- ORDER

Subject: Instructions for making grant/issue of NOC for the purposes of Section 7A of Act of 1975 transparent.

As Haryana Development & Regulation of Urban Areas Act, 1975 and Rules, 1976 does not prescribe any form for application or standard format for issuing NOC for the purposes of section 7-A of Act of 1975. Therefore, in order to have uniformity in application, procedure for examination of application and format for grant of NOC for the purposes of Section 7A of Act of 1975, the following format has been devised and instructions given below should be followed while issuing NOC for the purpose of Section 7A of Act of 1975:-

i. Format of application for grant of NOC for the purposes of section 7-A of Act of 1975:-

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<tbody>
<tr>
<td>1.</td>
<td>Name and complete address of owners/seller along with mobile number and email ID + Adhaar Card No.</td>
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<tr>
<td>2.</td>
<td>Name and complete address of buyer along with mobile number and email ID + Adhaar Card No.</td>
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<td>3.</td>
<td>Existing use of land (agriculture/residential/industrial/commercial)</td>
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<td>4.</td>
<td>Use of land/plot proposed in the sale deed (agriculture/residential/industrial/commercial)</td>
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<td>5.</td>
<td>Particulars of land owned by owners/seller (Jamabandi of complete Khewat and Intkal shown therein be enclosed).</td>
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<tr>
<td>6.</td>
<td>Particular of land being sold in the instant case</td>
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<td>7.</td>
<td>Particulars of land sold on earlier occasion which is in compact block to the land being sold. Please mention memo no. and date of NOC issued for sale of this land along with name of buyer and mutation number (enclose copy of the same).</td>
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<td></td>
<td>Revenue Estate</td>
<td>Khaton No.</td>
<td>Area</td>
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<td>Khesra/ Killa No. alongwith rectangle No.</td>
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<td>Khesra/ Killa No. alongwith rectangle No.</td>
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<td>Particular of applied land/plot falling in licensed colonies / regularised colony (allotment letter/sale deed in support of ownership be enclosed).</td>
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<td>8.</td>
<td>In case of vacant plot falling in regularised colony, report from Executive Officer, municipal committee/Corporation showing the location of plot on layout plan of the regularised colony shall be obtained.</td>
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<td>9.</td>
<td>Affidavit as per enclosed proforma</td>
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<tr>
<td>10.</td>
<td>Draft of proposed sale deed</td>
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</table>

I/we declare that information provided herein above is true and nothing has been concealed. In case, any information is found to be untrue at any point of time, then I shall be liable for action under the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and other applicable laws.

Signature of applicant  
Name of applicant  
Complete correspondence address  
Telephone number and email ID

ii. The affidavit to be accompanied with application for grant/issue of NOC for the purposes of section 7-A of Act of 1975:  
I/we________________________________ R/o __________________ do hereby solemnly affirm and declare:-

I. That I am aware that land measuring____________________ falling in Khasra number_________ in the revenue estate of village________, Tehsil________, District_________ (as per details mentioned at sr. no. 5 of the application) falls within__________ urban area and is attracted by the provisions of Haryana Development and Regulation of Urban Areas Act, 1975.

II. That I am aware that as per section 7 (i) read with section 2 (c) of Act of 1975, subdivision of land for the purposes of carving out of residential, industrial, commercial, IT colony without obtaining license as required under section 3 of Act is bid is punishable offence in terms of provisions contained in section 10 (1) of Act ibid.

III. That aforesaid land is not part of any unauthorised colony.

IV. That I have not subdivided aforesaid land in the past.

or

That I have sold part of the aforesaid land vide sale deed no. ____________________ dated_________ Intkal no. ____________________ dated_________ (copy enclosed), however, plot already sold and land measuring____________________ in Khasra number_________ in the revenue estate of village________, Tehsil________, District_________ being proposed for sale to ____________________ (details of buyer as per sr. no. 2 of the application) do not result in violation of section 7 (i) read
with section 2 (c) of Act of 1975 as the same is being sold for agriculture purpose.

Deponent

Verified that statement made above is true as per my knowledge and understanding and nothing has been concealed.

Deponent

iii. Procedure for scrutiny of application and format for issuance of NOC.

(a) After receipt of application, concerned District Town Planner shall examine the details given in the application, revenue documents and affidavit along with draft sale deed and convey observations, if any to the applicant within 2 days of receipt of application.

(b) In case, applied land is part of regularized colony, then District Town Planner shall forward the application to concerned Executive Officer/Secretary of Municipal Corporation/Committee/Council for seeking report in following format within 2 working days of receipt of application and also convey observations/shortcomings, if any in the application to the applicant. Executive officer/Secretary of Municipal Corporation/Committee/Council shall give its comments/report within 2 working days of receipt of application.

(c) DTP concerned shall meticulously examine the contents of the draft sale deed as well as revenue documents for establishing whether proposed transfer of land is in violation of section 7 (i) of Act of 1975 or not. In case, there is no violation of section 7 (i) of Act of 1975, then, DIP shall issue NOC in the following format to concerned Sub Registrar with a copy to seller and buyer within 10 days of receipt of complete application/report from Municipal Corporation/Committee/Council in case of regular colony.

To,

The Sub Registrar,

Sub:-

Issuance of NOC for the land falling within urban area notified for the purpose of section 7-A of Harvana Development and Regulation of Urban Areas Act 1975.

This office does not have any objection for registration of sale of land measuring ________ falling in
Khasra ____________ in the revenue estate of village ____________, Tehsil __________, District __________ by ____________ to ____________.

2. This NOC has been issued on the basis of draft sale deed (copy enclosed) submitted by the seller in the office of undersigned. It may be ensured that there is no variation in the contents of sale deed being registered from the draft sale deed on the basis of which this NOC has been issued.

3. Buyer shall not raise any construction over the aforesaid land without prior permission of competent authority.

4. This NOC shall not provide immunity from any other Act or rules applicable on the plot/land.

District Town Planner,

__________

Endst no. 

dated:

A copy is forwarded to the following for information

1. ____________-seller
2. ____________-buyer

District Town Planner,

__________

vi. In case, there is violation of section 7 (i) of Act of 1975, then both buyer and seller as well as Sub-Registrar shall be informed that proposed transfer of land shall result in violation of section 7 (i) of Act of 1975 and NOC be refused.

vii. Refusal/issuance of NOC shall also be communicated to Sub-Registrar through office shall email ID of concerned DTP.

Sd/-

(Arun Kumar Gupta)

DGTCP, Haryana

Dated: ____________

Endst No. ____________ Dated: ____________

A copy is forwarded to the following for information and further necessary action as per above:

1. PS/DGTCP.
2. CTP, Haryana.
3. All Senior Town Planners.
4. All District Town Planners.

(Signed)

(Karanveer Singh)

District Town Planner (HQ)

for Director General, Town & Country Planning,

Haryana, Chandigarh.