

From

Financial Commissioner & Principal Secretary to Govt.
Haryana, Town and Country Planning Department.

To

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

Memo No. **7/5/2011-TCP**
Dated, Chandigarh, the, **10th of August 2011**

SUBJECT: ADJUSTMENT OF CONVERSION CHARGES-POLICY THEREOF.

Reference on the subject cited above.

2. The proposal regarding refund/adjustment of conversion charges was placed before the council of Ministers for consideration in its meeting held on 27.07.2011. After deliberation, the Council of Ministers has approved the following para meters for refund/adjustment of conversion charges:-

- i) No adjustment shall be made where the land has been put to intended use as per the terms and conditions of CLU permission and the applicant or the subsequent owner intends to change the project.
- ii) The adjustment of change of land use charges may be made by charging the difference of conversion charges wherever the validity of the change of land use permission has not expired and the owner intends to change the use midway owing to certain exigencies. However, no adjustment will be made in case the charges for the proposed use are less than the existing one.
- iii) No adjustment will be made on the request made by the same owner or subsequent owner, in case the validity of the change of land use permission has expired and the owner has not put the site to the permitted/intended use. The site in such case continues to remain as it existed at the time of declaration of the controlled area. Therefore, such cases would require fresh permission as per provision of Section 7(1) of the Act no. 41 of 1963. However, if the applicant could not put the site to intended use on account of delay in obtaining permission from other Departments, mandatorily required for the implementation of the project despite efforts; in such cases, the Government may allow adjustment of the conversion charges for the fresh application received from same applicant after expiry of validity permission.
- iv) No adjustment will be made for the conversion charges paid for a CLU project, in case the licence is sought/granted after expiry of the validity of CLU permission. However, adjustment can be considered by the Department, if the owner requests for change of regulation of project from Act no. 41 of 1963 to Act no. 8 of 1975 before expiry of validity on similar lines as proposed in Sr. No. (ii) above.

Therefore, you are requested to take further action in the matter as conveyed by the Secretary, Council of Ministers vide their U.O No. 9/82/2011-2 Cabinet dated 27.07.2011 (copy enclosed).

-Sd/-
Superintendent
for Financial Commissioner & Principal Secretary to Govt.,
Haryana, Town and Country Planning Department

A copy is forwarded to the Secretary, Council of Ministers, Haryana (in Cabinet Branch) for information and necessary action with reference to their U.O No. 9/82/2011-2 Cabinet dated 27.07.2011.

-Sd/-
Superintendent
for Financial Commissioner & Principal Secretary to Govt.,
Haryana, Town and Country Planning Department

To

The Secretary,
Council of ministers, Haryana (in Cabinet Branch)

U.O No. 7/5/2011-2TCP

Dated:

IMMEDIATE CONFIDENTIAL
COUNCIL OF MINISTERS

Subject: Refund/Adjustment of conversion charges-Policy thereon.

Will the Financial Commissioner & Principal Secretary to Government Haryana, Town and Country Planning Department kindly refer to his/her U.O No. 7/5/2011-2TCP, dated 22.07.2011, on the subject noted above?

2. The council of Ministers in its meeting held on 27.07.2011 has taken the following decision in this matter:-

“The proposal was approved.”

3. The Administrative Department is requested to kindly implement the decision of the Council of Ministers at the earliest and to send a copy of the orders issued in this regard, if any, to the Cabinet Section, within a fortnight, positively.

4. It is requested to keep in view the Government instructions contained in U.O. No. 5/313-Cabinet-88, dated 2.7.1991 while implementing the decision of the Council of Ministers.

Superintendent Cabinet,
for Secretary, Council of Ministers, Haryana.

To

The Financial Commissioner & Principal Secretary to Govt. Haryana
Town and Country Planning Department, Chandigarh.

U.O No. 9/82/2011-Cabinet

Dated, Chandigarh, the 27th July, 2011.