

From

Principal Secretary to Government, Haryana,
Town & Country Planning Department.

To

The Director General,
Town & Country Planning Department,
Haryana, Chandigarh.

Memo No:PF-25/7/18/2005-2TCP; **Date:** 5th of July, 2012

SUBJECT: INSTRUCTIONS REGARDING RECEIPT & VALIDITY OF APPLICATIONS FOR GRANT OF LICENSE.

The matter pertaining to fixing the effective date for acceptance and consideration of licence applications vis-à-vis the publication of Development Plans has been considered by the Government keeping in view the present practice of accepting such applications after notification of the Draft Development Plans in the official Gazette and at times even grant of licenses before the publication of Final Development Plans, except the practice followed in case of Gurgaon Manesar Urban Complex where licences were granted only after publication of Final Development Plan. Taking into account the fact that the Draft Development Plan is notified primarily for the purpose of inviting objections from public at large and several changes are possible in the Draft Development Plans at the time of publication of Final Development Plan, this practice has been reviewed for amendment. In order to avoid legal complications arising out of any such change at the time of publication of the Final Development Plan, the Government is of the opinion that the date of publication of the Final Development Plans of Hyper and High Potential towns be fixed as the effective date for acceptance and consideration of licence applications. So as to prevent the abrupt stoppage of licences in the low and medium potential towns, the said policy shall be extended to such towns and for CLU applications at a later date for which separate instructions shall be issued.

Accordingly, in accordance with the powers conferred under Section 9-A of the Haryana Development and Regulation of Urban Areas Act,

1975, the Governor of Haryana is pleased to pronounce the following policy parameters in this regard:

- (i) In the towns/urban areas falling in Hyper & High Potential Zone, the date of publication of Final Development Plan shall be the effective date for acceptance and consideration of licence applications.
- (ii) In towns/ urban areas falling in Medium & Low Potential Zones, the date of publication of Draft Development Plan shall be the effective date for acceptance and consideration of licence applications provided:
 - (a) No further change is envisaged in any subsequent Development Plan of that area for which 'in-principle' approval of the Government has been obtained;
 - (b) There is no recommendation of DPC/SLC to effect amendments in the Development Plan proposals already in vogue of the applied area.
- (iii) In case of any Development Plan falling in more than one Potential zone, the policy prescribed for the higher category zone shall be considered to be applicable.
- (iv) On account of availability of information regarding Development Plan proposals in the public domain, demand drafts of scrutiny fee and license fee of any date prior to publication of Draft/Final Development Plan, as the case may be, shall also be accepted provided the same is valid for at least one month from the date of submission of the application. However, the effective date for acceptance and consideration of licence applications shall continue to remain as prescribed under Sr No (i) and (ii) above.
- (v) Any application submitted prior to the prescribed effective date shall be considered as premature and shall be returned for re-submission after publication of the respective Development Plan.

These instructions shall come into force with immediate effect.

Sd/-

(T.C. Gupta, IAS)

Special Secretary to Govt. Haryana
For Principal Secretary to Govt. of Haryana,
Town & Country Planning Department