

Policy guidelines for leasing out of Creche/School Buildings constructed by HUDA in various Urban Estates and Community Centre Buildings constructed by HUDA in villages within HUDA sectors.

From

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

To

1. All the Administrator, HUDA.
2. All the Estate Officers, HUDA.

Memo No. U.B.-II. A-K.K.2009/4611-4633

Dated: 20.02.2009

Subject: Policy guidelines for leasing out of Crèche/School Buildings constructed by HUDA in various Urban Estates and Community Centre Buildings constructed by HUDA in villages within HUDA sectors.

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It is intimated that as per laid down planning norms, HUDA has been carving out various community building sites like Creche sites, School sites, Hospital etc. HUDA also constructs buildings on some of the sites as per prescribed norms and hand over the same to the respective Departments on 99 years lease hold basis on a nominal token lease of Rs. 100/- per annum. Similarly Community Centre Buildings have been constructed by HUDA in villages within HUDA sectors.

2. In the past, it has been experienced that due to their budgetary constraints the respective departments have not been coming forward to take over the sites/building. The utilization of these buildings is also very poor. It has, therefore, been decided that such buildings should be leased out for their gainful use to some other agencies/reputed NGOs for a specified period on nominal monthly rent.

3. It has also been observed that HUDA has not constructed any

Creche/School for special children i.e. mentally retarded, physically challenged etc. in any of its Urban Estates. It has, therefore, been decided that the leasing of buildings of Creche/School constructed by HUDA in various Urban Estates and Community Centre Buildings constructed by HUDA in villages within HUDA sectors to the reputed NGOs may be made.

4. For this purpose, a Screening Committee consisting of concerned Administrator, HUDA as Chairman of the Committee and concerned Deputy Commissioner and District Education Officer as members has been constituted. The concerned Estate Officer, HUDA, shall be the Member Secretary of the Committee who shall invite the applications and convene the meeting of the Screening Committee.

The leasing of these buildings shall be governed by the following terms and conditions:-

- (i) As per the policy in vogue, 50% of the sites earmarked for Creche/School shall be disposed off through auction. Balance 50% sites shall be offered to the District Red Cross Society, District Child Welfare Council or Education Department for running of Creche/School. In case the District Red Cross Society, District Child Welfare Council or Education Department, as the case may be, refuses to take the offered sites then only those sites where building has been constructed by HUDA shall be considered for leasing to the reputed NGOs for running of Creche/School for special children. Similarly constructed Community Centre Buildings in villages within HUDA sectors can also be leased out to NGOs who want to undertake welfare work in these villages.
- (ii) The applications for leasing of constructed Creche/School buildings and Community Centre Buildings constructed by HUDA in villages within HUDA sectors shall be invited through advertisement. Only the reputed NGOs registered for the last two years before the date of issue of advertisement shall be eligible to apply.
- (iii) The Creche/School buildings shall be leased to only those NGOs who are working in the field of imparting education to the poor on charitable basis shall only be eligible to apply.
- (iv) The Screening Committee shall examine the applications received and forward its recommendations to the Chief Administrator, HUDA for approval of leasing of the constructed Creche/School buildings/Community Centre Buildings (constructed by HUDA in villages) who shall submit the matter to Chairman HUDA for approval.
- (v) That the constructed Creche/School building/Community Centre Buildings (constructed by HUDA in villages) shall be initially leased for a period of five years at token lease money of Rs. 100/- per year. The lease shall be

reviewed after five years and can be renewed for another five years term on satisfactory performance of the NGO, with the approval of Chief Administrator, HUDA. Further renewal of the lease for another five years (beyond 5+5 years) shall be with the approval of Chairman HUDA. Any further extension thereafter shall be with the approval of the Authority.

(vi) That the ownership of land and building will continue to vest with HUDA.

(vii) That the additions/alternation in the constructed building can be made by the NGO with prior approval of the concerned Estate Officer, HUDA. However, entire investment shall be made by the lessee and no refund/payment on this account shall be made after determination/cancellation of the lease.

(viii) That the lessee shall have no right to sub lease the ownership of the land or building constructed thereon by way of transfer or gift or sale or any other manner.

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(ix) That if there is any breach of any of the terms and conditions of lease, HUDA shall have right to take back the land alongwith the structures constructed thereon by the lessee, if any, without any compensation whatsoever.

(x) That the NGO shall bear all the recurring expenses annual maintenance costs, cesses or taxes chargeable to the land /building etc.

(xi) That the use of land/building in any manner other than the one for which it is being leased shall not be allowed in any case.

(xii) That no commercial use of land or building constructed thereon shall be allowed under any circumstances.

(xiii) That the said lease of land shall further be governed by the provisions of HUDA Act, 1977, Rules & Regulations framed there-under.

5. You are requested to take immediate necessary action and send

compliance report to this office at the earliest.

This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA.

(Nadim Akhtar)
Incharge Urban Branch-

II,

For Chief Administrator,

HUDA.

Endst No. A-KK-2008/UB-II/ 4634- 66

Dated: 20.02.2009

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

1. Commissioner & Secretary to Govt. of Haryana Education Deptt., Sector-17, Chandigarh.
2. Higher Education Commissioner, Shiksha Sadan Sector-5, Panchkula.
3. Director General, School Education, 30 Bays Bldg. Sector-17-C, Chandigarh.
4. Director, Elementary Education, 30 Bays Bldg. Sector-17-C, Chandigarh.
5. The All Deputy Commissioner in the State.
6. The Chief Engineer-I & II, HUDA, Panchkula.
7. The Chief Town Planner, HUDA, Panchkula.
8. The Chief Controller Of Finance, HUDA, Panchkula.
9. The Enforcement Officer, HUDA, Panchkula.
10. The D. A., HUDA, Panchkula.
11. The Dy. E.S.A., HUDA, Panchkula.
12. All Asstt. In Urban Branch I & II.

(Nadim Akhtar)
Incharge Urban Branch-

II,

For Chief Administrator,

HUDA.