

From

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

To

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

Memo No.7/16/2009-2TCP/

Dated:29.4.2010

Subject:- Regarding policy for grant of Occupation Certificate and composition of offence where change of land use permissions have been expired.

The matter regarding regularization of constructions where the occupation certificate as required under Rule 47 of the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Rules, 1965 (hereinafter referred to as Rule 1965) has not been obtained within the validity period of Change of Land Use permission to fulfill the requirement of Rule 26F has been considered by the Government. The Governor of Haryana is pleased to convey the following policy parameters relating to the grant of occupation certificate for such buildings under Rules 1965.

1. The applicant to pay the scrutiny fee for the applied area.
2. The applicant will be required to pay the differential amount of conversion charges, if any, on account of increase in the prescribed rates vis a vis the date of application for grant of occupation certificate.
3. The construction shall be compounded in accordance with the approved composition policy as applicable after rectification of the violation of set backs prescribed under Rule 51 to 53 or the zoning plan prepared under Rule 38 of Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Rules, 1965.
4. The applicant will also be required to pay the penalty for unauthorized occupation of the building as per applicable composition policy.
5. The applicant will also pay the external development charges at the updated rates, if applicable. In case the site now forms part of urbanisable areas and the sector has been acquired and services available the applicant will be liable to pay the EDC as per undertaking submitted at the time of grant of change of land use permission.
6. Only those structures/buildings/sites will be considered for regularization and composition where the owner has got the building plans approved in accordance with the provisions of the agreement executed with the Director at the time of grant of change of land use permission and has undertaken steps to put the land to the intended use. For this purpose achieving the minimum 25% of the permitted FAR or the parameters approved for completion of industrial projects vide DTCP memo No.G-1784/SD(B)2007/15081-110 dated 1.6.2007 will be taken into consideration.

Director Town and Country Planning, Haryana may ensure that these policy parameters are adhered to while dealing with such cases of grant of occupation certificate/regularization of unauthorized construction in the controlled areas.

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