

**DIRECTORATE OF TOWN & COUNTRY PLANNING, HARYANA**

Ayojna Bhawan, Madhya Marg, Sector 18, Chandigarh

Phone: 0172-2549349; e-mail:tcphry@gmail.com

<http://tcpharyana.gov.in>

To

All District Town Planners in the State

Memo no. STP(E&V)Misc-39/2013/600

Dated: 05.04.2013

**Subject:- Regularization of unauthorized construction erected along Scheduled Road under Rule 3A of Rules of 1965.**

It is observed that District Town Planners in the field are seeking clarification as regard to whether land/building released from acquisition proceedings can be considered for regularization under Rule 3A of Rules of 1965.

2. The above matter has been examined in the Directorate. Rule 3-A stipulates applicant to be owner of the applied building for its exclusion from the provisions of section 3 of Act of 1963. Ownership of land in the State is established on the basis of revenue record i.e. Jamabandi etc. If, as per revenue document, title of the applied site is clearly in favour of applicant, then, application made under Rule 3-A cannot be refused on the ground that the applicant has not fulfilled certain conditions imposed while releasing the applied land from acquisition proceedings under Land Acquisition Act, 1894. In fact, separate action should have been taken by concerned Land Acquisition Officer and Estate Officer, HUDA against the applicant for not complying with the terms and conditions of release of said land as per release order, if any.

3. In view of above, it would not be prudent at such belated stage to refuse regularization of said building merely on the ground of non fulfillment of terms and conditions of the aforesaid release orders. In fact, regularization of such buildings under rule 3-A provides an opportunity to enforce the condition to the effect that applicant shall provide part of the release land to HUDA for development works/laying of services if required by imposing condition to such effect in the regularization orders.

In view of above, it is requested to consider the applications for regularization under Rule 3A of Rules of 1965, if all the terms and conditions prescribed in notification dated 21.03.2013 are fulfilled & decide such cases by imposing following conditions:-

1. Applicant shall fulfill terms and condition of release order, if any.
2. Applicant shall provide part of site for laying of services, construction of service road or other development works as and when demanded by HUDA.

*Sd/-*

District Town Planner(E&V)

O/o Director General, Town and Country Planning,  
Haryana, Chandigarh.

Dated:

Endst No. DGTCP/STP(E&V)Misc-39/

A copy is forwarded for information and necessary action please.

1. Senior Town Planner, Hisar.
2. Senior Town Planner, Rohtak.
3. Senior Town Planner, Panchkula.
4. Senior Town Planner, Gurgaon.
5. Senior Town Planner, Faridabad.

*Sd/-*

District Town Planner(E&V)

O/o Director General, Town and Country Planning,  
Haryana, Chandigarh.

Dated:

Endst No. DGTCP/STP(E&V)Misc-39/

A copy is forwarded to DTP, Rohtak specifically in reference to her memo no. 4993 dated 18.12.2012 with a request to consider the cases mentioned in the above said letter as per the instant instructions.

*Sd/-*

District Town Planner(E&V)

O/o Director General, Town and Country Planning,  
Haryana, Chandigarh.