The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965

NOTIFI CATION

The 26th May, 1965

No. G.S.R. 105/P.A. 41/63/S. 25/65—With reference to Punjab Government notification No. GSR 8/P.A. 41/63/S.25/65, dated the 22nd January, 1965, and in exercise of the powers conferred by section 25 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, the Governor of Punjab is pleased to make the following rules, namely:-

RULES

PART I

1.Short title and commencement.—(1) These rules may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965.

(2) They shall come into force at once.

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2.Definitions**.—** In these rules unless the context otherwise requires:- (a) Act" means the Punjab Scheduled Roads and Controlled Areas Restriction of

Unregulated Development Act, 1963;

(b) "Colony" means an area of land, within a controlled area, which is developed or proposed to be developed for the purpose of subdividing it into plots for residential, commercial, industrial or other purposes;

(c) "Coloniser" means an individual, company or association or body of individuals whether incorporated or not including a Co-operative Society owing or acquiring or agreeing to own or acquire, whether by purchase or otherwise, land for the purpose of setting up a colony;

(d) "Development Plan" means the final plan notified in the official Gazette under sub-section (7) of section 5;

(e) "Form" means a form appended to these rules;

(f) "Section" means a section of the Act;

(g) "Sector" means any part of the controlled area indicated as such in the Development Plan;

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(h) "Sector Plan" shall mean the Plan as proposed under rule 8 and kept in the office of the Director showing the layout of a sector and in particular defining the main road system and approximate location of sites for shopping centre, schools and other public buildings and major open spaces within the sector.

70[(i) "title to land" or "title deed" means a document evidencing applicant's ownership or lease right for such period, as may be specified by the Government for different purpose.]

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PART II
CONTROL ALONG SCHEDULED ROADS AND BYE PASSES OUTSIDE THE CONTROLLED AREAS

3.Registration of existing building along Schedule Roads and bye-pass.[*Section 3 and 25 (1)*].—(1) The Director shall, as soon

as may be cause a survey of all scheduled roads including bye-passes thereof to be carried out and prepare a liner map on a scale of 200 feet to 1 inch indicating all such buildings, excavations and means of access to the aforesaid road and bye-passes which were within 100 meters on either-side of the road reservation in the case of bye-pass and within 30 meters on either side of the road reservation in the case of a scheduled road.

(2) The Director shall maintain a register in Form SRI showing all the buildings, excavations and means of access to roads indicated in the map prepared under sub-rule (1).

(3) The Director as well as the official conducting the survey referred to in sub rule (1) shall sign each page of the register maintained under sub-rule (2) in token of correctness of the entries made therein.

(4) The Director shall, on application by any member of public make, available, the map referred to in sub-rule (1) and the register referred to in sub rule(2), for inspection free of cost.

(5) The Director may after making such enquiries as he considers necessary, amend such map or register, as the case may be, if it is found to be wrong in any particulars.

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[71][3A. Exclusion of building which was in existence, immediately before commencement of Haryana Ordinance No. 1 of 2009. [*Section 3, 25(1) and 25(2)(i)*].—(1) Every owner of a building, which was existence immediately

[70] Added by Haryana Govt. Gaz. (Extra) Notification No. M-6/JE(SS)2010/5911 dated 7.5.2010 at page 1768

[71] Rule 3A inserted by Haryana Govt. Gaz. Notification No. C-620(B).STP(EV)/2012/428 dated 21.3.2012 at page 912

before commencement of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Ordinance, 2009 (Haryana Ordinance No. 1 of 2009), shall make an application in Form SR-IV to District Town Planner of respective district, within six months of the publication of these rules for exclusion of such building form the provisions of section 3 of the Act.

(2) Every application shall be made in Form SR-IV and shall be accompanied by the requisite plans, documents/photographs (hard copy) on Compact Disk. In case of failure, to furnish the application together with the plans, documents/photographs and Compact Disk, the same shall be returned to the applicant for submission in accordance with the rules.

(3) The Committee consisting of the following officers shall scrutinize the application, namely:-

(i)District Town Planner/District Town Planner, Enforcement;

(ii)a representative of the Deputy Commissioner (not below the status of HCS officer);

(iii)Executive Officer of the concerned Municipal Corporation/Municipal Committee, Municipal Council;

(iv)Concerned Executive Engineer, Public Works Department (Building and Roads Branch), Haryana.

(4) (a) After scrutiny of the application if the Committee is satisfied it shall, call upon the applicant to deposit the amount at the rate of Rs. 600/- per square metre for the structure/buildings located on National Highway and Rs. 350/- per square metre for the structures/buildings on Scheduled road other than National Highway, within a period of thirty days from the date of notice given to him under a registered cover and the building shall be deemed to have been excluded from the provisions of section 3 of the Act on payment of aforesaid charges.

(b) If the applicant fails to submit application within period specified in sub-rule (1) above or deposit the said charges within the period as specified in clause (a), such building shall not be deemed to be excluded.]

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4.Application for permission under section 3.*[Sections 3, 8 (1) and 25(2) (e)]*.—(1) Every person requiring permission of the Director for.— (a)Erection or re-erection of a building which was in existence

immediately before the commencement of the Act and which involves any structural alteration or addition.

(b)laying out any means of access to a road; or

[26]

(c)erection or re-erection of a motor fuel-filling station or a bus queue-shelter within 30 meters on either side of a road reservation of a scheduled road, or within 100 meters on either side of a road reservation of a bye-pass, lying outside a controlled area, shall make an application to the Director in Form SR II accompanied by Plans and documents mentioned therein.

(2) The site plans mentioned in the application shall be drawn to a scale of not less than 40 feet to 1 inch and indicate;—

(a)the boundaries of the site;

(b)the outline of the proposed building with outer dimensions mentioning therein the total area to be covered;

(c)existing building, if any, by distinct notation.

(3) The building plans mentioned in the application shall be drawn to a scale of not less than 1/8 inches to a foot and indicate;—

(a)the plan of all the floors of the building;

(b)elevations in typical sections (only in case of motor fuel-filling stations or bus queue shelter); and

(c)the plinth level with reference to the level of the center line of the scheduled road or bye-pass, as the case may be.

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5.Principles and conditions under which application under rule 4 may be granted or refused *[Sections 3,8(1) and 25(2)(f)]*—No permission shall be granted on an application submitted under rule 4, unless:

(a)the erection or re-erection of the building conforms to the building rules contained in Part VII of these rules;

(b)means of access takes off from an existing road or revenue

rasta already adjoining the scheduled road or conforms to traffic requirements of the scheduled road as determined from time to time by the Director; and

(c)erection or re-erection of a fuel filling stations or bus-queue-shelter is in accordance with the designs and specifications laid down by the Director, from time to time.

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6.Information necessary to validate application under rule

4. [*Sections 3,8 (1) and 25(2)(e)*].—No application under rule 4 shall be considered to be valid unless:

(i)it is made on the prescribed form and all the necessary information required to be filled in that

form is given: and

(ii)where necessary, it is accompanied by the requisite number of the site plans, building plans and other documents.

[27]

In case of failure to submit the application in the aforesaid manner the application together with the plans and documents shall be returned to the applicant for resubmission in accordance with the rules.

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7.Form in which other under Section 8(2) is to be passed. *[Sections 8(2) and 25(1)]*— After an application on the prescribed form containing the requisite information and accompanied by necessary documents as mentioned in rule 4 is received, the Director shall, after making such inquiry as he considers necessary, pass an order under sub-section(2) of Section 8 in Form SR-III.

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PART III
PREPARATION OF DEVELOPMENT PLANS

8.Contents of Plans of Controlled area. *[Section 5(1) and 25(2)(e)]*.—Plans of a controlled area prepared under sub-section 5 shall consist of:- (i)a map showing existing land use including existing building; (ii)a map showing:-

(a)areas reserved for major land uses such as residential, industrial, commercial and warehousing;

(b)areas reserved for public and community amenities, such as civic centres and educational, recreational and social institutions and major open spaces;

(c)main lines of roads, railways, airports and areas reserved for major public utility services, such as treatment of water supply, disposal of drainage and electricity and gas installations;

(d)lands reserved for major green rural belts;

(e)special areas of aesthetic, sentimental or historic value which require protection;

(f)lands liable to flooding or subsidence; and

(g)stages in which areas reserved for major land uses and the sectors will be permitted to be developed having regard to compact and economical development.

Explanation.- This map may show the above reservations required for the controlled area as a whole and may not show the above reservations within a sector for which a sector plan shall be prepared as and when required;

(iii)A note explaining the proposals illustrated on the map; and

(iv)Zoning regulations containing:-

[28]

(a)types of buildings and ancillary and allied uses which may be permitted within a major land use referred to in clause (ii)(a) above; and

(b)any special or general restrictions applicable to a specific part or parts of the controlled area.

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9.Publications of development plans for inviting objections *[Sections 5(4) and (6)]*— A copy of the development plan notified by Government under sub section(4) of section 5 shall be sent by the Director to every local authority within whose limits any land included in the controlled areas is situated so as to enable it to [72][make any representation within a period of three months it may like] to make with respect to the plan.

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10.Publication of final development plans. *[Sections 5(7) and 25(2) (b)]*— The development plan as notified by the Government under sub-section (7) of Section 5 shall in addition to its publication in the official gazette be published by displaying copy thereof at a conspicuous place at the office of the-

(i)Director;

(ii)Estate Officer, if any, having jurisdiction in the controlled area; (iii)Deputy Commissioner of the district in which the controlled area is situated; and

(iv)Panchayat Samiti or Samitis in which the controlled area is situated.

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PART IV

DEVELOPMENT OF COLONIES IN CONTROLLED AREAS

11.Application for permission under Section 7 in case of colonizer *[Section 8 and 25(2)] (e)*—(1) Every colonizer ***intending*** to change the existing use of the land in a controlled area for the purpose of setting up a colony by sub dividing and developing the said land into building plots for residential, industrial, commercial or other purpose shall make an application in writing to the Director in

Form CL-1, accompanied by the following plans and documents in triplicate:-

(i) Copy or copies of all title deeds and/or other documents showing the interest of the colonizer in the land under the proposed colony alongwith a list of such deed and or other documents.

[72] Substitute for the words "make any representation it may like" by Haryana Govt. az. (Extra) Notification No. 19996 dated 22.12.1997 at page 2825

[29]

(ii) A copy of the Shajra plan showing the location of the colony alongwith the name of the revenue estate, Khasra number of each field and the area of each field.

(iii) A guide map on a scale of not less than 6" to a miles showing the location of the colony in relation to surrounding geographical features to enable the identification of the land.

(iv) A survey plan of the land under the colony on a scale of 1" to one hundred feet showing the spot levels at a distance of 100 feet and where, contour plans. The survey will also show the boundaries and dimension of the said land, the location of streets, buildings and premises within a distance of at least 100 feet of the said land and existing means of access to it from existing roads.

(v) Layout plan of the colony on a scale of 1" to one hundred feet, showing the existing and proposed means of access to the colony, the width of streets, sizes and types of plots, sites reserved for open spaces community buildings and schools with area under each and proposed building lines on the front and sides of plots.

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

(vii) Plans showing the cross-sections of the proposed roads showing in particular width of the proposed

carriageways, cycle tracts and footpaths green verges, position of electric pole and or any other works connected with such roads.

(viii)Plans as required under clause (vii) indicating, in addition, the position of sewers, storm water channels, water supply and any other public health services.

(ix)Detailed specifications and design of road work under clause viii above estimated costs thereof.

(x)Detailed specification and design of sewerage, storm water and water supply schemes with estimated costs of each.

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

(2) The triplicate plans mentioned in sub rule (1) shall be clear and legible A0 prints, with one set mounted on cloth.

(3) Where a colonizer, before submitting an application under sub-rule (1), wants to ascertain if the proposed change in the use of land in the controlled area for the purpose of setting up a colony, is in conformity with the development plan and the lay-out of the sector plans, and that such land provides for satisfactory arrangements for disposal and treatment of sewage

[30]

and storm water and does not conflict with any programme of acquisition of land and its development to be undertaken by the Director, he may submit to the Director a preliminary application giving information only in respect of clause (ii), (iii), (iv), (v) and (vi) of sub-rule (1). On receipt of the preliminary application, the Director shall after making such enquiry as he considers necessary, intimate to the applicant the information on the above points.

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12.Percentage of area under roads and open spaces in the lay-out plans *[(Section 25(2)(f)].*— In the layout plan of the colony, the land reserved for roads, open spaces, schools, public and community building and other common use shall not be less than forty-five per centum of the gross area of the land under the

colony; provided that the Director may reduced this percentage to a figure not below thirty five where in his opinion the planning requirements and the size of the colony so justify.

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13.Development works to be provided in the colony.*[(Section 25(2)(f)]*.—The designs and specifications of the development works to be provided in a colony shall include—

(i)metalling of roads and paving footpaths;

(ii)turfing and plantation with trees of open spaces;

(iii)street lighting;

(iv)adequate and wholesome water-supply;

(v)sewers and drains both for storm and sullage water and necessary provision for their treatment and disposal; and

(vi)any other works that the Director may think necessary in the interest of proper development of the colony.

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14.Conformity of layout plans with the Development Plan*[Section 25(2)]*.— The plans and documents mentioned in rule 11 to be submitted alongwith the application shall conform to the provisions, restrictions and conditions laid in the Development Plan.

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15.Preparation of layout on payment of fees*[Section 25(1)].— A* colonizer intending to make an application under rule 11 may request that any or all the plans and documents referred to in clauses (iv) to (xi) of sub-rule (1) of rule 11 may be got prepared for him by the Director on payment of such fees as may be assessed by the Director.

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16.Information necessary to validate application under rule 11 *[Section 3(f) and 25(2]*.— No application under rule 11 shall be considered to be valid until plans and documents required by sub-rule (1) of that rule have

been furnished to the satisfaction of the Director. In case of failure of such compliance, the application together with the plans and documents shall be returned to the colonizer for resubmission in accordance with the rules.

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[73][16A. Earnest Money.— (1) Before proceeding under rule 17 or rule 18, the Director shall, by order in writing, require the colonizer to furnish, within a period of thirty days from the date of service of such order, an earnest money at the rate of {one rupee} per square yard calculated for the gross area of the land under the proposed colony in the form of a demand draft in favour of the Director and drawn on any Scheduled Bank at Chandigarh.

Provided that the Director may, for reasons to be recorded in writing, extend such time by a period not exceeding thirty days.

(2) If the colonizer fails to furnish the earnest money as provided in sub-rule (1), the Director shall reject his application.]

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17.Rejection of application*[Sections 8(2) and 25(2)(b)]*.— On receipt of an application under rule 11, the Director shall, after making such inquiry, as he considers necessary and after giving reasonable opportunity of being heard to the applicant by an order in writing refuse to grant permission, if—

(a)it does not conform to the requirements of rules 12, 13 and 14; (b)he is satisfied that the plans and designs of the development works submitted with application are not technically sound and workable; or

(c)he is satisfied that the estimated expenditure on water supply mains or extramural and outfall sewer at the stage of the development of that part of the controlled area is incommensurate with the size of the colony.

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18.Applicant to be called upon to fulfill certain

conditions.*[(Sections 8(2) and 25(2)(f)]*.—(1) If, after scrutiny of the plans and other necessary enquiry which the Director may deem fit, he is satisfied that the application is fit for the grant of permission, he shall, before granting permission, call upon the colonizer to fulfill the conditions laid down in rule 19 within a period of thirty days from the date of notice given to him under a registered cover.

(2) If the colonizer fails to fulfill these conditions within the period specified in sub rule (1), the permission shall be refused.

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19.Conditions required to be to fulfilled by colonizer *[Section 8(3) and 25(2)(f)]*.— The colonizer shall—

[73] Rule 16A. inserted by GSR 89/PA-41/63/S.125/Amd(1)/66 dated 21.4.1966

[74][(a) furnish to the Director a bank guarantee equal to 25 per centum of the estimated cost of the development of any one or more of the works as mentioned in rule 13, which the colonizer wishes to undertake first, as certified by the Director and he shall enter into agreement in

Form CL-II for carrying out and completion of development works in accordance with the permission finally granted, provided that the colonizer shall undertake any such development work only after the permission for such a work has been given by the Director after the colonizer has furnished a bank guarantee equal to twenty five percent of the estimated cost of said development work/works.]

(b) [75][……]

(c)undertake to pay proportionate development charges as and when required and as determined by the Director in respect of laying out and construction of main lines of roads, drainage, sewerage, water- supply and electricity, if any when so laid by the Government or any other local authority;

(d)undertake to be responsible for the maintenance and upkeep of all roads, open spaces, public parks and public health services for a period of five years from the date of issue of the completion certificate under rule 22 unless earlier relieved of this responsibility by the Government or a local authority, as the case may be, and there upon to transfer all such roads, open spaces, public parks and public health services free of costs to the Government or the local authority, as the case may be;

(e)undertake to construct at his own cost or get constructed by any other institution or individual at its own cost, schools, hospitals, community centres and other community building on the land set apart for this purpose or undertake to transfer to the State Government at any time it may desire free of costs the land set apart for schools, hospitals, community buildings, in which case the Government shall at liberty to transfer such land to any person or institution including a local

authority on such terms and conditions as it may deem fit, and

(f)undertake to permit the Director or any other officer authorized by him in this behalf to inspect the execution of the layout and the development works in the colony and to carry out all directions

74 Substituted by Haryana Govt. Gaz. (Extra) Notification No. GSR/119PA-41/63/S.25/70 dated 12.11.1970 75 Omitted by Haryana Govt. Notification No. GSR 89/PA-41/63/S.125/Amd(1)/66 dated 21.4.1966

[33]

issued by him for ensuring due compliance of the execution of layout and development works in accordance to the permission granted.

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20.Grant of permission and form of order of grant or refusal to grant permission.[*Sections 8(2) and 25(1)*].—(1) After the colonizer has fulfilled all the conditions laid down in rule 19 to the satisfaction of the Director, the Director shall grant the permission.

(2) Every order passed under sub section (2) of Section 8 on an application submitted under rule 11 shall be in Form CL-III.

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21.Duration of sanction [*Section 8(2)and25(2)(f)*]—(1)The permission granted under rule 20 shall remain valid for a period of three years from the date of order during which period all works in connection with the laying out and development of colony shall be completed and a certificate of completion obtained from the Director as provided in rule 22:

Provided that permission may be renewed upto further period of two years if the Director is satisfied that the delay in execution of layout and development works was for reasons beyond the control of the colonizer: [Provided further that if the permission granted under rule 20 is based on the colonizer's furnishing guarantee for one development work, or more one development work separately, the permission granted for rule work or works shall remain valid for a period of one year from the date of order, during which period such work/works shall be

completed and a certificate to that effect obtained from the Director.]

(2) The colonizer shall commence the laying out of the colony and development works within three months of the issue of order under sub-rule (1) of rule 20.

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22.Completion certificate [*Sections 25(1)(2)(f)*].—(1) After the colony has been laid out according to the approved layout plans and development works have been executed according to the designs and specifications as approved in the order granting permission, the colonizer shall make an application to the Director in

(2) After such scrutiny, as may be necessary, the Director may issue a completion certificate in

Form CL-V or refuse to issue such certificate stating the reasons for such refusal.

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23.Transfer of sanction *[Section 25(2) (f)]*.— The colonizer shall not be entitled to transfer the permission granted to him under sub-rule (1) of rule 20 to any other person or persons without the prior permission in writing of the Director.

[34]

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24.Revocation of permission [*Section 25(2)(f)*].—(1) Should the Director determine at any time that the execution of the layout plans and the construction of other work is not proceeding according to the permission granted under sub-rule(1) of rule 20 or is below specifications or is in violation of any provision of these rules or of any law or rules for the time being in force, he shall by a notice in

form CL-VI notify the colonizer, to whom permission was granted, requiring to remove the various defects within the time specified in the notice.

(2) Should the colonizer fail to comply with the requirements detailed in the notice issued under sub rule (1), the Director shall issue him a further notice in

Form CL-VII to afford him an opportunity to show cause why the permission granted should not be revoked.

(3) After hearing the colonizer or considering such representation as he may make, the Director may either revoke the permission or may grant him further time for complying, with the requirements of the notice issued under sub rule (1). If, however, the colonizer does not comply with the said requirements within such extend period, the Director shall revoke the permission.

(4) On the revocation of the permission no further works shall be undertaken or carried out by the colonizer unless fresh, permission has been obtained.

(5) After revocation of the permission, the Director may himself carry out or cause to be carried out the development works in the colony and recover such charges as he may incur on the said development works from the earnest money deposited by the colonizer and the bank guarantee furnished by him under rule 19.

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[76]**[25. Refund of Earnest money** ***[****Section 25(2) (f)****]*****.**— Such charges as may be determined by the Director for the scrutiny of the plans, estimates and works in respect of colony shall be deducted from the earnest money deposited by a colonizer under rule 16-A and the balance, if any, shall be refunded to him within six months of the rejection under rule 17 or grant of permission under rule 20.]

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26.Release of Bank Guarantee *[Section 25(2)(f)]*.—After the layout and development works or part thereof in respect of the colony or part thereof have been completed and a completion certificate in respect thereof issued, the Director may, on an application in this behalf from the colonizer, release

[76]Substituted by Haryana Govt. Notification No. GSR 89/PA-41/63/S.125/Amd(1)/66 dated 21.4.1966

within a period of six months of the date of the application, the bank guarantee or part thereof, as the case may be, after adjusting the expenditure, if any, incurred as provided under Rule 24 (5): provided that if the completion of the colony is taken in part only

the part of the bank guarantee corresponding to the part of the colony completed shall be released: and provided further that always 1/5th bank guarantee shall be kept unreleased to ensure upkeep and maintenance of the colony or the part thereof, as the case may be for a period of 5 years from the date of issue of the completion certificate under rule 22 or earlier till such time as the colonizer is earlier relieved of the responsibilities in this behalf by the Government or a local authority, as the case may be.

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[77]{**PART IV – A**

CHANGE OF LAND USE IN CONTROLLED AREAS

26A. Application for permission under Section 7 in case of a person other than colonizer.– Every person other than colonizer intending to change the existing use of the land in a controlled area for the purpose of developing the said land into buildings for residential, industrial, commercial or other purposes shall make [78][an application in writing alongwith scrutiny fee of Rs. 10 (ten rupees only) per square meter in the form of bank draft to the Director] in

Form CLU-I, accompanied by-

(1)a survey plan of the land on scale of 1" to forty feet showing the existing means of access to the land for the nearest public road and building and their nature falling within 100 yards of the said land on its four sides; and

(2)a copy of the deed showing the title of the applicant to the said land.

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26B. Information necessary to validate application under rule 26-A**.-** No application under rule 26-A shall considered to be valid until a plan and a copy of the deed required by rule 26-A have been furnished to the satisfaction of the Director. In case of failure of such compliance, the application together with the plan and copy of the deed shall be returned to the applicant for resubmission in accordance with these rules.

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26C. Applicant to be called upon to fulfill certain conditions. – (1) If, after scrutiny of the plan and other necessary enquiry which the Director may deed fit, he is satisfied that the application is fit for the grant of permission, he shall

77 Part IV-A added by Notification GSR 65/PA-41/63/S-25 Amend. (1) 68 dated 31.7.1968 78 Substituted by Haryana Govt. Gaz. Notification No. 10DP-99/14217 dated 1.10.1999 at page 2217

before granting permissions, call upon the applicant to fulfill the conditions laid down in rule 26-D within a period of thirty days from the date of notice given to him under a registered cover.

(2) If the applicant fails to fulfill these conditions within the period specified in sub-rule (1), the permission shall be refused.

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26D. Conditions required to be fulfilled by the applicant.-The applicant shall –

(a)furnish to the Director a bank guarantee in the [79][amount equal to twenty five percent] of proportionate estimated cost of the development works as certified by the Director and enter into an agreement in

Form CLU-II for fulfilling the conditions contained herein in accordance with the permission finally granted.

(b)undertake to pay proportionate development charges which shall be a first charge of the said land as and when required and as determined by the Director in respect of external development works which may be carried out in the area for the benefit of the said land.

(c)undertake to be responsible for making arrangement for the disposal of affluent to the satisfaction of the Director.

(d)undertake to get the plan approved from the Director before commencing any construction on the said land.

(e)undertake not to sell the said land or portion thereof unless the said land has been put to use permitted by the Director and to use the said land only for the purposes permitted by the Director; and

(f)undertake to start construction on the said land within a period of six months and complete the construction within a period of [80][two years] from the date of issue of order permitting the change of land use:

[81] [Provided that where the existing use of the land in a

Controlled Area is to be changed for the purpose of developing the said land into buildings for industrial purposes, no bank guarantee referred to change (a) shall be required to be furnished and in such a case paragraph 3 of the agreement in

Form CLU-II shall not apply.] [82][(g) furnish to the Director a demand draft on account of conversion charges as per rates prescribed in the [83]"Schedule IV/IVB" to these rules.]

[79] Added by Haryana Govt. Notification No. GSR 65/PA-41/63/S.25/69 dated 24.4.1969 [80] Substituted by Haryana Govt. Gaz. (Extra.) dated 25.3.1997 published on 26.3.1997
[81] Added by Notification No. GSR/59PA-41/63/S.25/70 dated 17.4.1970
[82] Inserted by Haryana Govt. Gaz. Notification No. 10DP-99/14217 dated 1.10.1999 at page 2217

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26E. Grant of permission and form of order of grant or refusal to grant permissions.-(1) if the applicant has fulfilled all the conditions laid down in rule 26-D to the satisfaction of the Director, the Director shall grant the permission.

(2)Every order passed under sub-section (2) of section 8 on an application submitted under rule 26-A shall be in form CLU-III.

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[84][26F. Duration of sanction.– The permission granted under rule 26-E shall remain valid for a period of two years for land measuring upto twenty five acres for other than Multi-Story Buildings, three years for land measuring upto twenty five acres for Multi-Story Building and five years for land measuring twenty five acres and above from the date of orders during which period works for putting the said land to the permitted use shall be completed: Provided that if the owner makes an application in writing for further renewal of the change of land use permissions and if, the Director is satisfied for the reasons mentioned by the applicant, such permission may be further renewed upto a period as follows:-

(i)	For land measuring upto twenty-five acres and permission granted for other than multi-storied buildings	Three years
(ii)	For land measuring upto twenty-five acres and building plans for multi-storied buildings (more than four storied or fifteen metres in height as the case may be) are approved	Four years

(iii) For land measuring twenty-five acres and above: Five years

The renewal shall be subject to payment of ten percentum of conversion charges applicable as on date in form of demand draft/e-payment in favour of the Director:

Provided further that the Director with the approval of the Government may extend the permission by another one year, if he is satisfied that the delay in execution of works is beyond the control of applicant, inspite of granting renewal of permission as per the first proviso. The extension shall be granted on payment of fifteen percentum of conversion charges applicable

[83] Substituted vide Haryana Govt. Gaz. Notification No. 1644 dated 18.01.2023

[84] Substituted vide Haryana Govt. Gaz. Notification No. M-6/JE(S)/2012/17932 dated 11.9.2012 at page 3208 and further substituted by Haryana Govt. Gaz. Final Notification No. Misc-G1-Vol- II/Asstt(AK)/2020/7/11/2020-2TCP dated 17.08.2020.

as on the date and shall be deposited in the form of demand draft/e-payment in favour of the Director.]

***

PART V
LAYING OUT MEANS OF ACCESS TO A ROAD WITHIN CONTROLLED AREA

27.Application for permission under section 8 for lying out means of access to a road in a controlled area*[Section 3,8, and 25(2)(e)]***.–** (1) Every person requiring permission of the Director for laying out means of the access to a road within a controlled area shall submit an application in Form AC-I.

(2) The site plan mentioned in Form AC-1 shall be drawn to a scale of not less than 1" to 40' and indicate:-

(i)the name of the road to which access is desired indicating the number of milestone or furlong stone, and

(ii)the details of the proposed junction.

(3) The cross-section of the proposed access shall be drawn to a scale 1" to 1' and shall show all elements constituting the road e.g. the metalled portion, footpaths, position of electric poles, green verges, etc.

***

28.Restriction governing the grant of permission for laying out means of access in a controlled area*[Sections 3,8(1) and 25(2)(f)].*-No permission for application made under rule 27 shall be granted, unless-

(a)the proposed means of access are in conformity with the provisions of the development plan, and

(b)the applicant undertakes to construct the proposed access in the manner specified in the order granting permission.

***

29.Information necessary to validate application under rule 27 *[Sections 3, 8 and 25 (2)(e)].*– No application under rule 27 shall be considered to be valid unless it is made on the prescribed form and is accompanied by the requisite number of plan and documents required to be furnished along with the application. In case of failure of such compliance, the application together with the plans and documents shall be returned to the applicant for submission in accordance with the rules.

***

30.Form in which Order under Section 8 (2) is to be passed*[Sections 8 (2) and 25(f)].*- After an application of ***the*** prescribed form containing the requisite information and accompanied by necessary, documents as mentioned in rule 27 is received, the Director shall, after making such inquiry as he

considers necessary, pass an order under sub-section (2) of section 8 in Form AC-II.

***

31.Duration of permission*[Sections 8(2) and 25(2)(e)].*– Every permissions granted under rule 30 shall remain in force for a ***period*** of one year and if the means of access are not laid out within the aforesaid period according to the conditions attached with the order granting permission, the permission shall be deemed to have lapsed and in that case fresh permission will be necessary.

***

PART VI

LICENSING OF BRICK-KILNS WITHIN CONTROLLED AREAS

32.Application for licence under section 8 for setting up a brick kiln or brick field *[sections 8 and 25 (2) (e)].*– Any person intending to use land within a controlled area for purpose of a charcoal-kiln, pottery-kiln, lime-kiln, brick-kiln or brick-field or for quarrying stone, bajri, surkhi, kankar or for other similar extractive and ancillary operation shall make an application in writing to the Director in Form BK-I accompanied by the following plans and documents in triplicate:-

(i)A guide map on scale of not less than 6" to a mile showing the location of the site in relation to the main geographical features to enable its identifications within the controlled area, and

(ii)a site plan on a scale of not less than 1" to 40" showing thereon- (a)the boundaries of the site proposed to be used for the aforesaid purpose;

(b)the portion of the site which is to be excavated;

(c)portion of the site in which kiln or machinery is to be installed; and

(d)cross section through the portion of the site proposed for excavation showing,-

(i)existing levels;

(ii)and the average levels to which it is to be excavated.

***

33.Information necessary to validate application under rule 32 *[Section 8 and 25(2)(e)]*.–No application under rule 32 shall be considered to be valid unless it is made on the prescribed form and accompanied by the requisite number of plans and documents required to be furnished alongwith the application. In case of failure of such compliance, the application together with the plans and documents shall be returned to the applicant for resubmission in accordance with the rules.

***

[40]

34.Restriction governing the grant of licenses [*Section 8 and 25(1)*].– No licence under rule 32 shall be granted unless-

(a)the land is situated within an area indicated for the purpose for which the licence is sought in the development plan;

(b)The portion of the land earmarked for excavation does not exceed 50 per cent of the land sought to be licensed:

(c)proposed excavation does not exceed the depth of five feet; and (d)no permanent buildings are proposed to be constructed on the land.

***

35.Form in which licence under Section 8 (2) is to be given *[Section 8(1) and 25 (2)(f)]*.– After an application on the prescribed ***form*** containing the requisite information and accompanied by necessary documents as mentioned in rule 32 is received the Director shall, after making such inquiry as he considers necessary; grant a licence in Form BK-II or refuse to grant the same.

***

36.Duration of licence *[Section 8 (1) and 25 (2)(f)]*.- Every licence issued under rule 35 shall remain valid for 85[86{three calendar years} or a part there of] as the case may be, and will be renewable annually;

Provided that if at any time or at the time of the renewal, any extension of land for the required purpose is necessary, the applicant shall make a fresh application for the same as required under rule 32:

Provided further that no fresh licence shall be necessary in case of extension and necessary amendment shall be made in the license already issued.

***

37.Fees for licence *[Section 7 and (2)(d)]*.– Fees for every issue or renewal of a licence under rule 35 shall be 2{one thousand five hundred rupees}.

***

[87][PART VII
BUILDING RULES

38-125. The building activity in the controlled areas shall be governed by 'The Haryana Building Code as hosted on the website of the Town & Country Planning Department on 30th June, 2016 and is amended from time to time.] ***

[85] Substituted by Haryana Govt. Gaz. Part I dated 23.3.1982 at page 749 [86] Substituted by Haryana Govt. Gaz. (Extra.) dated 9.10.1996

[87] Substituted by Haryana Govt. Gaz. (Extra) dated 8.3.2017 at page 598

[41]

PART VIII

MISCELLANEOUS

Demolition, Appeal and Maintenance of Record

126.Register of applications for permission and licences *[Section 8 (2) and 25 (2) (f)]*.— The Director shall maintain the following registers in the form noted against each in respect of permissions or licences granted or refused by him under section 8 and in respect of orders of demolition issued under sub-section (2) of section 12 of the Act:-

(a)A register in

Form M-1 showing particulars of all cases in which permission to erect or re-erect a building in existence immediately before the commencement of the Act and involving structural alteration or addition, within 30 metres of a scheduled road or 100 meters of by-pass or for laying out of a means of access to a scheduled road under clauses (b) and (c) of the provision to section 3 respectively is granted or refused.

(b)A register in Form M-II in which particulars of all cases in which permission to erect or re-erect a building or make or extend an excavation or to lay out means in a controlled area is granted or refused.

(c)A register in Form M-III in which particulars of all cases in which permission for change of use of land within a controlled area for the purpose of setting up a private colony is granted or refused.

(d)A register in Form M-IV in which particulars of all cases in which licence is a controlled area for charcoal-kiln, potter-kiln, lime-kiln, brick-kiln or brick field or for quarrying stone, bajri, surkhi, kankar or for some other similar extractive or ancillary operation is granted or refused.

(e)A register in Form M-V showing particulars of all cases in which orders of demolition under sub-section (2) of section 12 are issued.

***

127.Copies and fees*[Section 8 (2) and 25 (2) (f)]*.— Copies of survey record, field book, plans, orders and other documents prepared under the Act shall be available on payment of the fees mentioned below:-

(1) For copies of entries in the register or linear map prepared under rule 3.-

(a) Entries in register (b) Linear map

Rs.1.00 per entry

Rs.10.00 for every one mile of the road or part thereof indicated in the map

(2)	Copy of entries in the registers mentioned in rule 126	Rs. 1.00 per entry
(3)	Copy of orders of the Director granting or refusing permission under section 8 of the Act	Rs. 2.00 per order
(4)	Copy of development plan drawing of a controlled area	Rs.10.00 per order
(5)	Copy of development plan including all enclosures	Rs.30.00

(6)	Duplicate licence	Rs.2.00
(7)	Other records	Rs.1.00 per page.

Note.- (1) Preparation of copies of documents shall not be undertaken unless the prescribed fees have been deposited by the applicant in advance in the office concerned.

(2) Copying fee once paid shall not be refunded.

***

128.Order of demolition under section 12 (2) *[Sections 12(2) and 25(i)]*.— Where a person erects or re-erects any building or makes or extends any excavation of lays out any means of access to a road, in contravention of provision of section 3 or section 6 or in contravention of any conditions imposed by these rules or by an order under section 8 or section 10, or uses any land in contravention of these provisions of sub-section (1) of section 7 or section 10, the Director shall issue an order under sub-section (2) of section 12 of the said person in

Form M-VII:

Provided that reasonable opportunity shall be given to the defaulter to show cause by notice in Form M-VI before issuing the said order of demolition.

***

129.Procedure for hearing appeals *[Section 25(2)(h)]*.–(1) an appeal instituted before the Commissioner under section 10 shall bear a court fee stamp of ten rupees.

(2) The memorandum of appeal containing grounds of appeal shall be accompanied by a copy of order appealed against an a sketch/plan of the building/site in question.

(3) The Commissioner shall hear the appellant and call for the comments of the Director, Town and Country Planning, [88][Haryana], Chandigarh as also of the Director who passed the order appealed against, in case he is a different officer, and shall consider these comments before final disposal of the appeal.

***

[89]**[130. Salary and other allowances and terms and conditions of Chairman, Member and staff of the Tribunal***[Sections-12C and 25]*.– (1) Chairman of the Tribunal shall receive the salary and other allowances of the Judge of the High Court and the Member shall receive the salary from his own department to which he belongs.

(2) The Chairman and Member of the Tribunal shall be eligible for such traveling allowances and daily allowance on official tours as are admissible to them while working as Judge of the High Court and the Chief Engineer.

(3) The salary and other allowances to the Chairman and other staff of the Tribunal shall be defrayed out of Major Head-"2217-Urban Development".

(4) Chairman of the Tribunal shall hold office for a term of [90]{three} year and shall be eligible for reappointment for another term and the Member shall hold office for a period of

[91]{three} year or upto the age of superannuation, whichever is earlier:

Provided that the Chairman and the member may-

(a)by writing under his hand and addressed to the Government resign his office at any time; and

(b)be removed from his office in accordance with the provisions of sub-rule (5).

(5) the government may remove from office, Chairman or a member of the Tribunal who-

(a)has been judged as an insolvent; or

(b)has been convicted of an offence which in the opinion of the Government, involves moral turpitude; or

(c)has become physically and mentally incapable of acting as such; or

88 Substituted by Har. Govt. Gaz. (Extra.) notification No. 19996 dated 22.12.1997 at page 2825 89 Rules 130 and 131 added by Haryana Govt. Gaz. (Extra.) Notification dated 26.8.2002 at page 1706-08

90The word "three" substituted by Haryana Govt. Gaz. (Extra.) Notification No. C-

215/STP(E&V)/JE(PG)/2019/17/16/99-1TCP dated 8.11.2019.

91 The word "three" substituted by Haryana Govt. Gaz. (Extra.) Notification No. C-215/STP(E&V)/JE(PG)/2019/17/16/99-1TCP dated 8.11.2019

[43]

(d)has acquired such financial or other interest as is likely to affect prejudicially his functions as such; or

(e)has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that the Chairman or Member shall not be removed from his office on the ground specified in clause (d) & (e) of sub-rule (5) except on enquiry held by the Govt. with such procedure as it may specify in this behalf and fund the chairman/member to be guilty on such ground.

(6) Before appointment, the Chairman or member of the Tribunal shall have to take an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as such.

(7) The terms and conditions of service of Chairman, member of the Tribunal or staff shall not be varied to their disadvantage during their tenure of office.

(8) Every vacancy caused by resignation and removal of the Chairman or Member of the Tribunal under sub-rule (4) or otherwise shall be filled in by fresh appointment.

(9) The Chairman or Member ceasing to hold office as such shall not hold any appointment in or be connected with the management or administration of an organisation which have been the subject of any proceeding under the Act during his tenure for a period of five years from the date on which he ceases to hold such office.

(10) The staff for the Tribunal shall be provided by the Town and Country Planning Department, Haryana and shall draw the salary and allowances from the department and their services shall be governed by the departmental service rules and will be on cadre of the Department.

(11) The casual and other leaves of the Chairman of the Tribunal shall be sanctioned by the Governor of Haryana.

(12) All kind of leave shall be admissible to the Chairman of the Tribunal which is admissible to a sitting Judge of the High Court. The Governor of Haryana shall have full powers to sanction the leaves of the Chairman.

[**Sr. No. 13 & 14- Amendmet- Draft Rules dt. 17.09.2018**]

92[(13) The member of the Tribunal shall be entitled for earned leave of fifteen days in every six months of completed service. In addition, he shall be entitled for casual and other leaves as admissible to the Corresponding Grade Officers of the Indian Administrative Service posted in the State and the Chairman shall have powers to sanction the leave of the members.

(14) The member may be paid cash equivalent to leave salary and dearness allowance in respect of the period of earned leave at his credit at the time of conclusion of his term with Tribunal subject to the following conditions, namely:–

(a)The admissibility and such payment shall be limited to a maximum period of one hundred and fifty days earned leave;

(b)the cash so admissible shall become payable on conclusion of his tenure with the Tribunal and be paid in one lump sum as a one time settlement;

(c)The rate of leave salary and dearness allowance shall be the same as admissible to a member for earned leave on the date of retirement and no compensatory allowance and/or house rent allowance shall be payable;

(d)The Chairman, shall have full powers to sanction such benefits to the members.] ***

131.Procedure for hearing appeal by Tribunal*[Section 12-C and 25(2)(h)]*.—(1) Memorandum of appeal shall be presented by the appellant or his authorized agent to the Tribunal in person or by registered post addressed to the Tribunal.

92Inserted by Har. Govt. Gaz. (Extra.) Draft Notification No. 17/16/99-1TCP dated 17.09.2018

(2) Every memorandum filed under sub-rule(1) shall be in legible hand writing preferably typed and shall set forth concisely under distinct heads, the grounds of appeal without any argument or narrative and such grounds shall be numbered consecutively and shall be accompanied by a copy of order appealed against, a sketch/plan of the building/site in question and other documents as may be required to support the grounds of appeal.

(3) The memorandum of appeal shall be accompanied by a fee of Rs.100 in the form of revenue stamp or treasury challan deposited in the Haryana Government Treasury under head “2217-Urban Development (i), 60, other Urban Development Schemes, 800-Other Receipts”.

(4) When the appeal is presented after the expiry of period of limitation as specified in the Act, the memorandum shall be accompanied by an application supported by an affidavit setting forth the facts on which the appellant wants to satisfy the Tribunal that he has sufficient cause for not preferring the appeal within the period of limitation.

(5) The appellant shall submit minimum four copies of memorandum of appeal to the Tribunal for official purposes.

(6) The Tribunal shall call for the records and the comments of the District Town planner/Executive Engineer, Public Works Department (Building and Roads) concerned whose orders are appealed against and shall consider their comments before final disposal of the appeal.

(7) On the date of hearing or on any other day to which hearing may be adjourned, it shall be obligatory for the parties or their authorized agents to appear before the Tribunal. If appellant or his authorized agent fails to appear on such date, the Tribunal may, in its discretion, either dismiss the appeal in default

or decide it on merits of the case. If respondent or his authorized agent fails to appear on such date the Tribunal may proceed ex-parte and may decide the appeal ex-parte on the merits of the case.

(8) The appellant shall not except by leave of the Tribunal urge or be heard in support of any ground of objection set forth in the memorandum of appeal but the Tribunal, in deciding the appeal, shall not continue to the grounds of objections set forth in the memorandum of appeal or taken by leave of the Tribunal under this sub-rule:

Provided that the Tribunal shall not rest its decision on any other grounds unless the party who may be affected thereby, has been given, at least one opportunity of being heard by the Tribunal.

(9) Tribunal may, on such terms as it may think fit and at any stage, adjourn the hearing of the appeal, but not more than one adjournment shall ordinarily be given and the appeal shall be decided preferably within ninety days from the first date of hearing.

(10) Order of the Tribunal on appeal shall be signed and dated by the Chairman and Member constituting the Tribunal and shall be communicated to the parties free of cost.

(11) That in case the Member of Tribunal is not present on any day and appeal for arguments are fixed then only Chairman shall hear the appeal and decide them and his decision shall be final.

(12) That if Chairman is on leave or on vacations then the urgent matters shall be heard by the member of the Tribunal.

(13) For the purpose of this rule, the Tribunal shall have the same powers as are vested in Civil Court under the Code of Civil Procedure, 1908 (Act 5 of 1908).

(14) Every proceeding before the Tribunal shall be deemed to be a judicial proceeding within the meaning of Sections 193 and 228 the Indian Penal Code, 1860 (Act 45 of 1860), and shall also be deemed to be a proceeding of Civil Court for the purposes of Section 195 and Chapter XXVI of the Code of Criminal procedure, 1973 (Act 2 of 1974).]

***

[45]

FORM SR-I

[See rule 3(2)]

Register of buildings, excavations and means of access to roads within 100 metres on either side of road reservation of bye-pass, or within 30 metres of the road reservation on either side of a scheduled road.

(i) District_____

___

(ii) From mile/kilometer_____

_ to

mile/kilometer_____

_

(iii) Name of scheduled road/bye-pass_____

Sr. No.	Date of survey	Location of building, excavation of access of road	Right hand side or left hand side	Description of building excavation or access to road	Purpose for which the building mentioned in column	Reference no. to survey which entry in Column 5 relates
1.	2.	3.	4.	5.	6.	7.

Signature with designation
of Official conducting survey

Signature of Director

***

FORM SR II

[*See Rule 4***]**

Form of application for permission under Clauses (b), (c) or (d) of the proviso to section 3 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act. 1963.

To

_____

_____

Sir,

As my/our request for permissions pertains to a site lying within 30 meters of a scheduled road or 100 meters of a bye-pass I /We beg to apply for permission as under:- * (A) For erection or re-erection of a building which was in existence immediately before the commencement of the Act and which involves structural alterations or additions the details whereof have been given below:-

(i) Exact location of the building indicating name of the road or bye-pass and milestone;

(ii) Since when existing;

(iii) Purpose for which the present building is used;

(iv) Reason why erection or re-erection with structural alterations or additions, necessary.

The following plans are enclosed:-

(i) Site plan in triplicate indicating location of the building.

(ii) Building plan in triplicate.

(B) For laying out means of access to a scheduled road or bye-pass with particulars as under:-

(i) Name of road/or bye-pass to which access desired.

(ii) Point at which access desired indicating number of mile stone or furlong stone etc. (iii) Layout of the junction of the access with the road or by-pass.

(iv) Reason for which access required.

(v) Applicant's title to land under the proposed access.

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(vi) Revenue particulars of the land under the proposed access.

I/We enclose a site plan indicating the proposed access.

*(C) For erecting or re-erecting a motor-fuel-filling station or a bus queue-shelter.

The following plans are enclosed:-

(i)site plan in triplicate indicating location of the proposed station or shelter with reference to the mile stone or furlong stone.

(ii)building plan in triplicate.

Yours faithfully,
Name and Full Address.

** Strike off whichever is inapplicable*

***

FORM SR-III

(See rule 7)

Form of order of grant or refusal to grant permission under section 3 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963.

To

_____
_____

Sir,

Reference your application dated …….. for permission to …….

(a) erect or re-erect building;

(b) laying out means of access to a road;

(c) erection or re-erection of motor-fuel-filling stations or bus queue-shelter; in accordance with the plans submitted by you, permission is hereby _____ *(a)

granted for the aforesaid work; (b)

refused for reasons given on the reverse;

(c) granted subject to the conditions given below:-

_____
_____

Yours faithfully

Director ** Strike off whichever is inapplicable*

***

[93]**[FORM SR-IV**

{see rule 3 A}

A. Name of the Scheduled Road and/or National Highway on which property is situated alongwith details of nearest kilometre stone :-

B. Name of the Controlled Area :—

C. Name of the District :—

D. Particulars of the applicant

1. Name of applicant/s :—
2. Contact address along-with telephone number and e-mail ID :—
3. Name of the village/revenue estate (Hadbast No.) where site is situated :—
4. The Khasra numbers of the site applied for exclusion:—
5. Area of the site in square metres :— 6. I/we want to get excluded the building as per rule 3 A and enclose the following documents in triplicate duly notarized by Oath Commissioner/Magistrate, First Class :—

(a) Revenue documents (authenticated copies) :—

(b) Registration deed

(c) Intkal duly verified by Halka Patwari

(d) Shijra Plan duly verified by Halka Patwari (e)

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[93] Form SR-III inserted by Haryana Govt. Gaz. No. C-620(B)/STP (E&V)/2012/428 dated 21.3.2012 at page 912

Jamabandi duly verified by Halka Patwari 7. Site plan showing the covered area in hatches, detailed building plans for the covered area which are duly authenticated by an Architect/Engineer.

8. Use of the building.

9. Photographs of the building applied for, duly authenticated by owner.

10. Videography of the building applied for, in the form of Compact Disk.

Signatures of the owner along-with address & e-mail ID]

***

FORM CL-I

(See rule 11)

Form of application by a coloniser for permission under section 8 of the Punjab Scheduled

Roads and Controlled Areas Restriction of Unregulated Development Act, 1963.

To

The Director,
Town and Country Planning Department, Haryana
Chandigarh
Controlled Area._____

Sir,

I/We beg to apply for permission to change the existing use of land for the purpose of setting up a colony by sub-dividing and developing into building plots for residential/Industrial /commercial/Other purpose.

2. I/We enclose the following documents in triplicate:-

(i)Copy or copies of all title deeds and/or other documents showing the interest as coloniser in the land under the proposed colony, along with a list of such deeds and/or other documents.

(ii)A copy of the Shajra Plan showing the location of the colony along with the name of the revenue estate, Khasra number of each field and area of each field.

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(iii)A guide map on a scale of not less than 1 Kilometre to 10 centimetre showing the location of the colony in relation to surrounding geographical features to enable the identification of the site.

(iv)A survey plan of the land under the colony on a scale of 1" to one hundred feet showing the spot levels at a distance of 100 feet and, where necessary, contour plans. The survey will also show the boundaries and dimensions of the said land, the location of streets, buildings, and premises within a distance of at least 100 feet of the said land and existing means of access to it from existing roads.

(v)Layout plan of the colony on a scale of 1" to one hundred feet, showing the existing and proposed means of access to the colony, the width of streets, sizes and types of plots, sites reserved for open spaces, community buildings and schools with area under each and proposed building lines on the front and sides of plots.

(vi)An explanatory note explaining the salient feature of the proposed colony, in particular the sources of water supply arrangement for disposal and treatment of storm and sullage water and sites for disposal and treatment of storm and sullage water.

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

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

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

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

(xi)Detailed specification and design for disposal and treatment of storm and sullage water and estimated costs of works.

3. The names and qualification of the Engineers responsible for the execution of the development works of the colony are given below and the engineer has also signed below in token of his engagement:-

Name of Engineer	Qualification of Engineer mentioned in column 1	Signature of Engineer mentioned in column 1
1.		
2.		
3.		

Dated

Yours faithfully

(Name and full address)

***

[49]

FORM CL-II

(See Rule 19)

Agreement by a coloniser intending to set up a colony

This AGREEMENT made on the _____day of_____ one thousand nine hundred and sixty _____ between Shri _____ son of Shri _____ resident of _____ (hereinafter called "the Coloniser") of the one part AND the Governor of Punjab acting through the DIRECTOR, TOWN AND COUNTRY PLANNING DEPARTMENT, Haryana, of the other part (hereinafter referred to as the "Government").

(i) WHEREAS the coloniser is seized of or otherwise well entitled to the land mentioned in Annexure hereto, which said land is within the controlled area of _____ and is affected by the provision of Punjab Scheduled roads and Controlled Areas Restrictions of Unregulated Development Act, 1963, and rules made thereunder, hereinafter, referred to as the Act and rules.

(ii) AND WHEREAS under rule 19 of the said rules one of the conditions for the grant for permission is that the coloniser shall enter into an agreement for carrying out and completion of development works in accordance with the permission finally granted.

NOW THIS DEED WITNESSTH AS FOLLOWS:-

1.In consideration of the Director agreeing to grant permission to the coloniser to set up the said colony on the land mentioned in Annexure here to on the fulfillment of all the conditions laid down in rule 19 by the coloniser, the coloniser hereby covenants as follows:- (a) That the coloniser shall be responsible for the maintenance and upkeep of all roads, open spaces, public parks and public health services for a period of five years from the date of issue of the completion certificate under rule 22, unless earlier relieved of this responsibility, by the Government or a local authority, as the case may be, when the coloniser shall transfer all such roads, open spaces, public parks and public health services free of cost to the Government or the local authority, as the case may be;

(b) That the coloniser shall at his own cost construct or get constructed by any other institution or individual at its cost, schools, hospitals, community centers and other community buildings on the land set apart for this purpose, or if so desired by the Government, shall transfer to it at any time it may desired free of cost and thus set apart for schools, hospitals, community centers and other community buildings, in which case the Government shall be at liberty to transfer such land to any person or institution including a local authority on such terms and conditions as it may lay down.

(c) That the coloniser shall permit the Director or other officer authorized by him in this behalf to inspect the execution of the layout and the development works in the colony and the coloniser

shall carry out all directions issued by them for ensuring due compliance of the execution of the layout and development works in accordance with the permission granted.

(d) That the coloniser shall pay proportionate development charges as and when, required and as determined by the Director in respect of laying out and construction of main lines of roads, sewerage, drainage, water supply and electricity if and when laid by the Government, or any other local authority.

(e) That without prejudice to anything contained in this agreement all the mandatory provisions contained in the Act and the rules shall be binding on the coloniser.

2.Provided always and it is hereby agreed that if the coloniser shall commit any breach of the terms and conditions of this agreement or violate any mandatory provision of the Act or rules, then and in any such case, and notwithstanding the waiver of any previous cause of right, the Director, may revoke the permission granted to him.

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3.Upon revocation of the permission under clause 2 above and Director may carry out and complete or cause to be carried out or completed the development works in the colony and recover such charges as may be incurred on the said development works from the Bank standing at guarantee for the carrying out of the works by the coloniser (to the extent of the guarantee).

4.That the coloniser shall be entitled to the refund of the earnest money deposited by him within six months of the grant of permission under rule 20 subject to deductions of such charges therefrom as may be determined by the Director for the security of the plans, estimates and works in respect of the colony.

5.The stamp and registration charges on this deed shall be borne by the coloniser.

6.The expression the "Coloniser" hereinfore used shall include his heirs, legal representatives, successors and permitted assigns.

7.After the layout and development works or part thereof in respect of the colony or part thereof have been completed and a completion certificate in respect thereof issued, the Director may, on an application in this behalf from the coloniser, release within a period of six months of the date of the application the Bank guarantee or part there of as the case may be, after adjusting the expenditure, if any, incurred as provided under rule 24(5); provided that if the completion of the colony is taken in parts only the part of bank guarantee corresponding to the part of the colony completed shall be released and provided further that always 1/5th of the bank guarantee shall be kept unreleased to ensure upkeep and maintenance of the colony or the part thereof as the case may be for a period of five years from the date of issue of the completion certificate under rule 22, or earlier, till such time as the coloniser is earlier relieved of the responsibilities in this behalf by the Government or a local authority.

IN WITNESS WHEREOF THE COLONISER AND THE DIRECTOR have signed this deed on the day and year first above written.

Signed by The Director The coloniser

Witnesses

***

FORM CL-III

(See Rule 20 (2)

Form of refusal or grant of permission for setting up a colony

Reference your application dated …….. for setting up a residential/ industrial/ commercial colony in the controlled area at ……..

(1) Permission is hereby refused for reasons mentioned below:-

_____

_____

_____

(2) Permission is hereby granted subject to the conditions:-

(a)that the colony is laid out to conform to the approved layout plans and development works are executed according to the designs and specifications shown in the approved plan accompanying this permission.

(b)that the conditions of the agreement already executed are duly fulfilled and the provisions of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Rules, 1965, duly complied with.

Director,
Town and Country
Planning, Haryana

***

[51]

FORM

CL-IV [See Rule 22 (1)] To,

The Director,
Town and Country Planning
Department, Haryana,
Chandigarh.

Dear Sir,

Kindly refer to your order No……dated …… granting permission to the setting up of a colony in the controlled area…….

I/We have to intimate that the said colony has been laid out and completed/part of the colony as shown on the enclosed plan has been completed in all respects as per permission accorded by you. I/We, therefore, request that a completion certificate in respect of the whole colony/ the said part of the colony may kindly be issued to us as required under rule 22(1).

As required I/We enclose the layout plan of the colony in triplicate showing the whole Area/part thereof over which the aforesaid works have been completed.

Dated: Yours faithfully

(Name and address of Coloniser)

***

FORM CL-V

[See rule 22(2)]

To

_____
_____

Reference your application requesting for completion certificate in respect of your colony/part of colony for which permission was granted, vide this office No. ……dated……..

2. It is hereby certified that the required development works on the whole of the colony/part of the colony as indicated in the enclosed layout, duly signed by me.

(1)have been completed to my satisfaction.

or

(2)have not been completed as per details given below:- 1.

2.

3.

Director,
Town and Country
Planning, Haryana

***

FORM CL-VI

[See Rule 24(1)]

To

_____

_____

Whereas it has come to my notice that:-

(a)the execution of the layout plan and the development works have not been commenced within three months of the order granting permission to you.

(b)layout of the colony has not been done as per approved layout plan and is deficient in following respects:-

1.
2.
3.

(c)Development works are not being executed as per permission granted in this behalf and are deficient in following respects:-

1.
2.
3.

2. You are hereby required to set the aforesaid deficiencies and deviations in order within a period of _____

Director,
Town and Country
Planning, Haryana

***

FORM CL-VII

[See Rule 24(2)]

Whereas a notice under rule 24(1) was issued to you, vide No…….. dated…… And whereas despite this notice you have failed to comply with that notice.

You are hereby required to show cause within one month why the permission already granted to you under rule 20 in respect of the aforesaid colony should not be cancelled. If no reply is received within one month it will be presumed that you have no cause to show, and further action will be taken in accordance with the rules.

Director,
Town and Country
Planning, Haryana

***

FORM CLU-I

(See Rule 26-A)

Form of application by a person other than coloniser for permission under section 8 of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963,

To

The Director,
Town and Country Planning Department,
Haryana, Chandigarh.

Controlled Area……

Sir,

I/We beg to apply for permission to change the existing use of land for the purpose of developing the land into buildings for *residential/ industrial/ commercial/ other purposes. I/We enclose the following documents in triplicate.

[53]

(1) A survey of the land on a scale of 1" to forty feet showing the existing means of access to the said land.

(2) Copy of the deed showing the title of the applicant to the land.

Dated:- Yours faithfully,
Name and full address

***

FORM CLU-II

(See Rule 26-D)

Agreement by a person other than coloniser intending to change the existing use of the land in a controlled area.

THIS AGREEMENT made on the …… day of……one thousand, nine hundred and sixty ……. between Shri ……..…, son of shri …….. resident of ……(hereinafter called the 'Promisee') of the one part and the Governor of Haryana acting through the Director, Town and Country Planning Department, Haryana (hereinafter referred to as the "Government") of the other part.

(i)WHEREAS the promisee is seized of or otherwise shall entitled to the land mentioned in Annexure hereto, which said land is within the controlled area of ……. and is affected by the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, and the rule made thereunder, hereinafter referred as the Act and Rule; (ii)AND WHEREAS under rule 26-D of the said rules one of the conditions for the grant of permission is that the promisee shall enter into an agreement for fulfilling the conditions in accordance with the permission finally granted.

Now This Deed Witnessth As Follows:-

1. In consideration of the director agreeing to grant permission to the

promisee to build…… on the land mentioned in Annexure, hereto on the fulfillment of all the condition of rule 26-D by the Promisee, the Promisee hereby covenance as follows:-

a. That the promisee shall pay proportionate development charges which shall be a first change on the said land as and when required and as determined by the Director in respect of external development works which may be carried out in the area for, the benefit of the said land.

b. That the promisee shall be responsible for making arrangement for the disposal of affluent to the satisfaction of the Director.

c. That the promisee shall get the plan approved from the Director before commencing any construction on the said land.

d. That the promisee shall not except with the previous permission of the Director sell the said land or portion thereof unless the said land has been put to use permitted by the Director and to use the said land only for the purpose permitted by the Director.

e. That the Promisee shall start the construction on the said land within a period of six months from the date of issue of orders permitting the change of land use.

2. Provided always and it is hereby agreed that if the Promisee shall commit any breach of the terms and conditions of this agreement then, notwithstanding the waiver of any previous cause or rights, the Director may revoke the permission granted to him.

3. Upon revocation of the permission under clause 2 above the Director may recover the proportionate development charges incurred on the said development works pertaining to the said land, as may be determined by the Director from the Bank Standing as Guarantee.

4. The stamp and registration charges on this deed shall be borne by the Promisee.

5. The expression the “Promisee” herein before used shall include his heirs legal representatives, successors and permitted assigns.

[54]

Signed by witnesses
The Promisee

The Director
***

FORM CLU-III

(See Rule 26-E)

Form of refusal or grant of permission to change the existing use of the land.

Reference your application dated ……..… for constructing residential/ industrial/ commercial building in the controlled are at …….

(1) Permission is hereby refused for reasons mentioned below:-

_____

_____

(2) Permission is hereby granted subject to the following conditions:-

(a) that the building is constructed to confirm to the approved plans accompanying this permission: and

(b) that the conditions of the agreement already executed are dully fulfilled and the provisions of the Punjab Scheduled roads and Controlled Area Restrictions of Unregulated Development Rules, 1965, are duly complied with.

Director,
Town and Country
Planning, Haryana.

***

FORM AC-I

(See Rule 27)

To

_____

_____

Sir,

I/We beg to apply for permission for laying out means of access in the controlled area …… of which details are given below:-

(i) Name of the road to which access desired

(ii) Points at which access desired indicating the number of milestone/furlong stone.

(iii) Reasons for access.

(iv) Applicant's title to land under the proposed access.

(v) Revenue particulars of the land under the proposed access.

2. As required, I/We enclose a site plan in triplicate indicating the proposed access and details of the proposed junctions.

3. I/We also enclose a plan showing the cross-section in triplicate of the proposed access road indicating thereon the width proposed to be metalled and the specifications thereof and hereby undertake to construct the same accordingly.

Dated

Yours faithfully,
Name and Address

***

FORM AC-II

(See Rule 30)

Form of grant/refusal to grant permission for laying out means of access to a road within a controlled area.

To

_____
_____
_____
_
_____
_____
_____
_

[55]

Sir,

Reference your application, dated _____for permission to layout means of access to road.

In accordance with the plan submitted with it, permission is hereby:-

(a) refused for reasons given below:-

_____
_____

(b) granted subject to the conditions given below:-

_____
_____

Note.- This sanction will remain valid for a period of the one year during which the access should be laid and completed in all respects.

(In case of (b) above).

Yours faithfully,

Director

***

FORM BK-I

(See Rule-32)

Application for a licence for setting up charcoal kiln/ pottery kiln, lime/kiln, brick-kiln or brick field or for quarrying stone, bajri, surkhi, kankar in a controlled area under Section 8 of the Act.

To

_____
_____

Sir,

I/We beg to apply for grant/renewal of licence for the setting up of charcoal-kiln/ pottery kiln, lime/kiln, brick-kiln or brick field or for quarrying stone, bajri, surkhi, kankar in a Controlled Area……

2. As required, I/We submit the following in triplicate:-

(i)
a guide map on a scale of not less than 6" to a mile showing the location of the site within the controlled area.

(ii) a site plan on a scale of not less than 1" to 40" showing the boundaries of the land, the portion of the land which is to be excavated and portion in which kiln or machinery is to be installed.

(iii)a cross-section through the portion of the land proposed for excavation showing:-

(a)existing levels, and

(b)the average levels to which it is to be excavated.

3. I/We enclose a demand draft for [Rs.1500] in lieu of the prescribed fees.

94[4. Copy of the deed showing the title of the applicant to land.]

Dated:

Yours faithfully,

Address

***

94 Substituted by Notification dated 15.3.1982 See Haryana Govt. Gaz. (Extra) dated 23.3.1983

[56]

FORM BK-II

(See Rule-35)

Form of licence under Section 8 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, for setting up a charcoal-kiln/ pottery kiln, lime/kiln, brick-kiln or brick field or for quarrying stone, bajri, surkhi, kankar in a controlled Areas.

Name and address of licence……..

Purpose of licence…….

Description of land covered by licence……..

1. Licence is hereby granted under Section 8 of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963 with particulars given below:-

2. This licence is applicable only to the land indicated in the attached site plan bearing my signature and seal of office.

3. This licence is valid upto …….31st December, 19

Renewed up to……..31st December, 19

Renewed up to……..31st December, 19

Renewed up to……..31st December, 19

4. This licence is subject to the following conditions:-

(i)The position of the land earmarked for excavation as shown in the site plan shall alone be excavated.

(ii)The excavation shall not exceed a depth on 5 feet.

(iii)No permanent building shall be constructed on the site.

Dated…… Director

[95]**[SCHEDULE IV-A**

[*See rule 26-D (g)*]

Rate of conversion charges in the Controlled Areas in the States (Rates Rupees per square meter)

Potential Zone	**Hyper Potential**	**High Potential**	**Medium Potential**	**Low Potential**
1	2	3	4	5
Name of Controlled Area	Controlled areas forming part of the Development Plan Gurgaon-Manesar Urban Complex.	Controlled areas declared in Gurgaon District excluding the controlled areas forming part of the Development Plan Gurgaon-Manesar Urban Complex and controlled area forming part of Development Plan of Pataudi and Farukhnagar but including part of Sohna Development Plan, controlled areas	Controlled areas around towns i.e. Karnal, Kurukshetra, Ambala City, Ambala Cantt., Yamuna Nagar, Jagadhri, Bahadurgarh, Hisar, Rohtak, Rewari, Bawal-Dharuhera Complex, Gannaur, Palwal, Hodel, controlled areas declared in Faridabad District (excluding the controlled areas of Faridabad-Ballabgarh	All other controlled areas declared in the State.

[95] Schedule IV substituted by Haryana Govt. Final Notification No. Misc-1A/JE(VA)/2015/14650 dated 10.8.2015

				Ballabgarh Complex, controlled areas of Sonipat-Kundli Multifunctional Urban Complex, Panipat.			Complex), Oil refinery Panipat (Beholi) and Controlled Areas forming part of the Development Plan, Prithla.					
	Abutting on			Abutting on			Abutting on			Abutting on		
Use	NH	SR/ Sector Road	Other Road	NH	SR/ Sector Road	Other Road	NH	SR/ Sector Road	Other Road	NH	SR/ Sector Road	Other Road
Residential	210	158	105	158	125	105	100	80	60	30	20	15
Low density Eco friendly colonies	420	316	210	316	250	210	200	160	120	60	40	30
Commercial												

(i) Commercial Projects like Motel with Banquet facility, 5-Star Hotel, Resort for 150% Floor Area Ratio(FAR) permission granted under provisions of Act No.41 of 1963	4700	4500	4300	2600	2400	2200	1200	1100	800	350	300	250
(ii) Other Commercial Projects, which are not mentioned above.												
(a)upto 150% FAR	1470	1260	1050	1260	1050	840	700	600	350	200	150	100
(b)above 150% FAR	1715	1470	1225	1470	1225	980	816	700	408	235	175	116
Industrial	100	100	100	80	80	80	50	50	50	30	30	30
Integrated Inland Container Depots/	200	200	200	160	160	160	100	100	100	60	60	60

Custom Bounded Areas												
Warehouses for agro produces	100	100	100	80	80	80	50	50	50	30	30	30
Warehouses other than agricultural produces	150	150	150	120	120	120	75	75	75	45	45	45
Institutional	158	126	105	105	84	63	60	40	30	20	15	10
Recreational	200	200	200	160	160	160	100	100	100	60	60	60

Notes:

1. Abbreviations used indicate NH: National Highway; SR: Scheduled Road.

2. Sector Road is the Sector dividing road as indicated on the Development Plan.

3. Where a piece of land falls in more than one category, the Higher/Highest rate shall apply.

4. 50 percent conversion charges shall be charged for food processing unit located in industrially

backward area declared by the Industries Department, Haryana.

5. No conversion charges and scrutiny fee shall be charged for renewable energy power projects

in the State of Haryana.

6. The commercial components like hotels, exhibition centers, restaurants, convention centers etc. shall be charged at applicable commercial rates within the recreational projects.] [96] [7. 50% conversion charges shall be levied in B,C & D category blocks as notified by the Government, for Micro, Small, and Medium Enterprise as defined in the Enterprises Promotion Policy-2015.

8. In case of Institutions/Organisations imparting religious/spiritual preaching/moral education, the conversion charges be levied as per covered area/FAR approved.]

[97][9. In case of Transit Oriented Development, the conversion charges shall be levied on pro-rata basis i.e. for every increased slab of 0.25 FAR, the additional charges equivalent to the charges applicable for FAR of 25% as per the rates prescribed for respective use in Schedule – IV shall be applicable. However, full payment of conversion charges shall be payable for fresh licences under Transit Oriented Development Policy.

10. The conversion charges shall be levied proportionate to the uses in case of mixed land use projects.

11. For New Integrated Licencing Policy, the conversion charges shall be levied 1.5 times of the rate prescribed for residential plotted colony in case of 1.0 FAR and 2.0 times in case of 1.25 FAR.

12. For Affordable Plotted Residential Colonies permitted under Deen Dayal Jan Awas Yojana, the conversion charges are exempted.]

[96] Sr. No. 7 and 8 added by Haryana Govt. Final Notification No. Misc-1A/JE(VA)/2016/4446 dated 03.03.2016

[97] Sr. Nos. 9 to 12 added by Haryana Govt. Final Notification No. MISC-1A/JE(BR)/2017/3203 dated 22.02.2017

[59]

[98][**SCHEDULE IV-B**

[*See rule 26-D (g)*]

Rate of conversion charges in the Controlled Areas in Panchkula District

(Rates

Rupees per square meter)

Potential Zone	**High Potential**	**Low Potential**
1	**2**	**3**
Name of the Controlled Area	Periphery Controlled Area of Panchkula	All other controlled Area declar Panchkula district
	Abutting on	Abutting on

Use	NH	SR/Sector Road	Other Road	NH	SR/Sector Road	Oth Ro
Residential	204	163	122	30	20	1
Residential Plotted Colony	204	163	122			
Residential Group Housing Colony	285	245	204			
Low density Eco Friendly Colony	316	250	210	60	40	3
Commercial Colony	815	713	612	-	-	-
Commercial Colony above 150 Floor Area Ratio (FAR)	-	-	-	235	175	1
Commercial Colony upto 150 FAR	-	-	-	200	150	1
Industrial Colony/ Industrial/ Warehouse for Agro Produces/ Warehouses other then agriculture produces/ Godown/ Cold Store	17	17	17	17	17	1
Integrated in land container depots/ Custom bounded areas	160	160	160	60	60	6
Banquet Hall	790	790	564	175	150	1
Petrol Pump/ CNG/ PNG	336	269	202	200	150	1
Hospital	61	61	61	20	15	1
Hotels	61	61	61	61	61	6
Institutional	31	31	31	20	15	1
Recreational	92	61	31	60	60	3
Commercial projects in urbanizable zone and Motel with banquet facility, resort for 150% FAR in agriculture zone	2115	1851	1586	-	-	-
Other commercial projects in agriculture zone which are not mentioned above						
(a) Upto 150% FAR	1260	1050	840	-		-
(b) Above 150 FAR	1470	1225	980	-		-
Commercial projects like Motel with banquet facitlity, resort for 150% FAR in agriculture zone	-	-	-	350	300	2

[98]**Schedule IV-B** inserted by Haryana Govt. Final Notification No. Misc-1026/2021/10920 dated 03.05.2021.

[60]

Other commercial projects which are not mentioned above						
(c) Upto 150% FAR	-	-	-	200	150	1
(d) Above 150 FAR	-	-	-	235	175	1

Notes:

1. Abbreviations used indicate NH: National Highway; SR: Scheduled Road.

2. Sector Road is the Sector dividing road as indicated on the Development Plan. 3. Where a piece of land falls in more than one category, the Higher/Highest rate shall apply.

4. 50 percent conversion charges shall be charged for food processing unit located in industrially backward area declared by the Industries Department, Haryana.

5. No conversion charges and scrutiny fee shall be charged for renewable energy power projects in the State of Haryana.

6. The commercial components like hotels, exhibition centers, restaurants, convention centers etc. shall be charged at applicable commercial rates within the recreational projects.

7. 50% conversion charges shall be levied in B, C&D category blocks as notified by the Government, for Micro, Small and Medium Enterprise as defined in the Enterprises Promotion Policy-2015.

8. In case of Institutions/Organizations imparting religious/spiritual preaching/moral education, the conversion charges be levied as per covered area/FAR approved.

9. In case of Transit Oriented Development, the conversion charges shall be levied on pro-rata basis i.e. for every increased slab of 0.25 FAR, the additional charges equivalent to the charges applicable for FAR of 25% as per the rates prescribed for respective use in Schedule-IV shall be applicable. However, full payment of conversion charges shall be payable for fresh licences under Transit Oriented Development Policy.

10.The conversion charges shall be levied proportionate to the uses in case of mixed land use project.

11.For New Integrated Licencing Policy, the conversion charges on the residential component shall be recovered in proportion to the proposed FAR i.e. at 5/7th of the corresponding rates notified for group housing colonies.

12.For Affordable Plotted Residential Colonies permitted under Deen Dayal Jan Awas Yojana, the conversion charges are exempted.

***

[61]

99[**SCHEDULE IV-A**

[*See Rule 49 Sixth proviso***]**

Rates of conversion of residential premises into non-nuisance professional services for 25% of the covered area of the covered area of the premises or 50 square meter whichever is less

Potential	Hyper Potential	High Potential	Medium Potential	Low
Name of Controlled Area	Controlled Areas forming part of the Development Plan Gurgaon Manesar Urban Complex-2021	Controlled areas declared under Section 4(1)(b) in Gurgaon District (excluding the controlled areas) forming part of the Development Plan Gurgaon-Manesar Urban Complex-2021) including	Controlled areas around towns i.e. Karnal, Kurukshetra, Ambala Cantt., Yamuna Nagar, Jagadhri,	All other controlled areas declared in the state.

	controlled areas around Sohna town, controlled		
Bahadurgarh, Hissar, Rohtak, Rewari, Bawal-Dharuhera Complex, Gannaru,			
	areas of Faridabad-Ballabhgarh Complex, Controlled arreas of Sonipat-Kundli Multifunctional Urban Complex, Panipat [100][xxx].	Palwal, Hodel, Controlled areas declared under section 4(1)(b) in	
Faridabad Distt. Oil Refinery Panipat (Beholi).			
Rs. 0.60 Lac	Rs. 0.50 Lac	Rs. 0.30 Lac	Rs. 0.20 Lac]

***

FORM M-I

[*See Rule 126 (a)*]

Register showing particulars of all cases in which permission to erect of re-erect a building in existence before the commencement of the act and involving structural alteration or addition within 30 meters of a scheduled road or within 100 meters of a bye-pass, or laying out means of access to a Scheduled road under Section 3 is granted or refused along scheduled roads in District._____

1	2	3	4	5	6	7
Sr. No.	File No.	Name & full address	Date of Application	Particulars of applications, e.g., whether the application is for permission for erection or re-erection an existing building involving structural alterations or additions; or for laying out a means of access to a scheduled road	Date and brief particulars of the final orders passed by the Director, granting or refusing the permission	Remarks

***

[99] Added by Haryana Govt. Gaz. Notification No. PA-2008/2977 dated 6.2.2008 at page 420 [100] Omitted vide Haryana Govt. Gaz. Notification No. 1644 dated 18.01.2023

FORM M-II

[*See Rule 126 (b)*]

Register showing particulars of all cases in which permission to erect of re-erect a building or make or extend an excavation or lay out means of access in a controlled area is a granted or refused relating to the controlled area at _____

1	2	3	4	5	6	7	8
Sr. No.	File No.	Name & full address	Date of Application	Particulars of applications, e.g., whether the request is to erect or re-erect a building or make or extend an excavation or layout a means of access to a road within in a Controlled area in a	Brief specification of the erection or re-erect a building or make or of means of access mentioned in column 5	Date and brief particulars of the final orders passed by the Director granting or refusing the permission	Remark

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FORM M-III

[*See Rule 126 (c)*]

Register showing particulars of all cases in which permission for change of use of land within a controlled area for the purposes of setting up a private colony is granted of refused relating to the controlled area at …….

1	2	3	4	5	6
Serial No.	File No.	Name of the person or society or firm applying for permission with full address.	Date of Application	Particulars of applicant's experience in the line, if any	Area of land proposed to be covered by the colony & name of village with the nearest number of mile-stones/ furlong stones.

7	8	9	10	11
Date or dates of acquisition i.e purchase or agreements to purchase the land under the colony wholly or partly.	Date on which the applicant is informed of the likelihood of consideration of his request, if any	Date on which the land under the colony was notified under section 4 of the land Acquisition Act.	Date and brief particulars of the final orders passed by the Director granting or refusing Permission	Remarks

***

[63]

FORM M-IV

[*See Rule 126 (d)*]

Register showing particulars of all cases in which licence in a controlled area for charcoal-kiln, pottery kiln, lime-kiln, brick-kiln, or brick field or for quarrying stone, bajri, surkhi, kankar or for some similar extractive or ancillary operation if granted or refused.

1	2	3	4	5
Serial No.	File No.	Name and address of the person or Society or firm applying for licence	Date of application	Purpose of licence e.g for charcoal ki pottery kiln, lime-kiln, brick kiln, or brick-field or for quarrying stone, baj surkhi, kankar or for some other simi extractive or ancillary operation

6	7	8	9	10	11	12
Particulars of past experience of the applicant in the line	Brief description of land, its location & area on which operation is to is to be carried out. permission.	Date & brief particulars of the final orders passed by Director granting or refusing	Amount of licence fee paid	Date on which the licence expires	Date of renewal	Rema

***

FORM M-V

[*See Rule 126 (e)*]

Register showing particulars of all cases in which order of demolition under section 12 (2) of the Act are issued in the controlled area at _____outside controlled area in District_____

1	2	3	4	5	6
Serial No.	File No.	Particular of reporting or detecting officer of or Agency	Name and address of unauthorised builder or defaulter	Location and particulars of site where construction has taken place.	Description of unauthorized construction in detail given measurements

7	8	9	10	11	12
Date of Issue of Demolition order	Date of compliance by defaulter	Date of demolition departmentally in case of non-compliance by defaulter	Labour charges incurred & realised with number and date of receipt.	Whether prosecution launched and if so, results	Remarks

***

FORM M-VI

(See Rule 128)

Show cause notice in respect of alleged erection or re-erection/ extension of excavation/laying out of means of access/ change of use of land.

No……..

Dated…… To

_____

_____

Whereas it has been reported to me that an order of demolition under Section 12(2) should be issued against you on account of your having-

(i) erected/re-erected a building at ……

(ii) made or extended excavation at ……

(iii)laid out a means of access to ……..… road in contravention of section 3 or section 6 or in contravention of the conditions imposed by an order under Section 8/Section 10 of the Act by you.[101]

(iv)Used land situated at …… in contravention of provisions of sub-section (1) of section 7 by ……..……[102]

2. You are, therefore, required to show cause within a period of …..... days why the said order be not issued.

Director

FORM M-VI

(See Rule 128)

Order under Section 12(2) of the Punjab Scheduled Roads and Controlled Areas

Restriction of Unregulated Development Act, 1963.

No…….. Dated……

To

_____

_____

Whereas you have-

(i) erected/re-erected a building at……

(ii) made or extended excavation at……

(iii)laid out a means of access to ……. Road in contravention of section 3 or section 6 or in contravention of the conditions imposed by an order under section 8/section 10 of the Act by you .

(iv)used land situated at ……..in contravention of the provision of sub-section (1) of section 7 by……

2. You are hereby required to restore the said land to its original state including the demolition of any building/means of access wherever constructed and you fail to do so within a period of 3 months of the date of this order, I may take such measures including demolition of any building/means of access as may appear to me to be necessary, to give effect to this order, and to recover the cost of such measures from you as arrears of land revenue.

Director.

***

101 Herein mention the use to which put

102 Herein mention the condition violated

[65]

103[FORM N-1

(See Rule 49 sixth proviso)

Application form to be made for rendering non-nuisance professional consultancy.

To

……..

……..

……..……..

1. Name of the applicant……..
2. Premises Number and size……..
3. Name of colony/change of land use site……..
4. Sector……..……..
5. Detail of built up area……..
6. Copy of approved building plan showing duly marked area upon which mixed land use is applicable

……..……..

7. Whether occupation certificate has been issued, if so, attested copy thereof to be attached……..……..
8. Details of profession……..……..
9. Details of anticipated visitors……..……..

10.Working hours of consultancy……..……..

11.Detail of fee …….. Demand Draft Number ……. Name of Bank …… 12.Affidavit to the effect that he shall abide by all the terms and conditions, which shall be imposed by Director from time to time.

Place:

Date:

Signatu

re of applicant.

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FORM N-II

(See Rule 49 sixth proviso) From

……..……..

To ……..……..

Memo Number dated

Subject:- Permission to provide non-nuisance consultancy services in the residential premises.

This is with reference to you application dated ……..

2. Permission is hereby granted to provide _____ service, within the premises of you land/house bearing number _____sector _____ control area_____.

The above permission shall be subject to the following terms and conditions:-

(1) You can use the premises of your house upto 25% of the covered area of the premises or 50 square meters, whichever is less for the purpose.

(2) Total charges paid i.e. Rupees is for a period of five years.

(3) Water, sewerage and electricity charges for such premises to the extent that is being used for non-residential use would be charged at commercial rates by the service providing agency.

(4) The permission given by Director shall be valid for a period of five years which may be renewed thereafter for a period of five years and further in block of five years on payment of renewal fee @ 10% of updated commercial charges.

[103] Form N-I and N-II added by Haryana Govt. Gaz. Notification No. PA-2008/2977 dated 6.2.2008 at page 420

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(5) The owners of a premises where mixed land is used is permitted should accept any other condition such as restriction with respect of provision of parking advertisement etc.

(6) Director can withdraw the permission given for mixed land use at any point of time, if the percentage area permitted under mixed land use is found to exceed the stipulated limit or for any other reason in the public interest.

(7) That the permission shall also be governed by the r provision of the Punjab Scheduled Roads and Controlled areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) and the rules framed thereunder and the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975) and the rules framed thereunder.

(8) That the owners of building shall not further sublet/lease out the premises for which permission is being granted.

Signature of Permission,
Issuing Authority.]. ***

NOTIFICATIONS

1.<u>Powers of Director delegated to Administrator under Pb. Schedule Roads Act</u>.- The Governor of Haryana by virtue of the powers vested in him under section 2(6) of the Punjab Schedule Roads and Controlled Area Restriction of Unregulated

Development Act, 1963, is pleased to appoint the Administrator Haryana Urban Development Authority at Faridabad, Gurgaon, Hisar and Panchkula as Director, Town and Country Planning Department to exercise and perform the powers and functions of the Director under Section 9,12 and 16 of the said Act, for their respective jurisdictions.

(*Noti. No. 5 DP- 91/2001- dated 14.2.91*)

2.Powers of Director delegated to Administrators under Haryana Development and Regulation or Urban Area Act. – The Governor of Haryana, by virtue of the powers vested in him under Section 2(f) of the Haryana Development and Regulation of Urban Areas Act, 1975, is pleased to appoint the Administrator, Haryana Urban Development Authority, at Faridabad, Gurgaon, Hisar and Panchkula as Director, town and Country Planning Department to exercise and perform the powers and functions of the Director under Sections 10 and 12 of the said Act. (*Notification No. 5 DP-91) 2008-dated 14.2.1991*)

3.Powers of Director delegated to Chief Administrator, Faridabad Complex, Faridabad under the Punjab. Scheduled Roads Act, 1963.- In exercise of the power conferred by clause (6) of section 2 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) the Governor of Haryana hereby appoint the Chief Administrator, Faridabad Complex, to exercise and perform all the powers and functions of Director in respect of Scheduled

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Roads within his jurisdiction for the purpose of sections 3,8,9,12 and 16 of the said Act. (*No. 3413/21 CP-78/11062 dated 11.9.78*)

4.Powers and functions of Director.- In exercise of the powers conferred by clause (f) of section 2 of the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975) and all other powers enabling him in this behalf, the Governor of Haryana hereby appoints the Director, Urban Development, Haryana, as the Director, Town and Country Planning, Haryana, to exercise and perform all the powers and functions of the Director under sections

3,4,5,6,7,7A,8,9,10,11,11A,13,17 and 21 of the said Act within the existing Municipal limits of the State of Haryana (*No. 5DP-2001/7615 dated 4-6-2001*)

5.Powers and functions of Director General.- In exercise of the powers conferred by clause (f) of Section 2 of the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Governor of Haryana hereby appoints the Director General, Town and Country Planning Department to exercise and perform all the powers and functions of the Director under the Act and Rules framed thereunder. (Notification *No. Misc-105/5DP(R)/2010/17757. dated 22.12.2010*)

6.Powers and functions of Director General.- In exercise of the powers conferred by Clause (6) of Section 2 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Act 41 of 1963), the Governor of Haryana hereby appoints the Director General, Town and Country Planning Department to exercise and perform all the powers and functions of the Director under the Act and Rules framed thereunder. (Notification *No. Misc-502/5DP(R)/2010/17759. dated 22.12.2010*)

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