and declare that the particulars given in para I are correct to the best of my/our knowledge and belief.

Yours faithfully,

Dated :

Place:

Signature of applicant(s)
along with full name(s).

Form APR II

[See rule 11(3)]

Form of Notice for calling upon the applicant to fulfil conditions.

From

The Competent Authority,

To

Memo No.

Dated : the _____

Reference : Your application dated _____ for the grant of licence to set up a colony at _____ Tehsil _____ District _____.

2. It is proposed to grant licence to you for setting up a colony at _____ Tehsil _____ District _____. You are, therefore, called upon to fulfil the conditions laid down in rule 12 of the Punjab Apartment and Property Regulation Rules, 1995 within a period of thirty days from the date of the service of this notice.

Competent Authority,

Form APR III

[See rule 11(4)]

Form of Refusal to the applicant to grant licence.

From

The Competent Authority,

To

Memo No. _____

Dated : the _____

Reference : Your application dated _____ for grant of licence.

2. It is regretted that the grant of licence is refused for the reasons given below :-

Competent Authority

Form APR IV

[See rule 12(1)(b) and condition No. (ii) of the Licence in FORM APR II]

Form of Agreement by a promoter to set up a colony

This agreement made on the _____ day of _____ one thousand nine hundred and _____ between _____ (hereinafter called the promoter which term shall include his heirs, legal representatives, successors and assigns) of the one part and the competent authority on the other part;

Whereas the competent authority has agreed to grant a licence to the promoter, for setting up a colony at _____ tehsil _____ district _____ subject to the conditions that the promoter shall enter into an agreement with the competent authority for carrying out, completion and maintenance of development works in the colony in accordance with the licence granted to him.

Now this deed witnesseth as follows :-

1. In consideration of the competent authority has agreed to grant licence to the promoter to set up the said colony on the land mentioned in the Schedule hereto, the promoter hereby covenants as follows :-

(a) to maintain a separate account in any scheduled bank of all sums taken by him from the persons intending to take or who have taken the plots as advance or deposit towards sale price or for any other purpose as required under section 9 of the Act and utilise this amount for meeting the cost of development works in the colony and shall on demand, in writing, by the competent authority, make full and true disclosure of all transactions in respect of that account;

(b) that the promoter shall pay proportionate development works charges, if the main lines on roads, drainage, sewerage, water supply and electricity are to be laid out and constructed by the State Government or Development Authority or any local Authority;

(c) that the promoter shall be responsible for the upkeep of all roads, open spaces, public parks and public health services for a period of five years from the date of the issue of completion certificate under the building rules unless earlier relieved of this responsibility and thereupon shall transfer such roads, open spaces, public parks and public health services free of costs to the State Government or the local Authority, as the case may be;

(d) that the promoter shall construct or get constructed at his own cost schools, hospitals, community centres and other community buildings on the land, set apart for this purpose or transfer such land to the State Government at any time free of cost or on payment of actual costs of development of land, as may be decided by the State Government in which case, the State Government shall be at liberty to transfer such land to any local authority or person or institution on such terms and conditions as it may deem fit;

(e) that the promoter shall permit the competent authority or any other officer authorised by it to inspect the execution of layout and development works in the colony and carry out all directions issued by it for ensuring due compliance of execution of layout of development works in accordance with the licence granted; and

(f) that without prejudice to anything contained in this agreement, all the provisions of the Act and the rules made thereunder, shall be binding on the promoter.

2. Provided always and it is hereby agreed that if the promoter shall commit any breach of the terms and conditions of this agreement or violate any provision of the Punjab Apartment and Property Regulations Act, 1995 or the rules made thereunder, then, and in any such case, and notwithstanding the waiver of any previous cause or right, the competent authority, may, revoke the licence granted to him.

3. The stamp and registration charges on this deed shall be borne by the promoter.

In witness whereof the promoter and the competent authority have signed this deed on the day and year first above written.

The Promoter

Competent Authority

1. Witness _____ dated _____

2. Witness _____ dated _____

Form APR V

Licence No. _____

(See rule 13)

Form of Licence

This licence is granted under the Punjab Apartment and Property Regulation Act, 1995 to-

(A) in the case of an individual, Shri _____ son of Shri _____ tehsil _____ district _____; and

(B) in the case of a *firm/co-operative society/company _____ to _____

*Firm/Co-operative Society/Company _____ having its headquarters at _____ tehsil _____ district _____ for developing land as *residential/commercial/ industrial colony at _____ tehsil _____ district _____.

This licence is granted subject to the following conditions, namely :-

(i) The design and specifications of the development works to be provided in the colony shall include :-

(a) metalling of roads and paving of footpaths, as per the Punjab Public Works Department specifications;

(b) turfing and plantation of trees; and

(c) street lighting.

(ii) The licensee shall enter into an agreement with the competent authority in Form APR IV within a period of thirty days of the grant of the licence;

(iii) The promoter shall deposit with the Competent Authority service charges under section 32 of the Punjab Apartment and Property Regulation Act, 1995;

(iv) In the layout plan of the colony, the land reserved for roads, open spaces, schools, public and community buildings and other common uses shall not be less than _____ per cent of the gross area of the land under the colony;

(v) The licence shall not contravene the provisions of any other law for the time being in force in the area where the colony is being developed;

(vi) The promoter shall maintain a separate account in any Scheduled Bank of sums taken by him from persons intending to take or who have taken the apartments or plots, as advance, towards the sale price or for any other purpose or deposit and shall disburse the money for meeting the cost of development works, and shall on demand, in writing, by the competent authority, make full and true disclosure of all transactions in respect of that account;

(vii) The licence is valid for a period of three years commencing from _____ and ending with _____ and the licensee shall complete the development works within that period;

(viii) The licensee shall comply with the provisions of the Punjab Apartment and Property Regulations Act, 1995 and the rules made thereunder.

Dated : _____

Place : _____

Signature of Competent Authority.

(*) Strike down which is not applicable.

Serial No.	Date of renewal	Date upto which renewed	Signature of the competent authority
1.			
2.			
3.			
4.			
5.			
6.			
7.			

8.			
9.			
10.			

⁷[Form APR V

(See rule 13)

Form of Application for Compounding of an offence for developing an unauthorized colony.

To

The Competent Authority

Sir,

1/We beg to apply for the grant of an license to develop a residential/commercial/ industrial colony at _____ in District _____ The requisite particulars are as under:-

- (i) Status of the applicant, whether individuals/co-operative Society/Company.
- (ii) in the case of individual-
 - (a) Name:
 - (b) Fathers Name:
 - (c) Occupation:
 - (d) Permanent Address:
- (iii) In the case of Firms/Co-operative Societies/ Companies-
 - (a) Name :
 - (b) Address:
 - (c) Major Activities :
 - (d) Name and address of Patners/Chief Executive/ Full time Directors.
- (iv) Whether applicant is income tax payer, if so , give income tax account No.

(v) Name and Address of the bank or banker with which account in terms of section 9 of the Act will be mentioned _____

(vi) Details of immovable property held by the applicant _____

(vii) Particulars about financial position :

- (a) Latest audited accounts in the case of company/ firm/ co-operative society; and
- (b) in case of individual details of his bank accounts.

(viii) Whether the applicant had ever been granted permission to set up a colony under any other law, if so, details thereof

(ix) Whether the applicant has ever established a colony or is establishing a colony and if so, details thereof _____

(x) Agency to take up external development works -

Self	Government Department	Development Authority	Local Authority
------	--------------------------	--------------------------	-----------------

(xi) Agency to take up internal development works -

Self	Government Department	Development Authority	Development Authority
------	--------------------------	--------------------------	--------------------------

(xii) Any other information the applicant may like to furnish.

2. I/we enclose the following documents in triplicate, namely :-

(i) Copy or copies of all the title deeds and other documents showing the interest of the applicant in the land under the proposed colony alongwith a list of such deeds and other documents and if the land is owned by another person, the consent of the owner of such land to the development of the colony or construction of the building;

(ii) A copy of the shajra plans showing the location of the colony alongwith the name of the revenue estate, khasra number of each field and the area of each field;

(iii) A guide map on a scale of not less than 1:1000 showing the location of the colony in relation to surrounding geographical features to enable the identification of the site;

(iv) A survey map of the land under the colony on a scale of not less than 1:1000 showing the spot levels at a distance of thirty metres and where necessary contour plans and the survey will also show the boundaries and dimensions of the said land, the location of streets of atleast thirty metres of the said land and existing means of access to and from existing roads;

(v) Layout plan of the colony on a scale of not less than 1:1000 showing the existing and proposed means of access to the colony, the width of streets, sizes and types of plots, sites, reserved for open spaces, community buildings and schools with area of each and proposed building lines on the front and sides of plots;

(vi) Plans showing the cross sections of the proposed roads showing in particulars width of the proposed carriage ways, cycle, tracks and footpaths, green verges, position of electric poles and of any other works connected with such roads;

(vii) Plans referred to in clause (vii) indicating in addition the position of sewers, storm water channels, water supply and other public health services;

(viii) Detailed specifications and designs of road works as shown in clause (vii) and estimated cost thereof;

(ix) Detailed specifications and designs of storm water and water supply scheme with estimated cost of each;

(x) Detailed specifications and designs for disposal and treatment of storm and sullage water and estimated cost of works;

(xi) Detailed specification and designs of electric supply including street lighting; and

3. I/We enclose the further following documents, namely :-

(i) Demand Draft No. _____ dated _____ for Rs. _____ drawn on _____ bank.

(ii) A copy of the latest statement of annual accounts duly audited by a Chartered Accountant in the case a company or a firm or a cooperative society and disclosure of the account maintained alongwith the name of the bank in the case of an individual.

(iii) Income tax clearance certificate issued by the Income tax authorities.

4. Number of plots-

(i) which have already been sold; and

(ii) the number of plots which are available for disposal.

5. Level of development works and infrastructure provided in the colony in terms of roads, water supply, sewerage, electricity, parks, tube well and cost incurred on the provisions of the infrastructure.

6. Two copies of coloured photographs of the site.

7. I/ We solemnly affirm and declare that the particulars given above, are true and correct to the best of my/ our knowledge and belief and nothing has been concealed therein.

Yours faithfully,

Dated :

Place:

Signature of applicant(s)
along with full name(s).

Form APR VI

[See Rule 14(1)]

Form of Application for Renewal of Licence

From

To

The Competent Authority

Sir,
I/We beg to apply for renewal of licence No. _____ which expires on _____.
As required I/We submit the following documents and information, namely :-

- (i) A demand draft No. _____ dated _____ for rupees _____
drawn on _____ Bank as renewal fee;
- (ii) a bank guarantee for a sum of rupees _____ (existing bank guarantee
renewed or fresh bank guarantee);
- (iii) plan of colony showing the stage of development works undertaken till date;
- (iv) explanatory note regarding the stage of development works and reason for not completing the
development works within the stipulated period.
- (v) the licence;
- (vi) any other information.

Yours faithfully

Applicant(s)

Dated :
Place :

Form APR VII

[See Rule 14(3)]

Form of Intimation for Rejection of Application for Renewal of Licence

From

The Competent Authority,

To

Memo No. _____

Dated, the _____

Reference : Your application, dated the _____ for renewal of licence No. _____.
2. It is regretted that renewal of licence No. _____ is rejected for the reasons given below :-

Competent Authority

Form APR VIII

[See Rule 16]

Form of Agreement of Sale

This agreement of sale made this _____ day of _____ between _____ (hereinafter called the promoter which expression shall include his heirs, legal representatives, successors and assigns) of the one part AND Shri/Smt./Kumari _____ Son/Wife/Daughter of _____ resident of _____ (hereinafter called the intending purchaser which expression shall include his/her heirs, executive administrators, legal representatives and assigns) of the other part.

Whereas the promoter intends to construct or has constructed a building of apartment in _____ colony and _____ which are to be sold on ownership basis; or
Whereas the promoter intends to offer for sale plots in _____ colony at _____;

And whereas the intending purchaser has separately applied for purchase of an apartment/plot in the _____ colony at _____ and has deposited the earnest money of rupees _____ with the promoter;

Now this agreement witnesses as follows :-

The promoter agrees -

(A) In the case of Apartment -

(i) that if the building of apartments is to be constructed, the promoter shall construct the building according to the plans and specifications approved by the authority, which is competent so to do under any law for the time being in force;

(ii) that the possession of the apartment shall be handed over to the intending purchaser by _____.

(iii) that the area of the apartments including the area of the balconies shall be, as shown in the plan appended to this agreement as annexure _____;

(iv) that the price of apartment shall be _____ and proportionate price of the common areas and facilities shall be _____;

(v) that the association to be constituted for the administration of the apartments shall consist of _____.

(vi) that the nature, extent and description of the common areas and facilities and the limited common area and facilities shall be as shown in annexure _____ to this agreement;

(vii) that the percentage of undivided interest in the common areas and facilities, and in the limited common area and facilities, if any, appertaining to the apartments, agreed to be sold shall be the ratio of the built up area of the apartments to the total built up area of the apartment;

(viii) that the apartment shall be used for the purpose _____ and for no other purpose;

(B) In the case of plot -

(i) that the possession of the plot shall be handed over to the intending purchaser by _____;

(ii) that the area of the plot is _____ square meters and the price of the plot is _____;

(iii) that the plot shall be used for the purpose of _____ and for no other purpose;

(iv) that certificate of an Attorney-at-Law or an advocate of not less than seven years' standing has been obtained; and appended with this agreement as annexure _____;

(v) that a certified copy of the revenue record showing the nature of the title of the promoter to the plot or the land on which the building of apartments is constructed or to be constructed is appended with this agreement as Annexure I _____;

(vi) that the plans and specifications of the apartments as approved by the authority which is required so to do under any law for the time being in force, are appended to this agreement as Annexure II to _____.

In witness whereof the parties hereto have signed this agreement on the date and year respectively mentioned against their signatures.

Signature of the Promoter,

1. Witness

Dated :

2. Witness

Dated :

Signature of the Intending Purchaser,

1. Witness

Dated :

2. Witness

Dated :

Form APR IX

(See Rule 20)

Form of Application for Enforcing Conveyance Deed

To

The Competent Authority,

Sir,

I/we beg to apply for issuing a certificate to be produced before the registering authority concerned for enforcing the registration of conveyance deed of the apartment in my/our name in pursuance of the agreement of the sale made between the promoter and me/us.

The requisite particulars are given here under :-

1. Name
2. Father's name
3. Address for correspondence
4. Number and location of apartment
5. Area of apartment under possession of applicant (in square metre)
6. Consideration money paid
7. Details of agreement of sale; (Enclosure copy of the agreement of sale)
 - (a) Name of Promoter;
 - (b) Date of agreement;
 - (c) Name and designation of authority verifying or certifying the agreement;
 - (d) Any other particular.

Yours faithfully,

()

Dated :

Place :

Form APR X

[See rule 23(1)]

Form of Application for Certificate of Registration by Promoter

To

The Competent Authority,

Sir,

I/we beg to apply for registration as a promoter under sub-section (1) of section 21 of the Punjab Apartment and Property Regulation Act, 1995. My/our particulars are given below :-

1. Name
2. Father's name
3. Address for correspondence
4. Permanent Address
5. Status of the applicant; whether individual, firm or a company or a cooperative society
6. Whether applicant is income tax payee, if so, income tax Account No. _____
7. Details of immovable property held by the applicant
8. Whether the applicant had ever been registered as promoter under any other law for the time being in force, if so, details thereof
9. Whether the applicant had ever been conducting business as a promoter, if so, details thereof
10. Whether the applicant possesses the requisite qualifications and experience as a promoter, if so, attach attested copy of requisite certificates.
11. Has the applicant ever been convicted of an offence under the Act or any other law relating to construction or use of premises, if so, has a period of five years, elapsed after that conviction
12. Any other information, the applicant desires to furnish

I/we enclose the following documents, namely :-

(i) Demand draft No. _____ dated _____ for _____ (drawn on _____ bank) as the prescribed fee;

(ii) Income tax clearance certificate;

(iii) List of other documents.

I/we certify that the particulars given above are correct and true to the best of my/our knowledge and belief.

Yours faithfully,
(Applicant)

Dated :

Place :

Attested by :

Oath Commissioner/Magistrate of First Class.

Form APR XI

[(See rule 23(1))]

Form of Application for Certificate of Registration as Estate Agent

To

The Competent Authority,

Sir,

I/we beg to apply for registration as an Estate Agent under sub-section (1) of section 21 of the Punjab Apartment and Property Regulation Act, 1995. My/Our particulars are given below :-

1. Name :

2. Father's name :

3. Permanent Address :

4. Address for correspondence :

5. Status of the applicant, whether individual, firm or a Company or a cooperative society.

6. Whether applicant is income tax payee, if so, income tax Account No. _____

7. Whether the applicant has been registered as Estate Agent under any other law for the time being in force, if so, details thereof;

8. (i) Whether the applicant possess the requisite qualifications and experience as an Estate Agent, if so, attach attested copies of the requisite certificates:

(ii) Whether the applicant is an employee of the Government or a State undertaking or a local Authority, or a dismissed employee of the Government or a State undertaking or a local authority,

9. Has the applicant ever been convicted of any offence under the Act if so, has a period of five years elapsed after that conviction.

10. Any information the applicant desired to furnish :

I/we enclose the following documents, namely :-

(i) Demand Draft No. _____ dated _____ for _____ drawn on _____ (bank) as the prescribed fee; and

(ii) Income tax clearance certificate :

I/we hereby certify that the particulars given above are correct and true to the best of my/our knowledge and belief.

Yours faithfully,

Applicant.

Dated :

Form APR XII

[See rule 23(2)]

Form of Certificate of Registration as Promoter

To

Registration Number _____ Dated _____
The Certificate of registration is hereby granted to (Name _____) son of _____
resident of _____ for conducting business as a promoter for developing a colony
and constructing apartments under the Punjab Apartment and Property Regulation Act, 1995 and the
rules made thereunder.
This certificate is being issued subject to the following terms and conditions, namely :-

- (i) The Certificate shall remain valid for a period of five years from the date of its issue;
- (ii) It may be renewed on submission of fresh application along with prescribed fee provided that the application has been submitted three months before expiry date of previous registration;
- [(iii) The certificates shall be operative in the State of Punjab except in the area declared by as Controlled Area under the Punjab New Capital (Periphery) Control Act, 1952;]
- (iv) It will not be used for the purpose other than the purpose of conducting business as a promoter as specified under the Punjab Apartment and Property Regulation Act, 1995 and the rules made thereunder;
- (v) The competent authority has the right to withdraw or cancel the certificate at any time during the tenure of registration, if it is found that-
 - (a) the promoter has given any wrong information in his application for registration;
 - (b) the promoter has been adjudicated as insolvent or is undercharged insolvent; or
 - (c) the promoter has been convicted under the Act or any other law relating to construction or use of premises.
 - (d) the promoter has contravened any of the terms and conditions of the certificate or any of the provisions of the Act or the rules made thereunder.

Competent Authority

Form APR XIII

[See rule 23(2)]

Form of Certificate of Registration as Estate Agent

To

Registration No. Dated :
The certificate of registration is hereby granted to (Name _____
_____), son of _____ Resident of _____
_____ for conducting business as an Estate Agent under the
Punjab Apartment and Property Regulation Act, 1995 and the rules made thereunder :
This certificate is being issued subject to the following terms and conditions, namely;

- (i) The certificate shall remain valid for a period of five years from the date of its issue;
- (ii) It may be renewed on submission of fresh application alongwith prescribed fees provided the application has been submitted three months before the expiry date of previous registration;
- (iii) The certificate shall be operative in the State of Punjab only;
- (iv) It will not be used for the purpose other than the purpose of conducting business as an Estate Agent as specified under the Punjab Apartment and Property Regulation Act, 1995 and the rules made thereunder;
- (v) The competent authority has the right to withdraw or cancel the certificate at any time during the tenure of registration, if it is found that the Estate Agent,-
 - (a) has given any wrong information in his application for registration;
 - (b) has been adjudicated as insolvent or is undercharged insolvent; or
 - (c) has been convicted under the Act.

Competent Authority

Form APR XIV

(See rule 25)

Form of Application for Renewal of Certificate of Registration by the Promoter.

To

The Competent Authority,

Sir,

I/We beg to apply for renewal of certificate of registration No. _____ which expires on _____.

I/We enclose the following documents, namely :-

(i) Demand draft No. _____ Dated _____ drawn on _____ Bank for rupees _____ as renewal fee;

(ii) Income tax clearance certificate if any,

(iii) A bank guarantee for the sum of rupees _____.

Yours faithfully,

Dated : _____

Place : _____

(Applicant)

Promoter.

Form APR XV

(See Rule 25)

Form of Application for Renewal of Certificate of Registration by the Estate Agent

To

The Competent Authority,

Sir,

I/We beg to apply for renewal of certificate of registration No. _____ which expires on _____.

I/We enclose the following documents, namely :-

(i) Demand draft No. _____ dated _____ drawn on _____ Bank for rupees _____ as renewal fee;

(ii) Income tax clearance certificate, if any.

Yours faithfully

Dated :

Place :

(Applicant)

Estate Agent.

Form APR XVI

[See rule 26(1)]

Form of Register to be Maintained by the Promoter

Serial Number	Number of plot/Apartment	Category of plot/apartments whether residential or commercial or industrial	Area of plot/apartment	To whom the plot/apartment is sold or agreed to be sold (full particulars to be given)	Date of agreement sale of plot/apartment	Price Fixed of plot/apartment
1	2	3	4	5	6	7

Amount received as earnest money	Amount received as allotment money	Total Columns 8 and 9	Amount received in instalments (if any)	Total amount received as full payment of price	Balance amount Column	Remarks
8	9	10	11	12	13	14

[See rule 26(2)]

[illegible]

[See rule 26(3)]

[illegible]

[See rule 26(3)]

[illegible]

Form APR XX

[See rule 26(3)]

Form of Register for Keeping Record of Registration of Estate Agents by the Competent Authority.

Serial Number	Name of Estate Agent	Address of Estate Agent	Registration fee paid	Date of issue of certificate of registration	Date on which certificate of registration expires	Date and period of renewal of certificate of registration	Remarks
1	2	3	4	5	6	7	8

Form APR XXI

[See rule 28(1)]

For of Return to be Furnished by the Promoter.

From

To

The Competent Authority,

I furnish below the statement of amount received from the plot holders/apartment owners during the six months starting from _____ ending with _____ and the amount deposited in account No.

_____ Bank _____.

Sr. Number	Name of plot holder/apartment owner along with address	Particulars of plots/apartments	Opening balance	Amount received during the period ending with	Amount spent on the development works in the colony/construction of apartments	Closing balance
1	2	3	4	5	6	7

Form APR XXII

[See rule 28(2)]

Form of Annual Return to be Furnished by the Estate Agent

Serial Number	Number of plots/ apartment	Category of plot/ apartment whether residential/ Commercial or industrial	Area of plot/ floor area of apartment	Name and address of the seller	Name and address of the purchaser	Price of plot/ apartment	Date of sale	Date of execution of conveyance deed
1	2	3	4	5	6	7	8	9