

[Extract from Haryana Government Gazette dated the 15th January, 2013]

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT
AYOJNA BHAWAN, SECTOR 18, CHANDIGARH

Order

The 31st December, 2012

No. M-291/7/16/2006-2TCP.-Finalization of Policy regarding setting up of Guest/Boarding house in Residential Zone.

The Government exercising the powers under Section 11 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, is pleased to communicate following policy for setting up of Guest/Boarding houses in residential sectors wherever the Zoning Regulations of a Development Plan allows setting up of such facilities:-

- I. A clear distinction between the Guest/Boarding house and Service Apartments needs to be made and necessary safeguards needs to be adopted to ensure that Service Apartments do not come up in the garb of Guest/Boarding houses. A Guest/Boarding house is a house where one can rent a room and receives board (meals), the cost of which is included in the rent, whereas, in a Service Apartment, rooms are let out on long term basis, which is a flatted construction. Further Guest/Boarding house shall be rented atleast for 15 days/a month to one person at a time to avoid its misuse as a Hotel.
- II. The Guest/Boarding house shall be allowed on a Residential Plot of 1000 sq. yards or 2 Kanals comprising of one single unit or of 2 plots/lands adjoining each other. The maximum permissible area for such Guest/Boarding houses in a sector shall not exceed 5000 sq. yards which will be on the basis of first come first serve provided the application is complete in all respect. The maximum area for which one applicant can obtain permission for construction of a Guest/Boarding house in a sector shall not exceed 2000 sq. yards.
- III. Such facility shall be permitted only in that residential sector where all Internal and External services have been laid.
- IV. The permission for setting up of Guest/Boarding house shall also be given to those buildings which are constructed at site. As far as un-built/ un-developed/ non-constructed allotted plots in HUDA/Licenced area is concerned, permission will also be granted. The owners shall produce Allotment Letter and/or Conveyance Deed in respect of un-built/un-developed plots in HUDA/Licenced area. However, in case of un-acquired pockets, the applicant may apply for seeking CLU permission on prescribed Form CLU-I alongwith scrutiny fee @ Rs. 10 per sqm under the provisions of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 and Rules thereof in the concerned O/o District Town Planner.
- V. The site should be located on the sector road with service road where the land for sector road is acquired and the service road is functional. The owner of the building is liable to seek permission from Competent Authority of Department of Town & Country Planning, to run Guest/Boarding house in a developed sector of Haryana Urban Development Authority (HUDA)/colonizer allotted residential plot where internal services are laid by HUDA/colonizer.

- VI. The owner shall liable to pay 50% commercial Conversion Charges prescribed for “upto 150% FAR”, as per Schedule-IV of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965.
- VII. The FAR commensurate with the residential plot as per provisions of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 shall be allowed whether the Plot belongs to HUDA or a colonizer.
- VIII. No External Development charges shall be levied in case the site is an allotted site of HUDA or is part of licenced colony because HUDA and the Licencee /colonizer pay EDC and include cost of EDC in the cost of Plot itself while allotting/selling the same. Levy of Conversion Charges equivalent to 50% of Conversion Charges applicable to commercial use prescribed for upto 150% FAR is sufficient enough in such cases. However, full EDC shall be levied for un-acquired pockets/self developed land while seeking permission in addition to Conversion Charges equivalent to 50% of Conversion Charges applicable to commercial use prescribed for upto 150% FAR.
- IX. The parking of the vehicles for Residential Plot will be done by removing the front boundary wall.
- X. In all these cases minimum side set back as per zoning plan shall be allowed and height of the building shall be allowed as per provisions in Rule 49 of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 under the heading “residential”.
- XI. The owner shall not be allowed to sell/bifurcate the rooms/flats and same shall also not be covered under the Haryana Apartments Ownership Act, 1983.
- XII. Procedure to obtain permission/conversion for built up plots:- The detailed application for seeking permission will be submitted by the owner of building fulfilling the above criterion in the concerned O/o District Town Planner in the format at **Annexure-1**. The date of receipt of application in the concerned office will be the date of the seniority of the application. After receipt of application, the concerned office will issue Diary No. & Date duly indicating on receipt to be provided to the applicant/applicant company. The concerned District Town Planner will sign all the pages of the application alongwith maps and will certify/intimate the details of application to circle office and Directorate through email on the same date. The concerned District Town Planner will forward the application to concerned Senior Town Planner alongwith his comments indicating total applications received in residential sector alongwith status of laying of Internal and External Services and details of email sent by him/her to circle office/Directorate. Thereafter, the application alongwith comments of circle office will be forwarded to the Directorate within twenty working days from the date of receipt of application. The Final approval/permission to run Guest/Boarding house will be provided by Directorate within ninety days from the date of receipt of application in the format at **Annexure-2**.

(Sd.)...,
Superintendent,
Principal Secretary to Govt. Haryana,
Town and Country Planning Department

**APPLICATION FORM FOR CONVERSION OF A BUILDING CONSTRUCTED ON A
RESIDENTIAL PLOT/UN-BUILT**

**RESIDENTIAL PLOT IN HUDA SECTORS/LICENCED AREAS TO
GUEST/BOARDING HOUSE**

To

District Town Planner,
(Authorized officer on behalf of Director General, Town & Country Planning, Haryana)

_____.

1. Name of the applicant:
2. Address for Correspondence:
 - (a) Address :
 - (b) Telephone No. :
 - (c) E-mail ID :
3. Premises Number and size:
4. (a) Name of colony/HUDA Sector:
 - (b) CLU granted site -
 - (i) Khasra No./Revenue Estate:
 - (ii) Copy of revenue documents including Shazra Plan duly attested by Halka Patwari.
 - (iii) Date of grant of CLU permission (enclosed copy):
 - (iv) Date of validity of CLU:
5. Sector:
6. Detail of built up area:
7. Copy of Allotment Letter and/or Conveyance Deed:
8. Copy of approved building plan duly attested:
9. Whether Occupation Certificate and/or Possession Certificate has been issued, if so, attested copy thereof to be attached:
10. Affidavit to the effect that applicant/applicant company shall abide by the all terms and conditions, which shall be imposed by Director from time to time.
11. Total no. of pages attached with the application:

Place:

Date:

Signature of the applicant.

DIRECTORATE OF TOWN & COUNTRY PLANNING HARYANA
Ayojna Bhawan, Sector-18, Madhya Marg, Chandigarh-160018
Tele-Fax: 0172-2548475; Tel: 0172-2549851, www.tcpharyana.gov.in

To

Memo No.

Dated:

Subject: Permission for conversion of a building constructed on a residential plot/un-built residential plot in HUDA sectors/ Licenced areas to Guest/Boarding house.

Reference: This is with reference to your application dated _____.

Permission is hereby granted for conversion of a building to Guest/Boarding house, within the premises of your land/house bearing number/Khasra No. _____, area measuring _____ sqm., revenue estate _____, Sector _____, Town _____.

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

1. Water, sewerage and electricity charges for such premises that is being used for non-residential use would be charged to commercial rates by the service providing agency.
2. The owners of premises may display a board indicating name of the Guest/Boarding house, name of the owner alongwith his contact details. The owner is also responsible for using the premises efficiently for parking and endeavour shall be made not to encourage parking on the road by the visitors and no noise pollution be created in terms of using loud speakers in residential zone. No banquet facility shall be allowed in the premises.
3. Due procedures be followed for making entries of the visitors alongwith their proof of identity. CCTV cameras may be installed at entrance/corridors as well as convenient locations duly taking into consideration privacy of the visitors.
4. That the permission shall also be governed by the provisions of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act No. 41 of 1963) and the rules framed thereunder and the Haryana Development and Regulation of Urban Areas Act, 1975 (Haryana Act No. 8 of 1975) and the rules framed thereunder.
5. The owners of the building shall not further sublet/lease out the premises for which permission is being granted.
6. The owner shall not be allowed to sell/bifurcate the rooms/flats leased and same shall also not be covered under the Haryana Apartments Ownership Act, 1983.
7. Director can withdraw the permission given at any point of time, if applicant violates any of the conditions mentioned above and policy issued by Government in this regard or any other reason in the public interest.

Director

Endst: No.

Dated:

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

1. Deputy Commissioner, _____.
2. Administrator HUDA, _____.
3. Senior Town Planner, _____.
4. District Town Planner, _____.

Director