To

All District Town Planner in the State including Enforcement Wing.

Memo No. M-19 R-Vol-II(STP E&V)/2013/ 1459-1483
Dated: 27-06-2013

Subject: Conference of Deputy Commissioner and Superintendent Police held on 20.04.2013.

During DCs/SPs conference held on 20.04.2013, it was pointed out that DTPs in the field forward very sketchy complaint for reporting offences under Act of 1963 and Act of 1975 to Police Department and for registration of Case/FIR against the offenders. It was also highlighted by DGP, Hr. that these complaints are inactionable as they lack details of offenders, offence and place of occurrence.

2. In view of said deliberation, I am directed to request you to incorporate the following details in the complaints for lodging FIR against offenders:-

   I. Name of original landowner as well as that of dealer/colonizer should be mentioned in the complaint.
   II. Relevant complete revenue documents should be attached with the complaint.
   III. Site of unauthorized colony be marked on sectoral plan, development plan, urban area plan and controlled area plan.
   IV. Complaint should be properly chain marked and indexed so that documents attached are properly reflected.
   V. Latest photographs showing stage of construction. Some of the photographs of unauthorized structures/colonization should be correlated with nearest landmark/distinct feature for easy identification of site.
   VI. Site plan attached with the complaint should invariably depict following:-
       a) The nearest kilometre stone,
       b) Exact distance of the colony/structures from nearest kilometre stone.
       c) Landmark/distinct feature near to the colony/structures,
       d) Width of roads, location of electricity poles/services in the colony,
       e) Exact demarcation of the construction/foundation/structures raised at site.

3. As a ready reference, sample proformas for sending complaint in different possible situation incorporating abovesaid details are enclosed.

DA/Above

Sd/-
(Karamveer Jhajhria)
District Town Planner(E&V)
For Director General, Town & Country Planning
Haryana Chandigarh


A copy is forwarded to the following:-

1. All the Senior Town Planner in the State for information please.
2. Sh. P.P Singh, DTP(HQ) with the request to kindly host it on website of the Department.

Sd/-
(Karamveer Jhajhria)
District Town Planner(E&V)
For Director General, Town & Country Planning
Haryana Chandigarh
From
District Town Planner.

To
The Station House Officer  
Police Station.

Memo No.  Dated

Sub: Infringement of Haryana Development and Regulation of Urban Area Act of 1975-Lodging of FIR

Sh/Smt. .................................................................

............. (Name of the developer of the unauthorized colony) has carved out unauthorized colony over land falling in Khasra no. .................................................................in the revenue estate of village .................................................................tehsil .................................................................district in violation of section 3, 7(i) and 7(ii) (if unauthorized construction in form of road network and services have also been raised-strikeout if not applicable) of Haryana Development and Regulation of Urban Area Act 1975 (hereinafter referred to as Act of 1975) and rules framed there under. The aforesaid site/land belongs to .................................................................(Name of landowner).

2. The aforesaid site falls within notified urban area, copy of which is enclosed. Section 3 of Act no. 8 of 1975, provides that the land owner shall get a license before carving out a colony within notified urban area from the competent authority (Director Town & Country Planning, Haryana, Chandigarh). Section 7(i) of Act of 1975 prohibits sub division of land for carving out the colony. Section 7 (ii) prohibits construction in a colony for which license under section 3 of Act of 1975 has not been granted (strikeout if not applicable). The above named offenders have thus violated section 3, 7(i) read with section 2(c), section 7(ii) of Act of 1975 by sub dividing land for the purpose of colony. The offender is deliberately continuing with the contravention of provision of Act of 1975 and rules framed there under.

It is further intimated that the contravention/violation of section 3, 7(i), 7(ii) (strikeout if not applicable) of Act of 1975 and rules framed there under is a punishable offence with imprisonment up to 3 years, therefore, you are requested to get the unauthorized colonization being done by the above named offender stopped immediately, investigate the matter and register a FIR against the above named offender (both developer and as well as landowner) as well as other offenders whose name gets associated with the above referred offence during course of investigation.

3. After registration of FIR, as required under Section 11 of Act of 1975, before putting the challan in the competent court of law necessary sanction for prosecution of the offenders may be obtained from the Deputy Commissioner, .................................................................

4. Please also find enclosed following documents procured/obtained showing association of above named offender to the aforesaid unauthorised colony.

i. Revenue documents-Jamabandi/Intkal/asks-sajra/sale deeds.
ii. Layout of colony as recovered from site.
iii. Photographs showing stage of construction of the colony.
iv. Site plan showing location of roads/services and unauthorized construction existing at site.

These documents shall help you to investigate the offence and also during the prosecution of the above named offender.

5. It is further intimated that under section 11 B of Act of 1975, police officer not below the rank of sub inspector has power to arrest such offenders (A copy of relevant portion of section 11B of Act of 1975 is enclosed for your ready reference). You are also requested to keep vigil in this area and surrounding area and bring any instance of unauthorized colonization to the notice of undersigned as envisaged in section 11 A of Act of 1975 (A copy of relevant portion of section 11 A of Act of 1975 is enclosed for your ready reference).

A copy of FIR and progress report of investigation into this matter maybe sent to his office for record purpose, please.

This complaint consist of ..................pages numbered as 1 to ...............as per detail given below:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Particular</th>
<th>Page no.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

District Town Planner,
..............................

Endst. No Dated.
..............................

A copy is forwarded to the following, for information and further necessary action, please.

1. The Director, Town & Country Planning, Haryana, Chandigarh.
2. The Deputy Commissioner..............................
3. The Senior Town Planner (E&V), Haryana, Chandigarh
4. The Superintendent of police..............................

District Town Planner,
..............................
From
District Town Planner.

To
The Station House Officer

Memo No. Dated

Sub: Infringement of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act of 1963 - Lodging of FIR

Sh/Smt............................................. has raised unauthorized construction over land falling in Khasra no.................................................. in the revenue estate of village..................................................tehsil..........................district....

......in violation of section 6 & 7 of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act of 1963 (thereinafter referred to as Act of 1963) and rules framed there under. The aforesaid site of offender falls within notified controlled area declared around...............on dated............................vide Gazette notification no.
...........................................................................(copy enclosed).

2. Section 6 of Act no. 41 of 1963, prohibits erection/re-erection of building within notified controlled area without prior permission of the competent authority (The Director, Town & Country Planning, Haryana, Chandigarh). Section 7 of Act no. 41 of 1963 provides for change of land use permission before changing the existing use of land, from the competent authority on payment of prescribed fees and charges to be Government.

The above named offender has thus violated, section 6 of Act no. 41 of 1963 by raising the above referred unauthorised construction without obtaining permission from competent authority section 7 of Act no. 41 of 1963 by changing the existing use of land from agriculture to .............without obtaining change of land use permission from competent authority and has also caused financial loss to the state exchequer by not paying the prescribed fees and charges for change of land user. The necessary show cause notice and restoration order under section 12 (2) of Act of 1963 has already been issued against the offender. The above named offender is deliberately continuing with the offence/violation/contravention of provisions of Act of 1973 and rules framed there under.

3. It is further intimated that the contravention/violation of section 6 and 7 of Act of 1963 and rules framed there under is a punishable offence with imprisonment up to 3 years and fine up to Rs. 50,000, therefore, you are requested to get the said unauthorized construction stopped immediately, investigate the matter and register an FIR Against the above named offenders as well as other offenders whose name gets associated with the above referred offence during course of investigation.

4. After registration of FIR, as required under Section 16 of Act of 1963, before putting the challan in the court of Ist Class judicial magistrate (see section 15 of Act of 1963), necessary sanction for prosecution of the offenders may be obtained from the Deputy Commissioner................................
5. Please also find enclosed following documents procured/obtained showing association of above named offender to the aforesaid unauthorised colony.
   i. Revenue documents-Jamabandi/Intkal/asks-sajra/sale deeds.
   ii. Photographs showing stage of construction.
   iii. Site plan showing location of roads/services and unauthorized construction existing at site.

These documents shall help you to investigate the offence and also during the prosecution of the above named offender.

6. It is further intimated that under section 12 B of Act of 1963, police officer not below the rank of sub inspector has power to arrest such offenders (A copy of relevant portion of section 12 B of Act no. 41 of 1963 is enclosed for our ready reference). You are also requested to keep vigil in this area and surrounding area and brings an instance of unauthorized construction to the notice of under signed as envisaged in section 12 A of Act of 1963 is enclosed for your ready reference).

A copy of FIR and progress report of investigation into this matter maybe sent to this office for record purpose, please.

This complaint consist of ....................pages numbered as 1 to .....................as per detail given below:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Particular</th>
<th>Page no.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

District Town Planner,

Endst. No Dated.

A copy is forwarded to the following, for information and further necessary action, please.

1. The Director, Town & Country Planning, Haryana, Chandigarh.
2. The Deputy Commissioner..........................
3. The Senior Town Planner (E&V), Haryana, Chandigarh
4. The Superintendent of police..........................

District Town Planner,

..........................................................
From
District Town Planner.

To
The Station House Officer

Memo No. ................................................. Dated

Sub: Infringement of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act of 1963 - Lodging of FIR

................................. has raised unauthorized construction over land falling in Khasra no...................................... in the revenue estate of village..............................................tehsil........................................district....
................................. in violation of section 3 of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act of 1963 (thereinafter referred to as Act of 1963) and rules framed there under. The aforesaid site of offender falls 30 m/100 m restricted belt of scheduled road/bypasses.

2. Section 3 of Act no. 41 of 1963, prohibits erection/re-erection of building within 30 m/100m wide restricted belt of scheduled road/bypasses.

The above named offender has thus violated, section 3 of Act no. 41 of 1963 by raising the above referred unauthorised construction. The necessary show cause notice and restoration order under section 12 (2) of Act of 1963 has already been issued against the offender. The above named offender is deliberately continuing with the offence/violation/contravention of provisions of Act of 1963 and rules framed there under.

3. It is further intimated that the contravention/violation of section 3 of Act of 1963 and rules framed there under is a punishable offence with imprisonment up to 3 years and fine up to Rs. 50,000 therefore, you are requested to get the said unauthorized construction being done by the above named offenders stopped immediately, investigate the matter and register an FIR against the above named offenders as well as other offenders whose name gets associated with the above referred offence during course of investigation.

4. After registration of FIR, as required under Section 16 of Act of 1963, before putting the challan in the court of Ist Class judicial magistrate (see section 15 of Act of 1963), necessary sanction for prosecution of the offenders may be obtained from the Deputy Commissioner..............................................

5. Please also find enclosed following documents procured/obtained showing association of above named offender to the aforesaid unauthorised colony.
   i. Revenue documents-Jambandi/Intkal/asks-sajra/sale deeds.
   ii. Photographs showing stage of construction.
   iii. Site plan showing location of roads/services and unauthorized construction existing at site.

These documents shall help you to investigate the offence and also during the prosecution of the above named offender.

5. It is further intimated that under section 12 B of Act of 1963, police officer not below the rank of sub inspector has power to arrest such offenders (A copy of relevant portion of section 12 B of Act no. 41 of 1963 is enclosed for our ready
reference). You are also requested to keep vigil in this area and surrounding area and brings an instance of unauthorized construction to the notice of under signed as envisaged in section 12 A of Act of 1963 is enclosed for your ready reference).

A copy of FIR and progress report of investigation into this matter maybe sent to this office for record purpose, please.

This complaint consist of .......................pages numbered as 1 to ..................as per detail given below:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Particular</th>
<th>Page no.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Endst. No  
Dated.

A copy is forwarded to the following, for information and further necessary action, please.

1. The Director, Town & Country Planning, Haryana, Chandigarh.
2. The Deputy Commissioner...........................................
3. The Senior Town Planner (E&V), Haryana, Chandigarh
4. The Superintendent of police...........................................

District Town Planner,
.................................
From
District Town Planner.
Enforcement, Gurgaon

To
The Station House Officer
...................................... Police Station, Gurgaon

Memo No. ................................................. Dated

Sub: Infringement of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act of 1963 - Lodging of FIR

It has been brought to the notice of undersigned that some unknown persons are raising unauthorized construction at Khasra no .........................................................., in the revenue estate of village ........................................................., district Gurgaon.

The nearest landmark to the aforementioned unauthorized construction is .......................................................... During visit of the field staff ................................................................JE O/o DTP ........................................) to the aforementioned site, the persons present at the site refused to divulge the details of ownership of the unauthorized construction being raised at the site. On local enquiry, it has been found that the aforesaid unauthorized construction belongs to ........................................son of Shri........................................... resident of village .......................................................... district ..........................................................

The aforesaid construction is being raised in violation of section 3, 6 and 7 (Strikeout whichever is not applicable) of Punjab Scheduled Road and Controlled Areas Restriction of Unregulated Development Act 1963 (hereinafter referred to as Act no. 41 of 1963) and rules framed thereunder. The aforesaid site of offenders falls within notified controlled area declared around .......................................................... On dated .......................................................... vide Gazette notification no. .......................................................... (copy enclosed).

2. Section 3 of Act no. 41 of 1963, prohibits erection/re-erection of building within 30 m/100m wide restricted belt of scheduled road/bypasses. Section 6 of Act no. 41 of 1963, prohibits erection/re-erection of building within notified controlled area without prior permission of the competent authority. (The Director, Town & Country Planning, Haryana, Chandigarh). Section 7 of Act no. 41 of 1963 provides for change of land use permission before changing the existing use of land. From the competent authority on payment of prescribed fees and charges to the Government. The above named offender has thus violated, section 3 of act of 1963 by raising construction within 30m/100m wide restricted belt of scheduled road/bypasses, violated section 6 of Act of 1963 by raising the above referred unauthorized construction without obtaining permission from competent authority, section 7 of Act no. 41 of 1963 by changing the existing use of land from agriculture to .......................................................... without obtaining change of land use permission from competent authority and has also caused financial loss to the state exchequer by not paying the prescribed fees and charges for change of land use permission. The necessary show cause notice and restoration order under section 12 (2) of Act no. 41 of 1963 has already been issued against the offender
and the same have also been pasted at the site of unauthorized construction. The offender is deliberately continuing with the offence/violation/contravention of provisions of Act no. 41 of 1963 and rules framed there under.

3. It is further intimated that the contravention/violation of section 3, 6 and 7 of Act of 1963 and rules framed there under is a punishable offence with imprisonment up to 3 years and fine up to Rs. 50,000 therefore, you are requested to get the said unauthorized construction being done by the above named offenders stopped immediately, investigate the matter and register a FIR against the above named offenders as well as other offenders whose name gets associated with the above referred offence during course of investigation.

4. After registration of FIR, necessary sanction for prosecution of the offenders may be obtained from the Deputy Commissioner.......................... as required under Section 16 of Act of 1963, before putting the challan in the court of 1st class judicial magistrate (see section 15 of Act of 1963).

5. Please also find enclosed following documents procured/obtained showing association of above named offender to the aforesaid unauthorised colony.
   i. Revenue documents-Jamabandi/Intkal/asks-sajra/sale deeds.
   ii. Photographs showing stage of construction.
   iii. Site plan showing location of roads/services and unauthorized construction existing at site.

These documents shall help you to investigate the offence and also during the prosecution of the above named offender.

6. It is further intimated that under section 12 B of Act of 1963, police officer not below the rank of sub inspector has power to arrest such offenders (A copy of relevant portion of section 12 B of Act no. 41 of 1963 is enclosed for our ready reference). You are also requested to keep vigil in this area and surrounding area and brings an instance of unauthorized construction to the notice of under signed as envisaged in section 12 A of Act of 1963 is enclosed for your ready reference).

A copy of FIR and progress report of investigation into this matter may be sent to this office for record purpose, please.

This complaint consist of ......................pages numbered as 1 to .....................as per detail given below:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Particular</th>
<th>Page no.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

District Town Planner,

..............................

Endst. No Dated.

A copy is forwarded to the following, for information and further necessary action, please.

1. The Director, Town & Country Planning, Haryana, Chandigarh.
2. The Deputy Commissioner..........................
3. The Senior Town Planner (E&V), Haryana, Chandigarh
4. The Superintendant of police..........................

District Town Planner,