

DIRECTORATE OF TOWN & COUNTRY PLANNING, HARYANA

Aayojna 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-73/2013/1928-1952

Dated:05.08.2013

Subject:- Delegation of powers to District Town Planners to accept and return the applications in terms of Rule 26A & 26B of the Rules of 1965 read with section 8(1) of the Act No.41 of 1963.

Reference:- This office endst. No.8DP(ii)-89/6450-74 dated 26.04.1989 (copy enclosed).

Exercising the powers under section 19(2) of the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963, the then Director, Town & Country Planning, Haryana, vide orders dated 07.04.1989 (copy enclosed), delegated his powers and functions to the District Town Planners in the State of Haryana to receive the applications in respect of section 8(1) of the Act mentioned above within their jurisdiction. Clause(a) of the 'Annexure-A' appended to the above said orders states that upon receiving the applications, the field office should immediately check them with regard to required documents and in case the documents are incomplete, the case may be returned to the applicant within one week asking him to complete the documents. This clause fulfills the requirement of Rule 26B of the Rules framed under the above said Act for the applications received under Rule-26A.

It has been observed during the Departmental Review Meetings that the incomplete applications of CLU cases are pending for years together and the field offices have just intimated the deficiencies to the applicants without return of the application. This led to pendency of such applications for a long period. In many of such cases, even the applicants have raised unauthorized constructions and the field officers have not taken action against such constructions on the plea that their CLU applications are pending with the Department. This act of the field officers is contrary to the powers delegated and directions issued vide orders under reference. Therefore, it is directed that in future District Town Planners in the field shall meticulously comply with the orders dated 07.04.1989 in letter and spirit and return all incomplete applications.

D.A./As above.

Sd/-

(Jitender Sihag)

Senior Town Planner (E&V)

for: Director General, Town & Country Planning,
Haryana, Chandigarh.

Endst No. STP(E&V)/Misc.-73/2013/ 1953-1958

Dated: 05.08.2013

1. A copy is forwarded to all the Senior Town Planners in the State for information and necessary action.
2. PS/DGTCP for kind information of Director General, Town & Country Planning, Haryana please.

Sd/-

(Jitender Sihag)

Senior Town Planner (E&V)

for: Director General, Town & Country Planning,
Haryana, Chandigarh.

ORDER

In exercise of the powers conferred by sub-section (2) of Section 19 of the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963 and with the prior approval of the Government, I, Anil Razdan, IAS, Director, Town & Country Planning, Haryana, Chandigarh, hereby delegate my powers and functions to the District Town Planners in the State of Haryana & Regional Town Planner, Rohtak to receive the applications in respect of Section 8(i) of the Act mentioned above within their jurisdiction and do the needful as per the procedure laid down in Annexure 'A' and 'B' attached-with.

Sd/-
(ANIL RAZDAN)

Dated, Chandigarh
the April 7, 1989

Director,
Town & Country Planning Deptt.,
Haryana, Chandigarh.

Endst No. 8DP(ii)-83/6449

Dated:- 26.04.89

A copy is forwarded to the Commissioner and Secretary to Govt. Haryana, Town & Country Planning Deptt., Chandigarh for information.

Sd/-
District Town Planner,
for: Director, Town & Country Planning,
Haryana, Chandigarh.

Endst No. 8DP(ii)-89/6450-74

Dated:-26.04.89

A copy is forwarded to the following for information & necessary action:-

1. Chief Co-ordinator Planner (NCR), Haryana, Panchkula.
2. All the Senior Town Planners in the State of Haryana, Town & Country Planning Department.
3. Regional Town Planner, Rohtak.
4. All the District Town Planners in the State of Haryana.
5. All the Assistant Town, Planners in the State of Haryana, Town & Country Planning Department &
6. All the Enforcement Inspectors in the State of Haryana, Town & Country Planning Department.

Sd/-
District Town Planner,
for: Director, Town & Country Planning,
Haryana, Chandigarh.

Endst No. 8DP(ii)-89/6475

Dated:- 26.04.89

A copy is forwarded to the Director of Industries, Haryana, Chandigarh for information & necessary action.

Sd/-
District Town Planner,
for: Director, Town & Country Planning,
Haryana, Chandigarh.

Endst No. 8DP(ii)-89/6476

Dated:- 26.04.89

A copy is forwarded to the District Town Planner, I.A.G. Haryana, Sector-17, Chandigarh for information and necessary action.

Sd/-

District Town Planner,
for: Director, Town & Country Planning,
Haryana, Chandigarh

Endst No. 8DP(ii)-89/6477

Dated:- 26.04.89

A copy is forwarded to the District Town Planner, I.A.G., Haryana, Baba Kharg Singh Marg, New Delhi for information & necessary action.

Sd/-

District Town Planner,
for: Director, Town & Country Planning,
Haryana, Chandigarh.

(Procedure for dealing with Change of Land Use cases)

Annexure-'A'

- (a) Upon receiving such applications, the field office should immediately check them with regard to required documents. In case the documents are incomplete, the case may be returned to the party within a week asking them to complete the documents.
- (b) After receiving the complete case/documents from the applicants, the DTP office should give a detailed report in Col.3 of the prescribed proforma enclosed as Annexure-'B' alongwith a Sketch Plan of the site and Development Plan showing the location. These papers should be sent by the DTP within 10 days of the receipt of the complete application in his office in duplicate to the concerned S.T.P.'s office.
- (c) The S.T.P. should complete the Col. 4 of the proforma and send it alongwith any other comments/recommendations which he wishes to given on the case alongwith all the documents submitted by DTP office, to the Head Office within one week of the receipt of the DTP's comments in his office.

Sd/-
District Town Planner,
for: Director, Town & Country Planning,
Haryana, Chandigarh.

ANNEXURE 'B'

**PROFORMA SENDING THE REPORTS BY THE FIELD OFFICES ON THE
CASE OF CHANGE OF LAND USE/NO OBJECTION CERTIFICATES**

<u>SR. NO.</u>	<u>ITEM</u>	<u>COMMENTS OF D.T.P. OFFICE</u>	<u>COMMENTS OF STP OFFICE</u>
1.	Date of application/Receipt.		
2.	Last date for conveying reply/decision to the party.		
3.	Date of dispatch of comments.		
4.	Whether the proposed site falls in the controlled area or not. If yes, give the details of controlled area.		
5.	Date of declaration of controlled area.		
6.	Has the Development Plan of the controlled area be prepared & whether it is final or Draft Dev. Plan.		
7.(a)	Total areas of the proposed site (in sq.Mtrs.)		
(b)	Proposed use of the site for which CLU requested for		
8.	In which zone the proposed site falls.		

SR. NO.	ITEM	COMMENTS OF D.T.P. OFFICE	COMMENTS OF STP OFFICE
9.	If the proposed site or the part of it falls in different zones, the same may be shown on the Khasra/Shajra/Site plan in different colours, clearly depicting the areas falling in each zone.		
10.	Whether the proposed change of land use is in conformity with the zoning regulations of the prescribed land use of the area.		
11.	If it falls in the urban area, is there any violation of Section 7(i) & (ii). what action has been taken in case of violation of section 7(i) & (ii).		
12.	Whether the site falls on any scheduled road/bye-pass or not. If it falls on the scheduled, mid/bye-pass how much area (in sq-mts) falls in the restricted belt of 30/100 meters. The same be marked on the site plan.		
13.	Is there any unauthorised construction/ excavation at site.		
14.	Total area of the unauthorised construction (in sq.mtrs).		
15.	Detail of unauthorised construction done at site before the Material Date & after the declaration of controlled area.		

<u>SR. NO.</u>	<u>ITEM</u>	<u>COMMENTS OF D.T.P. OFFICE</u>	<u>COMMENTS OF STP OFFICE</u>
16.	In case of unauthorised construction:- whether the building.....has been raised in an unauthorised manner & conforms to the building bye-laws/regulations or not.		
17.	What action has been taken against the unauthorised construction.		
18.	Is there any acquisition proceedings on the site/area.		
19.	Whether the proposed site has been purchased after the Material Date or before it.		
20.	Whether the layout plan of the area/sector in which the proposed site falls has been prepared or not.		
21.	Whether the proposed site is adjustable in the layout plan of the sector.		
22.	If the area falls within urbanisable limit how does the applicant proposes to get public health services.		
23.	How wide is the approach available to the site.		
24.	Nature of use i.e. whether polluting or non-polluting or hazardous & has the party obtained any NOC from the Haryana State Board for the prevention of Water & Air Pollution.		

SR. NO.	ITEM	COMMENTS OF D.T.P. OFFICE	COMMENTS OF STP OFFICE
25.	Is there any High Tension Line pass through the proposed site.		
26.	If the proposed site is located in the Rural/ Agriculture Zone of the Dev. Plan and the application is for the industrial change of Land use, following specific information be given:-		
	<ul style="list-style-type: none"> (a) Whether the proposed industry is an RIS/SSI unit. (b) Is it located within 500 meters belt around any village abadi (The name of the village should be clearly mentioned). (c) Is the site approachable from public roads/rastas of a width not less than 30 feet wide. (d) How much of the site falls within 100 mts. depth of the road/rasta (referred to in clause (c) above) 		
27.	Recommendations:		