

Directorate of Town & Country Planning, Haryana

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To

1. Chief Parliamentary Secretary,
Town & Country Planning Deptt, Haryana, Chandigarh
2. Additional Chief Secretary,
Revenue, Haryana, Chandigarh
3. Additional Chief Secretary,
Labour and Employment, Haryana, Chandigarh
4. Principal Secretary to Chief Minister,
Haryana, Chandigarh
5. Principal Secretary to Government Haryana,
Urban Local Bodies Deptt, Chandigarh
6. Principal Secretary to Government Haryana,
Environment Deptt, Chandigarh
7. Principal Secretary to Government Haryana,
Power Department, Chandigarh
8. Principal Secretary to Government Haryana
Town & Country Planning Deptt, Chandigarh
9. Chief Administrator,
HUDA, Sector 6, Panchkula
10. Deputy Principal Secretary to Chief Minister,
Haryana, Chandigarh
11. Director,
Panchayat & Urban Local Bodies, Haryana, Chandigarh
12. Member Secretary,
Haryana State Pollution Control Board, Panchkula

Memo No: 58859-870

Dated: 28/11/2013

SUBJECT: MINUTES OF THE MEETING HELD UNDER THE CHAIRMANSHIP OF HON'BLE CHIEF MINISTER HARYANA ON 29.10.2013 TO DELIBERATE UPON THE ISSUES CONCERNING REAL ESTATE SECTOR.

Please find enclosed copy of the minutes of the meeting held on 29.10.2013 under the chairmanship of Hon'ble Chief Minister, Haryana for information and necessary action.

DA/As above.

Sd/-

(P.P. Singh)

District Town Planner (HQ)

For: Director General, Town & Country Planning
Haryana, Chandigarh

MINUTES OF THE MEETING HELD UNDER THE CHAIRMANSHIP OF HON'BLE CHIEF MINISTER HARYANA ON 29.10.2013 AT 3.00 PM TO DELIBERATE UPON THE ISSUES CONCERNING REAL ESTATE SECTOR.

The list of officers and representatives of the colonizers who attended the meeting is placed at Annexure 'A' & 'B' respectively. At the outset, Sh. Anurag Rastogi IAS, Director, General, Town & Country Planning welcomed the Hon'ble Chief Minister, Haryana as well as the representatives of various colonizers who had come for the meeting and suggested that the colonizers may voice their issues for deliberations. The details of the deliberations along with the decisions taken on the issues may be summarised as follows:

1.0 Acquisition/Exchange of Revenue Rastas: In the context of the revenue rastas falling within licenced colonies and in futherance to the earlier deliberation/ decision taken in this regard in the meeting dated 30.08.2012, the scope and constitution of the High Powered Committee earlier finalised in the meeting dated 30.08.2012 was expanded and it was decided as follows:

1.1 The High Powered committee shall now constitute of the following members:

- a. ACS, Revenue, Chairman
- b. PS Industries
- c. PSTCP
- d. PS, Development & Panchayat, Haryana
- e. PSULB

The committee may also co-opt a representative of coloniser, if considered necessary.

1.2 The High Powered committee shall examine and consider the modalities for extension of the municipal limits and to coincide the same with the urbanisable limit of the notified Development Plans.

1.3 The committee shall evolve policy parameters to be adopted for transfer/ pruchase/ exchange of revenue rastas from municipal bodies and panchayats to resolve the dead-lock. The instructions issued by the Panchayat Deptt dated 14.10.2013 in this regard shall also be reviewed to evolve a holistic policy on the matter.

1.4 The committee shall take a holistic view of the matter and shall make its recommendations.

2.0 Increase in FAR/Density:The colonisers strongly argued in favour of raising the FAR for Group Housing and commercial use 1.75 on the ground that during the past decade most of the States have substantially raised the FAR, and the prevalent FAR in Haryana was not just lowest in the NCR region but in the entire country as well. This averment was contested by the PSCM, who informed that the State Government has already agreed to allow FAR upto

3.50 (including FAR of 0.5 for parking purposes) along the stretch of Regional Rapid Transit Corridors (RRTS) and Metro Corridors unto a depth of 500 meters. It was further argued that the density was recently raised by approx 20-33% in normal Group Housing colonies to 300 ppa and 400 ppa and high density sectors have been carved out with density of 1125 pph apart from the Affordable Housing Policy where density of 900 ppa and FAR of 225 is allowed. It was further added that increase in FAR would also put pressure on the infrastructure, and is likely to be a huge challenge for the Haryana Urban Development Authority. After detailed deliberations it was decided that any decision on the matter requires detailed study of the norms and parameters prevalent in the NCR towns specially Delhi and NOIDA. The Hon'ble CM Haryana accordingly desired that the technical aspects of the matter along with its likely impact may be examined after taking into account the prevailing norms and parameters in other States, particularly in NOIDA and Delhi to enable a final decision on the matter.

3.0 Licence Validity Period Based on Area of Project: It was forcefully argued by the colonisers that based on the total licenced area the original licence, the original validity period as well as the renewal period need to be revised. The PSTCP apprised that the licence validity period which had remained unchanged at 2 years since 1975 had recently been increased to 4 years in the year 2010. Similarly the renewal period was also increased from 1 year to 2 years in the year 2010. As such there was no justification to increase the period at such short intervals. In addition to ensure monitoring of projects at regular intervals the prevailing licence validity period and renewal period of 4 years and 2 years respectively was appropriate. The colonisers on the other hand argued that there has been no case of a colony being completed in 4 years period and thus the 4 year period was not reasonable. After detailed deliberations, it was decided that the licence validity period may be increased to 5 years after effecting a suitable (at least proportionate) increase in licence fees. Regarding renewal period it was decided that the Department may examine the matter on merits and if considered necessary may submit its proposal in this regard.

4.0 Mixed Land Use Policy in Commercial Projects: The colonisers requested that in view of the huge oversupply on account of 50% areas available for licence in the commercial zone, the large commercial projects were faced with viability issues. It was accordingly argued that mixed land use policy may be announced and be made applicable on commercial projects of more than 5 acres and also requested that atleast 50% of the FAR granted for commercial licences should be allowed for residential purpose to improve the viability of commercial

projects. The matter was deliberated and it was informed by the PSTCP that the policy presently under consideration proposes minimum 25 acres commercial projects to be allowed 1/3 rd FAR for residential flats. After detailed discussion it was decided that while retaining all policy parameters as earlier approved, such projects may be allowed in commercial licences of commercial sectors and commercial belts having an area of above 10 acres.

5.0 Relief on EDC Payments and Interest: On the request of the colonisers to extend the EDC relief policy dated 12.04.2012 (as amended vide orders dated 24.08.2013) to Gurgaon the matter was deliberated in detail. After detailed discussions, it was decided to extend the said policy to Gurgaon as well. However, on the issue of considering applications of additional licences also in favour of such colonisers availing the benefit of policy dated 12.04.2012, the PSTCP expressed Department's reservations citing the fact that since the Department was granting a EDC payment relief considering the weak financial capacity of the coloniser, there can be no ground for grant of additional licence to such coloniser since that would amount to burdening the coloniser with additional liabilities and thus further reducing its financial capacity. It was, however, agreed that fresh licence applications may be examined on case to case basis on their individual merits.

6.0 Interpretation of Fire Norms:The issues raised by the colonizers were strongly rebutted by the PSULB, who informed that the entire process of issuance of Fire clearance certificate has been already been overhauled and the Gurgaon office has been issuing such Fire clearance certificates, and there are very few cases currently pending with the competent authority. He further added that in case there are any additional issues, the colonisers may submit their representations and he assured to look into all such issues. The colonisers expressed their satisfaction on the matter.

7.0 Acquisition and construction of 24 meter roads:The colonisers argued for a proactive policy for the purpose of construction of 24 meter roads to ensure that these roads get completed and services along the same get laid out to ensure proper circulation within the sector in true sense. The DGTCPC apprised that the Department has already been seized of the issue and has taken several proactive measures to resolve the issue and drew the attention of the colonisers and the Government to the minutes of meeting dated 08.03.2013 and other successive meetings held in this regard with the colonisers to resolve the issues involved. While appreciating such efforts the colonisers suggested that other options may also be simultaneously looked into, viz., grant of FAR to existing colonies against patches of land falling under 24m roads, acquisition under Part-VII of the Land Acquisition Act. The PSCM,

Hr desired that detailed alternative proposals in this regard may be submitted by the colonisers to the DGTCP who may examine the same on its merits for a final decision on the matter.

8.0 Stamp Duty on Collaborations:The recent amendment in the Indian Stamp Act vide Act no 17 of 2013 levying a stamp duty of 5% on collaboration agreements was strongly contested by the colonisers and a request was made for its withdrawal. Sh. Krishna Mohan, IAS, Additional Chief Secretary Revenue Department and Sh R.S.Doon, APSCM, Hr explained the rationale behind such move and submitted their counter arguments in favour of the said amendment in Act. The PSTCP, Hr on the other hand expressed his opinion that since such collaboration agreements did not fall in the category of documents requiring compulsory registration, the decision to levy such stamp duty did not appear very logical. After detailed deliberations on the matter it was decided that the matter may be examined by a committee consisting of the Additional Chief Secretary, Revenue Department, the Principal Secretary Town and Country Planning and Sh R.S.Doon, APSCM, who shall examine the matter in its entirety to enable a final decision on the matter.

9.0 Composition Policy:The colonisers informed that the Composition Policy notified on 25.10.2011, restricts regularization of already raised constructions after the self-certification policy came into picture and accordingly requested for a 3 month amnesty period during which such constructions may be got regularised after payment of composition fees. PSTCP apprised that the Department has already issued a Self-certification policy dated 29.10.2011, under which the building plans can be self certified and only a copy of such building plans need to be submitted to the Department. Thus there is actually no need for any composition policy since the violators of self-certification policy do not deserve any such reprieve. Considering that the policy of self-certification was introduced as a new mechanism and that certain agencies/individuals may not have been aware of this formality, it was decided that such amnesty may be granted for a period of 90 days starting from Dec. 1st, 2013 enabling such defaulters to get their construction regularised except construction of floors on NPNL plots after payment of composition fees. An advertisement in this regard will be issued by the Department.

10.0 Revenue Rastas & Rasta for Affordable Housing:It was proposed by Sh Naveen Raheja that in case of affordable housing projects, the approach to the applied site may be allowed from 2-karamrastas also since these projects were meant for the low income group who may not use any four wheeler. PSTCP argued against any such move since the

construction work of any affordable housing project is akin to any other group housing project requiring movement of heavy building materials. The proposal was accordingly not accepted.

11.0 Conditional Approval of Building Plans leading to delay in Approvals: The requirement of seeking objections from each allottee upon any request for amendment in layout or building plans was requested to be discontinued by the colonisers. It was clarified by the DGTCP that personal intimation seeking objections from the allottees was a pre-requisite only in cases where the green areas were disturbed by the licensee in the layout/building plans. Whereas, in cases where changes were effected without any change in the green areas a simple notice in the newspaper seeking objections from the allottees was required to be issued. The colonisers expressed their satisfaction with this clarification.

12.0 Clarification on Common Areas & Maintenance Charges: It was also proposed by Sh Naveen Raheja that the Department may issue clarification on the areas falling under common areas and also regarding maintenance charges to enable clarity. Sh Rajeev Singh cautioned against any such attempt keeping in view the fact that the matter was still subjudice in the Hon'ble Supreme Court. The proposal was accordingly not accepted.

13.0 Advertising Policy of the State: Sh Rajeev Singh further expressed his disappointment at the parameters of advertising policy being implemented by the Municipal Corporation Gurgaon. Further clarity regarding advertising through 'Neon signs' and LED displays was sought. The PSULB in his response assured that the colonisers may submit their representations and he assured to look into all such issues and devise appropriate solution.

14.0 Disruption of construction on a 2 km stretch of NPR: Several colonisers expressed their concern over the attempt of local residents to continuously create disruptions in the construction over a 2 km long stretch of NPR, which has led to connectivity issues in the region. The Chief Administrator, HUDA assured to look into the matter and get the issue sorted out with the help of local administration.

15.0 Power Infrastructure: CMD Discoms raised the issue of deficiency in infrastructure to be created by builders as a result of which despite having surplus power consumers especially in Gurgaon had to suffer rotational cuts. He pointed out that way back in 2010 CM in a meeting had decided that after revision in load norms by Nigams in 2006, for the projects in pipeline at that time, after applying these norms, cost of making up the deficiency in infrastructure will be borne by the developers and Nigams in the ratio of 75:25 respectively

and 100 percent by developers for projects approved after 2006. CMD pointed out that only DLF had deposited Rs 15 cr against 20 cr deficiency but none of the other builders had created/deposited amount against deficient infrastructure. CA HUDA stated that although HUDA had initially raised objections but after discussion and slight modification and revision have now accepted the load norms. CM directed that the developers will create the required infrastructure as per load norms prescribed by the Nigams in time bound manner to which Mr Rajeev Singh representing the developers and all the developers present agreed.

The meeting ended with a vote of thanks to the Chair and the participants.

Annexure-A

List of officers attended the meeting held under the Chairmanship of Hon'ble Chief Minister, Haryana on 29.10.2013 at 3.00 PM in Main Committee Room, Haryana Civil Secretariat, Chandigarh to discuss issues concerning Real Estate Sector.

Sr.No.	Name	Designation
1.	Sh. Rao Dan Singh	Chief Parliamentary Secretary, Town & Country Planning
2.	Sh. Krishna Mohan, IAS	Additional Chief Secretary, Revenue
3.	Sh. P.K Gupta, IAS	Additional Chief Secretary Labour and Employment
4.	Sh. S.S Dhillon, IAS	Principal Secretary to Chief Minister, Haryana
5.	Sh. P. Raghavendra Rao, IAS	Principal Secretary Urban Local Bodies
6.	Sh. K.K. Khandelwal, IAS	Principal Secretary to Chief Minister, Haryana and Principal Secretary to Govt., Haryana, Information, Public Relations and Language and Irrigation Departments.
7.	Sh. Vijai Vardhan, IAS	Principal Secretary, Environment
8.	Sh. Devender Singh, IAS	Principal Secretary to Government Haryana, Power Department
9.	Sh. T.C Gupta, IAS	Principal Secretary, Town & Country Planning
10.	Sh. Anurag Rastogi, IAS	Director General, Town & Country Planning
11.	Sh. Anand M. Sharan, IAS	Labour Commissioner, Haryana
12.	Sh. Anurag Aggarwal, IAS	Secretary, Power Department
13.	Sh. A.K Singh, IAS	Chief Administrator, HUDA
14.	Sh. R.S Doon, IAS	Deputy Principal Secretary to Chief Minister, Haryana.
15.	Sh. Nitin Yadav, IAS	Director, Panchayat & Urban Local Bodies
16.	Sh. R.S Kharab, IAS	Chief Administrator Housing Board, Haryana
17.	Sh. V.S Kadian. IAS	Member Secretary, HSPCB
18.	Sh. D.K Soni	Chief Engineer, HUDA, Panchkula
19.	Sh. J.S Redhu	Chief Town Planner, Town and Country Planning Haryana
20.	Sh. R.K Kakkar	Chief Engineer-I, HUDA, Panchkula
21.	Sh. K.S Chahal	Joint Director, Labour Department
22.	Sh. J.P Sihag	Senior Town Planner (E&V), Department of Town and Country Planning
23.	Sh. P.P. Singh	District Town Planner (HQ), Department of Town and Country Planning
24.	Sh. Sanjay Kumar	District Town Planner (HQ), Department of Town and Country Planning
25.	Sh. Karamveer Singh	District Town Planner (Enf), Department of Town and Country Planning
26.	Sh. Ashok Rathee	Executive Engineer, Urban Local Bodies, Chandigarh
27.	Sh. M.S Bhardwaj	Fire Station Officer, Gurgaon
28.	Sh. Narender Kumar	Assistant Town Planner (HQ), Department of Town and Country Planning

Annexure-B

List of representative of the colonizers attended the meeting held under the Chairmanship of Hon'ble Chief Minister, Haryana on 29.10.2013 at 3.00 PM in main Committee Room, Haryana Civil Secretariat, Chandigarh to discuss issues concerning Real Estate Sector.

Sr. No.	Name and designation	Address and email
1	Sh. Anil Bhalla Chairman-cum- Managing Director	Vatika Limited. Vatika Triangle, Sushant Lok, Block-A, MG Road, Gurgaon.
2	Sh. Ashok Solomon Chairman	Chintels India Ltd., Chintels HouseA -11, Kailash Colony, New Delhi - 110048.
3	Sh. Kamal Taneja Managing Director	TDI Infrastructure Pvt. Ltd. UG Floor, Vandana Building, 11, Tolstoy Marg, Connaught Place, New Delhi - 110001
4	Sh. Kabul Chawla, Managing Director	Countrywide Promoters Pvt. Ltd, M-11, Middle Circle,Connaught Circus, New Delhi-110001
5	Sh. Lalit Goyal Chairman	IREO Ltd. Orhid Centre, 5 th Floor, Golf Course Road, Sector-53, Gurgaon
6	Sh. Naveen Raheja, Managing Director	Raheja Developers Pvt. Ltd, 215-216 Rectangle One, D-4, District Centre, Saket, New Delhi- 110017
7	Sh. Pankaj Bajaj Managing Director	ELDECO Infrastructure & Properties Ltd.
8	Sh. Pradeep Jain Chairman	Parsvnath Developers Ltd. Parsvnath Developers Ltd., 6th Floor, Arunachal Building, 19, Barakhamba Road, New Delhi - 110 001
9	Sh. Pranav Ansal Managing Director	Ansal Properties & Infrastructure Ltd. 115, Ansal Bhawan, 16, Kasturba Gandhi Marg New Delhi - 110 001.
10	Sh. Rajeev Singh Vice Chairman	DLF Ltd., 10 th floor, DLF Centre, Sansad Marg, New Delhi
11	Sh. Ramesh Chandra Managing Director	Unitech Ltd., Unitech House, L-Block, South City-I, Gurgaon, Haryana
12	Sh. Sunil Goel CMD	Omaxe Ltd. 11, LSC, Near Post office, Kalkaji, New Delhi