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ABSTRACT

DESIGN PROBLEMS OF AOÇ AS A PUBLIC PROPERTY

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In this thesis, the loss of land totality and loss of sight of establishment purposes of a unique application AOÇ which is a very vital open green area for Ankara is discussed since it was established. The importance of AOÇ for the city of Ankara, loosing its land totality and diverging from its establishment purposes was of interest to public opinion for long years. This study aims to analyze the location of AOÇ in the city, the role of AOÇ within Ankara Metropolitan area, its qualities and the future objectives of the State Farm which were deviated from its establishment purposes by means of inefficient planning regulations. It is obvious that as a public property, the establishment purposes and the ideology behind AOÇ must be reevaluated considering the opportunities of the State Farm as a huge open green area for the city. Moreover, some future principles for the fragmented farmlands must be determined according to the development area of the city.

With this aim, the location of AOÇ in the city and the roles given to AOÇ by the

Ankara city plans is analyzed since its establishment and the reevaluation of

establishment purposes and the basic objectives necessary for the future

development of AOÇ and design principles necessary to preserve the totality of

AOÇ and open farmlands back to public use is argued in this thesis.

Keywords: Atatürk Orman Çiftliği (AOÇ), Public Property, Open Space, Ankara

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ÖΖ

KAMU MÜLKİYETİ OLARAK AOÇ 'NİN TASARIM PROBLEMLERİ

YILDIRIM, Derya

Kentsel Tasarım Yüksek Lisans, Şehir ve Bölge Planlama Bölümü

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Bu tezde, Ankara kenti için çok önemli bir açık alan ve benzersiz bir uygulama olan

Atatürk Orman Çiftliği'nin; kuruluşundan bugüne, temel amaçlarından uzaklaşarak

arazi bütünlüğünü kaybetmesi süreci incelenmektedir. AOÇ'nin, Ankara şehri için

taşıdığı önem, kuruluş amaçlarından sapması ve arazi bütünlüğünü kaybetmesi

uzun yıllardan beri kamuoyunda tartışılmaktadır. Bu çalışmada, AOÇ'nin, bugüne

kadar geçirdiği süreçte bir planlama aracı olarak yeteri kadar kullanılamaması

sonucu kuruluş amaçlarından sapışı, kent içindeki yerini, arazilerinin konum ve

niteliklerini ve Ankara metropolitan alan içindeki rolünü etkin olarak kullanamaması

tartışılmaktadır. Bir kamu mülkiyeti olarak Ankara kenti için önemli açık yeşil alan

olanakları sunan AOÇ'nin, kentin büyüme alanı da göz önüne alınarak kuruluş

amaçlarının yeniden yorumlanması ve parçalanmış arazilerinin planlı bir yaklaşımla

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geleceğine ilişkin ilkelerin belirlenmesi gerektiği ortadadır. Bu amaçla, bu tezde

AOÇ'nin kent içindeki yeri ve Ankara kent planlarındaki rolü, kuruluşundan bugüne

irdelenecek, taşıdığı ideoloji ve kuruluş amaçlarının yeniden yorumlanarak alanın

tekrar kamu kullanımına açılması için getirilmesi gereken ilkeler tartışılacaktır.

Anahtar Kelimeler: Atatürk Orman Çiftliği, Kamu Mülkiyeti, Açık Alanlar, Ankara

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CHAPTER I

INTRODUCTION

Ankara, the capital city of Turkey, has been established, developed and basically created with the ideology and point of view of the newly established republic and its leader Atatürk. So the city charged the responsibility of being a good example of a planned, regular, sanitary and contemporary city.

In accordance with this ideology, Atatürk established Gazi Forest Farm (Atatürk Forest Farm after 1950 [AOC]), in order to improve the agricultural production and search for technological methods and aimed to create a big recreational area to the people living in Ankara. The State Farm then became the symbol of the modernization project of the new Republic. The area choice for the farm was very interesting, because the area was the most futile and marshy land of Ankara. The reason for this choice was to create a farm, by applying necessary scientific and technological developments. The main purpose was to show and encourage people about the future of the city and to prove the success of the new technology.

The most important objective of the farm was to improve the agricultural and industrial production, increase the productivity in agriculture and train students and producers by using new technologies by using new technologies. The farm was aimed to be the place where these objectives would take place in.

In 1937, in accordance with Atatürk's will, the State Farm was granted to the nation. In his testament letter, the size of his personal farms, moveable and immoveable properties, buildings, factories, permanent stock and the machinery were stated. Moreover, he clearly determined his wishes in order to endure and develop the objectives of the State Farm in the future. The basic establishment purposes of the farms were to improve the agricultural production with the new scientific researches, to establish cooperatives in order to include the farmers in the production chain and thirdly to provide a recreation area; a big open space with different educative functions and a sanitary natural environment, for public. However; this institution disappointed everybody strongly in the end. Objectives and principals of the State Farm were all disappeared as the time passes. The reasons for this were the insufficient development plans, land speculations due to the inadequacy of city plans, and uncontrolled social and spatial development of the city due to the rapid growth of population and rapid urban development. Land speculations become a crucial problem in supplying adequate open green areas in the city.

Even though, in 1950, totality of the AOÇ land was tried to be protected by the regulations of the Law 5659, the speculative pressures on the AOÇ land have never ended, and lost all the objectives of being an ideal State Farm including agricultural production and a recreation area. The main establishment purposes of the farm have never been reached since its establishment. The political disputes on the ownership of the farm recently became not only a legal problem but also an urban problem. The potential of the farmland has not been used properly. As a result, it could neither meet the agricultural dreams nor become an urban public space and a recreation area completely.

The misuse of the State Farm is a good research area to understand the process behind. Therefore analyzing the current situation of the State Farm as an important urban design problem, and the story of the State Farm was chosen as the purpose of this thesis. The actors playing role in this process, the legal framework, and the land problems and "lost spaces" of the farm were tried to be examined in order to discuss the problem. AOÇ lands have a vital role in the urban development path of Ankara because of its great potential in the open green are system and the large size of public land in the expansion corridor of the city.

In the introduction, taking AOÇ as an urban design problem, current situation and functions of the State Farm is compared with the establishment purposes. In Chapter II the story of AOÇ is analyzed by looking at the historical development, establishment purposes, legal statue and organization body of the institution. According to the existing situation, the problems of AOÇ are determined in the Chapter III. In this respect, the basic problem of AOÇ is determined as the land problems. After the determination of the basic problems of AOÇ the focus is given to the land lost of the State Farm and this land problem is analyzed historically and legally.

AOÇ as a public property have a very important potential, located inside the city, for the urban macro form of Ankara. It is one of the basic tools for the urban growth control. AOÇ has a strategic position lying in the west development corridor of the city. So in the Chapter IV, AOÇ is analyzed by considering two important feature of the State Farm. Firstly, the concept of public property is explained.

Afterwards, the importance of public properties in urban macroform and the necessity of public lands in urban land policies are discussed. Then, the development of AOÇ in the changing property relation process of Ankara is analyzed. Lastly the property relation of AOÇ is summarized according to the determined processes.

In Chapter V, the State Farm is analyzed in the concept of public open spaces, which is the second important feature of AOÇ. The advantages and disadvantages of its location and effects in the urban growth pattern are discussed as a public open space. AOÇ, being a part of open green area system of Ankara has a priority in shaping the urban macroform. In addition, it has a very crucial position for the ecological system in the city. In order to prevent pollution, AOÇ land functions as the lungs of the city. Lastly, in order to understand the existing situation of the State Farm the decisions taken in the development plans of Ankara about AOÇ are examined historically.

Finally in the Chapter VI, the ideology of the State Farm is analyzed by studying the economic and social pattern of Ankara in the early years of the Republic. After that, some applications on the contrary to basic principles and the ideology of the State Farm are determined by looking at the current situation of AOÇ today.

Taking into consideration the problems and important issues about AOÇ; stated above, this study aimed to analyze the reasons behind the fragmentation of the farmland and the decline of the institution. For this reason; the main focus is given to the property relations, importance of public lands in the urban macroform and land loss of State Farm examining the actors that played important roles in the process.

As doing so, throughout this thesis, the possibility to gain the fragmented land, lost spaces of the State Farm back to public use and to revitalize the institution according to its basic principles are investigated.

CHAPTER II

STORY OF AOÇ

The historical development process, the establishment purposes, legal statue of the State Farm will be discussed in this chapter. In addition current situation, production and organization body of AOÇ will be examined.

2.1. The History of the Foundation

AOÇ was established in May, 25, 1925 by Atatürk. The objective of Atatürk in establishing such a modern farm in Ankara was to create the symbol of the new regime and modernism in the new capital city of the Republic. In order to achieve his goal, Atatürk started to search a suitable area for the farm. He evaluated the opinions of the experts and agriculturalists in order to decide the location of the farm. Eventually Atatürk chose the current location of the farm although it was not suitable for agriculture. The area was full of rushes, cattails and marsh. So it had been threatening the human health of Ankara for a long time.

Atatürk especially proposed this specific area and claimed that it would be very important to show people that such kind of a barren land could be improved by modernized technology and willingness of the human. After the area determined according to these criteria, Atatürk bought 20.000.000 m² land and established AOÇ.

As mentioned in the book "Atatürk Forest Farm" by the Ministry of Agriculture the amount of the land was not enough to realize the necessities of a modern farm. (10) So the area was expended by purchasing some farms around AOÇ. As a result, AOÇ was established over a 102.000.000 m² area.



A view from the State Farm Source: METU Urban Design Studio Study

Until 1937, Atatürk was the owner of the farm. In June, 11, 1937 Atatürk granted his farm to the Treasury with a testament letter. In this letter, he summarized the activities, objectives and expectations of the State Farm clearly. In his letter he states what has achieved in the State Farm. (52)

The State Farm invested all the profits to its own improvement and established many factories and workshops. Agricultural machinery was used properly and some foundations for maintenance and production of these machines were established. The farm had done some researches on domestic and foreign animal breeds, which is best suitable for the environmental conditions. By establishing cooperatives the farm worked together with the surrounding villages. The farm tried to be effective in the market and developed its production in order to respond the market demand.

In addition farm provided the needs of leisure time activities, walking and resting areas for the people. It was also very important for the farm to provide pure and excellent foodstuffs. In addition to these activities, the Farmlands were also used effectively as an education and training field for the students of Agriculture Institute. (41)



Agricultural Lands of AOÇ Source: METU Urban Design Studio Study

Farmland was functioning as a training area for the students and provided them a research and practice opportunity in new agricultural techniques and machinery. In this way, young agriculturalists had a chance to practice their theories by applying their lessons in a real farm. Importance of such kind of a foundation certainly cannot be denied. So providing its continuity, is as important as establishing it. At this point, Atatürk tried to guide the future policies and expectations about agriculture and recreation of AOÇ in finalizing his testament letter.

In order to carry on the activities successfully, the State Farm should be directed according to basic working and trading principles. If this objective could be achieved and those other farms could be established in different places of the country, they

would constitute the basis of state policies about agricultural reform and would be a

leading example for the improvement of the villages. In January 13, 1938 the farm

was undertaken by the State Agricultural Management Institution, which was

established by the law 3308. This institution managed the farm approximately 11

years. During this period approximately 5.000.000 m² land was sold to different

public institutions by the decisions of the Executive Committee.

In June 07, 1949 with the law 5433, State Agricultural Management Institution was

unified with Agricultural Mills and restructured as State Production Farms. In March

24, 1950, by a specific law 5659, AOC, because of its importance changed its statue

and started to work as a juridical person under the Ministry of Agriculture and Rural

Affairs. (53)

2.2. Establishment Law and Legal Status

The AOC was established in May 05, 1925 on the area of 150.000.000 m², which

was bought personally by Atatürk. Until 1937 the State Farm was managed and

directed by personal efforts of Atatürk. In June 11, 1937 Atatürk was granted his

farms to the Turkish people with a testament letter that determines the foundation

purposes and future expectations of the lands. According to his testament letter the

farms he granted to the Turkish people are as follows: (52)

Tarsus Piloğlu Farm8.000.000 m²

Silifke Tekir Şovalye Farm12.000.000 m²

Hatay Dörtyol Karabasamak and Trunçgiller Garden 16.500.000 m²

Yalova Baltacı Farm11.895.000 m²

Atatürk Orman Çiftliği 102.000.000 m²

Source: Prime Ministry Supervision Council 2001 Report

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The law describing the current statue of AOÇ will be discussed in the following subtitles.

2.2.1 Articles 1 and 2 of the Law 5659

The establishment law 5659 composed of 16 fundamental and 2 provisional articles. (53) In the first article it is determined that the Directorate is a juridical person bound up to Agricultural Municipality and the Municipality is responsible will determining the management principles.

In the second article organization body of the directorate was determined. Accordingly, under the director there should be a director assistant and 6 head offices in different specializations and a legal affairs system. The figure 1 shows the organization body of AOÇ, proposed in the establishment law 5659.

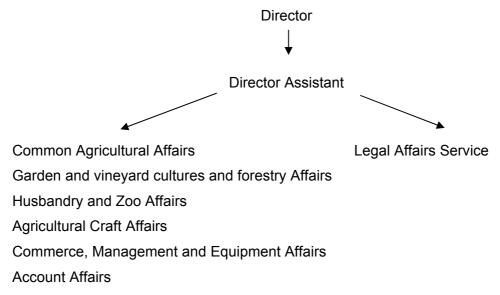


Figure 1: Organization body of AOÇ Directorate

Commercial activities of the farm are the sale of the products and the ones that are processed in the factory or workshops of the AOÇ Directorate. In the necessary conditions the Ministry may give an authority to the farm directorate to sell or buy the products of the farms and foundations that are under the control of Ministry. Other purchases of the farm in order to use in agricultural crafts should be determined both by Ministry of Agriculture and Finance.

The organization scheme of the Directorate was attached to the government order number 190 and the head offices were transformed into directorates by the decision of the Council of Ministers in 18.07.1984 numbered 84/8360. Figure 2 shows the new organization scheme of the AOÇ that was changed by the government order.

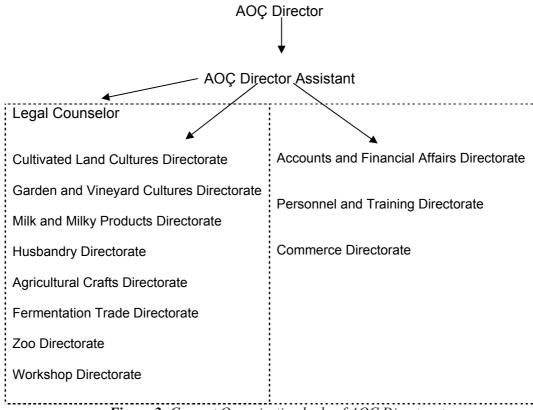


Figure 2: Current Organization body of AOÇ Directorate

2.2.2. Articles 3 and 4 of the Law 5659

In the third article, which was changed later on, 14.01.1982 by the law numbered 2580 article 1; the capital of the farm was determined as 500.000 Turkish liras. And the authority to increase this capital was given to Council of Ministers. (Changed with by-law number 14.01.1982/2580) In the 4th article the principles of the reserved capital were determined.

2.2.3. Article 5 of the Law 5659

The fifth article declines that the directorate will be directed according to private law directions and the activities and expenditures of the directorate will be determined by the regulations, which were prepared by the Ministries of Agriculture and Finance and approved by the Council of Ministers. According to this article, the regulations determining the authority and the functions of the director and the staff; methods of accounting, rules of purchasing some goods to use in agricultural crafts and the methods of purchasing-selling, lease-rent became valid respectively in 1953, 1952 and 1955. Furthermore, the regulations of purchasing and renting have changed due to a new regulation prepared by Council of Ministers in 11.05.1998 numbered 98/11395. (69)

According to the new regulation; barter and unreal rights of the real estates of the Farm Directorate was given to the decisions of the board of directory and the Minister. Secondly, although leasing the farmlands to other public institutions was limited in 5 years time, exceptions were accepted and the authority was given to the

Minister to decide whether leasing can pass the limited time period. Thirdly, with the article number 20 it was decided that the real estates of the directorate could be leased to other real and juridical persons by the decision of the Board of Directorate.

This new regulation was changed by the decision given by Council of State 10th Department because of some statements that were on the contrary to the establishment law of the Directorate 5659. According to the decision of Council of State in 25.11.1999 numbered E: 1998/5977, K: 1999/6335;

Barter and unreal rights of the real estates of the Farm Directorate are on the contrary to 5th and 10th articles of the law 5659.

Leasing the farmlands and real estates is not on the contrary to the establishment law but in the article 19, an exceptional expression occurred that the upper time limitation for leasing the real estates more than 5 years that can be decided by the Ministry did not determined in the regulation.

This uncertainty does not suit to the system considered in the law 5659. Because in the article there were no limitations neither for the types of the real estates nor considered time periods in leasing the farmlands and real estates to other real and juridical persons. This decision is also on the contrary to the law 5659. So, the determined articles or statements in the regulation were rejected as the above statements are considered. The directorate prepared and organized the regulation by making the necessary changes according to the decisions of Council of State.

The new regulation was accepted by the decision of the Council of Ministers numbered 2002/4513 in 04.07.2002. According to the new arrangement, "unreal rights" expression was taken away from the statement; article 19 was organized due to the regulations of the law 5659 and the types of real estates and the time periods

were determined in the 20th article in leasing to other real and juridical persons. According to the new regulation now it became possible for the private persons to rent the Farm real estates.

2.2.4 Articles 6, 7 and 8 of the Law 5659

6th, 7th and 8th Articles are organizes the budget, profits and lose accounts of the directorate. According to the article the Ministry of Agriculture prepares directorate's budget. Council of Ministers is the approval authority of the Farm's budget. However the governmental decision number 336 in 04.07.1988 changed the approval authority of the farm's budget. According to the new decision approval of the Farm's budget should done by the Ministry of Agriculture by taking affirmative opinion of the Ministry of Finance. Secondly, the profit and lose accounts are examined at the end of each budget year by KİT Commission. In the 8th article it was guaranteed that if the directorate finishes the year with a financial lost; the Ministry of Agriculture with the funds would support it.

2.2.5 Articles 9 and 10 of the Law 5659

The articles 9 and 10 are the most important ones for controlling the directorate's properties and sustain the wholeness of the Farmlands. According to the article 9, the properties of the directorate are referred as State property and the ones acting against these properties will be punished as if they act against State property. Secondly, the article 10 determines that property transfer; sell or expropriation will be possible only with a special law.

But this decision was not valid for the lands; which had transferred to other public institutions by the Administrative Committee decisions of State Agricultural Management Institution before the publication date of law 5659.

2.3. Establishment Purposes of the State Farm

AOÇ is the heritage of the great leader Atatürk, especially to the people living in Ankara. As written in his testament letter, this farm is so crucial not only for the capital city of Turkey but also for the whole country. Such that, AOÇ is the most important symbol and a model institution established in the new regime. Furthermore it is identified with the success of the modernization policy of the country. The establishment purposes of the State farm and Atatürk's expectations about the future development of the farm must constitute the most important basis for the development strategies and policies of the State Farm. The purposes and responsibilities of the Directorate are again clarified in the study Report of the Ministry of Agriculture. (39) The establishment purposes of the farm can be summarized as follows:

- To develop modern methods of cultivation and to introduce innovations in agriculture to farmers in order to improve the agricultural development,
- To investigate and develop new species of grain and varieties of animals appropriate for the regional habitat,
- □ To produce and investigate native and/or foreign fruit varieties and try to make them widespread in the region,
- □ To evaluate the agricultural products by processing the yields,

- To establish many factories and/or workshops for developing agricultural production and to introduce to nation,
- □ To work with the villagers around by the help of cooperatives or likely institutions,
- To develop viticulture,
- □ To establish atelier for the production and repairs of agricultural machinery to improve mechanization in agriculture,
- □ To develop the operations of the State Farm to meet the internal and external market demands,
- □ To provide sale stores for the citizens for selling pure and excellent foodstuffs produced in the foundations of the Farm,
- □ To improve and arrange the farmland to provide open and green areas for walking, resting and entertainment necessities of the people in Ankara,
- To educate and organize courses for training people especially students and farmers,
- □ To cooperate with scientific foundations in order to improve the production, research and experiments in the State Farm.

2.4. The Responsibilities of the Directorates

Milk Factory was established in 1955. In 1983-1985 butter packaging machine, ayran filling machine and milk bottling machines were added. Factory has enlarged its capacity continuously since it was established. In addition to pasteurized milk production, milky products units in the factory have been improved by using contemporary technological machines.

Thus AOÇ Products became an accepted trademark in the market. However in 1995 the privatization of Milk Industry Institution (SEK) started private sector enterprises in the sector and due to competition market share of AOÇ started to decrease.

Fermentation Trade has started its activities in 1925 with Wine factory. After that, pickle production and honey units were added. Like the milk production AOÇ is realizing its production according to market demand and improving the production in the sector. However since 1999 the vine factory has stopped production due to law sales in the market. Fruit gardens have been processing since 1925. But as time passing life span of the trees have finished and The Directorate started to pull out the trees periodically since 1985. Today in the area ornament and feed plants have been raising. Furthermore Farm Directorate is responsible from the protection and maintenance services of the park and forests that are functioning as recreational areas for Ankara. The 2.365.000m² of the Farmlands is forest and parks.

Zoo area is covering 320.000m²of the farmlands. It was moved in its present place in 1940 and now became the most important recreation area in the city. Maintenance, nutrition of animals and keeping the area necessitates important portion of financial resource. In contrast, entering fees are so low and not enough to cover the expenditure. Every year approximately 600.000- 700.000 people are visiting zoo. Although it causes some financial problems, the symbolic meaning and importance of the activity should have a priority for the Directorate. In activity period 2001-2002 the income and expenditure of the zoo is as follows: 1.496.954 TL income; 2.402.970 TL expenditure; 907.016 TL Lost. Every year 20.000.000m² land is being used for poly culture agriculture.

Even though the soil structure of some areas is not suitable for agriculture, the Directorate also cultivating the whole area in order to symbolize its possession. Cultivated land Cultures Directorate is also responsible from the procedures and transactions about the fields and lands of AOÇ Directorate. Commerce Directorate is responsible from making and following the leases. (12)

In the table 1 staff numbers of the State Farm is given according to Directorates.

Table 1. AOÇ Staff Numbers

Staff	Numbers
Directorate Accounts and Financial Affairs Directorate Staff and Training Directorate Commerce Directorate Legal Counselor Workshop Directorate Cultivated Land Cultures Directorate Garden and Vineyard Cultures Directorate Husbandry Directorate Zoo Directorate Milk and Milky Production Directorate Fermentation Directorate	2 9 9 4 2 10 1 7 4 9 14 7
SUM	78
Permanent Labors	
Monthly	
Daily	391
TOTAL	489

Source: Prime Ministry Supervision Council Report 2001

2.5. Production

2.5.1 Agricultural Production

Approximately 8.900.000 square meters of AOÇ lands were assigned to agricultural production. In the lands of AOÇ, irrigation system is not sufficient. So raining condition gains an importance in an effective production, because of this cereal production and fallowing land was preferred as the agricultural production method. It is a traditional method, which does not require any engineering maintenance exempt from planting techniques. In 2001 activity period according to the data given in Supervising Committee Report the Directorate lost money in agricultural production. The total area portions of the products share are as follows: 2.000.000 m² Wheat, 5.210.000 m² barley, 1.100.000 m² clover and the rest is feed plants.

2.5.2. Vineyard and Gardens

The first fruit garden was established in 1930's. In those days because of the location of the farm environmental problems were not as big as it is now. Farmlands are now situated nearer to city center because of the rapid urbanization. So, climatic and environmental conditions have changed, in addition to these, increasing pollution affected the fruit gardens of the Farm. Seedling and ornament production take the place of fruit gardens. Total area of gardens in the AOÇ Land is 762.000 m²

2.5.3. Forests and Parks

In 1998 trees covered 3.600.000 m² of the land. In 1999 this size was increased to 6.976.000 m² because, some public and private institutions tried to support afforestation project of the State Farm. As being the most important potential for the open and green area system of Ankara forests and parks are so crucial for AOÇ. However, afforestation activities need serious financial resources and scientific studies in order to determine the suitable varieties for the climatic conditions. The Lands assigned to some institutions for afforestation were not determined according to an overall policy or plan.

2.5.4 Husbandry

The husbandry facilities of the farm were located in Dolapdere in the south of Gazi Officer's Club. The stable structures are so old that new technologies can not be applied. Because of their location in the city center near to connection roads of Bus Station and Officer's club, the functionality of the facility loses importance and subjects to complain causing pollution.

2.5.5 Periodical Profits

In 2001 period, there was an increase in the profit rate of AOÇ directorate when compared with the previous year. The ratio was approximately %76; the reason of this increase was the increase in rentals and soil discharge revenues.

Moreover, due to these increasing profits, the expenditures made for the maintenance of the Zoo and the parks were seriously affecting the profits of the directorate.

CHAPTER III

PROBLEMS

The problems of AOÇ will be determined in this chapter. They are basically studied under three subtitles. The problems of the establishment law 5659, the land problems, the 1st Degree Natural and Historical Site District decision and the possible problems are examined successive in this chapter.

3.1. The Problems of Law 5659

The foundation law of the State Farm explained in 2.2 of this thesis caused serious problems during 53 years; because of the inadequate content of the State Farm law it was decided that selling, renting and/or assigning the farmland to other people or institutions must be accepted in the Great National Assembly of Turkey (TBMM) by a special law. However, land allocations for different functional uses and sale of the Farm Lands could not be prevented. The property transfer of State Farm since 1950, by special laws is shown in the following subtitles. (53, 54, 55, 56, 57, 58,59) Secondly, the establishment purposes of the State Farm were not determined in the Law 5659. (53) This issue is as important as protecting the totality of the Farmland. As a matter of fact that protection of the farmland against some interventions and occupations can only be achieved by realizing the objectives of the foundation. So these two problems are related to each other, disturbing one inevitably affects the other.

The third problem of the establishment law of the State Farm is the unsatisfactory respond of the existing organization body to the changing needs of the management. The responsibilities of the Directorates were not described clearly in the law. Because of this deficiency some organizational problems have occurred. There are some conflicts about the distribution of duties. Especially real estate management was not given under a strict authority in the organization body. Although property management is a fundamental problem since the farm was established, none of the Directorates were determined as the related authority. Due to the lack of authority problems cannot be solved according to predetermined principles and discussed in time. As a summary, the organization structure of the AOÇ Directorate is inefficient to develop plans and policies to realize the establishment objectives and in using the existing potentials of the State Farm.

The fourth is the financial problems started to become a huge problem, since according to the Law 5659 could not create sufficient fiscal resources and methods to meet the changing current requirements. The farm Director cannot raise financial resources to cover the financial requirements increasing year by year. The sale of Beer Factory and lack of investment opportunities lead the institution to work under capacity. These made AOÇ, an institution that cannot benefit and hardly sustain its existence.

3.2. Land Problems

The inventory of the State Farm till 1989 was not realized as mentioned in the report of Supervision Council of Presidency. (43) Although there have been many occupations and transfers, the State Farm Directorate could not protect its

properties because its control over the farmland is weak. The deficiency of the State Farm real estates' inventory, caused problems in securing the farmlands and advocating the legal rights properly and in time. Moreover, there is an inequality between the numbers indicating the total amount of farmlands expressed in the reports of different institutions and in the study of a mapping company. Such as, in 1989 the AOÇ Directorate informed the Supervision Council of Prime Ministry about the total area of the farm as 33.851.230 m²; in 2000 a private company was charged with determining the cadastral parcels of AOÇ and found out the total area of the farm as 33.487.475 m²; thirdly after the investigations of Supervision Council of Presidency in 2002 the area was determined as 33.089.354 m². (41)

The inconsistency between these researches and the indefinite inventory of the State Farmlands are related to uncertainty in the information about title deed registrations and/or the lack of records. The reasons for this inconsistency were determined as following titles by the Supervision Council of Presidency: (43)

- Since in the testament letter Atatürk specified the properties of his farms all around Turkey, the total amount of the properties and lands of AOÇ can not be determined clearly.
- The information in the title deed which was arranged after the grant includes some lands subject to private property and do not include pasture lands used by the Farm like Aydos Plate.
- After the investigations made in the documentaries of the General Directory of National Real Estate and Real Estate Directory of Financial Directorate in 1989 and 1996 it was found that the granted property wasn't registered.
- □ The property of AOÇ was transferred to different public institutions since it was granted to Treasury in 1937. Although it was stated in the transfer Laws

that the property transfers should officially be recorded, these records are missing. The title deeds of the State Farm showing the existing situation before it was granted to the Treasury was found in the Bookseller's Market in İstanbul by chance. Although Atatürk assigned the title deeds of AOÇ to be conserved they were not found in the archives.

The records of Land transfers made by the Executive Committee of State Agricultural Management Institutions between the time periods of 1937-1949 are absent. So the total amount of land lost in that time period is uncertain. According to the State Farm Directorate, 19.000.000 m² land was sold, but as to the research results of Supervision Council of Presidency this number is approximately 22.000.000 m²

3.2.1. Land Transfers

In 1950 in order to prevent the farmlands and to provide a special status, by the law 5659 State Farm became a directorate working under the authority of the Ministry of Agriculture. Moreover, the most important objective of the law 5659 was to control the transfers, sale and expropriation of the farmlands by a special law.

However since 1950 AOÇ Lands have faced serious interventions that are threatening the totality of the land. Due to its critical location in the city, demands for sharing some piece of its land have been increasing as the land speculation rises on the AOÇ Lands. As if it was guaranteed in the establishment law 5659 that transfer of the lands of the State Farm can only be possible with a specific law, some different methods have been used in order to pass this obstacle.

These methods can be clarified under 5 sub-headings. (28)

- Land transfer with a special Law
- Land transfer with protocol
- o Rented Lands
- o Transfers by Development Plans
- Occupations of AOÇ Lands (Transfers without any protocol or special law)

3.2.1.1 Transfers with Special Law

According to law 5659 articles 10, Farmlands property can only be transferred to other institutions by a special law. Since 1954 part of the farmlands have been transferred to some public institutions by the laws passed from TBMM. These laws and the amount of lands transferred to public institutions are given in Table 2.

Table 2. AOÇ Lands that are transferred by specific laws

Date and Number of Law	Institution	Amountof Land
January 13.1953 Law: 6000	National Highways for İstanbul motorway	39.942 m²
	MKE (Institute of Machine and Chemistry for establishing Gazi Cartridge Factory	200.000 m²
January 29.1954 Law: 6238	Ankara Municipality for establishing Ankara Cement Factory	690.000 m²
	MSB (National Defense Ministry) for Etimesgut Airport and Armor-plated Brigade	3.917.423 m²
	Building Cooperatives	436.654 m²
	Etibank/TKI for establishing coal depot and transformer center	159.140 m²
	TCK (Turkish Highways) for Eskişehir Motorway Asphalt Road inside the Farm	241.116 m²
April 10.1957	MKE (Institute of Machine and Chemistry) for Gazi Cartridge Factory	180.480 m²

Law: 6947	TMO (Turkish Material Office)	98.725 m²
	for Güvercinlik Silo	7.800 m ²
	Etibank	
	DSİ (National Water Affairs)	22.000 m ²
	PTT (General Post Office)	700 m ²
	PTT Building	
	Municipality/KİT/Industry	110.000 m ²
	MEB (National Education Ministry)	30.000 m ²
	Farmers	297.000 m ²
	TCDD	150.000 m ²
	for Railway Line between Gazi-Sincan	
May 29.1959		
Law: 7310	Ankara Municipality	25.000 m ²
	ŞAP Institute	50.000 m ²
	SSK (Social Insurance Institute)	300.000 m ²
	MKE	150.000 m ²
	AOÇ	50.000 m²
	for Housing	30.000 111
	Ankara Municipality	Necessary
		Amount
June 19.1976 Law: 2015	Ankara Municipality	167.500 m²
November 06.1981 Law: 2549	National Grave	Necessary Amount
May 24 1002	National Defense Ministry	488.500 m ²
May 24.1983 Law: 2823	Gazi University	356.312 m ²
Law. 2023	TCK	186.441 m ²

Source: Atatürk Orman Çiftliği, Kılıç, Seylam, 2000

These specific laws determine the amount of land transfers to other public institutions. In some of these laws the purpose of the property transfer was determined clearly, even though some of them do not have an exact sentence of what kind of an application would take place in the transferred area by the responsible institution.

3.2.1.2 Transfers by Protocols

After 1959, apart from specific Laws, preparing a protocol between the related institution and the Ministry of Agriculture and Forest became a new method for the transfer of AOÇ Lands.

AOÇ Board of Directors has decided to assign 460.751 m² of farmland to construct Ankara Bus Station (AŞTİ) in 1984. According to the protocol the Ministry would provide the necessary land and could get a share from the profit of the Station. Because of this transfer an important portion of the Farmland have been lost, opened to construction and fragmented not only with service buildings but also with the necessary connection links for the main roads. In addition, according to the protocol AOÇ and the Municipality were both obliged of the construction expenditures. But the Municipality carried out the construction, so the protocol was changed. According to the new protocol instead of sharing the profit an annual rent was determined in order to pay to AOÇ Directorate. However, increase of the rent was limited by AŞTİ according to law 4531. (41) So the rent is now under its current value. This application has been against the advantages of the AOÇ Directorate.

3.2.1.3 Rented Lands

In the law 5659, article 10 clarifies the necessity of passing a law from the parliament in order to transfer the farmlands. This article aimed to protect the illegal and uncontrolled transfers of the AOÇ lands. The purpose of the law 5659 could not be achieved since it generally became a legalization mechanism for the illegal property transfer. Such that, the specific laws claiming the sale of AOÇ lands confirmed the property transfer of those occupied or rented lands before. As Kılıç and Seylam say, by the laws 6238, 6947, 7310 and 2823 the transfer of the rented lands to related institutions became legal. (28)

Renting the farmlands is not against the establishment law. Such that the Council of State clarified this issue in its decision E: 1998/5977 K: 1999/6335 as "...in the law 5659 there is not any against rule for leasing the directorate's property..." The new

regulation about selling and renting the farmlands could not be completely rejected by the Council of State. The proposed regulation by the Ministry of Agriculture for renting the farmlands aimed to make the land transfers easier then before without any restrictions and time period limits. But this proposed regulation is not approved by the Council of State, due to inconformity with the establishment law of AOÇ. (41) The rented farmlands, the years they were rented and the rented amounts are given in Table 3.

Table 3. Rented farmlands, years and amount of land m²

Years	Amount (m²)
1937-1945	0
1946-1950	0
1951-1955	0
1956-1960	114.470
1961-1965	123.572
1966-1970	606.701
1971-1975	197.880
1976-1980	272.456
1981-1985	400.977
1986-1990	228.897
1991-1995	3.081.985
1996-2000	1.730.458
2001-	131.100

Source: Supervision Council of Prime Ministry Report

3.2.1.4 Lost Lands by Development Plans

At the time period when AOÇ was established, the farmland was far away from the city of Ankara and its developed area. By the rapid urbanization, the location of the Farmland became very crucial for the city. Therefore, the farmlands have been subjected to urban development plans. The farmlands that were subjected to urban development plans are examples of these applications. Although it was forbidden in the law 5659 the property of some farmlands were divided up and lost for common share of public utilities. In order to gain back these areas, the Farm Directorate did not apply to legal procedures in the determined legal time period. So, most of the trials were rejected with regard to prescription.

As mentioned in the report of the Supervision Council of Presidency in 2001 AOÇ have lost 335.108 m² (cadastral parcels 2083 and 2084 that belongs to AOÇ) of land under the name of common public utilities share. (43) Those parcels were rented to Turkey Jockey Club to construct hippodrome for a 20 years time period. After the application plan, Municipality has taken 335.108 m² as a participation share of readjustment. Like the example given above, AOÇ has lost many of its lands that were subjected to application plans and joint ownerships.

3.2.1.5 Occupations of AOC Lands

Since the boundaries of the AOÇ Land is not clearly determined until the end of the 20th century State Farm subjected to occupations not only by private persons but also by different public institutions. After the investigations it is found that approximately 945.000 m² of the farmlands were occupied.

After the study of a private company charged with determining the boundaries of the Directorate occupations of AOÇ lands were shown in Table 4.

Table 4. Determined occupations of the AOÇ lands and amount of land m²

Institutions	m²
Related municipalities occupations through highways	458.240 m²
3 rd persons occupations through their buildings	43.617 m²
3 rd persons occupations through their gardens	11.245 m²
School occupations through their buildings and gardens	33.800 m²
Public Institutions Building and gardens	
Wholesale Market	889 m²
Directory of Public Security	2.148 m²
Gazi University School of Medicine	19.702 m²
Yenimahalle Police Station	11.336 m²
Ministry of Energy	3.400 m²
Houses provided for the employees by the Presidency	1.717 m²
Greater Municipality Nursery Garden in Söğütözü	31.832 m²
TİGEM General Directorate	17.198 m²
Police Station in the Farm	1.414 m²
TCDD Houses for the factory Employees	8.078 m²
Fişeksan	21.014 m²
Buildings and gardens of the Army	213.300 m ²
Some company's building and gardens	
Etsun Food Company	476 m²
Mitsubishi Service	561 m²
Birlik Concrete Company	6.616 m²
Park belongs to Hürriyet Newspaper	12.957 m²
TOTAL	945.257 m²

Source: Supervision Council of Prime Ministry

It is determined through the investigations of Supervision Council that although the property rights of the lots numbered 6928/6, 6926/7 and 6927/1 which are located on one side of a main axis in Balgat belongs to AOÇ, the Directorate did not register

the related lots. So, those lots are currently under occupation and the Directorate is now trying to use its legal rights in order to gain back its own property.

3.2.2 Historical and Natural Site District

In 07.05.1998 Ankara Cultural and Natural Assets Conservation Council (AKTVKK) determined AOÇ Lands as a 1st degree Historical and Natural Site District by the decision number 5742. (41) The rapid urbanization process of the capital emphasizes the importance of the existing natural resources in a sustainable development. AOÇ is also the most important potential for the open green areas system of Ankara. In order to carry on AOÇ Lands to future without disturbing their totality and develop the farmland according to contemporary necessities of the city should be the objective of the related authorities and citizens. The aim of the "site district" decision of the Council is to avoid the land occupations and transfers of the farmlands and achieve the sustainable development of the State Farm according to establishment purposes.

In the decisions of AKTVKK the principles of conserving the "Historical and Natural Site Districts" and applications were determined. According to the Conservation Law and the decisions of the Council: (41)

- Actions that are disturbing the vegetation, topography and the silhouette of the area are not allowed.
- Applications that are destroying the existing agricultural and gardening activities of the area and construction are forbidden.
- □ Even though construction is forbidden the necessary technical infrastructure services, daily used facilities for recreation purposes and structures

- necessary to develop the characteristic activities of the area can be constructed only if the Council decides affirmatively about the issue.
- ☐ The related institutions should prevent all kinds of activities that are disturbing the natural resources
- The Council should approve environmental plans of the area.
- □ Afforestation can be possible if the affirmative decision of the General Directory of Forest and Conservation Council is taken.
- Waste disposal and supply materials like stone, soil and sand are not permitted except from the applications that had started before the registration.
- In order to conserve the area, informing signboards and warnings should be used in the area.
- □ For the changes and maintenance of the existing structures Council should be informed and affirmative decision should be taken.

In the Law of Conservation of Cultural and National Assets numbered 2863 it is stated that all real and juridical persons and, public Institutions should obey and regard the Council decisions. However, AOÇ Directorate is having serious problems in confirming the decisions of the Council. The Directorate is not able to control permissions for some applications and illegal sprawl of the tenants.

CHAPTER IV

PUBLIC PROPERTY

Since AOÇ is an important public property in Ankara, the public property concept and its relation with urban macroform and urban land policies will be discussed in this chapter.

4.1. Public Properties

In law systems the word "property" could be studied under different kinds of categories. Properties could be classified in different manners. Under private law the classification would be; movable-immovable property, fungible- in fungible property; consumable-inconsumable property, property of the proprietor and unclaimed property, separable-inseparable property and last of our entire concern topic, public and private property. (22)

Public property is the property on which no private proprietorship (ownership) was allocated and the property, which the public shares and benefits. No private allocation is possible on public properties. For example, forests, coastlines, water resources, cultural and natural assets, pasturelands are all public properties. Before analyzing the meaning of public property one should study the Roman law first, because Roman Law is one of the basic source of our law system. In Roman Law public property (respublicae) is the property owned by the Roman Empire. Respublicae contains rivers, streets, squares that are left to the public benefits and

the properties, which are expropriated, commercially transacted and donated to public utility. (24)

Today's Administrative Law Doctrine says the Government's financial belongings consist of the money under government possession, bonds, immovable, land for construction, forests, agricultural lands are determined as the property of Treasury and they serve for public purposes indirectly and preserved under private law. In this respect they are taken differently from the properties that are directly serving for the common uses and benefits of the public and properties that are allocated for the public services. However in Roman Law no private law was allocated for any government properties. The Romans preserved these properties with the public dominion power.

In today's Turkish Law there is not an exact definition for public property but in French Law there is a definition for public property. This is "properties that are directly serving for public or properties allocated to public utilization because of their special characteristics are public properties". Where as, according to the definition of the Constitutional Court public properties are determined as "because of their natural characteristics, unclaimed properties that are serving for every ones use and common properties that are allocated for public use are the defined as public properties.

There should be two necessities for public properties. First one is that the owner of the property should be a juridical person, local authority or a public institution. Second necessity is that the property should be allocated to the common use of the public. Exceptionally, a property that owned by a private person can be used for the benefits of the public. These properties are called virtual public properties.

Public properties can be divided into three groups. (22)These are:

- 1- Unclaimed Properties
- 2- Common Properties
- 3- Service Properties

Unclaimed properties are open to every ones use because of their natural characteristics. According to the Turkish Civil Code article 641 "Unless the opposite is determined properties which are used publicly water, non agricultural land, hills, mountains and natural resources can not be owned by a private person". (22) According to Constitution coasts and natural resources are under the supreme power of State.

Common properties are the properties, which are allocated to the direct use of public. For example roads, squares, cemeteries and pasturelands are allocated to the use of everyone. Common properties serve for public utilities both by allocation or traditionally.

In service properties it should be allocated to the public service, such that; university buildings, Court of Justice, hospitals and museums. Public properties can be classified in a different way. They can be categorized as natural public properties and artificial public properties. Sea, river and lakes are examples of natural public properties; where as roads, cemetery, airport, park areas are examples of artificial public properties.

Public authorities have different prerogative powers upon public properties. These are preserving, using, benefiting from its income, let others use, and supervising.

Public properties can not be obtained by prescription, can not be revolved, they are preserved against occupation, distraction and to be stolen. (24) Public properties can not be sold or expropriated; they are immune from taxes and similar impositions.

According to the recent legal regulations immovable properties of the public institutions and lands of Treasury have started to be subject to commercial transactions. Similarly, because of the changing needs and existence of the new conditions the rule that obstructs renting, purchasing and revolving the public properties have become less slight. In some situations because of the financial problems public authorities started to appropriate some real rights to various private institutions.

4.2. Public Property, Urban Lands and Urban Macroform

Since land is a scarce resource, rational utilization of urban lands is an important issue as the growth of population and needs for additional functions continue. Because of this scarcity urban lands, especially in underdeveloped countries have been subject to land speculations and monopoly rants. If local authorities cannot control the development of the city by using plan decisions and fail in producing urban lands equipped with necessary technical and social infrastructures then inevitably land speculations, monopoly rants over existing urban areas and uncontrolled development outside the plan boundaries occur in the development process of the cities. Moreover, private ownership of land leads to land speculations and become a determinant in the development pattern of the cities. In order to overcome these problem local authorities that are responsible from producing urban space should respond the urban land necessities by regulations and decisions of

plans and directing policies. In doing so, public interest should be the guiding principle in distributing the public services and supplying urban land for the fundamental needs of people and various urban functions, for instance; housing, industry, business districts and open green areas.

The latter one provides many opportunities for the urban development and in fact as vital as the former ones. According to Keleş, open green areas preserve the natural resources, develop tourism, forms a buffer zone between different functions, ease the transportation, respond the physiological and physical needs of the citizens and limits the urban expansion like the green belts of London prepared by Sir Patrict Abercrombie. (26) However, some underdeveloped countries like ours, in urbanization process sufficient priority have not been given to human and to long-term benefits of the society. Thus, selfishness and personal benefits shape the urbanization process. So; public properties should be a vital tool for planning in order to develop cities according to plan regulations.

Public properties, their qualities and developed land policies have a great importance for a healthy urban development and a planned macroform of the cities. Therefore land policies directing the functions and objectives of public properties and an effective administrative and legal statue supporting this land policy is so important in order to evaluate public properties as an opportunity for the development of the city and people living in the cities. In this respect the related public institutions that are responsible from the management of public properties should be aware of the necessities of public properties and respect the rule that these properties should serve only for public purposes but nothing else. Public lands create many advantages in urban planning and in the application process of plan objectives through the realization of urban development.

So that, public lands and utilization of these lands according to a national land policy, which aims to guide the urban development and shape the urban macroform according to plan regulations is a very crucial aspect for a healthy development.

To sum up, public properties and urban planning have a relation in achieving the objectives of the plans. These are, guiding the urban development, shaping the urban macroform, realizing land policies; land speculations control and directing the urban development according to the determined time periods. In order to examine public properties, the legal dimension of the term in our country should be analyzed and examined.

As stated above public lands have a great importance in the development of cities, such that as Tekeli points out, the development process of cities leads to the change in property relations of the lands surrounding the urban areas. (5) Changing property relations in public properties and private properties have been institutionalized differently.

Therefore, the property relation and quantity of these lands surrounding the city determines or limits the development pattern and expansion areas of the cities. In our country generally urban lands are subject to private properties. So that, due to private property, market conditions mainly determine the land prices and urban macroform of the cities.

The planning experiences of the capital city Ankara is one of the examples showing these relations and it is proving the outcome of an urban macroform which is affected by land speculations, although it was aimed to be a planned capital city and

desired to be developed according to the plan conditions. In the determination of urban development pattern public properties have a great importance. Therefore, a land policy should be developed and the quantities of public lands should be increased in order to create a planned city development. In contrast, if the city macroform is left to market conditions due to increasing land speculations, high land costs and pressures over the plan regulations, this leads to an unhealthy urban environment with high densities and low public services. As stated above due to legal statues of state properties they can hardly be subject to property relations. This means that their allocations for a specific purpose can only be acceptable with an act, regulations or administrative decisions.

Therefore, functions of the public properties can hardly change and become a vital tool for urban design and planning concepts. As Günay points out production of urban spaces is related to the property relations of the land; so designers mainly deal with the changing property relations and do not have a chance to dismiss the reality of property relations. (23)

In the chart prepared by Tekeli public and private property in our country was determined in the figure 3: (Tekeli, 1986)

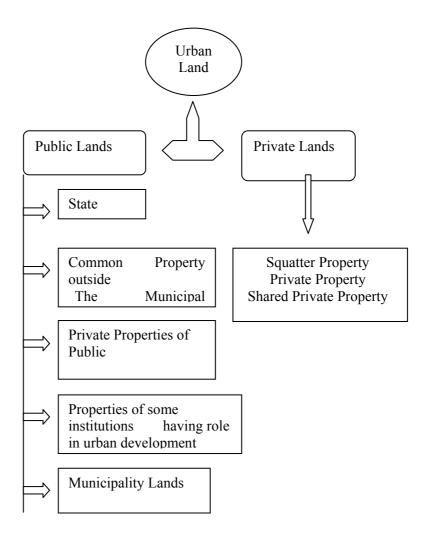


Figure 3: Public and Private Lands in Turkey

In the figure 3 the category named as the properties of some institutions having role in the urban development comprises the institutions in our country established for the purposes of directing public lands in the urban development process. These were Land Office, Real Estate Bank and The Ministry of Public Works, which have the right for expropriation and purchasing land in order to sustain necessary lands determined by the law 775.

Land Office is an important institution functioning as a regulator of land speculation. In addition the institution also has the responsibility to supply land for the needs of public institutions, which have juridical persons. Moreover, Municipalities also commonly have the right to purchase and supply land for the necessities of urban amenities. As can be seen from the figure if a national land policy can be developed the necessary tools for public authorities to create public lands were organized in the legal basis of Turkey.

4.3. Changing Property Relations in Ankara and AOÇ

After this brief explanation of the property, the importance of public property as a part of national land policy and as a determinant in the urban macroform the changing property relations which was experienced in the case of Ankara should be decided in order to understand the process and the changing property relation patterns of AOÇ.

In 1923 when Ankara was declared as the capital city of Turkish Republic the property relations have started to change rapidly and land prices of the old city increased. Moreover, the properties of the lands surrounding the old city center have been affected from this development. As Tekeli points out there had been three important property changes through public or private individuals, which then affect the urban macroform of the city. (5) The first one is the expropriation of a 400 ha of land for the proposed housing development in the development area of the new city, 40 acres of land in order to rehabilitate the marshy lands across the Train Station in the city center.

The second one was the purchasing of the vineyards surrounding the city center by the new comers of the city. The vineyards at Keçiören District in the north of city and the ones at Çankaya, Esat, Ayrancı in the south of the city were faced a change in property relations through the advantages of the new comers. Thirdly, Atatürk bought a 130.000 da land in order to establish a farm on the west side of the city.

This farm became a limiting actor for the expansion of the city. Therefore, in addition to location of the farm the expropriated lands mainly determined the expansion direction of Ankara through north-south direction.

After the approval of the Jansen Plan in 1932 the land prices in the new city have increased enormously. In this manner land speculations and pressures over the plan regulations have started to be an important obstacle in front of the planned development of the city. However, expropriations still continued in some specific places by plan decisions. For example, the necessary land for the construction of the State Neighborhood District, which contains the Ministries and houses needed to be expropriated. Due to the deficiencies in the State budget the determined values were under the market prices, but through the intervention of Atatürk this problem was solved and the area was expropriated.

Like this example, some expropriation studies were continued in order to supply land for various urban functions. Under great economical problems a city was tried to be constructed according to plan decisions.

In this manner AOÇ shared the responsibility of developing the capital city; therefore some lands were taken from AOÇ lands in order to construct the hippodrome and sport areas and for the Etimesgut airport area. At this point allocation of AOÇ Lands

for public open space functions is an important input for our study, because; in the latter years the allocations and sale of AOÇ areas have completely turned into another way and deviated from its basic principles.

During the years of the Second World War there had been serious economic crisis in the country, therefore this crisis was reflected to the urban development of the capital city. Constructions of new housing areas were stopped in the boundary of development plan. In this time period the planner Jansen left his responsibilities due to pressures upon plan decisions and land speculations. Secondly squatter settlements which were developed outside the plan boundaries emerged as a housing solution of low income immigrants of the city and until 1950 the first squatter amnesty law was accepted in Ankara. (5)

As Yavuz claims, the lack of housing and land policies of the public authorities, the started planned development of Ankara was turned into a land speculation and unplanned development of the city.(50) Even though a lot of opportunities were prepared for the public authorities of the city, like the right to expropriate land for urban development, this chance could not be evaluated efficiently and the bureaucrats could not understand the importance of public lands as a tool in guiding the urban macroform. In this time period AOÇ had also faced the same problem and lost many of its lands without a national land policy and by decisions taken coincidently.

After 1938 when Atatürk granted his farms to Treasury, AOÇ was undertaken by the State Agricultural Management Institutions. After this, attached with the developments in the urban areas AOÇ Lands were illegally allocated to many public institutions between the time periods of 1938-1948. Uncontrolled urban expansion

leads the necessity of a new plan for the development of Ankara. Therefore, in 1957 Yücel-Uybadin plan was approved. (66) Till then after the plan approval and the law of flat ownership the density inside the plan area have enormously increased.

Moreover, pressures of cooperatives for making plans for urban areas outside the boundary of plan, accepting the squatter and illegal housing like past time periods and fragmentation of AOÇ lands because of land necessities of other public institutions had continued.

After 1960 Military powers have started a reorganization process for their lands in the urban area. AOÇ had been subjected to this process and lost many of its lands to military powers ownership.

By the establishment of Land Office started mass housing movement and big lands were expropriated due to some big housing projects and cooperatives like Batıkent Housing area and Social Houses in Çankaya. In 1976 some lands were sold to a housing cooperative from AOÇ Lands. Moreover wide-open area functions like university campuses had started to locate along by Eskişehir Road after METU. In the late 1980, the most important project for Ankara macroform and AOÇ was creating a green belt project for the city, which is composed of three levels. AOÇ composes a main part in this green belt system. (5)

So it can be concluded that AOÇ, as a public property, could not be preserved effectively in order to shape the urban development and did not used as a regulating tool. This is because of the general attitudes of public authorities, which do not have a national land and housing policies.

As stated above, there have been various expropriations and administrative models in the development process of Ankara. As Yavuz said, these policies can be evaluated as successful and unsuccessful examples of land policies of the development process of Ankara. (50)

But mainly unsuccessful applications were evaluated, because public property lands could not be used effectively under a national land policy. This can easily be observed from the land fragmentations of AOÇ as a public property.

The allocations of AOÇ lands to other institutions have realized coincidently without any plan decisions and mostly by the pressures of administrative bureaucracy, which have the power. So that; lots of public lands have been lost before a healthy development of the city. Therefore, the opportunity to use public lands as a controller in the land speculation were lost in these time periods.

Table 5. Historical Land lost of AOÇ

Year	Institution/ Function	Area (m²)	
Before 1938	Hippodrome and sport areas		
	Plane Factory *Changed to Turkish Tractor Factory	2.280.000	
	Seed Improvement Station	960.000	
1938-1948	Radio Transmitter	700.000	
	Sumerbank*This area did not constructed and functioning as merchandise station now	900.000	
	Tekel Beer Factory	20.000	
	Air Traffic Station	40.000	
	İstanbul motorway	740.000	
	Gazi Cartridge Factory	200.000	
	Ankara Cement Factories	690.000	
	Armor-plated Brigades	2.090.000	
	Building Cooperatives	430.000	
	Coal depot	170.000	
	Transformer	15.000	
	Etimesgut airport	228.000	
1950-1970	Güvercinlik Silo	120.000	
	Eskişehir Motorway	107.000	
	Cartridge Factory	180.000	
	Road inside the Farm	54.000	
	Railway Line between Gazi-Sincan	54.000	
	Nursery garden	470.000	
	Cooperatives	490.000	
	ŞAP Institute	170.000	
	Municipality	65.000	
	Animal Health school	41.000	
	Gas Factory	60.000	
	Wholesale market of Municipality	167.000	
1970- 1985	Armor-plated Brigade	767.000	
	Ministry of National Defense	488.000	
	Gazi University	356.000	
	Highway connecting the Eskişehir and İstanbul Roads	188.000	
	National Graves	154.000	

Source: Tekeli, İlhan, Kent Toprağında Mülkiyet Dağılımı ve El Değiştirme Süreçleri

4.4. Property Relations of State Farm (AOÇ)

Since urban space is a property object which is produced, occupied, possessed and dominated (23), the relations among the property objects and property subjects and changing pattern of property relations should be considered while studying such an important institution, AOÇ, located near the city center and lying through the expansion direction of the capital of Turkey. Property right relations among AOÇ Directorate and different actors resulted in both legal and managerial problems for the Farm Directorate. And this problem is the most crucial obstacle of AOÇ and this problem is leading to some spatial problems.

These relations among different actors and the State Farm has become a complex issue especially in recent years, which is very hard to clarify. As being the object of the property right relations Farmland has inevitably been affected negatively from these struggles among various public or private actors willing to own or possess a piece of Farmland.

The existing situation of AOÇ, which constitutes the most important portion of the open green area system of the capital city, is an outcome of those conflicts and struggles among private and hugely public owners, occupants and related municipalities in Ankara.

In order to evaluate space problems of AOC we can look at it in two different aspects as Lefebvre's differentiation of "spatial practice". (1994, 38-39) One of them is representation of space and the other is the representational space. According to Lefebvre the first one is the conceptualized space of planners, scientists etc. whereas the latter one is the space of the people living in it through its images and

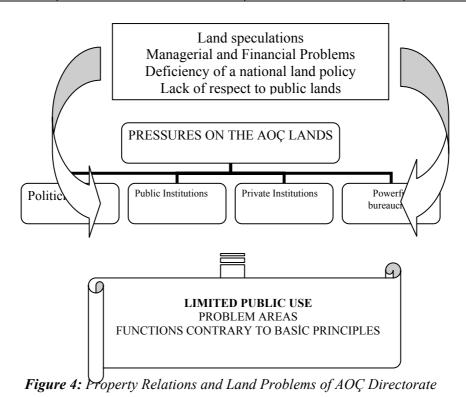
symbols. As the first one is concerned in the planning practice study of the space problems of AOÇ can be possible by examining the two concepts public open space and public property; which are the special characteristics of State Farm. So these two inputs are determining the characteristic and importance of the area in the urban space concept. In the second aspect of Lefebvre the designed space creates the place for social organizations through its images, symbols and identity.

In this respect AOÇ is the symbol of the Modernization project of a new Republic and should be considered according to its basic principles, possessed identity and as the place of a new social organization, which was desired to be created in the early years of the Republic. In this manner, AOÇ area is analyzed according to these criteria and its special characteristics.

As being a property object, AOÇ and its property relations can be summarized as the following table presents.

Table 6. Property relations of AOÇ

Dominion power	For the purposes of	Usus	State administrative juridical person established by the law (AOÇ Directorate)	Law 5659
Possession		. 00	Fructus Abuses Let others to use	Public Institutions (Rented or purchased some Farm lands) Private Institutions (Rented or purchased some Farm lands) Military Ankara Greater Municipality AOÇ Directorate
		Occupation	Public Institutions Private Institutions Military Individuals Ankara Greater Municipality	
Joint Ownership		constituted by opment plan	Ankara Greater Municipality Individuals	1/1000 Application Plans



The administrative organizations and establishment Law of the AOÇ Directorate was unable to prevent the property problems of the Farm since 1938. The totality of the property, illegal sale and rent of Farmlands for various purposes, which are on the contrary to basic principles and illegal occupations over the State Farm, could not be prevented. According to the testament letter of Atatürk, State Farm must be open to public use and serve for the interests of the public. However, in AOC case, the dominion power of public over the State farms has not or could not be provided since Atatürk had granted the Farm to Turkish people. So, inevitably misuse of the Farmland or letting others to use the Farm land for various purposes that are on the contrary to establishment objectives of the institute couldn't be avoided. As shown in the diagram above, property relations among the property objects and property subjects for the purposes of use abuse or let others to use, are so important in the production of space. In AOC case these property relations became the most important issue since 1937. It was very disappointing that such a public property which was granted to the Turkish people still having problems of occupation, possession and the lack of public use. Such that, renting or letting others to use the Farmland has become one of the major financial resources of the Farm Directorate. Even though this major activity is vital as being a fiscal support for the management of the Directorate, this activity has also fragmented the totality of the Farmland.

CHAPTER V

PUBLIC OPEN SPACES

According to Lynch public open spaces are the outdoor regions in the environment that are open to many kinds of freely chosen and spontaneous activities of public which allows people to act freely. (29) In this manner, in order to allow public to act freely in chosen and spontaneous activities, the accessibility and capability of frequent contact are the important criteria for public open spaces.

In addition to the determinant role of open spaces in the urban macroform, they are also very crucial for people's needs and for a livable urban environment. According to Lynch there are various criteria for the necessity of open spaces in the urban environment. (29) These are:

- 1- Open spaces extends the individual's range of choice because they are open to many uses and allows people to pursue their satisfactions,
- 2- If open spaces are not highly cared for and social investments are low then the individual has a chance to demonstrate mastery and to meet challenges,
- 3- Open spaces are places of relaxations because they have a lower intensity than the remainder of the city,
- 4- Open space is a convenient location to meet new acquaintances; in an open space there is an opportunity to break through some social barriers and to mingle in another social world,
- 5- Open space extends the understanding of self and of environment,

- 6- Open space carry a sense of the larger landscape and the greater ecology,
- 7- As an extension of these ideas on a larger time scale, open spaces contribute to community control, since they make room for growth and change.

As those opportunities and necessities of open spaces are concerned, the preservation, acquisition and creation of open spaces become very important in the urban environment. In addition preservation of open spaces for public use is another item to pay attention to, because, the accessibility and openness to public are the main determinants of public open spaces. In addition to the necessity of open space for people, there are also some benefits and values of open spaces, too. First of all they present recreational, educational and aesthetic values to the urban environment and they gain much more importance when we think of it with the built up, concrete and monotonous urban areas. Parks, sport facilities, picnic areas and leisure time activities are some examples of recreation functions needed in the cities to rehabilitate the citizens other then the working hours.

As Lynch says there are some important values generated by open spaces. These are; choice, mastery, stimulus, contrast, social experiment, orientation and flexibility. He also adds the importance of considering those values together with the individuals and groups using open spaces and the total urban setting. Therefore; firstly the values of open spaces cannot be evaluated without considering public use and benefits for the urban macroform. Secondly open green areas create a balance in the physical urban environment. They can act as a buffer zone between distinct areas in the city. They diminish the urban density; create a break through the monotonous built up area. And mainly it is a control tool for the planners and designers in order to direct and limit the urban expansion. Open spaces create a link

between the built up areas and organic system and ease the circulation in the city especially for the pedestrian circulation. (9) Thirdly open spaces have some ecological benefits also. Open spaces become a crucial context in the survival of human beings because they create the balance between nature and built up areas and help the ecosystem to continue to function.

Open green areas have important effects on solar rays, air pollution, wind corridors, temperature balance of the cities and prevent erosion. Open spaces prevent air pollution by acting like a filter and cleaning mechanism for carbon dioxide because of the greenery and trees in it. Moreover, open spaces also diminish the voice pollution by minimizing the reflections of voice waves. In addition, the natural assets in the open spaces are also important for the ecological balance.

Fourthly, in addition to ecological benefits of open spaces, open green areas have important effects on microclimatic, macroclimatic conditions and have a role in allowing the wind corridors of the city, open. The tree ventilating system regulates the temperature; humidity and air flow in the city.

According to Göktürk, space organization of open green areas is another function of open green areas as a tool in urban planning and a determinant actor in shaping the urban macro form. (9) The open green areas form the link among the built up man made area and nature. A healthy urban environment and desired urban macro form can be reached by using open green areas as a planning tool, because they can serve as reserve development areas or buffer zones among different functions and a barrier in front of urban sprawl. In addition to these functions Göktürk points out that open green areas can be a regulating factor in the land speculations of the cities.

In today's cities preserving open green spaces on the contrary to rapid urban growth have been a serious problem because of the conflicting interests. Although the need for open green spaces for a healthy environment and necessity of the ecological balance for human health is clear, due to the scarcity of urban land, the increasing conflict among built up area and open spaces is a difficult problem to solve. In such a situation, the open green areas in the city still exists by chance or due to conservation policies, have gained so much importance and became remarkable.

Preserving open spaces against rapid urban growth gained an increasing concern since 1960's. Open spaces have three main purposes; one is serving as the public parks and recreational facilities maintaining the leisure time and recreational activities of the citizens. Second one is preserving historical sites and protecting natural resources against urban sprawl and the third one is shaping and guiding the urban development and environment. Although open spaces have such important purposes to serve, it is difficult to acquire necessary land for open spaces due to the growing competition for land. So, it's gaining importance that, the public agencies should give a priority in creating new open spaces according to the needs of the population and urban development.

In addition; preserve the existing ones against the pressure of urban development over these areas. The need to preserve open spaces in metropolitan areas in order to control urban sprawl has gained importance since 1960's in America. For example in 1958 Outdoor Recreation Resources Review Commission was established in order to study and make recommendations on outdoor recreation needs and resources.(49) Furthermore, under the Housing Act of 1961, America granted 50 million US Dollars to state and local governments in acquiring open

space for recreation, conservation and historical values. (Open Space in Northeastern Illinois, 1962 p1) As the population increase this growth along with increases the demand for open spaces and public or private recreation facilities.

5.1. England Greenbelts

As an important planning tool for the urban development some various systems for open green areas have been developed. These are green belts, green wedges, linear system and radial systems. Some different countries have been practicing these systems since various years. But England is the most important example of green belt cities.

In England since 1930's greenbelts around cities have been proposed as a planning tool in shaping, limiting the urban sprawl and creating a livable urban environment. According to Regional Studies Association, The Greater London Regional Planning Committee adopted a policy to establish the green belt. (13) After that in 1938, in order to preserve the green belt the Greenbelt Act was passed for London. In this act disposal of greenbelt lands by local authorities were restricted. Furthermore; right after the act Council allocated 2 million pounds for purchasing lands. (30) Then in 1944, London Plan Abercrombie tried to achieve three goals with green belts in London. First one is restriction of urban growth, second one is definition of an outer limit and the last one is provision for recreation as a primary use of the land. Continuously in 1947 Town and Country Planning Act again green belts were determined as complementary policies of expanded town programs. In 1955, Ministry of Housing and Local Government passed a circular on green belts for the nation wide use of green belts and advised planning authorities establishing green belts. Since then even though in 1970's and 80's the green belt policy was tried to

be relaxed in the Thatcher period, somehow in order to give way to urban development and cope with increasing residential land prices, after the welfare economy policies period concerns about environmental issues have started to grow and the importance of greenbelts and contribution to sustainable development were recognized clearly. And the basic purposes of green belt policies are determined as follows as planning policy: (30)

- 1- Controlling the unrestricted sprawl of large built up areas
- 2- Preventing neighboring towns from merging into one another
- 3- Preserving the setting and special character of historic towns
- 4- Assisting in urban regeneration by encouraging the recycling of derelict land and other urban land.

As Elson points out the total area covered by green belts in England is about 1.556.000 ha. Outcomes of green belt policies in England are: (13)

- 1- Managed the process of decentralization into specific physical forms,
- 2- Contained patterns of new development,
- 3- Ensured separation between urban areas, thus retaining their much valued identities,
- 4- Retained valuable agricultural land and other space extensive uses,
- 5- Retained accessible land in pleasant surroundings nearer to people living in cities,

5.2. AOÇ as an Open Space

Among the open space resources in the metropolitan city of Ankara, AOÇ have a great significance, that it has the greatest potential for recreation and utilization for other open space purposes. Such that, not only its location in the city is suitable for creating connections among different districts by means of open green axis, but also Farmland have a higher accessibility from the center and sub-centers of the city and densely populated districts.

Moreover, the Farmland have a huge potential to serve as open space buffers and wedges in the capital city guiding the urban development. Furthermore, Farmlands as being a wide-open green space creates a break up and changes the monotony of urban development and this leads to a healthy environment. It is obvious that breaking up the urban sprawl with open green spaces is a need for a healthy development. Open spaces must be planned effectively in order to provide a contiguous pattern of open spaces as an urban form determinant.

Methods and techniques for preserving open space for recreation and other purposes are grouped under 3 major governmental powers in Northeastern Illinois, in USA in 1960's. First one is the power to acquire property, second one is the police power and the third one is the taxing power. (Open Space in Northeastern Illinois, 1962, p.72) The first one, which is acquiring land for public purposes, is the most important tool in preserving open spaces. Some of these areas functioning for public purposes are; state forests, conservation areas, preserves along public waters, cemeteries etc. In order to acquire land for these purposes some various acts were enacted in USA.

Urbanization pressure over the State Farmland has been minimizing the control effect of such a big open space area over uncontrolled urban development that is mainly directed by land speculations. Open green area system of Ankara was mainly created by Jansen Plans (61) and before Jansen plans affected by the principles of Lörcher Plans which were made in 1924, has been an important tool in urban development plans of Ankara. Using such open spaces as wedges, separators and green belts around or adjacent to urban centers is a good opportunity of Ankara.

Space requirements, location and accessibility are some of the major determinants in evaluating the standards of recreation areas in the city. In addition being an open space recreation area, the State Farm also contains much more facilities in addition to active recreational functions that can be regarded as non-recreational open space functions such as agricultural land use, large educational institutions, airports, etc.

There are some important issues to concern in order to achieve a sufficient utilization of open spaces. First of all the functions in the open green spaces should be determined clearly and the needed total area for those functions should be big enough according to the standards determined.

The functions of open spaces that are even active or passive recreation, educational or agricultural activities they should reach every age or income groups of people in the city. Secondly the accessibility of the open space is very important in order to reach and serve for public functions. The location of the open green areas and a system between the existing or proposed open spaces compromise an important design tool for the urban environment.

In order to create a balance between the natural environment and urban areas, the necessary open space areas for the population of the city can be determinant for designing those spaces.

The ecological realities confirm that instead of continues mass development of cities, especially metropolitan areas, urban development through development corridors with big open spaces and an urban macro form composed of open and built up areas should be preferred in order to sustain the ecological balance and healthy environment. In addition to ecological benefits such kind of a development pattern also has other advantage. First of all, it increases the quality of public transportation along by the development corridors. The most easy and short way to reach the city center is the line of the development corridor, so accessibility in the city increases and public transportation is preferred and become beneficial. Secondly, technical infrastructure planned under the main axis as galleries causes economical benefits then spreading links to surrounding areas. Third opportunity of development corridors and big open green spaces can be examined as the high level of relation between nature and urban areas. Due to these advantages, planning authorities in different countries such as Netherlands and England have been trying to purchase land in the development corridor of the cities in order to direct the urban development. Of course because of the land speculation these lands cost expensive expropriation prices to public authorities. Thereupon, public authorities prefer to develop other control mechanisms upon big open green areas that are privately owned.

High taxation systems and strict legal regulations are used in order to preserve open space functions and prevent those areas from construction. Whereas, in the case of Ankara Metropolitan city, such kind of a public land, that is the determinant of the

west development corridor of the city exists. AOÇ Lands and public institutions having wide open space functions constitutes such kind of an open green areas system in the west side of the city as the determinant of the west development corridor. Moreover AOÇ Lands are now become near to the city center and have a high accessibility because of its location.

Furthermore, preserving AOÇ lands according to the planning policies that are reflecting the basic objectives of the State farm have two basic importances; first one is, this area will guarantee the future open space and recreation needs of Ankara city against a monotonous urban development and densely constructed urban areas. Because in our country if the land speculation in metropolitan areas continuous to increase and planning tolls still stay at the back of higher urbanization speed then it will continue that open spaces of the cities will turn into built up areas in order to face the needs of increasing population. So, in that case existing open space potentials of the cities should gain priority as a planning tool in order to create healthy and livable urban environments in the future. Second important aspect is, the location of AOC Lands settling in the middle of the expansion direction of the city, it still has the opportunity to reshape the urban landscape by establishing related management policies and functions that will make the area open to public purposes and restructuring the institution in order to fully recognized by the citizens as the early years of the republic and shaping future developments. In order to pace with the changing situation and expanding needs, the State Farm should contain more facilities and renew its vision and the Directorate should determine the future expectations of such a vital institution that gets its origin from production, recreation and research. So the future locations of the activities that are going to take place in the Farmland area, whether public, private and semi-public, should be considered carefully since their contribution to farmland is very important. Services such as

restaurants, büfe's either publicly or privately operated under renting arrangements are the basic recreational activities of AOÇ on the main axis connecting Söğütözü to Yenimahalle districts. According to the determined vision and future development plan of AOÇ such kind of functions should be discussed.

Moreover the adjoining municipalities need cooperation and coordination in sustaining the recreation needs of the metropolitan area population. Therefore, Yenimahalle, Çankaya Municipalities and the Greater Municipality of Ankara should give priority in protecting the Farmland and work together in developing the State Farm according to its objectives coming from its establishment purposes.

5.3. Development of Ankara, Open Green Areas and AOÇ

5.3.1. Plans of Ankara and Proposed Policies for Open Green Areas and AOÇ

According to Bademli, city plan is a kind of constitution and a basic document, which shows the targeted social and spatial objectives of the city with integrating the past and future identities of it. (5) Identity of Ankara has been the capital city of the new Republic since 1923. In addition to this function, the city has the possibilities and potentials of being the model for the rest of the country in the development process of a modern city successful in developing itself according to changing conditions. In achieving this goal some urban projects were proposed for various functions in the city, such as improvements on the infrastructure of the city, transportation network, new central business district, international cultural centers, research development centers and some projects to enrich the urban social life of the city. In these projects AOÇ Lands have always been emphasized and have been the basic component of urban recreation projects.

5.3.2. Jansen Plan

The plan was produced in 1929 and approved in 1932. The plan was prepared for a 300.000 population within a time period of 50 years. The aim of the planner Jansen was creating a city like "garden city" model of Ebenezer Howard with a healthy environment, neighborhood units, economic road systems with minimum width and a network of pedestrian ways and green belts at a human scale. Such that, Jansen accepted the school of Ebenezer Howard's "garden city" and Camillo Sitte's human scale city. (45) Jansen planned the city over a 1500 ha area for a population of 270.000-300.000 people. In this plan proposed development areas were designed together with the old city center and Ankara Castle. According to plan decisions, the proposed development of the city was along by the two main roads located at north-south and east-west directions. Housing development was proposed through south of the city, whereas, northeast of the city was determined as development area.

In this plan, Jansen gave much importance to open green areas and parks in the city and a green belt around the city. Because he appropriated a human scale design and an urban environment in competence with nature he pretended an organic pattern with green areas, pedestrian ways and low-density settlements. When the expected population growth of 300.000 people in 50 years time and proposed development area in the plan for Ankara were considered the desired green areas system and low density neighborhood units with pedestrian ways may be meaningful, however the expected population of 270.000 people was exceeded over in a short time period, in contrast in 1980 the population of the city became 1.877.755. (DİE)

In 1935, subdivisions out of plan boundaries were started. The pressures upon the planner and plan boundaries have started since then. The reasons of these pressures was the landowners and land speculations. After 1934 according to Tankut in the legal documents of Ankara, pressures and decisions against the plan regulations was examined. (45) This was the beginning of a long process, which is the process of taking decisions upon urban land on the contrary to plan regulations and scientific necessities but adopting interests of various power groups. In 1938 due to the lack of city plan in supplying adequate urban land for the rapid population increase and/or due to the speculative pressures, the boundary of the plan was enlarged as wide as the Municipality boundary. In this way, 1,500 ha development area was increased to 16.000 ha without any plan regulations. (50) Lately in 1937 Development Directorate was attached to Ankara Municipality and in 1938 the planner Jansen was discharged from his responsibilities. Tankut declared 3 reasons in order to explain the counter acts against the project of creating a model capital city. First one was the bureaucratization of revolutions thus; individual interests became more important than the enthusiasm generated from the establishment of the Republic. Second reason was the gained benefits from purchasing land. Lastly she pointed out the effects of bourgeoisie upon bureaucracy.

5.3.3. Yücel Uybadin Plan

Before 1950, urban area of the city had passed over the plan boundaries of Jansen. So it became a necessity to prepare a new plan for the city. Again a competition was organized in 1955 for the development plan of Ankara. Nihat Yücel-Raşit Uybadin team was determined as the winner of the competition. The plan was prepared for a 750.00 population in 20 years time. In this plan in addition to existing open green spaces new park and sport areas were proposed. For the Olympic District, which was the expectation of Municipality the flat lands of AOÇ were proposed, secondly

transportation of Hippodrome to these areas was also in the proposals of plan. Furthermore, Riding Club was located in AOÇ areas in Söğütözü. In AOÇ case again the plan was lacking some strict decisions in order to sustain the totality of the area.

The plans' open green areas system approach was mainly on the contrary to Jansen's proposals. The open green area system in the city was damaged. For example, the place of Lunapark was proposed as Kurtuluş park, secondly Municipality Building was proposed in the place of Abdi İpekçi Park in Sıhhıye and proposed some alternative roads to Atatürk Boulevard.

After a short time period the plan faced some pressures and in districts Yenimahalle, Keçiören, Etlik, Çankaya, Dikmen the density were increased in 1959 by additional flats upon existing flat numbers. Moreover, the projected population of Ankara for a 30 years time was exceeded in 10 years time and a necessity of a new plan become obvious.

5.3.4. 1990 Plan

In order to control the urban development and prepare a new plan in 1969 Ankara Metropolitan Area Master Plan Bureau was established. This Bureau started a comprehensive research and analyzed the development of Ankara. After this comprehensive study Bureau prepared the 1990 plan schema. (63) The Ministry of Public Works approved the 1990 master development plan of Ankara in 1982. According to this plan the development scheme of Ankara in 1990 was determined for a projection of a 3.6 million population in 1990.

In 1990 plan, green areas of Ankara gained importance. Such that, since 1970's Ankara had faced a serious air pollution problem, so in 1990 plan proposals wind corridors, green areas and valleys were determined as the areas that needs to be preserved as green areas and prevented from urban development. According to the analysis of Ankara Metropolitan Area Master Plan Bureau when AOÇ Lands were added to total green areas of the city it was found that the average green area per person in the city as 7,85 m². But the total area of the farm was not used as recreation area, only 52 ha area was used as recreation area. When this number is calculated in the total green areas of the city the average green area per person fall to 2,78 m². After this survey and studies on AOÇ of the Bureau it was determined that approximately 200 ha areas that were not suitable for agriculture and husbandry could turn into recreation areas for the city.

According to Master Plan Report urban development pattern was proposed to be linear expansion corridors through west and southwest with large open green areas among these corridors. Moreover, these open green areas should connect to each other with sufficient open space axis. According to this star shaped expansion model the natural open areas and agricultural land that locates in the middle of urban development was preserved. In the Plan Report AOÇ was taken as an important recreation area and a potential for further recreation projects even if it could be evaluated carefully according to the objectives determined while establishing the Farm by Atatürk in 1927.

In the Report AOÇ Areas were only determined as open green areas and any urban public services or institutional functions did not proposed to settle in the boundaries of the area. In other words; for some public institutions and functions alternative locations in the city were determined one by one. For example, for wholesale market

the proposed location was a 32 ha area at the intersection point of İstanbul highway and Yenimahalle Settlement, also a national monumental park project was proposed in the west of AOÇ Lands.

5.3.5. 2015 Plan

In 1983 according to the law 3030 the Greater Municipalities were established in Turkey and they were denoted by the responsibilities of making, approving and incrementing city plans. So, Ankara Metropolitan Area Master Plan Bureau was closed and planning studies for Ankara have started to be done under the body of Greater Municipalities. After this new administrative body Ankara Greater Municipality proposed the academicians of the Middle East Technical University to develop the 1990 plan according to the expectations for 2015 year and prepare a structure plan for Ankara in 1986. In this study the demographic structure and urban development process of the capital city between 1927 and 1985 was examined. (5) As a result of this research decentralized development of Ankara was determined and as 1990 plan proposed, urban expansion of the city towards west corridor was accepted but it was proposed that in this corridor public services, institutions should locate instead of handicrafts and industries.

All the plan decisions and proposed underground transport network were supporting an urban expansion through the west corridor of the city. Likely to the direction of urban expansion plan proposals of the 1990 plan about the greenbelt system for Ankara was accepted, too. Moreover, it was proposed that the depth of the green areas should be widened to 8-10 kilometers in order to achieve the expected effects for the microclimate. Also in order to shape the urban growth and control the expansion of the city through west direction open green areas that is between

Eskişehir highway and new settlement areas Sincan and Çayyolu were the proposals that need to be completed. Therefore, the importance of AOÇ lands was increased and became an open green area with a great amount of open lands next to the city center and in the middle of the development axis of the city.

The expected recreation and open green area need of the capital city and expected total area of Ankara in 1995, 2000 and 2005 years were determined as follows according to study made by Göktürk in 1993: (9)

Table 7. Expected recreation and open green areas in Ankara

	Standards (m²/p)	1995	2000	2005	2010	2015
Active green areas	20	6615.2	7697	8712	9671.4	10526.2
Parks and gardens	8	2646	3071	3484	3868.6	4210.5
Playgrounds	7	730	812.2	881.2	937.6	985.9
Public green areas	52	17199.5	19965.4	22651.2	25145	27368.1
Total Green Area	67	22160.9	25724.5	29185.2	32399	35262.8
Total Urban Area	301.6	99752.1	115784	131377	145845	158735

In this survey Göktürk estimated the population of the city as follows:

Table 8. Expected population in Ankara by years

Year	Population
1995	3.307.600
2000	3.356.700
2005	3.844.000
2010	4.402.200
2015	5.263.100

As can be seen from the above tables, as the population of the city grows the need for recreation areas and open green areas also increase. In Göktürk's research according to the data taken from Ankara Greater Municipality, existing active green areas in 1993 was 50.536.164 m². When AOÇ land is added to this number it appears that it will respond the need of total green areas of the city until 2005 year. In the year 2000, population of Ankara was 3.540.522. If we compare this number with the projected number in Göktürk's survey, that is 3.356.700, we can see that his survey data is reliable.

Urban land is a limited resource. Although land is scarce rapid urbanization and need for extra housing and urban areas are still continuing due to population growth and migration through cities. Therefore pressures and speculations over urban land become apparent as an important problem. To minimize the problem local authorities gain so much importance in regulating the urban development and in supplying adequate urban land. In doing so, planning and urban plans are the most

important power of the public authorities. Moreover, in order to direct the urban development and decide the locations of public services public lands are one of the most important tools of public authorities. Because conflicting interests over scarce urban land causes enormous land speculations. In this respect, public lands can be used as regulators of urban development and reserves for needed public services. At the same time public institutions' need for extra land in order to expand and construct additional buildings or move to another place according to plan decisions through development corridor of the city. Because of these tendency institutions need financial support but when they cannot save enough money to purchase land, existing public lands become the potential expansion areas for these institutions. A second threat over public lands is the occupation by illegal or squatter housing. Especially in the third world countries due to the high migration rate and rapid urbanization public lands become the potential settlement areas for illegal housing, because of the economic problems of the immigrants and inadequate housing supply. In addition, public lands are subject to land speculations in developing countries. When the historical development of AOÇ lands in Ankara is examined it is obvious that as a public property the State Farm have been subjected to such threats explained above.

5.3.6. 2025 Plan

In the studies of Ankara 2025 Metropolitan Area Sub-Region Development Plans, AOÇ is determined as "Special Project Area" under the heading of open green areas in Ankara. (6) In accordance with the determined objectives, strategies, goals, policies and application principles prepared by Ankara Greater Municipality for 2025 Development Plan of Ankara, AOÇ is considered as a State Farm that should be preserved according to its establishment purposes. The Greater Municipality based

on the establishment ideology, basic characteristics and organization scheme of AOÇ while developing proposals and strategies on the rehabilitation project of the State Farm. In this way, Municipality was developed some proposals for rehabilitation and development of AOÇ in order to satisfy the current requirements of tourism and recreation. The proposals were determined as follows:

- AOÇ is the most important part of the open green area system of Ankara. So, existing functions contrary to the basic objectives of the farm should be eliminated. AOÇ have important recreational, cultural and historical areas. Therefore, it should be evaluated as a "Special Project Area" and it should be open to some alternative functions such as exposition areas, special agricultural lands and entertainment centers,
- □ Totality of AOÇ Lands should be conserved,
- Rented or occupied areas that are functioning on the contrary to basic objectives of the State farm should be eliminated,
- Existing green and forest lands and the lands that will afforest should be open to public use for some recreation functions such as walking, relaxing areas and sport facilities. In this way passive green areas of the farm serve as active recreation areas.
- Zoo and picnic areas are currently the most known and visited functions of the Farm. Therefore, the zoo area should be renewed and enlarged by using modern techniques. Moreover, it should be transported next to hippodrome area on İstanbul highway,
- Various open or semi-open functions should be considered in space organizations of AOÇ in order to satisfy interests of people from different income groups,

- □ Some sport facilities like hiking and camping, exposition activities and concert halls were proposed to function at the big area located between Eskişehir and İstanbul highways,
- □ Some fragmented lands of AOÇ should be organized as district parks or entertainment centers.

CHAPTER VI

CREATION OF A NEW CAPITAL AND THE IDEOLOGY OF AOC

In October 13, 1923, Ankara was determined as the new capital city of the newly established young Turkish Republic. This decision was a vital step of a big modernization project, which have started after the independent war and the new regime. So, the new capital city was desired to be the symbol and the motivating actor of a wide vision of modernization of a society in every field of life. Being the new capital city of the new regime, Ankara gained so much importance and became the symbol of the new regime. Moreover the new capital city was evaluated and identified with the success of this project. As being the capital city of the new regime it needed to build up in order to satisfy the newly developed needs and lifestyle of the national bourgeoisie and a modernization project in every field of social and political life. So, in order to achieve the standards of the western and modern cities, the new and young idealist politicians of the new Republic emphasized mainly on the construction of the new capital with foreign designers and planners.

So, developing the capital city together with the old city center providing with the necessities of a modern civilized society and a modern capital city were the main objectives of the time. Of course, the spatial evolution of such an idea could only be achieved with a planned development of the city by the regulations of city plans that were prepared by planners and designers. In doing this, the main purpose was not only creating a modern capital city according to the principles of urban planning in

order to achieve a healthy environment with sufficient infrastructure, but also a capital city of the new civilized society with the desired lifestyle and spaces for this cultural revolution. According to Tekeli, by constructing a model city in the middle of Anatolia it was aimed to guide the urbanization process of the country and to symbolize the success of the new regime by newly constructed capital city. (5) So after the victory of independent war, in order to develop country especially Anatolia, a restructuring process was started. In the economical development area a balance between the private sector and State investments in regional development policy was appropriated. The main responsibilities of State were determined as improving railroads and roads in order to connect the Anatolian cities with the capital city and distributing some public investments especially in industry and infrastructure throughout the country. (5) In addition to these responsibilities as determined before an important project of State was developing the capital city of the new Republic.

Ankara was facing a rapid population growth and migration rate after it was declined as the capital city. For this project some crucial administrative and legal arrangements were prepared in the early years of the Republic. The first one was the establishment of Ankara Şehremaneti (Municipality) in 1924. This institution was responsible from construction facilities of new housing and administrative buildings. In order to produce construction materials and infrastructure urgently, Municipality established many factories and stations. Second initiative of the State in the process of creating the capital city of the modernization project was the law of 583. In this law Council decided and accepted expropriation of 400 ha land in Ankara by Şehremaneti in order to shape and realize the urban development process. (50) Thirdly, in the establishment of the new capital city a powerful administration authority was established in 1928 as Ankara Development Directorate. The institution was established under the Ministry of Internal Affairs. According to

Altaban, this new institution that gives central government the responsibility of developing a city was the first organization model in the world. (3) In other countries this kind of an organization scheme was first established in England after the World War II.

Investments for the development of Ankara in a restricted budget and respect to planners and designers clarify the priority upon the new capital city. Lörcher prepared first plan of Ankara in 1923-1924, second one was organized by a competition and the winner of the competition a German planner Herman Jansen prepared the second plan of Ankara. (45) These two plans are important in the development process of the capital city, because the basic principles of these planners shaped the future of the city mainly. Conserving the old city center, castle and developing the new city not against but complementary to the old city, preserving the natural resources and a hierarchal open areas system were the basic principles of Jansen plan. In this plan Ankara was formed of neighborhoods of houses in gardens and accessible open areas. These open spaces were planned according to a hierarchy and connected to each other with green pedestrian roads reaching to urban parks and recreation areas. (Ankara İmar Planı, 1937) In this green area system lakes, valleys, forests, hills and other natural resources are protected and integrated with the urban green system.

After the new regime, the development of Ankara as the capital city of modern Turkey became a process of establishing a model city for the rest of the country and creating the necessary urban spaces of a desired cultural revolution. In this respect; establishment of such a farm which have various functions from production, education to agricultural renovations, recreation areas and open spaces to serve for public purposes in the city was a wide step for the creation of a recreation culture in

Ankara. According to Akyürek establishing such a "modern city" in the middle of Anatolia was inevitably necessitated to build a social and cultural link among rural and urban. In this respect AOÇ was the first institutional reconciliation model for rural and urban. (2)



6.1. 1923-1950 Period

Tekeli evaluated social and political context of Turkey in this time period in 1994. (Tekeli, in Bir Başkentin oluşumu, 1994) This period was representing the establishment of a nation state ideology and a modernist development pattern. This modernization project and establishment of a nation state needed basic revolutions in every field of life. The political structure was the domination of one party, which has the mission of leading the society through a modernist development context. Through this context after 1926-1927 national architecture had left and modern architecture was accepted as a development model, such that western planners, architects, designers and social life had taken as a model towards the modernization project.

According to Tankut in order to arrange the lifestyle of the society from east oriented to a west oriented lifestyle, it would be a leading power to create such living spaces and urban environment for this social transformation. (45) This urban environment would provide spaces for the institutions necessary for modern society and spaces for the requirements of daily activities of this modern life.

The establishment of AOÇ was confronted with this time period and owns such an ideology. While establishing such a farm, one of the objectives of Atatürk was to create an important production space and recreation area for the modern capital city.



After the World Economic Crisis in 1929 according to Tekeli, the discourse was changed towards the national economy and modernization project was left to the hands of national architects and designers. (5) Moreover, the institutelization of city planning, municipalities, education of professions gained importance.

But country was having serious financial problems due to the effects of war economy and having trouble in the urban life of the cities. Although there was budget deficit and the country was poor, and its money was devaluing, urban investments were never disregarded. As Uludağ pointed out, although these troubles were continuing the planning and construction of Gençlik Park decision with a minimum budget was one of the indicators that State gives an importance to recreation areas and the transformation of social life. (47)

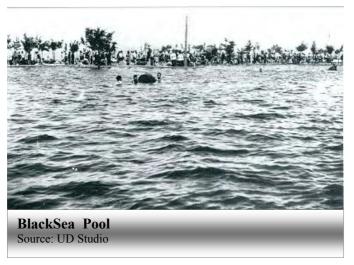
Lastly, after the Second World War the one political party period was changed and the ideological approaches of State towards architecture and planning were weakened and market economy and international relations gained importance. Between the periods of 1923-1950 green areas was used consciously as a tool and object for urban environment of Ankara.

6.2. 1923-1938 Social Activities and Recreation Areas in Ankara

In the early years of the Republic a total restructuring in every field of life was the basic objective of the modernization project that was started after the victory of independence war. It was first started by creating a modern capital city, which should be a model for the rest of the society in every field of life. So, capital city represented all social and spatial renovations and transformations. In order to create a new life style and variegate social activities new urban spaces were created. In the early years of the Republic Ulus and its surroundings became the place for the daily activities and recreation functions of the citizens. As Tanrıkulu says, the hotels of Ankara those were located at Ulus and its surroundings were the most important places for the new social activities of the city. Because the saloons of these hotels

were responding to the requirements of bureaucrats, their families and foreigner guests and serving as places of political meetings, dinner meetings, evening parties, show programs etc. Likely the first restaurants of the city Karpiç and City Restaurants were established in this time period.

These new spatial organizations were offering a different life style for the society. In



addition to leisure time activities open green areas and parks not only inside the city center but also outside the city were created while developing the city according to plan regulations. In 1935

AOÇ became a favorite recreation area outside the city with the personal efforts of its founder Atatürk. In ten years time AOÇ Land became a favorite recreation area for the citizens of Ankara with different services, being two big pools called as Marmara and Black Sea and a zoo.

Even though the State Farm was away from the city center in 1930's Atatürk created the farm in order to serve all the recreation activities of the citizens and even more. Another important institution was established in 1932 in Ankara. The Public Houses were established in order to strengthen the conscious of nationality and organize the relationships between people and form a common ideal of nationality.



These public houses were studying in different activities such as literature, sports, library, history, music, arts, balls etc. Moreover some sports clubs, sportive activities like races and matches, dancing activities, exhibitions and more were all the new social activities for the society that was created in the early years of the Republic.

6.3. AOÇ Today

AOÇ lands lie in the west of Ankara through northern west and southern east directions and composed of 10 different pieces. The total area of AOÇ is approximately 33.500da. It is a part of continues agricultural and open areas of 13.000 ha which is in the west direction of the city. The State Farm lies in a wide area between Eskişehir and İstanbul Highways, which was surrounded by Etimesgut in the west, Atatürk Cultural Center in the east, Hacettepe University Beytepe Campus and Bilkent University Campus in the southern east directions. Since it was established the Farm was lost approximately 116.500da lands in 78 years and its area was diminished to 33.500da. This open space system is composed of different institutional properties such as university campuses, Ministry of National Defense, Sugar Factory and AOÇ Lands.

The existence of this system of public properties and AOÇ as a part of this system, located in the western development corridor of Ankara should be evaluated as an important planning tool in order to shape the urban development and sustain the existence of this system which will be vital in the future urban needs of Ankara. (9)

In that way, these public properties serving as forests, recreation areas and likely open space functions will be a chance to control urban sprawl and they will shape the urban development pattern. Because these open spaces locates in the middle of the expansion direction of the city, urban development will surround these open spaces and urban macro form will be shaped as linear expansion corridors surrounding open green areas from northern and southern directions. If these open spaces could not be prevented from construction, these areas become more attractive and easily occupied especially the ones surrounded by the metropolitan area and the ones that are very close to the urban development area

The expansion of the city through the western development corridor inevitably made the AOÇ Land surrounded by housing settlements and urban spaces. Because of this position AOÇ lands became very attractive and suitable for different private or public institutions to settle. So when this situation is considered it is obvious that the institutions which have rented some farmlands for a long period of time will not tend to leave these lands back to AOÇ Directorate after their time period determined in rental contract ended.

Therefore the aims of the institutions, which desire to rent some of the farmlands, is very crucial and should be considered carefully whether it is for or against the establishment purposes of the farmland. At this point the important thing is that, some solutions should be proposed by considering the mistakes made before and

by giving priority to the needs of people living in Ankara with respecting the objectives of the foundation. In this manner, according to the needs of Ankara and the mission of the State Farm, organizing the area as an urban park would be the best solution in order to prevent the fragmentation of Farmlands. (32)

Furthermore, although State Farm has a vital problem in loosing its lands and the utilization of the areas were diverted from its basic principles, a plan has not been prepared for AOÇ area yet. Moreover, as stated above AOÇ areas were signed only as green area or AOÇ area in the development plans of Ankara. Therefore, a spatial organization of AOÇ should be immediately prepared and determined in the Plans of Ankara.

According to the researches of Supervision Council existing production level, technology and the financial resources of AOÇ is not sufficient enough to hold the leading and directing role of the farm in the agricultural production of Ankara. According to the numbers given by Göktürk in 1997, the production efficiency of the farm was under the average production level of Ankara. (9) So, many of the farmland used for production have turned into vacant areas day after day.

Because of this changing situation of the production level, changing location of the farmland in the urban macroform and deficiency in the management of the farm basic establishment objectives of AOÇ has been forgotten. Even though the functions of the farmland have changed since it was established, namely the desired functions have minimized or abandoned due to various reasons, the role and the importance of the farmland in the urban development of Ankara have increased.

The expansion direction of the city is the west corridor of Ankara. This development pattern was determined in 1990 plans made in 1970's considering the topographic and other characteristics and relations of the city. Because of the expansion of the city along Eskişehir and İstanbul highways through west and northwest directions, AOÇ area, which lies in the west and northwest direction of Ankara, have inevitably surrounded by urban development.

New housing areas such as Bilkent, Çayyolu, Sincan, and Etimesgut surrounded AOÇ area and formed a linear development corridor in the west direction of the city. Therefore because of its location AOÇ areas have a high accessibility from various districts of Ankara and near to the districts that have center characteristics. (32)

In the survey Açıksöz prepared a questionnaire for 324 people in order to examine the public opinion and knowledge about AOÇ Lands in 2000. (1) The questionnaire was composed of 2 parts. In the first part the questions were about personal information of the interviewee. Whereas in the second, part it was aimed to examine the public opinion, expectations and level information about AOÇ Lands. Results of the questionnaire are given below: 59,9 % of the 324 people was women and 39,8 % was men.

Table 9. Age groups, occupation and education statues of the interviewees

Table 10. The places where from visitors come to AOÇ?

	26,6 % Çankaya
	25 % Keçiören
	10,8 % Mamak
	10,5 % Yenimahalle
Where they come from ?	8 % Altındağ
	6,8 % Etimesgut
	4,9 % Sincan
	2,8 % others
	4,3 % outside Ankara

67 % of the interviewees claimed that they visit AOÇ 1 or 2 times a year and 59 % of the interviewee arrive area by their special cars.

The answer of the interviewees about the question of what does AOÇ means to you? Are as follows:

49,9 % Zoo

14,2 % AOÇ products

10,8 % Atatürk and his grant

8,9 % Green area

Similarly the reasons in arriving AOÇ are as follows:

37,7 % Zoo

21,9 % AOÇ products

12,6 % Visiting with their guests coming out of Ankara

9 % for picnic areas

6,5 % For their children

0, 6 % Sporting

Almost every interviewee (96 %) agrees upon the necessity that AOÇ Area should be improved through its basic principles. Improvements in agricultural activities for the purposes of production, education and leisure time activities, recreational amenities, sport facilities and presentation of AOÇ to the citizens are the basic proposals of the interviewees about the area. In addition the number of markets selling AOÇ products should be increased according to the results of the questionnaire.

As the results given above are considered, first of all it is obvious that there is a lack of information about the total area of the land. The reason of this problem is mainly the lack of public opinion about the basic principles of the State Farm and vacant lands not open to public use. Even though the accessibility of AOÇ Lands is high and people are visiting the site from different districts 67% of the interviewees are rarely visiting the site. This was mainly lack of amenities and fragmented lands of AOÇ. Whereas, one of the basic principles of the Farm was determined as providing spaces for the public use for various recreational, educational, agricultural and leisure time activities.

Secondly, according to the answers of the interviewees the most visited site in AOÇ is zoo. Since 1937, after Atatürk had granted his personal farms to Turkish people some spatial and administrative problems have started and they still exist. A lot of researches and studies have been realized in order to determine the problems and propose some solutions about AOÇ till now. Likely, in December 06, 2001 through the directions of the President, State Supervision Commission prepared a report in order to examine the existing situation of AOÇ Lands. According to the report total amount of AOÇ Lands in Ankara is shown in figure 5.

30.449.109 m² cadastral plots, 2.133.421 m² shared plots, 506.824 m² complete plots

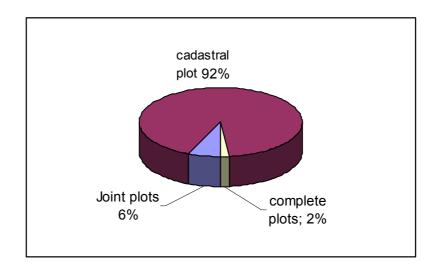


Figure 5: Distribution of AOÇ Plots According to % Amounts

In addition to these, 2.842 m² lands in Çubuk and 653 m² lands in İstanbul are also determined as AOÇ properties. In this manner total area of the State Farm is 33.092.850 m² according to the data given in the Supervision Council Report. (43) 21.983.218 m² area of AOÇ was sold to various public and private institutions. (Table 2.) 6.888.496 m² area of AOÇ was rented to various public or private institutions. (Table 3)

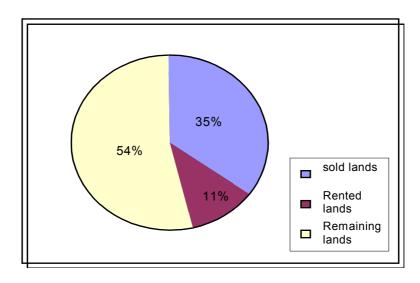


Figure 6: Distribution of AOÇ Lands that are sold, rented and remaining

Quantities and different land use functions of the sold areas are as follows:

7.002.546 m² various public institutions

3.165.591 m² allocated for urban infrastructure

10.017.906 m² Ministry of National Defense

1.797.175 m² private institutions or individuals

50.000.000 m² Aydos Plate

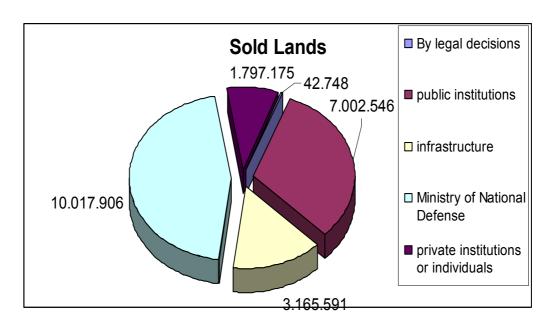


Figure 7: The Distribution of AOÇ Lands That Are Sold

167.500 m² Ankara wholesale market, 720.000 m² Transmitter Station, 1.323.354 m² Freight Train Station are all categorized under the heading of urban infrastructure.

Table 11. Rented areas according to their functions and area

Functions	Area (m²)
AŞTİ	352.952 m ²
Transmitter Station	110.618 m²
Railways and highways	689.038 m²
Pipe and energy transferring lines	719,253 m²
Various Clubs	2,258,901 m²
Garage and storage	386,657 m²
Gas station	120,381 m²
Restaurants, Markets	31,060 m ²
Public institutions	543,932 m²
Agricultural production	1,330,000 m²

The distribution of rented lands according to their functional distribution is shown in figure 8.

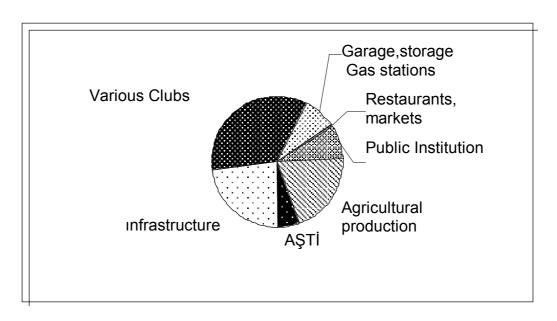


Figure 8: The Distribution of Rented AOÇ Lands and Their Functional Distribution

Today Land use of AOÇ and quantities are as follows:

Total Area of the Farm is

17.490 da Agricultural land, nursery and ornament plantation areas

2.442 da pastureland

3.596 da forest and parks

310 da zoo

264 da Industry

84 da Turkish Radio and Television Institution area

15 da houses for the employees, hotel and administrative building

52 da public green area

6.4. Decisions on the Contrary to Basic Principles of the Farm

6.4.1. Integration of AOÇ lands with Atatürk Cultural Center

In November 20, 1996 after the 9th meeting of the National Committee it was decided to combine the AOÇ Lands with Atatürk Cultural Center (AKM) area. For this reason preparation of the master plan including the farmlands was given to the Ministry of Housing and Public Works. In addition, preparation of a draft law about joining these areas and attaching them to the Ministry of Culture was given to the Ministry. According to this draft law, it was recommended to prepare a development plan in order to determine the land use of the area, then to prepare the 1/1000 scale application plans with the approval of the Conservation Council. Furthermore, the Ministry of Agriculture, Housing and Public Works Ministry, some scientific foundations and universities both regret such kind of a restructuring and stated that AOÇ Land should be evaluated independently from the AKM area.

According to the decision of State Economic Enterprise Commission in 1998, a commission was established with the coordination of the representatives of the Ministry of Agriculture, the Ministry of Housing and Public Works, the Ministry of Finance, the Ministry of Environment, the Ministry of Culture, METU, Ankara University Faculty of Agriculture. This commission prepared a report about the reorganization of the AOÇ Directorate in order to provide the current necessities of the farm with sustaining and protecting the totality of the farmland. According to this report it was recommended to prepare a dynamic master plan by determining the basic objectives and strategies of AOÇ. For this reason, the commission advised to establish a Planning Unite bounded to the Directorate. According to the model preparing projects for the determined sub–regions would continue in coordinance with providing financial resources and negotiating with central and local institutions in order to achieve the objectives.

6.4.2. Proposals for various functions like Disneyland Park in the State Farm

The establishment law numbered 5659 determined the legal statue of AOÇ. The law creates many problems and has deficiencies in determining the objectives and organizational body of the Farm; however, the law 5659 restricts the arbitrary utilization of Farmlands by local authorities. In addition to law 5659, the decision of AKTVKK determining the AOÇ area as a 1st degree natural site district also become an obstacle in front of some utilizations on the contrary to basic principles of the AOÇ and some others damaging the natural resources of the Farm.

As stated above, by the protection of code 5659 and Site decision the proposal of establishing a Disneyland Park in AOÇ areas were prevented. This and some other possible proposals, which are on the contrary to basic principles of the State Farm,

will always be a threat for the future development of the State Farm. Because the changing social, economical and political structure of the countries, inevitably affect the production of urban space and change the space organization policies of the public authorities. This kind of a transformation can be observed in the changing structures of the public spaces in the cities. The transformation process of social, economical, political and connected with these items cultural formations of the societies is evident and these changes inevitably resulted in spatial transformations. Because of this, approaches and importance of the public spaces have been changing. In the beginning of 20th century, all of these changes cannot be predicted even, because it was the era where there is a rising importance of the public open spaces. The International Congress of Modern Architecture (CIAM) determines the essential principles of modern town planning as the equally distributed high standard urban public spaces in their 1933 Athens Charter. The focus was on the social utilities of the public spaces necessary for the healthy development of cities.

The importance of public spaces lies in their multifunctionality. In public spaces urban community and identity are in action. Public spaces are places that can stay alive only with the use of citizens. However, this traditional view of public space is ending. Arguments introduced by Richard Sennett and Mike David points out that public space is abolished in the contemporary life where active citizenship has also been broken down. (36) Through the process that the society is transforming into less civic and open life, public space has also lost its once, functional, active properties

Even the existing stock of public open spaces are not adequate, the investments for the expansion of public spaces changed its rotation through shopping malls. This is of course the result of the political, economic and technological changes in the world. Governments stopped providing goods and services adequately. Privatization became an important tool for investments. Local governments start acting like entrepreneurs. As Harvey points out, while spatial boundaries weakens the sensitivity of capital increases, as a result to become attraction point for the capital, local governments changed their investment direction through attractive investments for capital. (16) As a result, the position in the consumption market and its determinants of differentiated social structure of race, ethnicity, and gender become rising issues in the social and political life. Differentiated social structure confused and distorted the public realm, so thus public space.

After mentioning the changes in the public spaces very briefly, in order to claim and understand that this kind of a change have started to give signals in the body of State Farm as a Disneyland Park proposal it would be a good example to give an explanation of Sorkin about the Disneyland Parks.

According to Soja, cultural, behavioral and ideological restructuring of cities is an outcome of restructuring the postmodern cities.(38) Soja refers to this change as the epistemological restructuring which affects the way of life, actions and choices of the people living in the city. He refers to it as the hyper reality of the images copied from originals. These simulations make the city as a game like SimCity. Sorkin gives the example Disneyland and describes it as a simulation of the real city. (39) The restructuring of cities inevitable affected the urban public realm and public spaces. The changing character of the public realm and spaces are the product of a transformation of economic, social and political structures both in macro level and the reflections of these changes in the city structure. In order to give an example of new public space, Disneyland is a rising entertainment center in the daily life of people living in the cities where the postmodern changes are seen more seriously

than other ones. According to Sorkin, Disneyland is a theme park, which is the utopia of leisure. It attracts thousands of people. Millions of Disney things are sold inside like videos, comic books etc. So he defines such places as "transnational shopping malls" reflecting the changing dynamics of world and national economy and socio-political and cultural conditions. This changing public realm is a reflection of "universal placelessness" which is introduced by the postmodern notion. (39)

Such kind of proposals should be prevented in the future development of AOÇ lands according to the testament of its founder. In doing this the production based open space facilities of the farm must be sustained even though at a symbolic level.

6.4.3. Marmara Hotel

According to the decision of AKTVK Commission, actions that are disturbing the vegetation, topography and the silhouette of the area were prohibited in the Historical and Natural Site Districts. Where as, the Marmara Hotel building whose construction process have not finished since 1980's, is totally disturbing the silhouette of the area. Moreover, this construction damaged the historical villa Marmara, which was constructed by Atatürk.



In 1984 the Hotel land was rented according to an agreement. This agreement was a mixed one that the built-operate-transfer function is dominant. The land was rented to a construction company in August 24, 1984. In the rent contract, the time period for the construction has not been clarified, but the renting time was determined as 20 years. The company has stopped the construction of the hotel in 1988 without finishing the building. Since the company did not complete the necessities of the contract AOÇ Directorate have applied to legal authorities. However, the company did not fulfill its responsibilities and caused damage to the AOÇ Directorate, the legal process is still continuing and the area has been waiting idle since 1988.

6.4.4. Destroyed Symbolic Functions of AOÇ

Vineyards, fruit gardens, nursery gardens, Beer Park next to the beer factory, Marmara and Blacksea pools and relaxing functions around the pools were the symbolic functions of AOÇ. According to the documents prepared by the Supervision Committee the gardening facilities and vineyards were left by the Farm Directorate due to some financial and environmental problems.

The Beer Park near the factory was closed right after the dead of Atatürk. In 1939 the factory was attached to Turkish Monopoly Institution by the State Agricultural Management Institution. This was maybe the first step in the deformation of AOÇ areas on the contrary to basic facilities established by Atatürk. Afterwards the process of leaving back some facilities especially recreational ones have continued. At last on the contrary to Atatürk's testament AOÇ become a vacant land far away from the utilization of public. The recreational facilities of the Farm is now limited to a strict piece of land only composed of a picnic area and some restaurants along by

the main road of AOÇ. Some other functions on the contrary to basic principles of AOÇ are; Ankara Cement Factory, Cartridge Factory, Freight Train Station Stock and Atelier, Military areas, TMO Silo and Stocks, Housing and Transportation functions

CHAPTER VII

CONCLUSION

So far, Atatürk State Farm is analyzed as a public property, since it was established. During the evaluation of the story of the farm it is discovered that AOÇ is now standing at a point far away from its establishment objectives. The Farm was the symbol of the new ideology and identified with the modernism project of the newly established republic. However, during 78 years, the main establishment purposes and land totality of AOÇ have lost due to unsatisfactory establishment law; managerial and financial deficiencies and bureaucratic pressures over AOC Lands.

AOÇ is a unique institute established in the early years of the Republic. The establishment purposes, the ideology behind its establishment and the characteristics of the State Farm makes AOÇ a unique application, different from any institutions in Ankara and also in Turkey. One of the basic characteristics of the State Farm is providing huge open green areas for the city. It is luck for the capital to have approximately 33.000.000.000 m² open space in the middle of the urban areas and development pattern of the city. Secondly another important issue is that, AOÇ is a public property which has played an important role in the development pattern of Ankara. Farmlands are publicly owned lands locating in the expansion corridor of the city and providing many opportunities to shape the urban macroform and to direct the urban expansion. Thirdly the ideology behind the establishment purpose is another special characteristic of the State Farm. The ideology of AOÇ mainly

reflects the ideology of the modernization project of the newly established Republic.

The great leader Atatürk aimed a progress both in agricultural production and in the social life of the citizens of the young Republic, while establishing such a farm.

AOÇ is a model State Farm which was created according to the objectives of the newly established Republic. State Farm is a leading institution for the rest of the country due to its basic principles of production, application and recreation. The major role of the farm is production. We can not think of it without this basic fact. So production in agriculture, scientific researches and educative functions of the farm are so crucial in analyzing the structure of the farm and developing strategies for the future development of AOÇ with public interest and without disturbing its natural and historical values. Whereas, in the case of AOÇ, the basic principles of the State Farm could not be carried on and the land totality of AOÇ have been damaged seriously since it was established.

AOÇ is at the basic expansion corridor of the city. Therefore, farmlands have been an attractive location for the various public and private institutions to settle on the west development corridor of the capital. AOÇ Lands could not resist the pressures arise from land speculations, therefore the wholeness and continuity of the area was interrupted because of the rented, sold and transferred lands to different usages. In this manner, because, AOÇ is an important part of the open green system of the metropolitan city, the fragmentation of the farmlands is threatening the continuity of this system. As evaluated in this study, the inefficient legal framework of the Directorate played an important role in this fragmentation. Moreover, the size of the area, the diversity of the functions and the fiscal deficiencies caused an authority loss over the farmlands.

Today AOÇ is standing at a different situation then before. As studied in this thesis it was understood that the establishment purposes, totality of farmlands and the basic components of the State Farm was destroyed. Especially the agricultural production and scientific researches, investigations in the varieties of animals were left to related scientific foundations and faculties of the universities. The AOÇ Farm could not adopt its structural body and investments to the improving scientific researches easily. Therefore, such kind of investigations left behind the duties of the Farm. In addition, production of the agricultural machinery was left to public and private sector industries, which have been improving lately.

Moreover, AOÇ Lands have been fragmented since Atatürk granted the State Farm to Treasury. As examined in this thesis the farmlands have been sold or rented to various institutions without any plan regulations. Therefore, today the land totality and continuity of the State Farm was interrupted and it became a "lost space" composed of various fragmented lands which are hard to manage. (32) Therefore, the place and role of AOÇ in the metropolitan area of Ankara was evaluated in this thesis. In this manner, it is very important to reinterpret the basic establishment purposes of the State Farm according to the current situation of AOÇ.

In today's world, changing rate of technologies, social, political and cultural aspects of cities make it impossible to solve the problems with fragmented solutions. Whereas; solutions must be developed according to basic establishment purposes. To gain back the totality of the farmlands is a very difficult process because of its complexity. So determining the problem areas and current owner of the properties is taking a long time. Such that, the time spent while waiting the courts to decide and determine the property ownership and rights of the Directorate over disputed areas is slowing down the process seriously. At this point, the organization body of the

Farm Directorate is not sufficient enough to accelerate the decision process. In addition the responsibilities and duties of the directorates are not sufficient and exactly defined in order to control the illegal occupations of the farmlands. So organizing an appropriate and sufficient land management system which is widely acceptable and less reliant on political decisions is very significant. In doing so participation, negotiation and public awareness is very important in order to prevent the land transfers of the Farm. Being the gift of Republic and Atatürk to next generations, AOÇ have to sustain its public identity.

To sum up, Atatürk Orman Çiftliği is a complex structure composed of different functions and objectives. The reorganization of the Farm and continuation of its basic functions as determined in its establishment objectives could be possible only if the unity of the farmlands is secured. In doing so, a land policy should be clarified about the lost spaces of the Farm. To preserve the totality of the State Farm; design principles and basic objectives about AOÇ must be determined clearly in order to eliminate the political pressures aiming to share and open the AOÇ Lands to construction rather then preserving it as an open green space on the contrary to monotonous, concrete urban area. In this respect, the study of Middle East Technical University, Urban Design Studio about the planning goals and model and design principles of AOÇ according to determined sub regions will be presenting in the appendix of this thesis as a proposal for the future development of the State Farm.

According to this study, the designated sub regions, their problems, possibilities and future proposals in accordance with the establishment purposes of AOÇ are determined one by one. Therefore, AOÇ will be reorganized and revitalized to confirm to the changing technological, cultural, social and economical requirements of time with respect to its establishment purposes.

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APPENDIX A

GLOSSARY

Accounts and Financial Affairs Directorate: Muhasebe ve Mali İşler

Müdürlüğü

Agricultural Crafts Directorate: Ziraat Sanatları Müdürlüğü

Agricultural Mills: Zirai Kombinalar

Ankara Cultural and Natural Assets Conservation Council: Ankara Kültür ve

Tabiat Varlıklarını Koruma Kurulu (AKTVKK)

Armor-plated Brigade: Zırhlı Tugay

Atatürk Forest Farm: Atatürk Orman Çiftliği

Commerce Directorate: Ticaret Müdürlüğü

Cultivated Land Cultures Directorate: Tarla Kültürleri Müdürlüğü

Fermentation Trade Directorate: Mayalandırma Sanatları Müdürlüğü

Garden and Vineyard Cultures Directorate: Bağ Bahçe Kültürleri

Müdürlüğü

General Directory of National Real Estate: Milli Emlak Genel Müdürlüğü

Husbandry Directorate: Hayvancılık Müdürlüğü

Milk and Milky Products Directorate: Süt ve Mamülleri Müdürlüğü

Personnel and Training Directorate: Personnel ve Eğitim Müdürlüğü

Prime Ministry Supervision Council Report: Başbakanlık Yüksek Denetleme

Kurulu

Public Houses: Halkevi

Real Estate Directory of Financial Directorate: Defterdarlık Milli Emlak

Müdürlüğü

State Agricultural Management Institution: Devlet Ziraat İşletmeleri Kurumu

State Production Farms: Devlet Üretme Çiftlikleri

Unreal rights: Gayri ayni haklar

Workshop Directorate: Atölyeler Müdürlüğü

Zoo Directorate: Hayvanat Bahçesi Müdürlüğü

APPENDIX B

METU URBAN DESIGN STUDIO STUDY, AOÇ

ODTÜ Mimarlýk Fakültesi, Þehir ve Bölge Planlama Bölümü,

Kentsel Tasarým Yüksek Lisans Programý stüdyosu kapsamýnda 1997-98 eðitim döneminde yapýlan bilgi toplama ve analiz çalýþmalarýna göre AOÇ'nin alt bölgecikleri belirlenmiþ ve bu bölgeciklere ait önermeler geliþtirlmiþtir. Aþaðýdaki tabloda bu bölgeciklere ait temel politikalar, karþýlaþýlan problemler, bölgelerin sunduðu olanaklar ve çalýþma grubunun önermeleri özetlenmiþtir.

AOÇ Arazilerinin Deðerledirilmesine Ýliþkin Önermeler

(Bölgeciler için ek paftaya baþvurunuz)

ВÖLGЕ	TEMEL POLITIKA	P R O B L E M L E R	O L A N A K L A R	ÖNLEMLER
1	KORUMA	1) 9.1.1996 günlü Milli Komite Toplantisinda alinan AOÇ Arazisinin Atatürk Kültür Merkezine baglanmasini saglayacak kanun tasarisi önerisi 2) AOÇ Istasyonu - Demetevler kavsagi arasindaki yogun trafik	1) Yesil kusak 2) Iyi tarim topragi 3) Ankara Kalesi manzarasi	1) Alan AOÇ denetiminde tutulmalidir 2) Alanin peyzaj özellikleri korunarak deger kazandırılmalidir 3) Alan, içinde kesin yapi yasagı olan bir kentsel parka dönüstürülmelidir 4) Hayvanat Bahçesi – Atatürk Evi arasında yayalastırma yapılmalidir 5) AOÇ Istasyonu Demetevler kavsagı arasındaki yol için yeni güzergah aranmalidir 6) Sarap ve Meyve Suyu Fabrikası ikram hizmeti sunacak sekilde yeniden düzenlenmelidir 7) Hayvanat Bahçesi, uzun erimde Hayvan Parki olarak 15 nolu parçaya tasınmalidir
2	IY IL E S T IR M E	1) Devlet Mezarligi yanlis bir uygulama olmustur 2) Marmara Köskü yanlis bir uygulama olmustur 3) AOÇ Merkezinde kimlik belirsizlesmistir	1) AOÇ'nin tarihini en iyi yansitan mekanlar bu parçada bulunmaktadir	1) Marmara oteli problemi mutlaka çözüme baglanmalidir 2) Marmara Köskü, Atatürk Müzesi olarak kamuya açilmalidir 3) Merkezde yayalastirma yapilmali, merkezin kimligi tanimlanmalidir 4) Hamam, PTT, Inzibat Karakolu, Gar kimliklerine kavusturulmalidir 5) Orman Teskilati ile Askeri Kurumlar'a kesin yapi yasagi getirilmelidir
3	K A M U Y A K A Z A N D IR M A	1) Orduevi yanlis bir uygulama olmustur 2) Ulusoy ve Varan'a yapilan tahsisler yanlis uygulamalardir 3) Fisek Fabrikasinin alan içinde yeri yoktur		1) Fisek fabrikası arazisi kamuya maledilmelidir 2) Orduevi içinde yeni yapilasmaya izin verilmemelirdir 3) Kurumlarin agaçlandirma istemleri için planlama ve peyzaj tasarim ilkeleri belirlenmelidir
4 A	G E L IS T IR M E	1) Bugünkü kuru tarim üretimi kentsel kullanim larla çelisiyor ve verim li degil		1) (4c) Bölgesinde iyilestirm elerden sonra uzun erim de teknoloji gelistirme ve bilim sel faaliyetlere yönelen Kuzey – güney yönünde yeni bir odak alan yaratilabilir 2) Odak alan disindakentsel orman, üçboyutlu bitkilere yönelen tarim sal faaliyetler, yaya ve bisiklet dolasimina olanak saglayan düzenlem eler gelistirilm elidir.









AOÇ Arazilerinin Deðerledirilmesine Ýliþkin Önermeler

(Bölgeciler için ek paftaya baþvurunuz)

BÖLGE	TEMEL POLITIKA	PROBLEMLER	OLANAKLAR	ÖNLEMLER
4B	G E L I I S T I R M E	1) Bugünkü kuru tarim üretimi kentsel kullanımlarla çelismektedir ve verimli degildir	1) Kentin bati koridori içinde yesil kusak 2) Erisirlik	1) Bu bölgeye komsu demiryolu hattinda yeni bir banliyö istasyonu, ticaret ve kültürden olusan bir odak alan yaratilabilir, odak alan 13 ve 14 numarali bölgedeki faaliyetlerle ilintilendirilebilir 2) Baskent Ankara'daki yabanci erkana hizmet sunabilecek, golf ve diger spor olanaklari yaratilabilir. 3) Odak alan disinda kentsel orman, üçboyutlu bitkilere yönelen tarimsal faaliyetler, yaya ve bisiklet dolasimina olanak saglayan düzenlemeler gelistirilmelidir.
4 C	IYILESTIRME VE GELISTIRME	1) Çimento Fabrikasi, Karayollari, Büyüksehir Belediyesinin çevreyi tahrip eden faaliyetleri 2) Hafriyat bölgesi olarak kullanilmasi 3) Kentin altyapisinin yarattigi sorunlar	Kentin bati koridori içinde yesil kusak Erisirlik Tepelerden olusan peyzaj zenginligi	1) Kisa erimde hafriyat dökümü yasaklanmalidir 2) Alanin ulasim Istanbul yolundan saglanmali, kamyon trafigi çevreye sokulmamalidir 3) Çimento için toprak aliminda yeni bir topografya elde edebilecek yöntemler gelistirilmelidir 4) Uzun erimde, buradaki kullanimlar ekonomik ömürlerini tamamladiklarinda Teknopark ve teknoloji müzesi gibi kullanimlara dönüstürülmelidir
5	KORUMA VE ÜRETIM	1) Çok parçali, isletmesi zor arazi parçalari	1) Taban suyu yüksek, iyi toprak 2) Mevcut fidanliklar araziyi verimli kullaniyor) Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir
6	KORUMA VE ÜRETIM	1) Çok parçali, isletmesi zor arazi parçalari	1) Taban suyu yüksek, iyi toprak 2) Mevcut fidanliklar araziyi verimli kullaniyor) Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir
7	KORUMA VE ÜRETIM	1) Çok parçali, isletmesi zor arazi parçalari	1) Taban suyu yüksek, iyi toprak 2) Mevcut fidanliklar araziyi verimli kullaniyor	Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir
8	KORUMA VE ÜRETIM	1) Çok parçali, isletmesi zor arazi parçalari	1) Taban suyu yüksek, iyi toprak 2) Mevcut fidanliklar araziyi verimli kullaniyor	Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir
9	KORUMA VE ÜRETIM	1) Çok parçali, isletmesi zor arazi parçalari	1) Taban suyu yüksek, iyi toprak 2) Mevcut fidanliklar araziyi verimli kullaniyor	Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir









AOÇ Arazilerinin Deðerledirilmesine Ýliþkin Önermeler

(Bölgeciler için ek paftaya baþvurunuz)

BÖLGE	TEMEL POLITIKA	PROBLEMLER	OLANAKLAR	ÖNLEMLER
10	KORUMA VE ÜRETIM	Çok parçali, isletmesi zor arazi parçalari	Taban suyu yüksek, iyi toprak Mevcut fidanliklar araziyi verimli kullaniyor	Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir
11	KORUMA VE ÜRETIM	Çok parçali, isletmesi zor arazi parçalari	Taban suyu yüksek, iyi toprak Mevcut fidanliklar araziyi verimli kullaniyor	Ankara Çayi boyunca uzanan yesil kusak içinde üretim faaliyeti sürdürülmeli, kesin olarak yapilasmaya, baska kullanimlara ya da kurumlara tahsisine izin verilmemelidir
12	GELISTIRME	Konut ve sanayi alanlari içinde kaliyor Tarimsal verimi düsük arazi		 Kuzeyde konut bölgesinde kalan parça kent parki olarak degerlendirilmelidir Dogudaki parçada AR-GE ve Fuar kullanimlari gelistirilebilir.
13	GELISTIRME	1) Kentsel kullanim baskilari	Erisebilirlik Metro duraklari Batikent – Çayyolu konut gelismeleri arasında köprü	Konut ve kamu kurumlarinin kullanimina açılmamalidir AOÇ'ye gelir getirici ticari faaliyetlere izin verilebilir
14	GELISTIRME	1) Kentsel kullanim baskilari	Erisebilirlik Metro duraklari Batikent – Çayyolu konut gelismeleri arasında köprü	1) Konut ve kamu kurumlarinin kullanimina açilmamalidir 2) Eskisehir yolu boyunca AOÇ'ye gelir getirici ticari faaliyetlere izin verilebilir 3) Güneyinde konut alanlarina dogru gene AOÇ'ye gelir getirici spor ve dinlence olanaklari yaratilabilir
15	KORUMA GELISTIRME	Büyük arazi isteyen kullanimlarin baskisi, Radyo Vericileri, Hipodrom	1) Batikent ile Eryaman arasinda yesil kusak	Kisa erimde korumaya yönelik üretim sürdürülmelidir Uzun erimde Hayvan parki ve doga düzenlemeleri gelistirilebilir

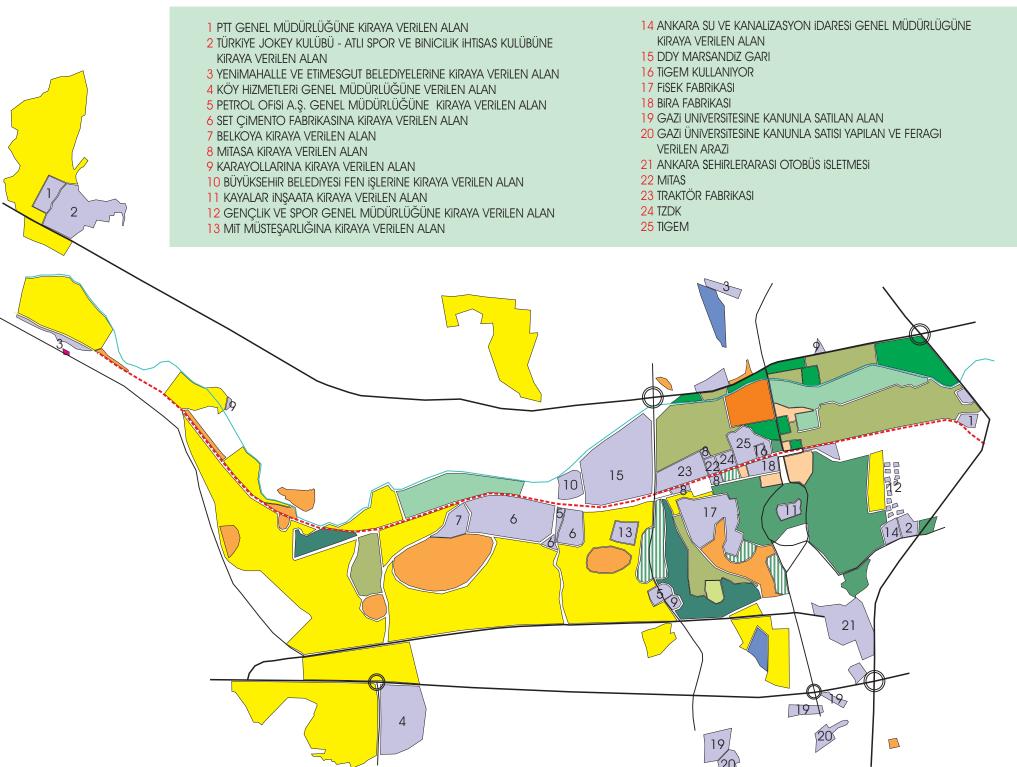




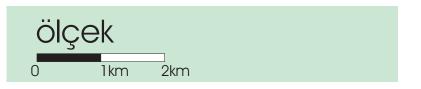




a.o.ç. arazi kullanımı 1997







AOÇ Arazilerinin Deðerledirilmesinde Bölgeciklerin Projelendirilmesinde Ýþbirliði Yapýlacak Kurumlara Ait Önermeler

Bölge	
1	Yerel Yönetimle isbirligi yapilarak kentsel park mekani üretilmelidir
2	Merkezi Yönetimle isbirligi yapılarak restorasyon çelismaları, Marmara Oteli ve çevresinin bitirilmesi, Marmara Köskü'nün Müze haline getirilmesi
3	Merkezi Yönetimle Fisek Fabrikasında kullanım dönüsümü ve restorasyon, Gönüllü Kuruluslarla agaçlandırma
4a	Merkezi ve Yerel Yönetimle yeni odak alanın projelendirilmesi, AOÇ olanaklarıyla üç boyutlu tarıma geçis
4b	Merkezi Yönetimle yeni istasyon, Yerel Yönetimle yeni odak alan, Uluslararasi kurumlar ve elçilikler araciyla golf alanı projelendirilmesi, AOÇ olanaklarıyla üç boyutlu tarıma geçis
4c	Merkezi ve Yerel Yönetimle alan iyilestirmesi, kisa erimde yeni yol sisteminin gerçeklestirilmesi
5	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
6	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
7	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
8	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
9	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
10	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
11	AOÇ olanaklari ile, ya da özel üreticilerle fidanlik türü üretim
12	Yerel Yönetimle kent parki, Odalar ile AR-GE etkinligi ve fuar alani
13	Yerel Yönetim ve özel girisimcilerle ticari girisim ve spor olanaklari
14	Yerel Yönetim ve özel girisimcilerle ticari girisim ve spor olanaklari
15	AOÇ, Merkezi Yönetim, Yerel Yönetim ve Uluslararasi kurumlarla hayvan ve Doga Parki







VÝZYON:

Kentlerdeki yeþil alan organizasyonu açýsýndan Türkiye'ye örnek teþkil edecek yapýda, Atatürk'ün mirasýna sahip çýkan, kentin ve kentlinin farklý rekreasyon ihtiyaçlarýný karþýlayabilecek nitelikte fiziksel çevre olarak Ankara makraformundaki konumunun önemini kavramýþ, üzerine düþen sorumlulluðu taþýyabilecek, bir organizasyonu gerçekleþtirebilmektir.

MÝSYON:

Yukarýda tanýmladýðýmýz vizyonu gerçekleþtirecek, ana hedefimiz AOÇ'nin kuruluþ amaçlarý ýþýðýnda eski kimliðini yeniden canlandýrýlmasý ve AOÇ'nin kuruluþ felsefesi ýþýðýnda sürdürülebilir yeni bir kimlik yaratmaktýr.

HEDEFLER:

Projenin topsumsal hedefleri;

Çiftlik içinde olubturulacak organizasyonla Ankara kimliðine yeni ve farklý bir boyut eklemek, tarihten gelen ve unutulmaya yüz tutmuþ ögelerin kullanýma açmak, kent için kulanýlabilir ve açýk alan yaratmak, kentin rekreatif ihtiyacýný karþýlamak, Atatürk'ün mirasýna sahip çýkmak, çiftlik arazi varlýðýnýn kaybedilmesini engellemek, kente sahip çýkma ve kentlilik bilincinin pekiptirilmesi için kurulacak organizasyon yapýsýyla projeyi tüm kentlilerin ortak projesi yaparak daha sonraki projeler için örnek olubturmak.

Projenin çevreye ilibkin hedefleri;

Bu 33800dekarlýk alanda uygulanacak organizasyon ile Ankara'nýn ekolojik dengesine katkýda bulunacak bir alan oluþturmak, yöresel bitkileri kullanarak doðal hayatýn sürekliliðini saðlamak, doðal hayatý öðretmek ve yaþamý sorgulayabilmek için uygun ortam yaratmak, Türkiye'deki açýk alan yaklaþýmýna antitez olabilecek nitelikte bir proje gerçekleþtirerek örnek olmak, Türkiye genelinde sektörel olarak gerileyen tarým olgusunu çiftliðin kuruluþ amaçlarýndan yola çýkýlarak desteklemek ve yeniden örgütlemek.

YÖNETÝM:

AOÇ'nin yönetim sistemin kurulumasý için uygun yönetsel yapýnýn araþtýrýlmasý gereklidir. Kalýcý ve etkin bir yönetim sistemi, içerisinde oluþacak piramit içerisinde görev alacak kuruluþlarýn görevleri ve çalýþma alanlarý gibi idari, mali ve teknik sorumluluklar da belirlenmelidir.

Yasal çerçeveyi olubturan tüm ilgili yasa ve yönetmelikler incelenerek, çeliben noktalar, eksiklikler ve açýk noktalar belirelenmeli, günün kobullarýna uygun hale getirilmelidir.

Uzun vadeli, kapsamlý ve kalbýcý planlama ve stratejilerinini eksikliði, siyasi baskýlara, çýkar çevrelerinin benmerkezci amaçlarýna olanak saðlamakta; halihazýr kuruluþ ve yasalarý iþlevsiz kýlmaktadýr.

Artýk planlamada yeni yöntem, yalnýzca yeterli plan hazýrlamak deðil, onun politikasýný da kurmak olmalýdýr. Bu amaca yönelik yeni politikalar; disiplinler arasý bir eþgüdüm sonucu üretilmelidir. Etkin bir planlama süreci oluþturmak için; fiziki ölçekli planlar kadar uygulama stratejileri ve politikalarý da geliþtirilmelidir. Çevre duyarlý bütüncül planlama yaklaþýmýnda; doðal kaynaklar ve doða bozulmadan, yaþam kalitesinin artmasý hedeflenir. Bu hedefe ulaþmak için ekolojik, mekansal, ekonomik ve sosyal sürdürebilirliðin saðlanmasý gereklidir. Planlama- programlama- uygulama- denetim süreci belirlenmelidir. Planlama kavramý; süreklilik, demokratiklik, bütünsellik, bilimsellik, katýlýmcýlýk, eþitlik ilkelerini içermeli, kamu ve toplum yararýna saðlanmalýdýr.

Dünya literatüründe koruma ve kullanma dengesini saðlayarak geliþmeyi tanýmlayan sürdürülebilir kalkýnma ilkesi ivme kazanýrken ülkemizde kalkýnmayý sadece ekonomik ve sanayi alanlarýndaki geliþmelere baðlayan, geliþmiþliði elle tutulur, gözle görülür, en büyük, en görkemli mühendislik eserleriyle tanýmlayan anlayýþ hala hüküm sürmaktedir. Duyarlý alanlar ve konularla ilgili kiþilerin ne yazýk ki kendi aralarýnda sürekli tartýþtýklarý konular ne yazýk ki karar odaklarýndaki görevlilere hala yabancý, kalkýnma olgusunun yanýnda küçümsenen, önemsiz konular olarak görülmektedir. Duyarlý çevreye zarar verenlerin yalnýz kýsa dönemde kiþisel kar amacý güden çýkarcý gruplar deðil ayný zamanda biliçsizlikle hatta bazen iyi niyetle bu katliama ortak olna kiþi ve kuruluþlar olabildiði görülebilmektedir.

Yönetsel yapýnýn en üst düzey yetkililerinden baþlayark toplumun tüm katmanlarýný kapsayan çocuk ve gençlerin eðitimlerini reforma kadar giden bi bilinçlendirme stratejisi ve çevre sözcüðünü basmakalýplýktan kurtararak, çevrenin her bir öðesinin özümsenerek anlaþýlmasýný saðlayacak bir strateji geliþtirilmelidir.

Sürdürülebilirlik kalkýnma stratejisi, yalnýzca hükümettarafýndan uygulanan bir eylem olmaktan ileri gidememþtir. Kiþilerin kendi içinde yaþadýklarý çevrenin oluþumuna katkýda bulunduklarý, bu çevrenin geliþmesini sürekli izleyip katkýya devam edecekleri, sonunda da kendi istemedikleri olulumlara denetleyebilecekleri bir örgütlenmeye gereksinim vardýr. Yani katýlýmcý, demokratik ve saydam yönetsel örgütlenme olmalýdýr.

Kent dinamiðini kendi içindeki etkileþimleri ele alamayan parçacý- sektörel bir yaklaþým, kentsel geliþimlerin kendi içinde ve çevresinde olan etkilerini saptamakta ve yönlendirmekte baþarýlý olamaz.

Ülkemizde kent ekolojisi- doða ekolojisi alanlarý arasýnda bir eþgüdüm olmadýðý gibi, kent içindeki her bir sektör de kendi içinde diðer sektörlerden baðýmsýz olarak ele alýnmaktadýr. Kent planlamsýnýn ulaþým ve altyapý planlamasý ile eþgüdümü olmadýðý gibi enerji, sanayi vs amaçlý kullanýmlar da kendi içilerinde baðýmsýz kurallar çerçevesinde ele alýnmaktadýrlar.

Yerellebme ve demokratiklebme ilkeleri çerçevesinde merkezi hükümetin, bölgesel ve yerel yönetimleri planlamadaki yetki ve sorumluluklarý yeniden düzenlenmelidir.

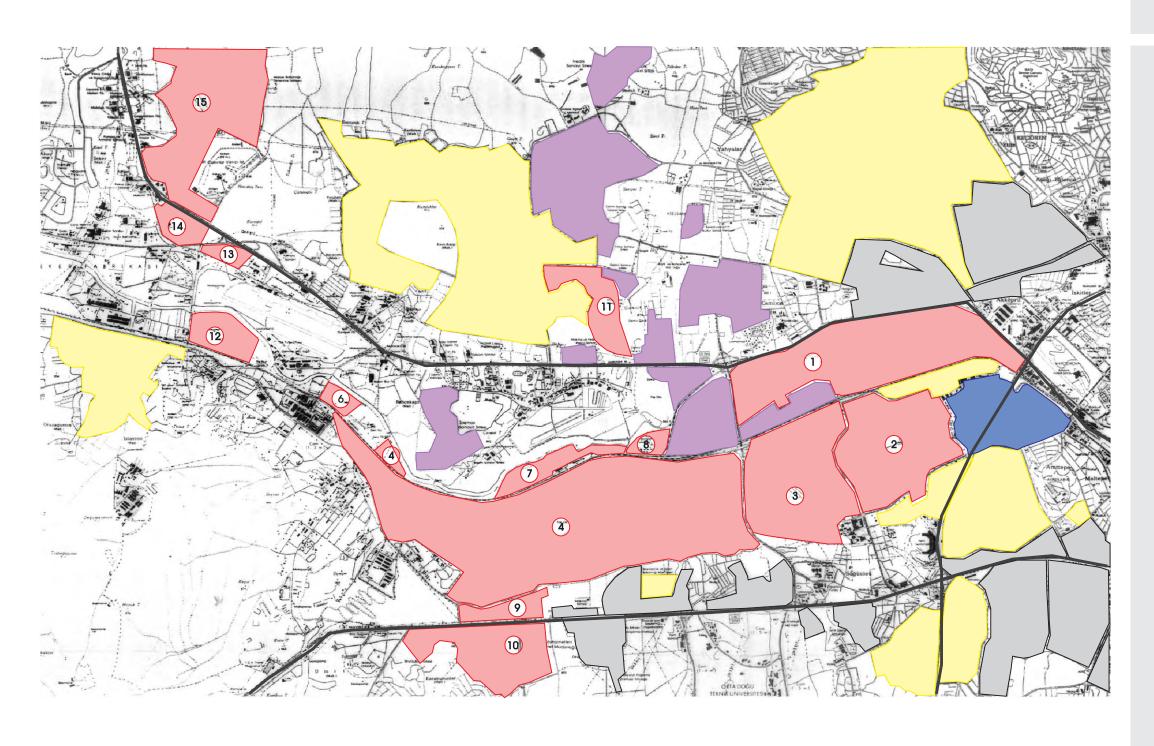
Ülkemizdeki yetki karmaþasý yönetsel olarak bürokrasiyi kilitlemekte aþýrý bürokratik iþlemler yatýrýmcýyý ve sivil toplum örgütlerini bezdirmektedir ve bunun sonucu olarak yetki ve sorumluluklarýn tek elde toplanmasý gereði açýktýr. AOÇ için jeoloji mühendisi, jeolog ve jeomorfolog, harita ve kadastro mühendisi, mimar ve þehir plancýsý, peyzej mimarý, inþaat mühendisiden olulþan bir komisyon kurulmalýdýr ve bu komisyon tarafýndan bir yönetmelik hazýrlanmalýdýr. Bu komisyon mevcut projeleri deðerlendirip uygulma aþamasýnda finansaman yaratmak, projeyi sivil toplum örgütlerine ve Ankara halýkýna tanýtmak, ve hayata geçirilmesinde ve korunup bakýmýnýn yapýlmasýnda çiftlik yönetimi ile iþbirliði içinde çalýþacaktýr.

ATATÜRK ORMAN ÇIFTLIGI KENTSEL TASARIM PROJESI

orta dogu teknik universitesi

kentsel tasarim stüdyosu

a.o.ç. parçalarý



A.O.Ç. ARAZI PARÇALARI
KONUT KÜTLELERI

KAMU ARAZİLERİSAGLİK ve EĞİTİM

ALANLARI
SANAYI ALANLARI









yapýsal plan



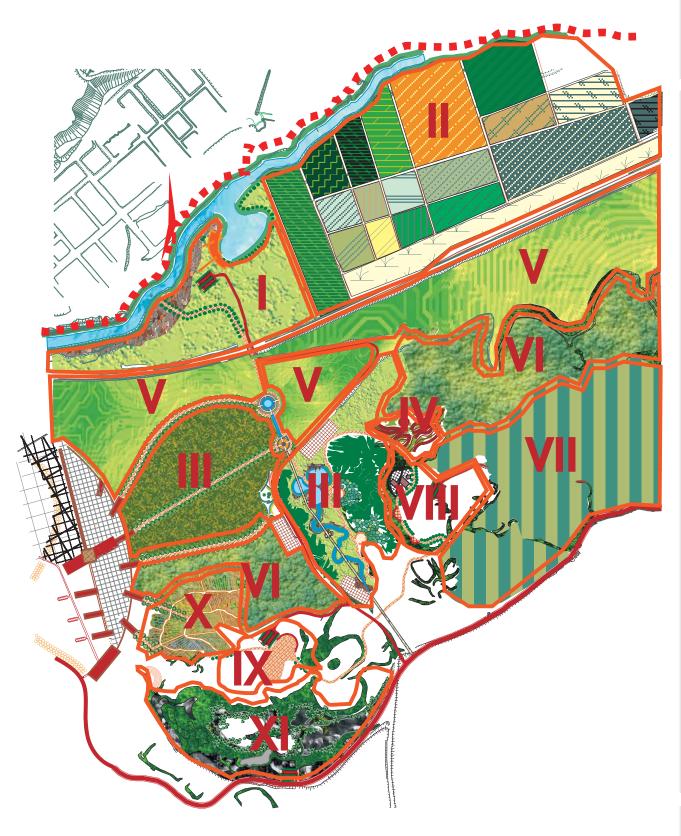






VADÝ SÝSTEMLERÝ. ESKÝ VE YENÝ MERKEZ ARASINDA DÜÞEYDE BÝR SÝSTEM OLUPTURURKEN, BÝRÝNCÝ VADÝ DOĐU-BATI DOĐRULTUSUNDA UZANAN VE ALANIN ORTASINDAN GECEN YOLA DÝK OLARAK SAPLANAN SÝSTEMÝN BAÞLANGIÇ NOKTASINDA YER ALMAKTADIR. BU BÖLGEDE ÖNGÖRÜLEN KULLANIMLAR **ÞU ÞEKÝLDE SIRALANABÝLÝR**;

- I. DERENÝN ÝYÝLEÞTÝRÝLME PROJESÝ KAPSA MINDA, BU ALANIN LOKANTA, BALIKÇILIK VE REKREASYON AMAÇLI KULLANIMI,
- II. MEVCUT FÝDANLIK ALANININ GELÝÞTÝRÝLEREK KORUNMASI VE DEÐÝÞÝK FÝDAN TÜRLERÝNÝN YETÝÞTÝRÝLMESÝ,
- III. BOTANÝK PARKI;
- SERALAR KOMPLEKSÝ VE FÝDANLIK .GÖL, SU ÝCÝ VE KIYISI BÝTKÝLERÝ BÝLÝMSEL AMAÇLI BÝTKÝSEL ALANLAR
- .TERAS BAHÇESÝ
- .KAYA BAHÇESÝ
- .DOĐAL AMFÝ
- .KLASÝK BAHCE
- .ÝC ANADOLU VADÝ SÝSTEMÝ
- .TIBBÝ BÝTKÝLER BAHÇESÝ
- .GÜL BAHÇESÝ
- .ENDEMÝK BÝTKÝLER
- .STEP BÝTKÝLERÝ
- .ARBORETUM
- .NERGÝS BAHÇESÝ
- IV. DOĐAYLA BÜTÜNLEÞÝK VE ÝÇERÝSÝNDE KONSER, TOPLANMA GÝBÝ DEĐÝÞÝK AKTÝVÝTE LERÝN YAPILABÝLECEÐÝ AÇIK **MEKAN**
- V. ORGANÝK TARIMIN YAPILDIÐI VE KUÞBURNU, KOKULU OSMANLI ÇÝLEÐÝ, ÜZÜM, AHUDUDU GÝBÝ ÖZEL ÜRÜNLERÝN YETÝÞTÝRÝLECEÐÝ TARIM ALANLARI VE **SERALAR**



atatürk orman çiftliði iyileþtirme projesi kapsamýnda botanik aksý planlamasý

VI. HERDEM YEÞÝL AÐAÇLARIN YER ALDIÐI AÐAÇLIK ALAN

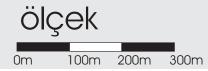
VII. GOLF SAHASI

VIII. ALANA HAKÝM BÝR NOKTADA YER ALAN ÞARAP EVÝ VE BAKI TERASLARI

IX. GÖZLEM KULESÝ VE BAKI TERASLARI **NIN YER ALDIÐI ALAN**

X.TERASLI TARIM

XI. TAÞ OCAKLARININ YER ALDIÐI ALA NIN ÝYÝLEÞTÝRÝLME PROJESÝ KAPSAMINDA HEYKELTRAÞLARIN YARATICILIÐINA SUNULMASI VE KONSERLERÝN DÜZENLENEBÝLECEÐÝ ÖZEL ALANA DÖNÜÞTÜRÜLMESÝ PROJE KAPSAMINDAKÝ KONULARDIR.









PROJE:

1. Koruma

Hayvanat bahçesi ile Anadolu Bulvarý arasýnda kalan alan daha sonraki bir aþamada hayvanat bahçesinin büyüme alaný olarak saklanacak ve bu aþamaya kadar da fidan üretim sahasý olarak iþlevini sürdürecektir. Mevcut fidanlýk iþlevini sürdürecek, þarap ve meyva suyu fabrikasýnýn üretim sahalarý ve kapasiteleri geniþletilecek. Yeni pazar araþtýrma çalýþmalarý yapýlacaktýr.

2. Saðlýklaþtýrma

Çiftlik yönetimi, lojmanlar, bira fabrikasý ve çevredeki lokanta ve büfelerin çevre düzenlemesi projeleri ile fiziksel yapýlarý estetiðe kavuþturulacak.

3. Kamuya kazandýrma

Fiþek Fabrikasý'nýn uzun dönemde kapatýlacak, arazisi rekreasyon için kullanýma açýlacak, Marmara Köþkü'ü tekrar kamunun kullanýmýna açýlacak.

7. Özel üretim

Kar marjý yüksek tarýmsal üretim ve yeni teknikler çiftçilere ulaþtýrýlacak.

5, 6, 12, 13, 14, 15. Üretim

Çiftliðin kuruluþ amaçlarýndan olan Ankara halkýna temiz ve ucuz gýda maddeleri saðlamak, Ankara civarý çiftçisinin tohumluk ihtiyacýnýn karþýlanmasýna katkýda bulunmak için bu alanlarda tarýmsal üretim yapýlacak.

8, 9, 10, 11. Kente kazandýrma

Çiftliðin konut bölgeleriyle direkt baðlantýsýný saðlamak için kentsel parka dönüþtürülecek.

4. Gelibtirme

Bu parçanýn bütünlüðünü bozmadan kentsel karakterden kýrsal karaktere geçiþ göreceli olarak saðlanacak.

Ekolojik veriler dikkate alýnarak düzenlemeler yapýlacak, ve bu amaçla bitkisel düzenlemede step örtüsü bitkileri kullanýlacak. Bu da ayrý bir peysaj yönetmeliði ile saðlanacak.

Parçanýn Anadolu Bulvarý'na yakýn olan kýsmýnda yeni bir merkez yaratýlacak ve giriþ güney de Bilkent kavþaðýndan, kuzeyde ise Ýstanbul yolunda yapýlacak yeni bir kavþaltan saðlanacak.

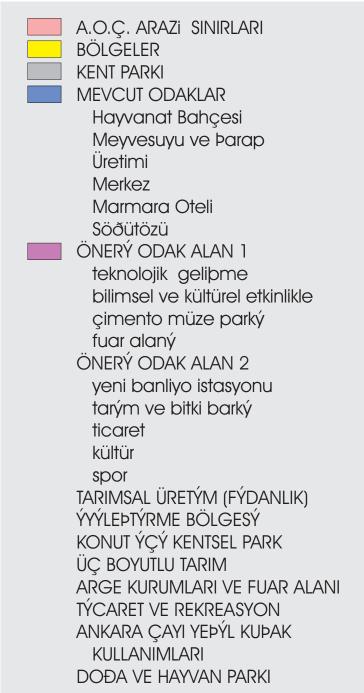
Yeni merkezin kuzeyinde bulunan Çimento Fabrikasý ve Petrol Ofisi etrafýna ilk etapta tampon bölge uygulanmasý yapýlacak, ileriki aþamalarda ise yapýlara zarar vermeden iþlevleri burada sona erdirilecek, ve yapýlar yeni iþlevler ile merkeze kazandýrýlacak.

Yeni merkezde lojman, zihinsel ve fiziksel rekreasyon mekanlarý; sinema, tiyatro, workshoplar, konferans salonu, spor aktiviteleri, sivil toplum örgütlerinin çalýþma birimleri, müze, kütüphane, mevcut olacaktýr. Yeni merkezin inþaat aþamasý AOÇ yönetimi tarafýndan açýlacak ihale usulu ile yap- iþlet- devret methodu ile 4 yýlda tamamlanacak, ve iþletme hakký 4 sene ile sýnýrlandýrýlacak. Böylece inþaata baþlanmasýndan 8 sene sonra tüm proje tamamlanmýþ ve geliri tamamen AOÇ yönetiminde kalacaktýr.

Cumhuriyetin kuruluþunun 80. Yýl dönümü kutlamalarýna bitmesi planlanan yeni merkezin bu kutlamalar kapsamýnda ilk gösterilere sahne olacaktýr. Buraya gelen halkýn, okullarýn ve sivil toplum örgütlerinin de katýlýmýyla "Gelin AOÇ'yi yeþillendirelim!" kampanyasýnýn hayata geçirilmesi ile peysaj kodlamamýz doðrultusunda aðaçlandýrma çalýþmalarýnýn 2 sene içerisinde bitirilecek.

Yeni merkezin batýsýnda yer alan tepelerde alternatif enerji ar-geleri, bir gözlemevi, tarýmsal ar-geler, bisiklet ve yaya yollarý, açýk ve kapalý spor sahalarý yer alacak. Ulaþým ise lastik tekerlekli tarktörler ve teleferik ile saðlanacak. Bunlarýn yaný sýra alanýn doðusunda çiftliðin artýk kýr karakterine dönüþtüðü noktada ise, þuanda mevcut olan besi çiftiliði, restore edilip ek binalarla Ankara halkýnýn kullamýna açýlacak. Burlada istekli olanlarýn konaklayabilmesi, tarýmsal üretime katýlabilmesi, binicilik faaliyetlerinde faydanlanmasý, katký maddesiz yetiþtirilmiþ ürünleri satýn alabilmesi saðlanacaktýr.

sentez













alternatif yeni merkez

Eski merkeze alternatif olarak þehrin geliþimi ve gereksinmeleri göz önüne alýnmýþ ve yeni bir merkez önerilmiþtir.

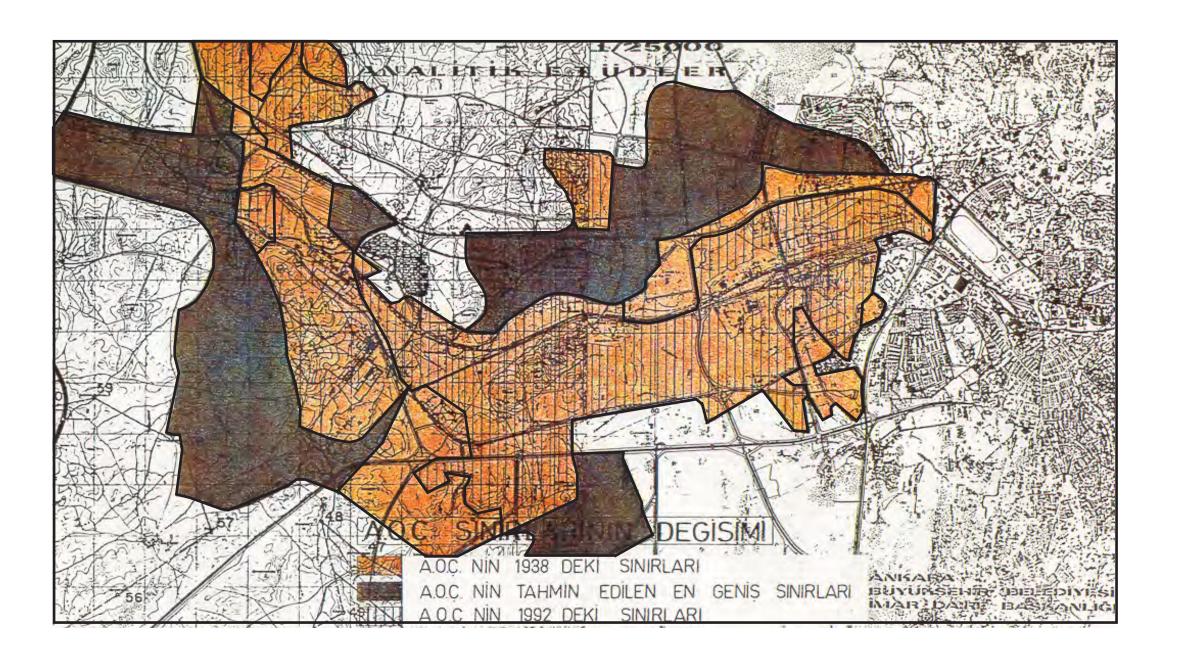
Yeni merkez çevreyle hem demiryolu hem de karayolu ile baðlantý kurmaktadýr. Proje genelinde doðal yapýnýn bozulmamasýna dikkat edilmiþ ve hatta daha da destekleyici bir tavýr takýnýlmýþtýr. Modern anlamda bir mimari dil kullanýlmýþ ve önerilen yapýsal alanlarýn doðayla yani çevreyle iç içe olmasýna dikkat edilmiþtir.

Yeni merkez genelinde öðrenme ve tecrübe kavramlarý desteklenecek þekilde bir öneri sunulmuþtur. Bu projede merkeze giriþi saðlayan istasyon, müze (genel, açýk ve kapalý fonksiyon alanlarý olarak), meydanlar botanik bahçesi, ofisler, seyir kulesi, açýk ve kapalý sergi ve gösteri alanlarý, uluslararasý tüm çalýbmalara ve hatta öðrencilere açýk laboratuvarlar, hosteller ve alýþveriþ birimleri önerilmiþtir.

Tüm bu yapýsal öneri arazinin zengin, genel yapýsý gözönüne alýnarak, topoðrafyaya uygun bir þekilde tasarlanmýþtýr.



ESKI SINIRLAR



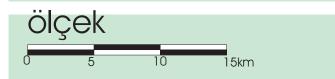


Havaalanları

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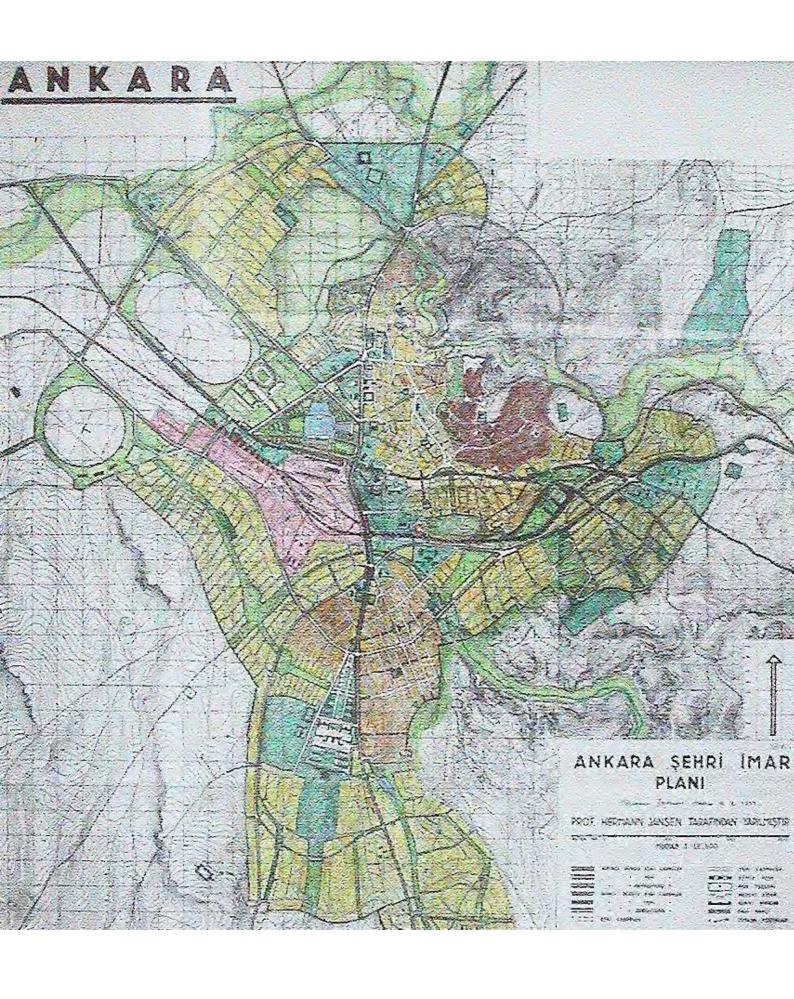
SIVIL

A.O.Ç. ARAZİLERİ

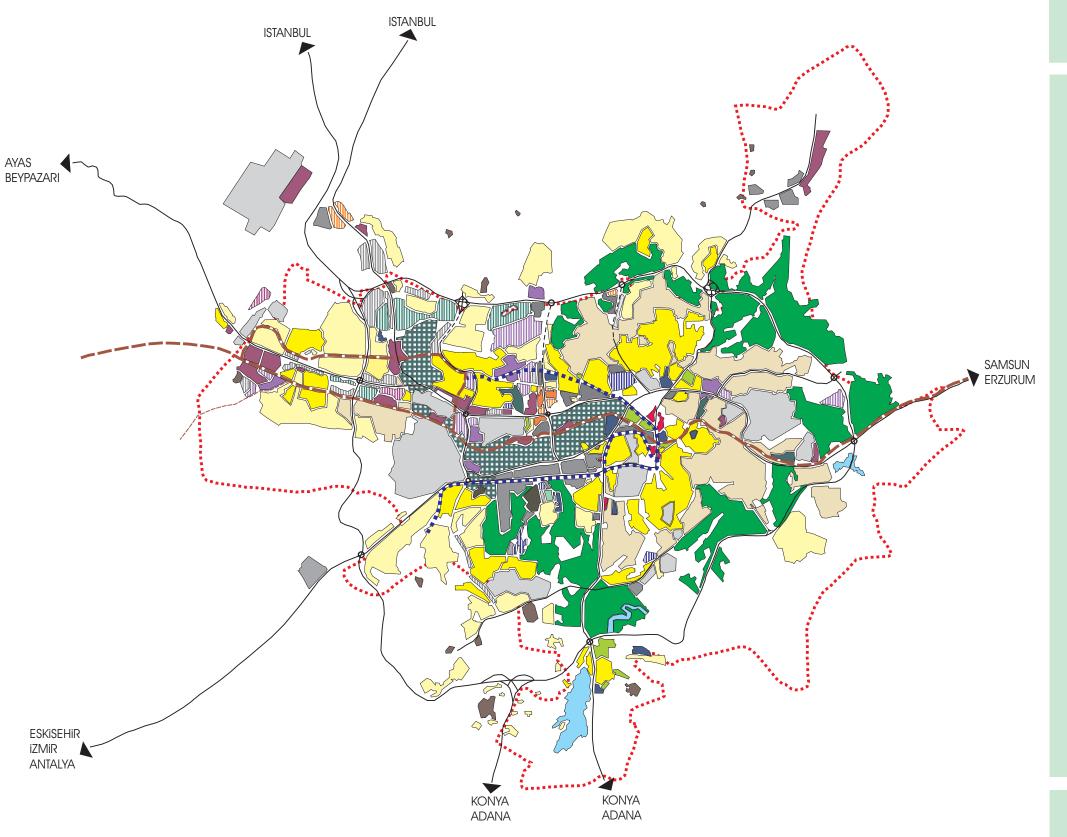


APPENDIX C

DEVELOPMENT PLANS and 1996 LAND USE of ANKARA



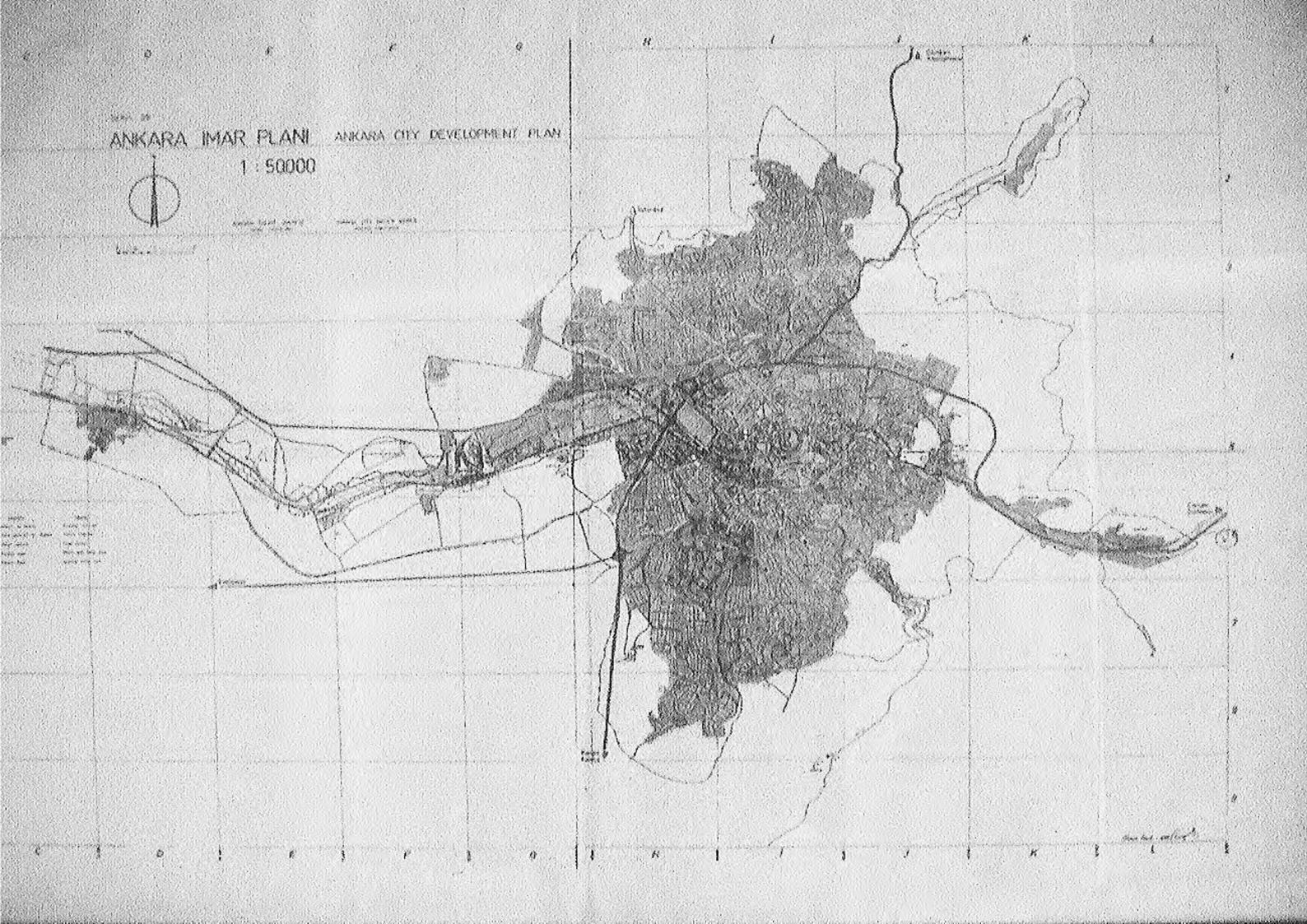




ankara arazi kullanımı -1996



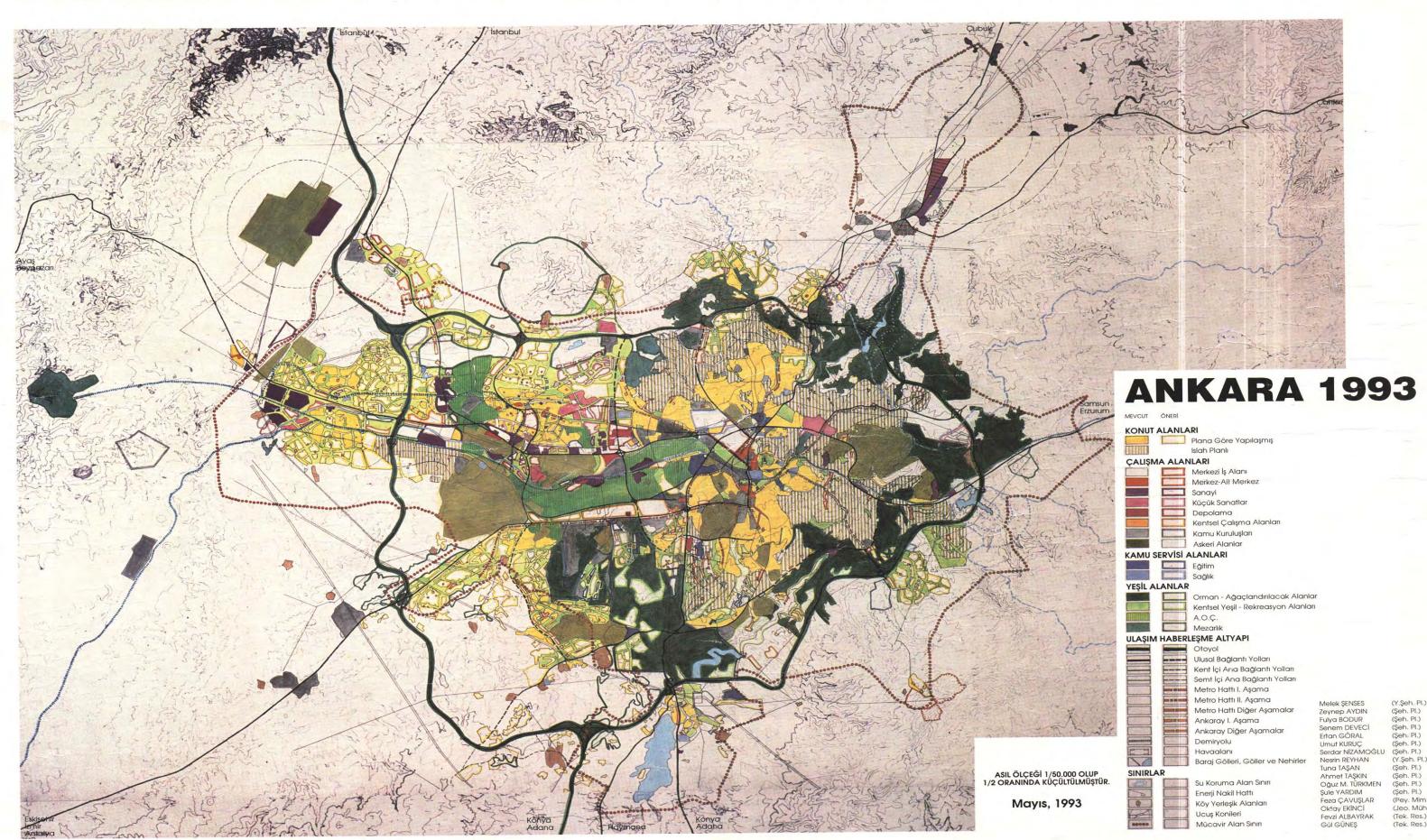




ölçek: 1/100.000



ANKARA 2025 METROPOLITEN ALAN PLANLAMA ÇALIŞMALARI



APPENDIX D

ESTABLISHMENT LAW and RELATED LAWS of AOÇ

C. RÎVASETÎ +/5/+5 Maligrye y y him.

Başvekâlets

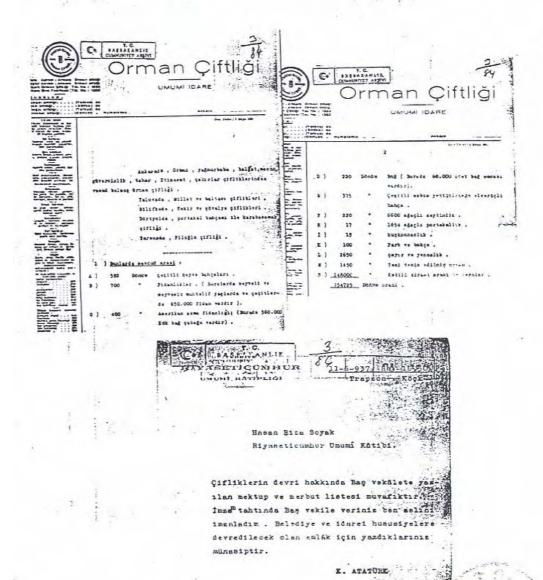
Malum olduğu üzere, zirast ve ziraî iktisat sahasında fennî ve amelî tecrübeler yapmak maksadile muhtelif zamanlarda memleketin muhtelif mintakalarında müteaddit çiftlikler tesis etmiştim .

On Uç sene devam eden çetip çolişmaları esnasında faaliyetlerini ; bulundukları iklimin yetiştirdiği her çeşit mahaulattan başka, her nevi zirast sanatlarına da teşmil eden bu müesseseler; ilk senelerden başlayan bütün kazançlarını inkişaflarına sarfaderek büyük küçük mütesddit febrike ve imalatbaneler tesis etmişler , bütün zirast makina ve aletlerini yerinde ve faydelı şekilde kul lenerek bunlerın hepeini temir ve mübim bir kısmını yeniden ical edecek tesisat vucuda getirmişler, yerli ve yabancı bir çok hayvan ırkları üzerinde çift ve mahsul bakımından yaptıkları tetkikler neticesinde, bunların muhite en elverişli ve verimli olanlarını tesbit etmişler, kooperatif teşkili suratile, veya aynı mahiyette başko suretlerle civar köylerle beraber faydalı şekilde çelişmişlar, bir taraftan da iç ve dış piyasalarla daimî ve eiki temasta bulunmak suretile, faeliyetlerini ve istihaallerini bunların isteklerine uydurmuşlar, ve bugün her bakımdan verimli, olgun ve çok kıymetli birer varlık haline gelmişlerdir . Çiftliklerin, yerine göre araziyi islah ve tenzim etnek, nuhitlerini güzelleştirmek, helka gezecek, eğlenecek ve dinlenecek sıhnî yerler, hiylesiz ve nefis gida meddelerî temin eylemek, bazı yerlerde ihtikarla filî ve muvaffakiyetli mucadelede bulunmak gibi hizmetleri de zikre sayandır . Bunyelerinin metanatini ve muvaffakiyetlerinin temelini teskil oden geniş çalışma ve ticarî esaslar dahilinde idare edildikleri, ve memleketin diğer mintakalarında da, mümasilleri tesis edildiği takdirde, teorübelerini müspet iş sahasından alan bu müesseselerin zirast usullerini düzeltme, istihaslatı arttırma ve köyleri kalkındırma yolunda devletçe slinen ve alinacak olan tedbirlerin hüsnü intihap ve inkişafına çok müssit birer smil ve mesnet olacaklarına keni bulunuyorum, ve bu kansatle, tasarrufum altındaki bu çiftlikleri bütün tesiest, hayvanat ve demirbaşlarile beraber hazineye hediye ediyorum . Çiftliklerin arazisi ile tesişət ve demirbaşını mücmel olersk gösteren bir liste ilisiktir .

Muktari kanuni muamelenin yapılmasını dilerim . II-VI-1937 .

. Otaling

(Bağış Mektubunun Eki)1



Belgenin yalnızca ilk iki sayfası alınmıştır. Öteki sayfaları taşınmazlarla ilgilidir.



Asimin Aynisidir ILo311063. Hatice SELAM Evrek Memuru.

cvice

SENET

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Akit tablosu

Mülähazat

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Action Aynision Alana Selam Hatica Selam

Evrak Memuru



EKLER 5

-		2000	
(Bagisa	Konu	Tasinmaz	lar)

					BAC	33	Baigat/Dolap	80.438,00	Haziran 1341	161	
SIRA	BULUNDUĞU YER	TAPU (M²)	GELDIĞI KAY TARİM VE SA	7.7.	BAĞIŞ SENEDİ SIRA NO.	34	Baigat/Dolap	68.948,00	Haza	62	-
					Ď	35	Balgat/Dolap	294.167,00	Haziran 1341	63	
1	Balgat/Köyiçi	172,5	Haziran 1341	15	53	36	Balgat/Deveonū	10.342,00	Haziran 1341	64	1
2	Balgat/Bağlaraltı.	28.948,00	Haziran 1341	17	54	37	Balgat/Yassıçayırı	68.948,00	Haziran 1341	65	1
3	Balgat/Bağlaraltı	55.158,00	Haziran 1341	19	55	38	Balgat/Yassıçayırı	22.522,00	Haziran 1341	66	1
4	Balgat/lkiyolarası	33.094,00	Haziran 1341	20	56	39	Balgat/Yassıçayırı	10.342,00	Haziran 1341	67	
5	Balgat/Dövenlik	53.778,00	Haziran 1341	21	57	40	Balgat/Köprüaltı	2.752,00	Maruan	68	İ
6	Balgat/Höyüklerde	61.133,00	Haziran 1341	29	58	41	Balgat/Kuyucak	220.862,00	Haziran 1341	69	
7	Balgat/Derekaşı	1,838,00	Haziran 1341	30	59	42	Balgat/Yalincak	28.038,00	Haziran	70	
8	Balgat/Köyardı	154.442,00	Haziran 1341	31	94	43	BalgavDolap	11.031.00	Hazu.31	71	
9	Balgal/Çiğdemtepe	96,525,00	Haziran 1341	33	60	44	BalgaVDolap	90.092,00	Haziran	72	
10	BalgaVÇiğdemtepe	23,982,00	Haziran 1341	34	61	45	Balgat/Yedençavuş oğlu	275.791,00	Haziran 1341	73	
11	Balgal/Çiğdemlepe	20.684,00	Haziran 1341	35	62	46	Balgat/Emirçayırı	1.938,00		21	
12	BalgaVÇiğdemtepe	53.319.00	Haziran	20	62	47	Balgat/Kışlabayırı	216.954,00	8.7.1341	22	
		00.515,00	1341	36	63	48	Balgat/Taşlık	23.902,00	8.7.1341	23	
13	Balgat/Çukuranbar	65.499,00	Haziran 1341	37	95	49	Balgat/Yassıçayır	10.112,00	8.7.1321	24	
14	Balgat/Kuyucaküst	126.403,00	Haziran	39	64	50	Balgat/Dereönű	91.011,00	8.7.1341	25	
15	Balgat/Kuyucaküst	102.042,00	Haziran 1341	40	65	51	Macun Çift./Danayatağı	229.825,00	9.7.1341	30	
16	Balgal/Söğütözű	5.973,00	Haziran 1341	41	96	52	Macun/Topraktepe ve toprakt.	1.011.233,00	9.7.1341	31	
17	Balgat/Söğütözü	2.757,00	Haziran 1341	42	97	53	Macun/Orm.Değ. Çub.Çayı	367.721,00	9.7.1341	32	
18	Balgal/Söğütözü	23.902,00	Haziran 1341	44	98	54	Macun Çiftliği/ Kesmekaya	13.789,00	9.7.1341	33	
19	Baiga/Söğütözü	2.526,00	Haziran 1341	45	66	55	Macun Çiftliği Macun	91.930,00	1341	34	
20	Balgat/Söğütözü	4.514.00	Haziran 1341	46	67	56	çift./Balıklıdağ	36.772,00	9.7.1341	35	
21	Balgat/Soğütözü	41.827,00	Haziran 1341	47	22	57	Macun çift./Köyiçi ve önü Macun	9.190,00	9.7 1241	3€	
22	Balgat/Söğütözü	45.965,00	Haziran 1341	49	68	58	Macun çift./Taşbaşında	137.895,00	9.7 1341	37	
23	Balgat/Yassikir	41.358,00	Haziran	E+	00	59	Balgat/Kışlabayırı	14.709,00	8.7.1341	38	
		41.300,00	1341	51	99	60	Balgat/Taşlık	19.305,00		39	
24	Balgat/Tilkiçukuru	401.274,00	Haziran 1341	52	69	61	Balgat/Yassıçayır	114.913.00		40	1
25	Balgal/Söğütözü	2.297,00	Haziran 1341	53	70	63	Balgat/Taşlık Balgat/Kışlabayırı	30.337,00 45.965,00	8.7.1341	48	
26	Balgat/Söğütözü	218.793,00	Haziran	54	71	64	Balgat/Taşlık	43.207,00	20.7.1541	70	
27	Balgat/Kuyucaküst	44 300 00	1341 Haziran	-		65	Balgat/Kışlabayırı	183.860,00	20.7.1341	171	
_	Û	41.368,00	1341	55	72	66	Balgat/Dolapyolu	137.895,00	20.7.1341	72	
28	Balgat/Kuyucaküst 0	5.514,00	Haziran 1341	56	73		Balgat/Köprübaşı	18.386,00		79	
29	Balgat/Kuyucaküst	45.046,00	Haziran	57	74	68	Balgat/Höyüklerde	9.190,00	29.9.1341	80	
30	Balgat/Karaova	314.401,00	1341 Haziran	58	75	69	Balgat/Yassıçayır 17/18 His.	18.386.00		8	
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EANUN NO: 5659

ATATURE ORMAN CIFTLIGI MUDURLUGU KURULUS KANUNU

24 Mart 1950

[Resmi Gazete ile neşir ve ilanı: 1 Nisan 1950 — Sayı: 7472]
3. t. Düstur, c. 31 — s. 2025

Madde 1 — Tarım Bakanlığına bağlı ve tüzelkişiliği haiz olmak üzere Ankara'da Atatürk Orman Çiftliği Müdürlüğü kurulmuştur.

Çiftliğin işletilmesi esasları Tarım Bakanlığınca tesbit edilir.

Madde 2 — Atatürk Orman Çiftliği Müdürlüğü bir müdürün idaresi altında bir müdür yardımcısı ile:

- A) Umumi ziraat işleri;
- B) Bağ, bahçe kültürleri ve ağaçlandırma işleri;
- C) Hayvancılık ve hayvanat bahçesi işleri;
- D) Ziraat sanatları işleri;
- E) Ticaret, idare ve levazım işleri;
- F) Hesap isleri;

şefliklerinden ve hukuk işleri servisinden tesekkül eder.

Müdürlüğün ticaret alanındaki faaliyeti işletmeden elde edilen mahsullerin veya bunlardan işletmenin ziraat sanatları kısımlarında değerlendirilmiş olanlarının satılmasına münhasırdır. Lüzumu halinde Müdürlüğün Tarım Bakanlığına bağlı müessese ve çiftliklerin elde ettiği veya değerlendirdiği mahsullerden alıp satmasına Bakanlıkça yetki verilebilir.

Müdürlüğün ziraat sanatları mevzuuna giren işlerde değerlendirilmek üzere dışardan yapabileceği satınalmalara ait esaslar Maliye ve Tarım Eakanlıklarınca birlikte tesbit olunur.

Madde 3 — (Değişik: 2580 - 14.1.1982) Atatürk Orman Çiftliği Müdürlüğünün sermayesi 500 000 000 (Beşyüzmilyon) liradır.

Bu sermayeyi ihtiyaca ve günün koşullarına göre bir katına (Birmilyar liraya) kadar artırmaya Bakanlar Kurulu yetkilidir.

Madde 4 — Sermayenin yıllık sâfi gelirinden % 25 i yedek sermaye olarak ayrılır. Onuncu maddeye göre satılacak gayrimenkullerin ve satışı takarrür edip de muamelesi tekemmül etmemiş arazinin bilanço kıymetleriyle satış bedelleri arasındaki fark doğrudan doğruya yedek sermayeye eklenir. Yedek sermaye ancak 8 inci maddede yazılı maksat için kullanılır.

Madde 5 — Mildürlük, özel hukuk esaslarına göre idare olunur. İşlemleri ve harcamaları 26.5.1927 tarihli ve 1050 sayılı Muhasebei Umumiye ve 2.6.1934 tarihli ve 2490 sayılı Artırma, Eksiltme ve İhale Kanunları hükümlerine tabi değildir. Bu iş-

lem ve harcamaların şekil, satınalma ve satma, yapma ve yaptırma, kiralama ve karaya verme ve hesap usulleri, menkul ve gayrimenkul amortisman payları ve müdür lük ile personelin görev ve yetkileri Maliye ve Tarım Bakanlıklarınca birlikte tesbit edilerek Bakanlar Kurulunca onanacak esaslar dairesinde yürütülür.

Madde 6 — Müdürlüğün bütçe yılı takvim yılıdır. Her bütçe yılına ait bilânço, kar ve zarar hesapları o yıl sonundan itibaren üç ay içinde Başbakanlık Umumi Murakabe Heyetine inçelenmek üzere tevdi olunur. Umumi Murakabe Heyetinin bu husustaki raporu bilânço, kar ve zarar hesaplariyle Türkiye Büyük Millet Meclisine sunulur. Bu raporla bilânço ve kar ve zarar hesapları Türkiye Büyük Millet Meclisi Bütçe ve Tarım Komisyonlarından müteşekkil Karma Komisyon tarafından tetkik edilerek Kamutayın tasvibine arzedilir.

Madde 7 — (Değişik 1, fikra : 3612 - 7.2.1990) Müdüriüğün bütçesi her yıl Maiiye ve Gümrük Bakanlığının olumlu görüşü üzerine Tarım Orman ve Köyişleri Bakanlığınca hazırlanarak yürürlüğe konulur.

Atatürk Orman Çiftliği Müdür ve memurları Tarım Bakanı, hesap işleri memurları, Maliye Bakanı ve hizmetliler, Müdür tarafından tâyin olunurlar ve aynı usule göre işlerinden çıkarılırlar.

Madde 8 — Çiftliğin bilánçosu zarar gösteren yıllarda bu zarar yedek sermayeden karşılanır. Yedek sermaye ile karşılanamayan kısım ertesi yıl Tarım Bakanlığı Bütçesine konacak yardım ödeneği ile kapatılır.

Madde 9 — Müdürlüğün bütün malları Devlet malı hükmündedir. Bu mallar aleyhine suç işleyenler Devlet malları aleyhine suç işleyenler gibi ceza görür.

Müdürlüğe ait gayrimenkuller, Müdürlük adına tapuya tescil edilir.

Madde 10 — Atatürk Orman Çiftliğinin bu kanunun yayımı tarihindeki sınırları içinde bulunan gayrimenkullerin gerçek veya tüzel kişilere devir ve temliki ve kamulaştırılması özel bir kanunla izin alınmasına bağlıdır.

Bu kanunun yayımı tarihinden önce resmi daire ve teşekküllere, Devlet Ziraat İşletmeleri Kurumu İdare Mecilsi kararı ve Tarım Bakanlığının muvaffakatiyle sahşı takarrür etmiş gayrimenkuller hakkında yukarıki fıkra hükmü uygulanmaz.

Çiftlik içinde müteferrik durumda bulunan sahipli arazi parçaları Menafii Umumiye İstimlak Kararnamesi hükümlerine göre kamulaştırılabilir.

Madde 11 — Müdürlüğün memurları hakkında 3.7.1939 tarihli ve 3659 sayılı kanun hükümleri uygulanır.

Madde 12 — Çiftlik memurlariyle aileleri çiftlik hudutları içindeki çiftliğe ait konutlarda müdürlük tarafından mahalli rayice uygun olarak takdir edilecek kira karşılığında barındırılabilirler. Çiftlikte ikametleri işletme icabindan olan çeşitli hizmetlilerie sürekli işçiler ve bunların aileleri Tarım Bakanlığı tarafından belirtilecek esaslar dairesinde müdürlükçe çiftliğe ait yerlerde parasız oturtulabilirler.

Madde 18 — Çiftlikte çalışan ve İş Kanununa tabi olmıyan sürekli işçilerin işten doğma hastalıkları halinde bunlar iki ay müddetle, ücretleri yarım verilmek ve tedavi giderleri ve yol paraları idare tarafından ödenmek suretiyle tedavi ettirilir.

Madde 14 — Bu kanun hükümleri gereğince yapılacak devirlerde gayrimenkullerin intikal, ifraz, ferağ ve senetsizden tescil işlemleriyle devrin gerekli kıldığı diğer işlemler ve belgeler her türlü vergi, resim ve harçlardan ve müdürlüğün çiftlik hudutları dahilinde sahip bulunduğu gayrimenkuller bina ve arazi vergilerinden müstesnadır.

Geçici Madde 1 — 7.6.1949 tarihli ve 5433 sayılı kanunun geçici birinci maddesi ile Devlet Üretme Çiftlikleri Genel Müdürlüğüne intikal eden kıymetlerden Gazı Orman Çiftliği ve Devlet Ziraat İşletmeleri Kurumu ticari işletmeler müessesesine ait para ve para hükmündeki kıymet ve alacaklar, menkul ve gayrimenkul mallar ve bütün hak ve menfaatler her türlü taahhüt ve borçlar bu kanunun yürürlüğe girdiği tarihteki vaziyetleriyle ve kayıt, defter ve belgeleriyle birlikte Atatürk Orman Çiftliği Müdürlüğüne devredilmiştir.

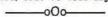
Yeni teşekküle bu kanunun yürürlüğe girdiği tarihten itibaren bir ay içinde Devlet Üretme Çiftlikleri Genel Müdürlüğü ödenmiş döner sermayesinden bir defaya mahsus olmak üzere bir milyon lira verilir.

Geçici Madde 2 — Geçici birinci madde gereğince yapılacak devirlerde mal değerleri Maliye ve Tarım Bakanlıklariyle Devlet Üretme Çiftlikleri Genel Müdürlüğü ve Atatürk Orman Çiftliği Müdürlüğü tarafından tâyin edilecek birer kişiden müteşekkil dört kilişik bir komisyon marifetiyle en son bilânço, yoksa defter değerlerine göre tesbit edilir. Bilânço veya defter değerlerinin bulunmaması halinde değerler komisyon tarafından doğrudan doğruya takdir olunur.

Madde 15 — Bu kanun yayımı tarihinde yürürlüğe girer.

Madde 16 — Bu kanun hükümlerini Bakanlar Kurulu yürütür.

figili kanunlar Ek: 6000, 6238, 6947 ve 7310 sayılı kanunlar.



T. C. Resmî Gazete

Kuruluş Tarihi: (7 Teşrinlevvel 1336) -7 Ekim 1920

Yönetim ve Yazı İşleri İçin Başbakanlık Neşriyat Daire Başkanlığına başvurulur

27 Mayıs 1983 CUMA

Says: 18059

YASAMA BÖLÜMÜ

KANUNLAR .

Atatürk Orman Çiftliği Mülkiyetindeki Bir Kısım Arazinin Devredilmesine İzin Verilmesi Hakkında Kanun

Kanun No. 2823

Kabul Tarihi : 24/5/1983

MADDE 1. - Atatürk Orman Çiftliği mülkiyetinde olup;

- a) Millî Savunma Bakanlığı kullanım bölgesinde bulunan Yenimahalle ilçesi, Çayyolu (Kutugün) Köyü sınırları içerisindeki 647, 648, 649, 662, 665, 668 parsel sayılı toplam 767 708 metrekare arazi ile Millî Savunma Bakanlığınca kullanılmakta olan Yenimahalle ilçesi Macun Mahallesi sınırları içerisindeki 3427, 3428, 3429 parsel sayılı toplam 488 500 metrekare arazinin, Tarım ve Orman Bakanlığı ile Millî Savunma Bakanlığı arasında tespit edilecek bedelle, Millî Savunma Bakanlığına tahsis edilmek üzere Hazineye,
- b) Çankaya ilçesi, Balgat köyü sınırları içerisindeki 2093/3, 2095/1, 2096/30, 35, 61, 83 parsel sayılı toplam 396 312 metrekare arazinin Tarım ve Orman Bakanlığı ile Gazi Universitesi Rektörlüğü arasında tespit edilecek bedelle Gazi Universitesine,
- c) Ankara Istanbul yolunun 7 + 860 inci km.'si ile Ankara Eskişehir yolunun 7 + 200 üncü km.'si arasını birbirine bağlayan ve Ankara nazım planına göre Ankara yeni çevre yolunun bir parçasını ve Anadolu Bulvarının devamını teşkil edecek şekilde inşa edilecek ve Atatürk Orman Çiftliği arazisinden geçecek olan çift yol için toplam 186 441 metrekare arazinin Tarım ve Orman Bakanlığı ile Bayındırlık Bakanlığı arasında tespit edilecek bedelle Karayolları Genel Müdürlüğüne,

Yasama Bölümü Sayfa : 1

Resmi Gazete Kodu: 270585

10.

. Resmi Gazete Fihristi 26. Sayladadır.

Lagina

13.06.97

850

KANUN NO: 2549

DEVLET MEZARLIĞI HAKKINDA KANUN

6 Kasım 1981 |Resmi Cazete ile neşir ve ilânı: 10 Kasım 1981 — Sayı: 17510| | 5. t. Düstur, c. 21 — s.34

Amaç ve Kapsami

Madde 1 — Bu Kanunun amacı; Türkiye Cumhuriyeti Cumhurbaşkanları ve Devlet Başkanları ile Cumhuriyetin kuruluşuna hayat veren Ulu Önder Atatürk'ün en yakın silâh arkadaşları olan İstiklal Harbi Komutanları (Kahramanları) için, Ankara'da, bir «Devlet Mezarlığı» tesisi ve bunun idame ve muhafazası ile ilgili hususları düzenlemeletir.

Türk milletinin, bir armağan olarak yalnız Büyük Kurtarıcısı için tesis ettiği Anıtkabirde Atatürk'ün ve ayrıca en yakın silâh ve mesai arkadaşı İsmet İnönü'nün kabirleri muhafaza edilir. Anıtkabir alanı içine başkaca hiçbir kimse defnedilemen.

Yeri, Yapunz ve Tünetimi :

Maddə 2 — Devlet Mezarlığı Atatürk Orman Çiftliği sahası içerisinde, Milli Savunma Bakanlığınca tesis edilir.

Ankara İmar Planı da dikkate alınarak Devlet Mezarlığı için tahais edilecek sahanın Atatürk Orman Çiftliği içerisindeki yeri ve büyüklüğünü (yüzölçümünü) tespit etmeye Bakanlar Kurulu yetkilidir. Tespit edilecek bu saha Milli Savunma Bakanlığının talebi üzerine Hazine adına tescil edilir.

Milli Savunma Bakanlığı, mezarlığın yönetiminden ve buradaki idari hizmetlerin yerine getirilmesinden de sorumludur.

Mali Hükümları

Madde 3 — Devlet Mezarlığının yapım, bakım, onarım ve geliştirilmesi için yapılacak harcamalar Milli Savunma Bakanlığı Bütçesinde yer alır.

Mali Kolaylıkları

Madde 4 — Devlet Mezarlığının tesisi ve idamesi için yapılacak harcamalarda 1050 sayılı Muhasebei Umumiye Kanunu ile 2490 sayılı Artırma ve Eksiltme ve İhale Kanunu hükümleri uygulanmaz.

Yönetmelik,

Madde 5 — Bu Kanunun uygulanması ile ilgili hususlar, kanunun yürürlüğe girmesinden itibaren üç ay içerisinde Milli Savunma Bakanlığınca çıkarılacak bir yönetmelikle düzenlenir.

Geçici Madde 1 — Devlet Mezarlığına defnedilecek İstiklâl Harbi Komutanları (Kahramanları) Genelkurmay Başkanlığınca belirlenir ve bu mezarlığa Devletçe nakledilirler.

Geçici Madde 2 — Anıtkabir bahçesine defnedilen Cemal Gürsel'in kabri Devlet Mezarlığına; devrim şehitlerinin ise, varsa eşleri, bulunmaması halinde anne ve babaları tarafından başka yere nakledilmemeleri halinde Ankara'daki askeri şehitliğe Devletçe nakledilirler.

Yararlak .

Madde 6 - Bu Kanun yayımı tarihinde yürürlüğe girer.

Yūrūtme.

01

Madde 7 — Bu Kanunu Bakanlar Kurulu yürütür.

EANUN NO: 2015

ATATÜRK ORMAN ÇİFTLIĞİ ARAZİSINDEN 167 DÖNÜM BEŞTÜZ METREKARELİK KISMININ ANKARA BEJEDİYESINE SATILMASI HAKKINDA KANUN

19 Haziran 1976

| Resmi Gazete ile neşir võ iläni : 26 Haziran 1976 — Sayı : 156281 . 5, t. Düstur, c. 15 — s. 3347

Madde 1 — 5659 sayılı Kanun mer'iyete girdiği tarihte Atatürk Orman Çiftliği hudutları dahilinde bulunan araziden kadasıronun 2107 ada 3 parse-

lini teşkil eden 78500 metrekare ve kadastronun 2107 ada 6 parselinden müfret A parselini teşkil eden 89000 metrekare ki cem'an 167 dönüm 500 metrekarelik kısmı. Ankara şehri imar nâzım plânı gereğince yapılması mukarror yeni toptancı hali için Ankara Belediyesine, Çiftlik Yönetim Kurulu ile Belediye arasında tespit ve emsalinin satış ve günün rayicine göre Tarım Bakanlığınca tasvip olunacak bedelle vo satış bedell 5 yılda ve beş eşit taksitte faizsiz olarak ödenmek kaydıyla satılmasına izin verilmiştir.

Adı geçen arazi, Belediyeve, hiç bir şekilde maddede belirtilen hal yapma nınksıdı dışında kullanılamaz. Belediyeve maksat d_işı kullanmalara teşebbüs halinde bu arazi aynı bedelle Atatürk Orman Çiftilğine lade edilir.

Madde 2 - Bu Kanun yayımı tarihinde yürürlüğe girer.

Madde 3 - Bu Kanun hükümlerini Bakanlar Kurulu yürütür.

KANUN NO: 7310

ATATÜRK ORMAN ÇIFTLIĞİ ARAZISINDEN 725 DEKARININ SATILMASI VE EVVELCE MÜBADELE EDILMIŞ OLAN BIR KISIM ARAZININ ILGILI ŞAHISLARA FERAĞININ İCRASI HAKKINDA KANUN (*)

29 Mayıs 1959

[Resmi Gazete ile neşir ve ilânı 6 Haziran 1959 — Sayı : 10224]

3. t. Distur, c. 40 - s. 1217

Madde 1 — 5659 sayılı kanunun mer'iyete girdiği tarihte Atatürk Orman Çiftliği hudutları dahilinde bulunan araziden cem'an 725 dekarının aşağıdaki miktarlar esas tutulmak üzere, kadastroca tanzim edilecek ifraz haritalarına göre:

- a) Sincanköy Gazi istasyonian arasında inşa edilecek ikinci demiryolu gürergâhi için gerekli 150 dekar arazinin Türkiye Cumhuriyeti Devlet Demiryolları İşletme Umum Müdürlüğüne.
- b) Çimento Fabrikası civarında Ankava İstanbul Demiryolunun guneyindeki araziden 25 dekarının Çöp Kıymetlendirme Fabrikası inşası için Ankara Belediyesine,
- c) Marmara Köşkü ile Sivrihişar yolu arasında mevcut araziden 50 dekarının Şap Araştırma ve Mücadele Enstitüsü inşası için Hazineye,
- d) Yeni İstanbul yolunun kuzeyinde Tavukçuluk Enstitüsü hududundan itibaren batıya doğru imtidat eden araziden, zirai maksatlarla istimali mümkün olmıyan 300 dekarının işçi meskenleri inşası için İşçi Sigortaları Umum Müdürlüğüne.
- a) Aynı araziden 150 dekarının Makine ve Kimya Ensdüstrisi Kurumu işçileri için mesken inşası maksadiyle Makina ve Kimya Endüstrisi Kurumuna,
- f) Yine bu araziden 50 dekarının Atatürk Orman Çiftliği işçi ve müstabdemlerine mesken inşa edilmek üzere Atatürk Orman Çiftliği Müdürlüğüne.
- gl Ankara şehri imar nazım planı gereğince Çiftlik arazisinden açılmasına zaruret görülen yollar için lüzumlu arazinin Ankara Belediyesine,

ilgili idarelerle Çiftlik Yönetim Kurulu arasında tesbit ve emsalinin satış ve günün rayicine göre Ziraat Vekaletince tasvip olunacak bedellerle satılmasına izin verilmiştir.

Madde 2 — 6947 sayılı kanunun 1 inci maddesinin (h) fikrasında zikredilen arazl içinden, Balgat Köyü bölgesinde, evvelce Devlet Ziraat İşletmeleri Kurumu ile köylüler arasında mübadele edilmiş fakat ferağ muameleleri tamamlanmamış olan kısımlarını ilgili şahıslar lehine mübadele suretiyle veya Belediye Encümenince takdir edilecek kıymetler üzerinde devir ve ferağını ikmal ettirmeye Ziraat Vekili mezundur.

Madde 3 — 6947 sayılı kanunun 1 inci maddesinin (i) fıkrası kaldırılmıştır.

Madde 4 - Bu kanun neşri tarihinde mer'iyete girer.

Madde 5 — Bu kanunun hükumlerini Icraya Icra Vekilleri Heyeti memurdur.

KANUN NO: 6947

ATATURK ORMAN CIFTLIGI ARAZISINDEN (1.148.576) DEKARININ SATTIMASI HAKKINDA KANUN

10 Nisan 1957 [Resmi Gazete ile neşir ve ilanı: 24 Nisan 1957 - Sayı: 9593] 3. t. Düstur, c. 38 - s. 1146

Madde 1 - 5659 sayılı kanunun mer'iyete girdiği tarihte Atatürk Orman Çiftliği hudutları dahilinde bulunan araziden cem'an (1.148.576) dekarının, aşağıdaki miktarlar esas tutulmak üzere, kadastroca tanzim edilecek ifraz haritalarına göre:

a) Ankara - Konya - Eskişehir ve Adana Devlet yolu için lüzumlu 240 dekar kadar arazinin Karayolları Umum Müdürlüğüne;

b) Bira Fabrikası batısında 175,1 dekar arazinin, inşa edilmekte olan yeni Figek Fabrikası ihtiyacı için ilaveten Makina ve Kimya Endüstrisi Kurumu Umum Mudürlüğüne;

c) Kadastronun 2108 ve 2113 adalarında kain 125 dekar arazinin hububat silosu inşaat tesisat ve müştemilâtı için Toprak Mahsulleri Ofisi Umum Müdürlüğüne;

d) Kadastronun 2107 adasında ve ayrıca Etimesgut Çakırlar bölgesinde cem'an 2,3 dekar arazinin Sarıyar elektrik tesisleri enerji nakli hattı planları için Etibank Umum Müdürlüğüne ve bu bölgede münferit durumda kalmış bulunan 5 dekar arazinin de Sarıyar tesisleri vazifelilerinin mesken ihtiyacına;

e) Kadastronun 2107 adasında 14 dekar arazinin kuşaklama kanalı tesisi için ve Çubuk Çayı üzerinde en çok S dekar arazinin de üç regülátör muhafaza, bakım ve

emniyet sahası olarak Devlet Su İşleri Umum Müdürlüğüne;

f) Gazi İstasyonu bölgesinde PTT binasının işgal etmekte olduğu 0.876 dekar arazinin PTT Umum Müdürlüğüne ve yine bu civarda mevcut jandarma ve polis karakol binaları için de beherine 0,4 dekarı tecavüz etmemek üzere 0,8 dekar arsanın Hazineye;

g) Çimento Fabrikası bölgesinde demiryoliyle Çubuk Çayı arasında kalan sahadan 110 dekarının, şehir havagazı ve elektrik tesisleriyle fabrika ve imalâthaneler inşası için belediyeye veya Devlet müesseseleri, İktisad! Devlet teşekkülleri yahut hususi sınai teşebbüs sahiplerine;

h) Macun Köyü mıntakasında çiftlik ağılı ve civarı ile Balıklı mevklinde ikl parçada 90 ve Balgat Köyü mıntakasında münferit durumda 20 parçada 327 dekar araziden 30 dekarının lise binası ve müştemilâtının ınşası için Hazineye ve mütebaki kısmının ise mıntaka çiftçilerine veya diğer isteklilere;

i) (29.5.1959 tarih ve 7310 sayılı kanunla kaldırılmıştır.)

Yukarıki fıkralarda yazılı araziden Hazineye, mülhak ve hususi bütçeli Devlet dairelerine, İktisadi Devlet Teşekküllerine veya belediyeye satılacak olanlar, ilgili idarelerle Çiftlik Yönetim Kurulu arasında tesbit ve Ziraat Vekâletince tasvip olunacak bedellerle ve bunlar haricindeki hususi şahıs veya teşekküllere verilecek arazi ise, istekliler arasında yapılacak artırma ile taayytin edecek bedelle satılır.

Madde 2 - Bu kanun neşri tarihinde mer'iyete girer.

Madde 5 — Bu kanun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

5692

^(*) Atatürk Orman Ciftliği'nden syrılıp satıalın diğer arazi için BK. 6238 ve 7318 sayılı -000

2087

KANUN NO: 6238

ATATURK ORMAN ÇIFTLIĞİ ARAZISINDEN 8070 DEKARININ SATILMASI HAKKINDA KANUN

29 Ocak 1954

[Resmi Gazete ile neşir ve ilâni: 5 Şubat 1954 — Sayı: 8626]

3. t. Düstur, c. 35 — s. 292

Madde 1 — 5659 sayılı kanunun yürürlüğe girdiği tarihte Atatürk Orman Çiftliği hudutla^fı dahilinde bulunan araziden aşağıdaki miktarlar esas tutulmak üzere kadastroca' tanzim edilecek ifraz haritalarına göre;

- a) Etimesgut bölgesinde İkinci Zirhli Tugay tarafından halen işgal edilmiş bulunan 5450 dekar arazi ile askeri hava meydanı ittihaz edilen 650 dekar ve Çorakpınar mevkiinde Muhabere Alayı ve Hava Kontrol Grupu tarafından işgal olunan 455 dekar ve yine Çoraktepe mevkiinde Dördüncü Uçaksavar Bataryasının yerleştirilmiş bulunduğu 50 dekar olmak üzere cem'an 6.605 dekar arazinin Millî Savunma Vekâletine,
- b) Güvercin İstasyonu civarında Ankara Çimento Fabrikası ile tesis ve lojmanların inşa edilmiş olduğu 750 dekar sahanın Ankara Belediyesine,
- c) Devlet Demiryolları Hastanesinden Orman Çiftliği İstasyonuna imtidat eden demiryoluyla asfalt yol arasında ve bir kısmı da bu asfalt yolun güneyinde olmak üzere ziraate elverişli bulunmıyan 350 dekar çorak arazi ile Bahçelievler bölgesinde Fen Fakültesine mücavir 130 dekar ve İstanbul yoluyla Yenimahalle yollarının birleşme noktasında iki parçada 80 dekar olmak üzere cem'an 560 dekar arazinin muhtelif yapı kooperatiflerine,
- d) Fişek Fabrikası kuzeyinde, bu fabrika ile yeni İstanbul yolu arasında olup Kömür Satış ve Tevzi Müessesesi depo ve tesislerinin kurulu bulunduğu 135 dekar arazi ile Akköprü bölgesinde İstanbul yolunun dördüncü kilometresi civarında 20 dekar olmak üzere cem'an 155 dekar arazinin Etibank ile Kömür Satış ve Tevzi Müessesesine,

İlgili Vekâlet veya teşekküllerle mutatık kalınacak bedel üzerinden satılmasına izin verilmiştir.

- Madde 2 1 inci maddede belirtilen cem'an (8.070) dekar arazi dışında, Milli Müdafaa zaruretleriyle Çiftlik hudutları içinde bir fişek fabrikası tesisi elzem görüldüğü takdırde, Çiftliğin umumi istihsal faaliyetlerini aksatmamak ve 200 dekarı geçmemek şartiyle gerekli bulunan arazi, Vekiller Heyeti karariyle İşletmeler Vekâletine satılabilir.
 - Madde 3 Bu kanun negri tarihinden itibaren mer'idir.
 - Madde 4 Bu kanunun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

Atatürk Orman Çiftliği arazisinden ayrılıp satılan diğer arazi için Bk. 6947 ve 7310 sayılı Kanunlar.

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4871

ATATÜRK ORMAN ÇİFTLİĞİ MÜDÜRLÜĞÜ SATINALMA -SATMA, YAPMA- YAPTIRMA, KİRALAMA VE KİRAYA VERME İŞLERİNE AİT YÖNETMELİK

BIRINCI KISIM

Amaç, Kapsam, Dayanak ve Tanımlar

Amaç

Madde 1- Bu Yönetmeliğin amacı, Atatürk Orman Çiftliği Müdürlüğünün onaylanmış bütçesinde mevcut ödeneği ile sınırlı olmak üzere alım, satım, ihale, onarım işlerinin en iyi şekilde,en uygun şartlarla ve zamanında yürütülmesine ilişkin usul ve esasları belirlemektir.

Kapsam

Madde 2- Bu Yönetmelik, Müdürlüğün ihtiyacı olan işlenmiş ve işlenmemiş bitkisel ve hayvansal ürünlerin üretiminden pazarlanmasına kadar geçecek safhada gerekli alet ve edevat ile tüm makina aksamlarının ve bunların yedek parçalarının alım , satım ve ihalesi ile her türlü onarımını yapma ve yaptırma usullerini,ürünlerin üretme, işleme, değerlendirme,depolama,nakliye ve pazarlanmasını mal ve hizmetlerin kiralanma,kiraya verilme usullerini ve bunlarla ilgili diğer işlemleri kapsar.

Dayanak

Madde 3- Bu Yönetmelik, 24/3/1950 tarihli ve 5659 sayılı Atatürk Orman Çiftliği Müdürlüğü Kuruluş Kanunu'nun 5 inci maddesine istinaden hazırlanmıştır.

Tanımlar

Madde 4- Bu Yönetmelikte geçen;

Bakanlık : Tarım ve Köyişleri Bakanlığını, Bakan : Tarım ve Köyişleri Bakanını,

Müdürlük : Atatürk Orman Çiftliği Müdürlüğünü, Müdür : Atatürk Orman Çiftliği Müdürünü

ifade eder.

ful

İKİNCİ KISIM Alım ve Satımlarda Uygulanacak Esaslar

BIRINCI BÖLÜM

Mamül Madde Alım ve Satım Esasları

Alım

Madde 5- Alımlar, karlılık,amacına uygunluk ve kalite yüksekliği esası gözetilerek yapılır.

Dış alımların * F.O.B" fiyatlarla yapılması esastır. Ancak, mücbir ve haklı sebeplerin olması halinde diğer dış alım usulleri de uygulanabilir.

Satim

Madde 6- Satımlarda, piyasa şartlarına göre rekabet ve karlılık esastır.

TKINCT BÖLÜM

Ham Madde, Yarı Mamul ve Mamul Madde Alım - Satım Esasları

Alım - Satım Esasları

Madde 7- Müdürlüğün mevcut ve yeniden kurulacak tesislerinin, mali yıl bütçesindeki ödeneği dahilinde işletme programına aldığı ham madde, yarı mamul ve mamul maddeler ile bitkisel ve hayvansal ürünlerin üretiminden, pazarlanmasına kadar geçecek safhada gerekli alet ve edevat ile tüm makina aksamı ve bunların yedek parçalarının alım ve satımı aşağıda belirtilen esaslara göre yapılır:

- a) 5659 sayılı Kanunun 2 nci maddesinin son fıkrasına göre üretim ve pazarlama ünitelerinin tam randımanlı çalıştırılması, üretimde noksan kalan miktarların yurt içi müstahsillerden veya yurt dışından temin edilmesi,işlenmesi ve pazarlaması bu Yönetmelik esaslarına göre yapılır.
- b) İhtiyaç görülen hammaddeler, müstahsilden doğrudan alımının imkansız olması ve maliyeti aşırı derecede etkileyecek masrafları gerektireceğinin tespiti halinde, Yönetim Kurulu kararı ile gerçek veya tüzel kişilerden temin edilir.

- c) Müdürlük üretimini yaptığı ve piyasadan aldığı hammaddeleri kendi tesislerinde işleyeceği gibi, ihtiyaç hasıl olması halinde kendi prensip ve şartlarına uygun olarak Yönetim Kurulu kararı ile gerçek veya tüzel kişilere ait teşebbüslerin tesislerinde de ücretle işletebilir.
- d) Alım ve satım usulleri ile şartlarını bu Yönetmelik hükümlerine göre Yönetim Kurulu belirler.
- e) Alım ve satım bedelleri, belediyeler, ticaret odaları ve bölgede diğer satıcı ve alıcılar arasında teşekkül eden fiyatlar göz önünde tutulmak suretiyle tespit edilir ve Yönetim Kurulunca alınacak karara göre alım ve satım işlemleri yapılır.

ÜÇÜNCÜ BÖLÜM

Alım, Satım, İhale ve Muayene Komisyonlarının Kuruluşu

Thale Komisyonu

Madde 8- İhale Komisyonu; Müdür Yardımcısının başkanlığında aşağıda belirtilen kişilerden teşekkül eder:

a) Müdür Yardımcısı : Başkan b) Muhasebe Müdürü : Üye c) Ticaret Müdürü : Üye d) Hukuk Müşaviri : Üye e) İlgili Şube Müdürü : Üye

İhale işlemi, Yönetim Kurulunun onayından sonra alımına karar verilen ve Komisyonun gündemine gelen ihtiyaç belgesi ile başlar.

Komisyon, teklifleri idari ve teknik şartnamelere göre değerlendirerek ihaleyi yapar ve kararını Yönetim Kurulunun onayına sunar.

Alım Satım Komisyonu

Madde 9- Alım Satım Komisyonu, Müdürün, şube müdürleri arasından belirleyeceği birinin başkanlığında, Muhasebe ve Mali İşler Müdürlüğünden ve Ticaret Şube Müdürlüğünden birer eleman olmak üzere üç kişiden teşekkül eder.

Başkanın teklifi halinde, konusu ile ilgili teknik bir eleman oy hakkı olmamak şartı ile Komisyona katılabilir.

4

Komisyonun görevi; Müdürün veya Müdür Yardımcısının havalesinden sonra Komisyona gelen ihtiyaç belgesi ile başlar.

Komisyonca, belirlenen usule göre gerekli piyasa araştırması yapılır. Alınan teklifler değerlendirilir ve karar Müdürün onayına sunulur.

Satinalma Memuru

Madde 10- Müdürlüğün küçük, acil ve zorunlu intiyaçlarını karşılamak üzere Müdür, muhasebe elemanlarından birini satınalma memuru olarak görevlendirir.

Şube Müdürlüklerinin teklifi, Müdürün onayı ile her şubeye bir satınalma memuru tayin edilebilir.

Satınalma memuru yetki limiti içerisinde, Müdürlükçe verilen acil ve küçük satınalma işlerini piyasa araştırması yaparak gerçekleştirir. Görevi ile ilgili kanuni belgeleri düzenler ve Muhasebe Müdürünün onayına sunar.

Satınalma memuru ilk avansını mahsup etmedikçe ikinci avansı alamaz. Yapılan harcamalara ait belgeler mutlaka Muhasebe Müdürünün onayından geçirilir.

Muayene Komisyonu

Madde 11- Muayene Komisyonu, Müdürün, Şube Müdürleri arasından belirleyeceği birinin başkanlığında üç kişiden teşekkül eder.

Muayene Komisyonu üyeleri ihalenin özelliğine göre belirlenir.

Muayene Komisyonunca; gerek ihale ve gerekse alım-satım komisyonu marifeti ile yapılan alımların sonucunda satıcı tarafından geçici teslimi yapılan malın, sözleşme ve şartname hükümlerine göre muayenesi yapılır ve rapor düzenlenir.Bu rapor Ticaret Şube Müdürlüğüne gönderilir.

Komisyon Kararlari

Madde 12- Komisyon, üye tam sayısı ile toplanır ve kararlarını çoğunlukla alır. Oyların eşit olması halinde Başkanın olduğu tarafın kararı geçerlidir.

Üyeler çekimser kalamazlar, mühalefet şerhi vermek zorundadırlar.

Komisyonların başkan ve üyelerinin izinli ve raporlu olmaları durumunda Müdürlükçe vekilleri görevlendirilir.

4

Komisyonlar Müdürün yazılı veya sözlü talimatı ile toplanır.

Yapılan ihalenin özelliğine göre özel ihtisas gerektiren konularda Muayene Komisyonuna Müdürlük dışından teknik bilirkişi çağrılabilir.

DÖRDÜNCÜ BÖLÜM

Komisyonların Yetki Limitleri ve İşleyişi

Yetki Limitleri

Madde 13- Yıl bütçesindeki mevcut ödenek dahilinde Müdürlüğün yetki,limitleri; Yönetim Kurulunun teklifi ve Bakan onayı ile belirlenir.

Müdürlük faaliyetlerinin, özelliği sebebiyle, yetki limitlerinin her yıl Ocak ayında Bakanlıkça onaylanması gerekir. Herhangi bir sebeple onaylanmaması veya gecikmesi halinde halihazırdaki limitler geçerlidir.

Usul ve Karar Yetkisi

Madde 14- Yetki limiti için Müdürlükçe yapılacak teklif Form (Ek:1) haline getirilerek, yapılacak işlemlerde aşağıda belirtilen usuller uygulanır:

- a) Pazarlık Usulü: Limit formunda bu bölüm için belirlenecek limit dahilindeki tüm işlemler, Satınalma Komisyonunun kararı ve Müdürün onayı ile,
- b) Fiyat ve Teklif Alma Usulü: Limit formunda bu bölüm için belirlenecek limit dahilindeki tüm işlemler, Satınalma Komisyonunca en az üç teklif alınması şartı ile, Yönetim Kurulunun kararı ve Müdürün onayı ile,
- c) Açık Eksiltme ve Artırma Usulü :Limit formunda bu bölüm için belirlenecek limit dahilindeki tüm işlemler, Yönetim Kurulu kararı ve Müdürün onayı ile,
 - d) Kapalı Teklif Usulü :
- 1- Limit formunda bu bölüm için belirlenecek limit dahilindeki tüm işlemler, Yönetim Kurulu kararı ve Müdürün onayı ile,
- 2- Yukarıdaki (1) nolu alt bentde belirtilen limitin üstündeki tüm işlemler ise Müdürün onayını takiben Bakanlık onayı ile,

flet

e) Satınalma Memuru (Mutemet) Eliyle Alım: Limit formunda bu bölüm için yer alan limit dahilindeki küçük, acil ve zorunlu ihtiyaçların karşılanması amacı ile alınan avansın usulüne göre kapatılmasında düzenlenen belge veya belgeler Müdürün ve Müdür Yardımcısının onayı ile,

gerçekleştirilir.

ÜCÜNCÜ KISIM

Kiralama ve Kiraya Verme Esasları

BIRINCI BÖLÜM

Kiralama, Trampa ve Mülkiyetin Gayri Ayni Hak Tesisi

Kiralama

Madde 15- Müdürlük, bütçesinde mevcut ödenek ve yetki limitleri dahilinde,onay makamı esaslarına göre;işletme icaplarının lüzumlu ve zaruri kıldığı hallerde Yönetim Kurulu kararına bağlı kalarak bina, dükkan, tarla, arazi, atölye, fabrika, depo ve emsali gayrimenkuller ile zirai, sınai ve ticari faaliyetler için ihtiyaç duyulan taşınabilir malları kiralayabilir.

Kiralama işleri için hazırlanacak şartname ve sözleşmede,bu Yönetmeliğin ihale işlemleri ve şartları içinde yer alan hüküm ve maddeler aynen uygulanır.

İhtiyacın özelliği ve niteliği yönünden Yönetim Kurulunun alacağı kararların yanısıra, kiralanan gayrimenkul sahibince öne sürülecek özel hükümlerin de nazarı dikkate alınması ve bu yönde sözleşme yapılması yine Yönetim Kurulu kararına bağlıdır.

Resmi kurum ve kuruluşlarla, belediye ve belediyeye bağlı kurum ve kuruluşlar ile iktisadi devlet teşekküllerinden kiralanacak taşınır veya taşınmaz mallar, bu teşekküllerle Müdürlük arasında tespit edilecek şartlarda kiralanır.

Trampa ve Mülkiyetin Gayri Ayni Hak Tesisi

Madde 16- Müdürlüğün aktifinde kayıtlı taşınır ve taşınmaz malları hakkında, Yönetim Kurulu Kararı ve Bakanın onayına müsteniden trampa ve mülkiyetin gayri ayni hak tesisi yapılır.

Ankara Büyükşehir, Yenimahalle, Çankaya, Etimesgut Belediyeleri ile yeniden kurulacak belediyeler ve mücavir alanları içerisinde kalan Müdürlük gayrimenkulleri yukarıdaki fıkra kapsamına dahil değildir.

TKÍNCÍ BÖLÜM

Kiraya Verme Esasları

Kiraya Verme

Madde 17- Müdürlüğün mülkiyeti altında bulunan ev, dükkan,arsa, tarla, imalathane, fabrika ve işletme niteliği taşıyan gayrimenkuller ile zirai, sınai ve ticari menkullerden Müdürlüğün ihtiyacı dışında kalanlar, bu Yönetmelikte belirtilen şartlarla kiraya verilebilir.

Lojman Tahsisi

Madde 18- 5659 sayılı Kanunun 12 nci maddesine ve 2946 sayılı Kamu Konutları Kanunu ile bu Kanuna dayanılarak çıkarılan mevzuat hükümlerine göre, Müdürlük personeline lojman tahsisi yapılır.

Lojmanların personel tarafından herhangi bir nedenle boşaltılması halinde,lojmanın 30/9/1971 tarihli ve 7/3228 sayılı Bakanlar Kurulu Kararıyla yürürlüğe giren "Devlet Binaları İşletme, Bakım, Onarım Yönetmeliği" kapsamındaki işletme, bakım ve onarım hizmetleri Müdürlüğün ilgili teknik şubesi tarafından yerine getirilir ve tüm harcamalar Müdürlük tarafından karşılanır.

Ancak, lojmanlarda oturan personelin lojmana verdiği zarar miktarı ile 2946 sayılı Kamu Konutları Kanunu ve bu Kanuna dayanılarak çıkarılan mevzuatta öngörülen lojmanların kira, bakım, onarım ve yönetimine ilişkin tahsilatlar lojmanda oturan personelden alınır.

Devlet Kurum ve Kuruluşlarına Kiralama

Madde 19- Münferit ve küçük parçalar halinde olup Müdürlükçe değerlendirilmesi ekonomik bakımdan faydalı bulunmayan ve bu Yönetmeliğin 16 ncı maddesinde belirtilen gayrimenkuller mutabık kalınacak şartlarda kiraya verilebilir.

Şartların tespiti ve uygulanması Yönetim Kurulu kararına bağlı olup, kiralama süresi beş yılı geçemez ve kira sonunda şartlar yeniden tespit edilir.

Zaruri hallerde beş yılı aşan ve yatırım gerektiren kiralamalarda Bakan onayının alınması şarttır.

Gerçek ve Tüzel Kişilere Kiralama

Madde 20- Mülkiyeti Müdürlüğe ait olan ve bu Yönetmeliğin 16 ncı maddesinde belirtilen gayrimenkullerin kiraya verilme şartları Yönetim Kurulunca belirlenir ve bu Yönetmelikteki ihale usulü, yetki limitleri ve onay makamı esaslarına göre ihale edilerek kiraya verilebilir.

Lojman tahsisi dışında kalan ve bu kısımda yer alan tüm kiralama işlemleri için sözleşme yapılması şarttır.

Girl

DÖRDÜNCÜ KISIM

thale İşlemleri ve İlgili Birimler

BİRİNCİ BÖLÜM

thale İşlemleri

Alimin Planlanmasi

Madde 21-Müdürlük bütçesinde yer alan ve alım programında satın alınması öngörülen mal ve hizmetlerin alımlarının gerçekleştirilmesi ve zamanlaması bir prensibe ve plana bağlanır. Bu prensip ve planlar zamanında ilgili birimlere duyurulur.

Alım ve satımlarda Müdürlüğün bütçe imkanları aşılamaz. Ancak, faaliyet dönemi içerisinde hizmetin aksamaması için zorunlu olarak mal ve hizmet alımlarına ihtiyaç duyulması halinde, bu konuda Yönetim Kurulu kararı gerekir.

ihtiyaç Belgesi

Madde 22- Her türlü alıma ait ihtiyaç belgeleri ilgili birimlerce plan ve bütçe imkanları göz önünde tutularak hazırlanır.

İhtiyaş belgelerinde bulunması gereken bilgiler Ticaret Şube Müdürlüğünce matbu bir form haline getirilir.

îhtîyaş belgelerine, alınacak mal ve hizmetin özelliğine göre gerektiğinde teknik ve idari şartname, numune, plan, proje, şema veya fotoğraf eklenebilir.

thtiyaç belgelerine eklenen dokümanlarda ticari firma ismi ve marka belirtilmez.

Tahmini Bedelin Tespiti

Madde 23 -İhtiyaç belgelerinde yer alan tahmini bedel, Ticaret Şube Müdürlüğünce araştırması yapılarak,ticaret ve sanayi odası, borsa ve belediyelerden yazılı olarak temin edilir.

Hiç bir merciden bilgi alınamadığı takdirde Ticaret Şube Müdürlüğü bir tutanakla tahmini bedel tespiti yapar.

Teklif alma usulü ile yapılacak satınalmalarda tahmini bedel tespiti yapılmayabilir.

Gud

Şartname ve Sözleşmelerde Yer Alması Gereken Konular

Madde 24- İlgili birimlerce ihtiyaç duyulan mal ve hizmetlere ilişkin olarak, Hukuk Müşavirliğinin de görüşü alınmak suretiyle Ticaret Şube Müdürlüğünce hazırlanacak şartname ve sözleşmelerde; işin niteliğine göre konulacak özel ve teknik şartlardan başka, ihale konusu işin özelliğine göre aşağıdaki hususlardan gerekli görülenler de yer alır:

- a) İhale konusu İşin türü, niteliği ve miktarı,
- b) İşin ve ihalenin yapılma yeri, teslim etme ve alma şekil ve şartları,
 - c) Ödeme biçimi ve şartları,
- d) Vergi, resim ve harçlarla sözleşme giderlerinin kimin tarafından ödeneceği,
- e) Uygun fiyat ve şartların tespitinde İhale Komisyonunun serbest olduğu,
- f) Gerekirse işin tahmin edilen bedeli, keşif tutarı,gecici ve kesin teminat miktarı veya oranı,teminatların kabul ve iade şekil ve şartları,
 - g) İsteklilerde aranacak şartlar ve istenilecek belgeler,
- h) Şartname ve sözleşmelerin gerektiğinde yabancı dilde de düzenlenebileceği ve ihtilaf halinde hangi metnin geçerli olacağı,
 - 1) Sözleşmelerin noterce onaylanıp onaylanmayacağı,
- i) Yüklenilen işin bir bölümünün ya da tamamının yapılmaması, kesin teminatın yatırılmaması, şartname ve sözleşmenin imzalanmaması halinde yapılacak işlemler,uygulanacak cezai şart ve hangi mahkemelerin yetkili olduğu,
- j) Gerektiğinde yapılacak muayene ve tahlillerin hangi kuruluşlarca yapılacağı,
- k) Muayene sırasında görülen arıza ve eksikliklerin giderilmesi için tanınacak sürenin cezalı süreden sayılıp sayılmayacağı, tekliflerin opsiyon sürelerinin olup olmayacağı,
- Uyuşmazlıkların çözümünde yetkili mahkeme ve icra dairesi;
 Türk mahkemelerinin yetkili olması durumunda sözleşme ve şartnamelerin
 Türkçe metninin geçerli olacağı,

My

- miktarında, şartname ve sözleşmelerde belirlenen oranlarda azalma ve çoğalmaların iki tarafça da kabul edileceği,
- n) İşin önem ve özelliğine göre standardı varsa Türk Standartlarına uygunluk ve kalite belgesi,ticaret odasından alınacak faaliyet belgesi, mali durum, yapı-araç bildirimi, teknik personel beyannamesi, banka referans mektubu, teknik kapasite, taahhütte özelliğine göre standardı bulunulan işler ve yeterlik belgesi,
- Kanun kapsaminda olmadığı, sayılı ihaleyi yapıp yapmamakta veya dilediğine yapmakta serbest olduğu, 2886
- ö) Devir, temlik, temsilcilik ile mücbir sebep hallerinde uygulanacak esaslar,
 - p) Şartnamenin isteklilere verilme şeklinin tespiti.

ilan

Madde 25- İhaleye çıkarılacak iş, her türlü hazırlığı ve şartnamesi tamamlandıktan sonra, ihalenin yapılacağı tarihten en az 10 iş günü, zaruri hallerde 5 iş günü önce yüksek tirajlı günlük gazetelerden birinde veya Resmi Gazete'de duyurulur.

Gerek görülmesi halinde, konu ile ilgili mesle kuruluşlara yazı ile veya günlük gazetenin ulaşamadığı yerlerde mesleki belediye yayın araçlarından yararlanarak ve durumu bir belgelendirmek şartı ile de duyuru yapılabilir. tutanakla

İthalat ve ihracatla ilgili ihale şartları, en az 20 gün öncesinden Ticaret Ataşeliklerimiz aracılığı ile veya Müdürlükçe doğrudan yazı ile, faks veya teleksle yurt dışına duyurulabilir.

Müdürlük, malın tek imalatcısı, satıcısı veya genel dağıtıcısı durumunda bulunan isteklileri yazılı veya sözlü olarak haberdar etmek, bu hususu belgelendirmek şartıyla pazarlık usulü ile yapılacak alım ve satımlarda ilan yapıp yapmamakta serbesttir.

İlanda Bulunması Gereken Konular

Madde 26- İhale edilecek işin önem ve özelliğine göre;

- a) Türü, yeri, miktarı, niteliği ve tahmini bedeli,
- b) Thalenin hangi yöntemle, nerede ve ne zaman yapılacağı,
- c) Şartname ve eklerinin nerelerden temin edilebileceği,
- d) Ödeme ve tahsilat koşulları, CIF, FOB fiyatları,

- e) Teminat alınması gereken işler için alınacak geçici ve kesin teminatın Devlet İhaleleri Genelgesindeki esaslara uygun şekilde, geçici teminatın şartnamesindeki belirtilen süre için geçerli. kesin teminatın ise teminat mektubu olması halinde süresiz ve limit içi olması gerektiği,
- f) Müdürlüğün 2886 sayılı Kanun kapsamında olmadığı, ihaleyi yapıp yapmamakta veya dilediğine vermekte serbest olduğu

hususlarının tamamı veya bir bölümü ilanlarda yer alır.

IKINCI BÖLÜM

Yasaklar

thaleye Giremeyecek Olanlar

Madde 27- Aşağıda yazılı gerçek ve tüzel kişiliği haiz kimseler, doğrudan veya dolaylı olarak Müdürlükçe açılan İhaleye giremezler:

- a) Müdürlüğün tüm personeli, eşleri ve ikinci dereceye kadar kan ve sıhri hısımları ve bunların ortakları,
- b) Yeterlik belgesi alamayanlar ile geçici ve daimi olarak kamu ihalelerine katılmaktan yasaklanmış olanlar,
- c) Evvelce sözleşme yapılanlardan taahhüdünü kısmen veya tamamen yerine getirmedikleri için veya buna benzer nedenlerle ihaleye iştirak ettirilmemelerine karar alınan kimseler.

Yasak Fiil ve Davranışlar

Madde 28- İhale işlemlerinin hazırlanması, yürütülmesi ve sonuçlandırılması sırasında yasak olan fiil ve davranışlar şunlardır :

- a) Hile, desise, vait, tehdit, nüfuz kullanma ve çıkar sağlama suretiyle veya başka yollarla ihaleye ilişkin işlemlere fesat karıştırmak veya bunlara teşebbüs etmek,
- b) Açık artırma, eksiltme ve pazarlık usulü ile yapılan ihalelerde isteklileri tereddüde düşürecek veya rekabeti azaltacak söz söylemek, istekliler arasında anlaşmaya çağrıyı ima edecek işaret ve davranışlarda bulunmak veya ihalenin doğruluğunu bozacak biçimde görüşme ve tartışma yapmak,
- c) İhale işlemlerinde sahte belge veya sahte teminat kullanmak veya kullanmaya teşebbüs etmek, taahhüdünü kötü niyetle yerine getirmemek, taahhüdünü yerine getirirken Müdürlüğe zarar verecek iş veya işlemleri yapmak veya işin yapılması ya da teslimi sırasında hileli malzeme, araç veya usuller kullanmak.

Get !

Madde 29- Müdürlükçe, aşağıda belirtilen durumlarda ihalelere katılmaktan geçici yasaklama kararı verilir :

a) Bu Yönetmeliğin 28 inci maddesinde belirtilen fiil veya davranışlarda bulundukları anlaşılanlar, bu fiil ve davranışlar ihale safhasında vaki olmuşsa alım-satım ve ihale komisyonunca o ihaleye iştirak ettirilmeyecekleri gibi, fiil veya davranışlarının özelliğine göre Yönetim Kurulu kararı ile haklarında bir yıla kadar ihalelere katılmaktan yasaklama kararı verilebilir ve bu karar Resmi Gazete'de ilan ettirilir.

Bu kararlar ilgililerin müteahhitlik siciline de işlenir. Ayrıca durum bağlı olduğu meslek odasına bildirilir. İhalelere katılmaktan yasaklananlar, yasaklı oldukları süre içinde Müdürlükçe yapılacak ihalelere de müteahhit veya müşteri sıfatıyla katılamazlar.

b) Üzerine ihale yapıldığı halde usulüne göre sözleşme yapmayan istekliler ile sözleşme yapıldıktan sonra taahhüdünden vazgeçen ve mücbir sebepler dışında taahhüdünü sözleşme ve şartname hükümlerine uygun olarak yerine getirmeyen müteahhit veya müşteriler hakkında da Yönetim Kurulu kararı ile Müdürlük ile ilgili olarak bir yıla kadar bütün ihalelere katılmaktan yasaklama kararı verilir ve bu kararda da (a) bendinde belirtilen hükümler uygulanır. İşin tamamlanması veya kabul işlemi yapıldıktan sonra yukarıda sayılan kusurların anlaşılmış olması halinde de aynı hükümler uygulanır.

UÇÜNCÜ BÖLÜM

İstenecek Belgeler ve Teminat

İstenecek Belgeler ve Teminat

Madde 30 - İhalelerde firmalardan aşağıda gösterilen belgeler istenir:

a) Geçici Teminat : thaleye gireceklerden ihale öncesinde şartnamesinde belirtilen ve keşif bedelinin % 6' sından az olmamak üzere geçici teminat alınır.

Şartnamede, İşin hacim ve önemine göre geçici teminat belirlenir. İhale tahmini bedeli belirtilmemiş ise teminat tespitinde teklif tutarı dikkate alınır. Derhal veya çok kısa zamanda gerçekleşecek işlerde geçici teminat alınmamasına ihale kararlarını onaylamaya yetkili makam karar verebilir. Geçici teminat, ihale üzerinde kalan teklif sahibine kesin teminat alındıktan sonra, diğerlerine ihale sonuçlanınca iade edilir. Açık artırma ve eksiltmelerde ihaleden çekilenlerin teminatları hemen iade edilir.

b) Belgeler : İhaleye iştirak edecek istekli tüzel kişiliğe sahip şirket ise, şirket adına teklifte bulunacak kimselerin, şirketin vekili olduğunu gösterir noterden tasdikli vekaletname; imza sirküleri; isteklinin ticari faaliyette bulunduğunu gösterir o yıla ait ticaret odasından veya ilgili resmi kuruluştan alınmış belge; gerek görülmesi halinde Türk Standardlarına uygunluk belgesi; dış ihalelerde, acentelik, mümessillik ve distribütörlük belgesi; Müdürlüğün onay görmüş yatırım proğramı İçerisinde yer alan konularda mesleki kuruluşlarca onaylı yeterlik belgesi; malın tek imalatçısı, satıcısı veya genel dağıtıcısı olduğuna dair belge; ihalenin mahiyetine, özelliğine ve büyüklüğüne göre şartnamesinde belirtilen diğer belgeler.

Ancak, tarımsal çalışma ve hizmet alımlarında, tarımsal araç ve gereçler ile personelin sayısı ve niteliğini kanıtlayacak belge dışında bu bentde belirtilen belgeler istenmez.

c) Kesin Teminat : Taahhüdün, sözleşme ve şartname hükümlerine uygun olarak yerine getirilmesini sağlamak amacıyla sözleşmenin yapılmasından önce müteahhit veya müşteriden geçici teminatın en az iki katına kadar kesin teminat alınır.

Müteahhit veya müşteri; ihale kararının kendisine tebliğinden itibaren verilen süre içerisinde kesin teminatı vermeye mecburdur. Verilecek teminatın banka teminat mektubu olması halinde, limit içi ve süresiz olması, gayrimenkul ipoteği olması halinde de birinci derecede ipotek işlemi yapılması şarttır.

İşin bir defada ve kısa sürede teslim ve yerine getirilmesi imkanı bulunduğu durumlarda kesin teminatın aranmamasına onay mercii karar verir.

d) Teminat Olarak Kabul Edilecek Değerler: Tedavülde olan Türk Parası karşılığı bloke edilmiş çekler, Devlet tahvili ve bonoları, kıymeti mahkemece tayin edilmiş gayrimenkullerin birinci derecede ipotek senedi,süresiz ve limit içi banka teminat mektupları, T.C Merkez Bankasınca alınıp satılabilir döviz cinsinden para ile yurt dışı ihalelerde yabancı bankanın Müdürlüğün ticari ilişkide bulunduğu bankaca geçerli kontrgarantisini havi teminat mektubu.

e) Teminat Aranmayacak Haller:

1- Kamu kurum ve kuruluşları, mahalli idareler,sermayesinin yarısından fazlası Devlete ait İktisadi Devlet Teşekkülleri,kanunla kurulmuş, kamu yararına çalışan tüzel kişiliği haiz kuruluşlar ve tüm bu kurum ve kuruluşlara bağlı işletmelerle yapılacak her türlü alım, satım,yükleme,boşaltma,taşıma,kiralama ve yapım işlerinde,

Guy

2-Thale konusu işin özelliğine göre yurt dışı ihalelerde,

3- Açık eksiltme, pazarlık ve teklif alma yoluyla yapılan ve işin bir defada ve kısa sürede teslim ve yerine getirilmesi imkanı bulunduğu durumlarda,

kısmen veya tamamıyla kesin teminat aranmayabilir.

f) Avans Verilmesi:Zorunlu ve ayrıcalıklı durumlarda,yetki limitleri dahilinde Yönetim Kurulu ve makam onayı alınmak kaydıyla limit içi süresiz banka teminat mektubu veya gayrimenkul, birinci derecede ipotek senedine karşılık yüklenicilere avans verilebilir. Yurt dışı ihalelerde avans verilmesi konusunda süre ve limit kaydı aranmayabilir.

BESINCI KISIM

Pazarlık, Fiyat ve Teklif Alma, Açık Artırma ve Eksiltme, Kapalı Teklif Alma Usulleri ile Tekliflerin Değerlendirilmesi.

BİRİNCİ BÖLÜM

thale Usulleri

Pazarlık Usulü

Madde 31- Pazarlık usulü ile yapılan inalelerde teklif alınması belli şekle bağlı değildir. İhaleler yetkili organ tarafından, işin nitelik ve gereğine göre,bir veya daha fazla istekliden yazılı ve/veya sözlü teklif alma veya bedel üzerinden anlaşmak suretiyle yapılır.

Pazarlığın ne şekilde yapılacağının, ne gibi fiyatlar teklif olunduğunun,işlem yapılan firma veya kimsenin niçin tercih edildiğinin pazarlık kararında belirtilmesi zorunludur.

İvedilik taşıyan, ancak pazarlık usulü ile yapılacak olan taşıma, yükleme ve boşaltma işleri ile sair küşük miktarda yapılacak işler için şartname düzenlenmesi, tahmini bedel tespiti, teminat alınması ve sözleşme yapılması zorunlu değildir.

Satınalma Komisyonu tarafından gerçekleştirilen ihale ve pazarlık kararları yetki limitlerine göre ilgili organlarca onaylandıktan sonra kesinleşir.

Aşağıda belirtilen işlerin ihalesi pazarlık usulü ile yapılabilir:

 a) Kapalı teklif, açık artırma veya eksiltme usulleriyle yapılan ihalelerde istekli çıkmaması veya tekliflerin kabul edilebilecek düzeyde olmaması,

Gurt

- b) Önceden düşünülmesi mümkün olmayan ani ve beklenmeyen olayların ortaya çıkması üzerine, acele olarak yapılması gereken, kapalı teklif alma sveya açık artırma veya eksiltme usulünün uygulanmasına yeterli süre bulunmayan işler, diğer ihale usulleri ile temin edilemeyen veya sağlanamayacağı açıkca belli olan işlerle, her çeşit araç ve gerecin yetkili servislerine yaptırılacak periyodik bakım ve onarım işleri,
- c) İhalenin yapılmaması veya sözleşmenin bozulması nedeniyle, yeniden yapılacak ihalelerin sonuçlandırılmasına kadar geçecek süre içindeki ihtiyaçların giderilmesi ile ilgili işler,
- d) Kullanma özelliği, Müdürlüğe yararlı olması veya ivediliği nedeniyle kapalı veya açık teklif usulleriyle ihalesi uygun görülmeyen işler,
- e) Özellikleri nedeniyle belli isteklilere yaptırılmasında yarar görülen eğitim, reklam, araştırma, etüd ve proje, planlama, müşavirlik, keşif, harita, fotoğraf, film, baskı, sergileme,kontrol, muayene işleri ile teknik,fikri ve güzel sanatlarla ilgili çalışmayı gerektiren diğer işler,
- f) Tek kişi veya firma elinde bulunan taşınır mal, hak ve hizmet alımı.
- g) Özellikleri nedeniyle yabancı ülkelerden sağlanması zorunlu olan ve kapalı veya açık teklif usulleri ile ihale imkanı bulunmayan her türlü alım,kiralama,onarım, yaptırma,keşif ettirme,montaj,sigorta, taşıma ve hizmet işleri,
- h) Çabuk bozulan veya elde bulundurulması masraflı ve tehlikeli olan malların satım işleri,
 - 1) Standardı olmayan gıda maddesi alımları.

Fiyat ve Teklîf Alma Usulü

Madde 32- Müdürlüğün Yönetim Kurulunca teklif edilen ve Bakan'ın onayı ile belirlenecek limit dahilinde; inşaat, makine, tesisat, teşhizat, ambalaj, gıda maddeleri, kiralama işleri, taşıma ve nakliye ve ihtiyaç duyulan diğer malzemeler fiyat ve teklif alma usulü ile alınır ve satılır.

Satın Alma Komisyonu tarafından gerçekleştirilen ihalelerde;

- a) Konu ile ilgili idari ve gerekiyorsa teknik şartname hazırlanarak bir yazı ekinde bu işle uğraştığı bilinen firmalara yollanır veya elden verilir.
- b) En az üç teklif alınarak ilgili Komisyonca açılır, inceleme sonucu karara bağlanır ve imzalanır.

c) İlgili Komisyonun kararı hakkında Müdürlük Yönetim Kurulu tarafından da karar alınarak ihale kesinleşir.

Açık Eksiltme Usulü

Madde 33- Müdürlüğün Yönetim Kurulunca teklif edilen ve Bakan'ın onayı ile belirlenecek limit dahilinde,ihaleler açık teklif usulu ile yapılır.

İlan ve diğer duyuru yoluyla belirlenen gün ve yerde toplanan isteklilerin, ihale komisyonu önünde birbirlerinin teklif ettikleri fiyatları duyarak, o fiyata karşı daha düşük teklifte bulunmaları sonucu gerçekleştirilecek bu ihalelerde;

- a) Eksiltme başlamadan önce katılmaları uygun görülen isteklilerin bir listesi yapılır. Şartnamesinde istenilen belgeleri Komisyona ibraz etmeyen ve listede ismi bulunmayan istekliler eksiltmeye alınmazlar.
- b) Şartname ve sözleşme şartlarının isteklilere okunmasından ve şartnamenin imzalatılmasından sonra tahmini bedel üzerinden eksiltme açılır.
- c) Katılanlar, yaklaşık bedelden ve en son teklif edilen miktardan yukarı teklif ileri süremezler. Aksi halde ihaleden çekilmiş sayılırlar.
- d) Birinci ve ikinci ihalelere herhangi bir istekli çıkmaması veya ihale konusu ile ilgili tek üretici firma olması halinde pazarlık usulü ile; birden çok firma olması halinde ise tahmini bedel yeniden düzenlenerek,aynı şartlarla ve aynı usulle ihale yeniden yapılır.

Açık Artırma Usulü

Madde 34- İlan ve diğer duyuru yoluyla belirlenen gün ve yerde toplanan isteklilerin ihale komisyonu önünde, birbirlerinin teklif ettikleri fiyatları duyarak o fiyata karşı daha yüksek teklifte bulunmaları usulüdür.

Kapalı Teklif Alma Usulü

Madde 35- Kapalı teklif alma usulu, Müdürlüğün Yönetim Kurulunca teklif edilen ve Bakan onayı ile belirlenecek limit dahilinde; duyuru ile birlikte, gerek görülen hallerde firmalara elden veya mektupla şartname gönderilerek tekliflerin kapalı zarfla alınmasıdır.Bu usulde aşağıdaki işlemler uygulanır:

- a) Fiyatı içeren teklif mektupları bir zarf içine konularak kapatılır. Zarfın üzerine firmayı tanıtıcı bilgiler yazılır.
- b) Şartname ve sözleşmede istenilen bilgi ve belgeler ikinci bir zarfa birinci zarfla birlikte konulur ve kapatılır. Bu zarfın üzerine yalnızca ihalenin konusu yazılır.
- c) İhale konusu işin tahmini ve/veya uygun bedelinin tespiti, teklif sahibinin teknik ve mali yeterliliği konularında uygulanacak kriterler Yönetim Kurulunca belirlenir.

TKINCI BÖLÜM

Tekliflerin Değerlendirilmesi

Tekliflerin Kabulü

Madde 36- Gelen teklifler, Müdürlüğün haberleşme ünitesince zarfların üzerine geliş saatleri kayıt edilmek sureti ile, ait oldukları Komisyonca tespit edilerek alınır. Teklifi getirene numaralı "alındı fişi" verilir.

Şartnameye uygun teklif mektupları iadeli taahhütlü olarak da gönderilebilir. Posta ile gönderilen mektupların belirtilen gün ve saatte Komisyona ulaşması şarttır.

Gelen teklifler ihale saatinden önce ilgili Komisyon raportörüne ya da Komisyon üyelerinden birine teslim edilir.

Dış Zarfların Açılması

Madde 37- Toplanan İhale Komisyonu, şartnamede belirtilen saate kadar gelen zarfların bu Yönetmelik hükümlerine uygunluğunu kontrol eder,daha sonra istekliler önünde dış zarflar geliş sıra numaralarına göre açılır.

Şartnamesinde istenilen belge ve bilgilerin kontrolü yapıldıktan sonra, şartnamesine uygunluğu ile istenilen belgelerin tamam olup olmadığının kontrolü için zarfların geliş sırasına göre iç zarfların açılmasına geçilir.

Teklif mektuplarındaki biçimsel eksiklikler Komisyonca tamamlattırılabilir.

İç Zarfların Açılması

Madde 38- Geliş sırasına göre açılan iç zarflar, ihale tutanağı formuna işlenir ve yüksek sesle okunur. Teklifler açıldıktan sonra gelen teklifler değerlendirmeye alınmaz.



Tekliflerin Eşit Çıkması Hali

Madde 39- Birkaç istekli tarafından aynı fiyat teklif edilmesi ve aynı teklifte bulunan isteklilerin toplantıda hazır bulunmaları halinde, Komisyon önünde eşit teklif sahipleri arasında açık artırma veya eksiltme yapılır.Bu ihalede, zarfların açılması sırasında isteklilerin hazır bulunmaması halinde, Komisyon başka bir tarih belirleyerek taraflara tebligat yapar ve belirlenen tarihte açık eksiltme ve artırma yapılır.

İhalenin yürütülme şekli ve Komisyon kararlarına icabet etmeyen isteklinin itiraz hakkı yoktur.

İhalenin Onayı ve Kesinlesmesi

Madde 40- Komisyon, yaptığı çalışmalar ve değerlendirmeler sonucu en uygun teklif sahibini açıklar.Kararın yapılacak inceleme ve yetkili makam onayı ile kesinleşeceği ve şartnamede yazılı süre içinde katılanlara duyurulacağı, Başkan tarafından hazır bulunan isteklilere duyurulur.Tüm bu işlemler bir tutanakla tesbit edilir. Komisyon üyelerince imzalanır ve onay makamına sunulur. Şartname, ihale üzerinde kalan istekliye imzalattırılır.

thale kararının yetkili makamca onaylanmasını takiben Komisyonun o ihale ile ilgili görevi biter.

İhalenin Tebligatı ve Sözleşme Yapılması

Madde 41- İhale kesinleşir kesinleşmez şartnamesinde belirtilen süre içerisinde veya en geç 10 gün içinde ihale, üzerinde kalan müteahhide bildirilir.

Bu günün tatile gelmesi halinde onu izleyen ilk iş günü tebligat yapılır.

Bu bildirim ile müteahhit, şartnamede yazılı süre içinde geçici teminatını kesin teminata çevirmeye ve sözleşme yapmaya çağrılır.

Müteahhit, şartnamedeki süre içinde Müdürlüğe başvurarak kesin teminatı yatırmaz ve sözleşmeyi imzalamazsa geçici teminatı Müdürlüğe gelir kaydedilir.



ÜÇÜNCÜ BÖLÜM

Yurt İçi ve Yurt Dışı İhalelere Katılma, Emanet Usulü İle İş Yaptırma

Yurt İçi ve Yurt Dışı İhalelere Katılma

Madde 42- Müdürlük, faaliyet alanına giren ürünlerin pazarlamasını yapmak veya ihtiyaçlarını karşılamak üzere, yurt içi veya yurt dışı ihalelere katılabilir.Yurt dışı ihalelerde 2522 sayılı Kamu Kuruluşlarının Yurt Dışındaki İhalelere Katılması Hakkında Kanun hükümleri uygulanır.

Resmi - özel kurum ve kuruluşların pazarlama veya ihaleye katılma ile ilgili şartlarının incelenmesinden sonra;

- a) Yurt dışı ihalelerde, şartnamenin ihaleye katılmayla ilgili ön şartları yerine getirildikten ve teklif mektubu veya numuneleri süresi içinde gönderildikten sonra, temsilci bulundurulmasında yarar veya zorunluluk görülüyorsa; birim fiyat ve miktar konusunda bilgili bir kişi ile yabancı dil bilen bir kişi olmak üzere en az iki kişilik bir heyet ihalenin yapıldığı yere gönderilebilir.
- b) İhalenin Müdürlük üzerinde kalması halinde, yurt dışında bulunan heyet sözleşme yapar ve tesellüm işlemini gerçekleştirir.
- c) Müdürlüğün Hayvancılık ünitesi ile Hayvanat Bahçesindeki ihtiyaç fazlası hayvanlarının, yurt içi ve/veya yurt dışındaki diğer gerçek veya tüzel kişilerin elinde bulunan ve ihtiyaç olan hayvanlarla takası yapılabilir.

Yurt içinde veya yurt dışında gerçekleştirilecek takas konusu hayvanların cinsleri, miktarları ve parasal değerleri konusunda ilgili birim müdürlüklerince araştırma yapılarak alınan sonuçlar Yönetim Kurulunun onayına sunulur, şartları tespit edilir ve bu karar doğrultusunda takas işlemi gerçekleştirilir.

Emanet Usulü ile İş Yaptırma

Madde 43- Duyuru sonunda istekli çıkmaması; istekli çıkması halinde bunların kabul edilemeyecek teklifler ileri sürmesi; süre olarak duyuru ve ihale yapılmasının beklenilmeyeceği veya emaneten yapılmasında Müdürlüğün çıkarı bulunan inşaat, tesisat, onarım, bakım,tadılat, restorasyon, yıkım, nakliye, tahmil, tahliye, günlük acil ve zorunlu ihtiyaçların temininde ve benzeri işlerde; sözleşmenin bozulması ve sözleşmede hüküm bulunması; tasfiye edilmesi gibi nedenlerle bitirilmemiş olup da gecikilmeden bitirilmesinde zorunluluk görülen yapım işleri, Yönetim Kurulunun aldığı karar çerçevesinde emanet usulü ile gerçekleştirilebilir.

Gizlilik

Madde 44- Müdürlüğün ihale edeceği konu ile ilgili teklif mektupları ve proforma faturalar ile bunlara ilişkin ihale kararları, her türlü emir ve yazışmalar üçüncü şahıslara açıklanamaz.

Bunları açıklayan ve gizlilik gereklerine uymayan Müdürlük personeli, doğrudan veya dolaylı olarak suç derecesine göre sorumludur. Bunlar hakkında 657 sayılı Devlet Memurları Kanunu ile bu Kanuna dayanılarak çıkarılan mevzuat hükümleri uygulanır.

Bu Yönetmelik hükümlerinin noksan veya hatalı uygulanmasından dolayı Müdürlük zararına neden olan personel veya organlar, görevleriyle ilgili olarak yetki sınırları çerçevesinde sorumludurlar.

ALTINCI KISIM

Muayene, Teslim, Tesellüm, Ödeme ve Teminatın İadesi

BIRINCI BÖLÜM

Muayene, Teslim ve Tesellüm

Muayene

Madde 45- Şartname ve sözleşmesine göre geçici tesellümü yapılmış olan ihale konusu malın muayenesi, şartname ve sözleşmede belirtilen hükümler çerçevesinde Muayene Komisyonunca yapılarak muayene raporu verilir.

Muayene raporu düzenlenmeyen malın teslim ve tesellümü yapılmaz.

Muayenede reddedilen mal,iadesi mümkün değilse Müdürlük ambarında emanet olarak muhafaza edilir ve yenisinin getirilmesini takiben iade edilir.

Kısmen reddedilmiş veya kabul görmüş ise kısmen kabul ve red hükümleri uygulanır.

İstenmesi halinde muayene sırasında ilgili firma yetkilisi de bulunabilir.

Gerekli görülmesi halinde malzemenin ilgili laboratuvar veya uzman bir kuruluşta tahlili veya muayenesi yapılabilir.Ancak bu hususun başlangıçta şartnameye konulması gerekir.

Yapılan muayenede; şartname ve sözleşmeye ve bunların ekleri olan

Yapılan muayenede; şartname ve sözleşmeye ve bunların ekleri olan teknik şartname gibi diğer belgelerde belirtilen hükümlere aykırı ve kusurlu görülerek reddedilen mal ve müteahhit hakkında Türk Ticaret Kanununun ilgili hükümleri uygulanır.

Muayene Komisyonunca, muayene raporu düzenlenmiş malın ilgili ambar memuru tarafından tesellümü yapılarak belgesi düzenlenir.

IKINCI BÖLÜM

Ödeme ve Teminatın İadesi

Ödeme

Madde 46- Tesellümü yapılıp Ticaret Şube Müdürlüğünce işlemi tamamlanan mal ve hizmetlere ait ödeme; şartname ve sözleşmesinde belirtilecek esaslara göre Muhasebe ve Mali İşler Müdürlüğünce yapılır.Kısmen teslimi yapılmış mal ve hizmetlere ilişkin ödeme de yine şartname ve sözleşmede belirlenen esaslara göre yapılabilir.

Dış alımlarda; ithalat rejimi kararlarına, İthalat Yönetmeliğine ve akreditif şartlarına göre ödeme yapılır.

İhtiyaç maddelerinin; resmi kuruluşlarda ve/veya tek elde bulunması, piyasadan derhal kalkacağının ve alımının yapılamayacağının anlaşılması hallerinde, bu maddeler için avans verilebileceği gibi peşin ödeme de yapılabilir.

Teminatın İadesi

Madde 47- Taahhüdün sözleşme ve şartname hükümlerine uygun olarak yerine getirildiği anlaşıldıktan ve müteaahhit veya müşterinin bu işten dolayı Müdürlüğe herhangi bir borcu olmadığı tespit edildikten sonra;

- a) Muayenesi yapılan mal için Komisyon muayene tutanağının düzenlenmesi,
- b) Müteahhit veya müşterinin işin niteliği gereği Sosyal Sigortalar Kurumu ile ilişiğinin kesildiği belgelendikten ve yapım işlerinde kesin kabul işlemi tamamlandıktan sonra, bu durumu belirtilen bir yazının Müdür veya Müdür Yardımcısınca onaylanması
 - ile kesin teminat geri verilir.
- c) Müteahhit veya müşterinin bu iş nedeniyle Müdürlüğe, Sosyal Sigortalar Kurumuna olan borçları ile ücret ve ücret sayılan ödemelerinden yapılan kanuni vergi kesintileri borcunun bulunması halinde, teminatı paraya çevrilerek borçlarına karşılık tutulür. Varsa kalanı müteahhite geri verilir.

d) Yapım işlerinde;geçici teminatın kesin teminata dönüştürülmesi halinde, aradaki fark kesin teminata iblağ edilinceye kadar istihkaktan % 20 oranında kesinti yapılır.Keşfin veya sözleşmenin dışında kalmış, yapılması ihaleden sonra kararlaştırılmış işlerle değişken fiyat esasına göre ihale edilmiş işlerde kesin teminat, ödenecek ek bedel oranında artırılır.Kesin teminatın döviz olarak alınması halinde söz konusu teminat Merkez Bankası'nın o günkü döviz alış kuru üzerinden Türk Lirasına çevrilerek kayda alınır ve Türk Lirası olarak işlem görür.

OÇÜNCÜ BÖLÜM

Relgeler

Muhasebe ve Mali İşler Müdürlüğüne Verilecek Belgeler

Madde 48- Bu Yönetmelikte belirtilen ihale usullerine göre yapılacak ihalelerin öncesi ve/veya sonrasında ilgili birimlerce muhasebe kayıtlarına alınması amacıyla, Muhasebe ve Mali İşler Müdürlüğüne verilecek evrak ve belgeler şunlardır:

- a) İhtiyaç pusulası veya satınalma lüzum müzekkeresinin aslı,
- b) Fatura veya fatura yerine geçen belgenin aslı,
- c) Varsa Yönetim Kurulu kararının veya Alım-Satım Komisyonu kararının sureti,
- d) İthalat ve ihracatta; proforma fatura, gümrükten tasdikli fatura veya proforma fatura, gümrük giriş veya çıkış beyannamesi ile diğer evrakların suret ve fotokopileri,
- e) Muayene ve kat'i tesellüm pusulası veya kat'i tesellümü belgeleyen sair evrak,
- f) İhale üzerinde kalan müteahhidin ihaleye iştirakinde istenilen teminat ve teminat yerine geçen belgeler.

Ticaret Şube Müdürlüğüne Verilecek Belgeler

Madde 49- İhalenin; şartname hazırlanması safhasından, ihalenin bitimine kadar (sözleşme dahil) olan tüm işlemleri, Ticaret Şube Müdürlüğünce takip edilir ve 48 inci maddede belirtilen evrakların dışında kalan tüm evraklar adı geçen şube müdürlüğünce muhafaza edilir.

YEDINCİ KISIM

Çeşitli ve Son Hükümler

Yürürlükten Kaldırılan Mevzuat

Madde 50- 1/11/1955 tarihli ve 4/6123 sayılı Bakanlar Kurulu Kararı ile yürürlüğe giren "Atatürk Orman Çiftliği Müdürlüğü Satınalma- Satma, Yapma-Yaptırma, Kiralama ve Kiraya Verme İşlerine Dair Esaslar" ile ek ve değişiklikleri yürürlükten kaldırılmıştır.

Geçici Madde 1- Bu Yönetmeliğin yürürlüğe girmesinden önce başlamış olan işler eski mevzuat hükümlerine göre sonuçlandırılır.

Yürürlük

Madde 51- Bu Yönetmelik yayımı tarihinde yürürlüğe girer.

Yürütme

Madde 52- Bu Yönetmelik hükümlerini Bakanlar Kurulu yürütür.

God

Bekir COŞKUN ONUNCU KÖY

Yağma durmuyor...

YAĞMACILAR, kendi yurtlarını yağmalamayı aralıksız sürdürüyorlar.

Buna kimse engel olamıyor. Yağmacılara dur-durak yok.

Rant gördükleri her yere saldırıp, ne yapıp yapıp, hiçbir engel tanımadan ele geçiriyorlar.

Gerektiğinde "sanayici" kılığına giriyorlar, gerektiğinde "hayır kurumu", gerektiğinde "yerel yönetim", gerektiğinde "turizmci", gerektiğinde "Atatürkçü" oluyorlar.

İşte; bu ise "spor" adına...

Atatürk Orman Çiftliği'nin 126.5 dönümlük bir parçasını kopanp almak için kanun tasansı hazırlattılar, tasan geçtiğimiz günlerde **Meclis'**e geldi.

Buna göre Mustafa Kemal'in Türk halkına mesire yeri olarak hediye ettiği çiftliğin Ankara'ya bakan en güzel yeri Gençlik ve Spor Genel Müdürlüğü'ne devredilecek, o da istediği spor kulübüne verebilecek.

Bu aslında bir hile...

Kandırmaca.

Çünkü orası çoktan verildi zaten.

 O alanı yıllar önce hiçbir yasal dayanağı olmadan, yasadışı ve suç işleyerek zaten işgal etmişlerdi.

Oraya önce "antrenman sahası" diye günübirlik izin alıp girdiler, sonra bir soyunma odası, peşinden binalar, restoranlar, barlar, meyhaneler, diskotekler raldi

Spor adına...

Şu anda üzerinde kaçak yapılmış tesisler, eğlence yerleri, restoranlar, bar, diskotek var. İşleten işletene.

Atatürk'ün mirasçısı sıradan halkın girmesi elbette olanaksız.

Kaçak olduğu halde açılışını o zamanki Cumhurbaşkanı Süleyman Demirel yapmıştı.

Şimdi yaptıkları; sadece yasal kılıfını bulmak

Yağma dumuyor.

Bir ulus düşünün ki en sevdiği ve durmadan andığı "Ulu Önder"inin anılarını bile çalıp çırpıyor.

Onun izinden yürüdüğünü söylerken, ona en büyük saygısızlığı yapabiliyor.

Hem de el ele vererek.

O zaman neresi kurtulabilir 👙 = ellerinden?

Orman, yayla, göl, deniz, ova, ırmak, doğa, çevre...

Yer, gök...