

ALLOTMENT OF PETROL PUMP SITES - MODIFICATIONS IN GUIDELINES

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

All the Administrators HUDA in the State.
All the Estate Officers HUDA in the State.

Memo No.A-Pwn-UB-II-08/28879-901 Dated: 12.08.08

Subject: - Allotment of Petrol Pump Sites – partial modification in the policy guidelines thereof.

This is in furtherance of this office memo no. A-I-P-2000/6020-42 dated 22nd March, 2000 vide which elaborate guidelines were circulated on the subject cited above.

The matter has now been re-considered in its totality in the 101st meeting of the Authority held on 11th June, 2008 vide agenda item no. 7 (Suppl) and **the following modifications have been made in the existing policy-**

1. That henceforth, the Zonal Committee headed by the Zonal Administrator shall recommend the allotment after interviewing the applicants instead of allotting the Petrol Pump sites through draw of lots.
2. That only Oil Companies (Nationalized & Private) will be allowed to apply for the sites. However, the commitment regarding preferential allotment in view of State Govt. Policy or National Policy should also be kept in mind.
3. That the sites should be offered as and when they are carved out so that they are put to use at the earliest in public interest instead of floating the sites only once in a year.

4. That other terms & conditions of the existing policy stipulated in the letter under reference shall remain the same.

You are therefore requested to follow the amended policy for allotment of Petrol Pump sites in future and compliance report may be sent to (HQ).

An acknowledgment of the receipt of this communication may be sent within 15 days positively.

(T.C.Gupta)
Chief Administrator, HUDA
Panchkula.

Endst. No. A-Pwn-UB-II-08/28902-11

Dated 12.08.08

A copy of the above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula
2. The Chief Town Planner, HUDA Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Engineer-I, HUDA, Panchkula.
5. The Sr. Architect, HUDA Panchkula.
6. The Legal Remembrancer, HUDA, (HQ) Panchkula.
7. The Deputy ESA HUDA (HQ), Panchkula.
8. Dy. Supdt. / All Assistants / Record Keeper of Urban Branch, HUDA, (HQ).

(A.K.Yadav)
Administrator(HQ)
For Chief Administrator, HUDA

Internal Distribution

1. Sr.Secretary to the Chairman, HUDA-cum-C.M., Haryana for the information of Chairman-cum-C.M., Haryana
2. PS/FCTCP for the information of FCTCP.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrator, HUDA
All the Estate Officers, HUDA

Memo No.A-1-2007/**7179-7200**

Dated: **26.02.07**

Subject: Allotment of petrol pump sites in the Urban Estates, developed by HUDA. Policy guidelines for Conversion of initial 15 years lease into 99 years perpetual lease.

This is in continuation of this office Memo No.A-1[P]-2000/6020-42 dated 22.3.2000 on the subject cited as above.

The current HUDA policy dealing with disposal of petrol pump sites, in force approved by the Authority, in its 77th meeting held on 24.02.2000.and further circulated vide memo referred to above, stated that henceforth the available petrol pump sites shall be floated for leasing out only in favour of the Nationalized oil companies, Private oil companies, Govt. departments, Boards and corporations, once in a year. In cases, where more than one application has been received, against a specific site, the allotment shall be made by holding draw of lot. The war widows of operation Vijay (Kargil) shall be given preference in the allotment.

The allotment is made on 99 years lease hold basis, however the initial lease period is kept for 15 years.

Before formulation of the above policy, the allotment of petrol pumps sites was being made in favour of the individual letter of intent holder also. In number of such allotments made in the past, the initial period of 15 year's lease has either expired or is going to expire. Since, so far no specific policy procedure for conversion of 15 years lease after its

expiry to that of 99 year's perpetual lease has been formulated and circulated; therefore, the matter has been engaging the attention.

The matter was processed and placed before the Authority, in its 98th meeting held on 12.12.2006. It has been decided that conversion of initial lease period of 15 years after its expiry may be converted into 99 years perpetual lease under the following situations.

1. Wherein the allottee, either an individual or oil Company/Board or Corporation has not violated any of the terms and conditions of the allotment, during the period.
2. The lessee is not in the arrears.

The conversion shall further be subject to the payment of the Premium/capitalized value and revised ground rent, which shall be worked out as under.

The capitalized value of the site shall be worked out taking into account the 7.85% as an average rate of interest, or as revised and circulated by the Authority from time to time. The premium payable and revised ground rent shall be worked out and charged on the basis of following formulas:-

1. Area of the site to be allotted.
2. Institutional rate of the year.
1. Cost including commercial element =
Area x Institutional rate of the year x 2.
4. Monthly Rent for one filling point of petrol and one filling point of diesel=
Amount of $\frac{\text{Sr.No.3} \times 5}{100 \times 12}$

5. Yearly Rent= Amount of Sr. No. 4 × 12.

6. Capitalized value = $\frac{\text{yearly Rent} \times 100}{7.85}$

The revised ground monthly rent shall be worked out and recovered as under:

1. Equal to 2% of the premium per annum for the first 33 years.
2. Equal to 3% of the premium per annum for the next 33 years.
3. Equal 4% of the premium per annum for the next 33 years

The above premium and ground rent shall be for one filling point each of diesel and petrol.

For every additional point, premium and ground rent @ 12.5% shall be charged extra. For sites falling on state Highways the schedule road, the premium shall increased by 25%. For sites falling on National Highways the premium shall be increased by 50%.

Premium shall be payable either in lump sum within a period of 30 days from the date of issue of demand notice or in four equated bi annual installments, along with interest @ 9% p.a.(simple), or as decided by the Authority from time to time.

All other terms and conditions of allotment shall however remain unchanged.

It has further been decided that the Zonal Administrators HUDA shall be the final accepting Authority in the matter, who shall decide such cases in the manner given here before.

You are, requested to take further action accordingly.

Administrative Office,
for Chief Administrator, HUDA

Endst. No .A-1-2007/**7201-7208**

Dated:**26.02.07**

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Town planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA. Panchkula.
3. The Engineer-in-Chief, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The C.V.O. HUDA HQ's, Panchkula.
6. The L.R/Distt. Attorney, HUDA, Panchkula.
7. The Dy. ESA, HUDA HQ's.
8. All the Assistant/Record Keepers.
Urban Branch,

Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/ Asstt. Estate Officers, HUDA.

Memo No.A-1-2006/20942-63

Dated:07.06.2006

Subject: Policy guidelines for allotment of land for CNG & PNG stations in Urban Estates developed by HUDA.

On the directions dt. 29.04.05 & 12.08.05 given by the Supreme Court of India in the matter of M.C. Mehta Vs. others in CWP No.13029 of 1985, the State Govt. with a view to provide neat and clean environment and in order to reduce the pollution level in the neighbouring towns of Delhi falling in the National Capital Region, the Govt. of Haryana has decided to introduce CNG/PNG in the National Capital Region. The State Government has also given the NOC/Permission for laying of infrastructure for the supply of CNG/PNG in favour of following executing agencies/companies.

Executing Agencies for implementation of CNG/PNG within the National Capital Region

Sr.No.	Name of the Company	District allocated
1.	Indraprastha Gas Ltd.	Entire district of Sonapat and Panipat exclusively.
2.	Haryana City Gas Distribution Ltd.	The entire districts of Gurgaon, Rewari, Jhajjar and Rohtak exclusively.
3.	Gujarat Adani Energy Ltd.	The entire district of Faridabad exclusively.

The State Govt. in the Deptt. of Industries has formulated and circulated following uniform policy guidelines for allotment of sites for CNG/PNG stations carved out in Urban /Industrial Estates developed by HUDA/HSIDC or any other agency of Haryana Govt. It has been decided to follow these policy guidelines by HUDA in toto. Accordingly the CNG/PNG sites carved out in the HUDA Estates shall be disposed off in the manner hereunder.

Mode of allotment

That the allotment shall be made on monthly lease hold basis for a period of 20 years only. The ownership of land shall continue to vest with HUDA.

Rate of allotment/monthly lease

The rental price of CNG Station site shall be determined on the basis of initial reserve price fixed for commercial sites proposed to be put to auction for the first time in that Urban/Industrial Estate. For CNG & PNG station, 80% of the initial reserve price will be considered for fixing the monthly lease. The monthly lease shall be fixed @ 6% p.a. of the initial reserve price fixed for CNG/PNG stations.

- a) In case of site falling on National Highways, the rent will be increased by 50%.
- b) In case of site falling on State Highways/Schedule Roads, the rent will be increased by 25%.

The monthly rent will be increased by 25% after expiry of every five years.

4. Terms & conditions of allotment

The allotment shall be governed by the following terms and conditions :-

- 1) That No Objection Certificate from the District Magistrate shall be obtained by the Company and produced before issuance of regular allotment letter.

- 2) That any approval required from National Highway Authority/ PWD B&R or any other Authority shall also have to be arranged by the Company at their own level.
- 3) That land shall be utilized for the purpose for which it has been allotted/leased out. In case the site is not used for specified purpose the same shall revert back to HUDA. However commercial use shall be permissible, for which covered area shall not exceed 3% of the total ground area.
- 4) That in case the permission to set up/run the stations/the licences are cancelled by the Authority in the Central or State Government, the allotment of land made by the respective agency shall also stand withdrawn and as a result of it the lease deed executed between HUDA and company shall also stand terminated, automatically.
- 5) That the Company will give an undertaking to comply with all the terms and conditions of the Gas Policy to be adopted by the State Govt. without adversely affecting their exclusive rights of permission/ NOC granted to the Companies for the said district.
- 6) That the Company will give an undertaking to the effect that they will comply with the provisions of the Petroleum and Natural Gas Regulatory Board Act of the Govt. of India as and when enacted by the Parliament and put in force.
- 7) That supply of natural gas and its distribution shall be deemed to be a public utility services like electricity and water supply etc.
- 8) That the allotment will further be governed by the provisions of HUDA Act, 1977 rules and regulation framed thereunder.
- 9) That the Gas Company shall execute an agreement with the allotting agency i.e. HUDA.
- 10) The lease may be renewed by HUDA after expiry of 20 years.

You are accordingly requested to take immediate necessary action, process and decide the requests received by your offices for allotment of sites already carved out for the purpose in favour of the identified agencies. The action taken report may also be sent to the HQs.

-sd/-
Administrative

Officer,
HUDA.

for Chief Administrator,

Endst.No.A-1-2006/20964-71

Dated: 07.06.2006

A copy is forwarded to the following for information and necessary action:-

1. The Director of Industries, Haryana, 30 bays building, Sector-17, Chandigarh.
2. The Engineer-in-Chief, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
7. The District Attorney, HUD A, Panchkula.
8. The Dy. Economic & statistical Advisor, HUDA, Panchkula.
9. All the Assistants/Record Keepers of Urban Branch (HQ), HUDA, Panchkula.

-sd/-
Administrative

Officer,
HUDA.

for Chief Administrator,