

PUBLIC NOTICE

No. MISC-504/ 2020/ 13897 Dated: 11.08.2020 The draft of policy parameters pertaining to approach norms for grant of licences is mentioned hereunder for the information of general public and all other stakeholders. The response/suggestions may be forwarded through e-mail to the following within a period of 21 days of the issuance of this public notice.

- 1 . DTCP Haryana : tcp_haryana7@gmail.com
- 2 . CTP, Haryana: ctp6.haryana.tcp@gmail.com
- 3 . DTP (HQ) O/o DTCP, Haryana: dtp.hqsk4.tcp@gmail.com.

DRAFT POLICY

SUBJECT: POLICY PARAMETERS FOR ADEQUATE EXISTING APPROACH TO THE APPLIED AREA FOR GRANT OF LICENCE UNDER THE HARYANA DEVELOPMENT AND REGULATION OF URBAN AREAS ACT, 1975.

Reference: In supersession of this office Memo No. MISC-504/ 2014/ 21293 Dated: 5/09/2014

In exercise of the powers conferred under section 9A of the Haryana Development & Regulation of Urban Areas Act 1975, the following draft of revised policy parameters for adequate existing approach to the applied area for grant of licence under the Act No. 8 of 1975 are prescribed in supersession of the existing policy referred above for inviting objections/ suggestions from the stakeholders and general public within a period of 21 days from the date of issue of the draft policy:

- I. **Category-I:** In case any of the following conditions are satisfied, the site shall be considered to have a category-I existing approach for the purpose of grant of licence:
 - (i) The minimum required width of the existing approach to the applied land is through a public road/ rasta of not less than 4-karam (22 ft) further linking to a higher order existing road/ public rasta. However, the licence applications where existing approach to the site is through a min. 11 ft. wide road, may also be considered in case the applied site abuts acquired alignment of the sector road and there is no stay regarding construction on the land falling under the abutting sector road.
 - (ii) Further, the existing approach to an applied site shall also be considered as adequate for grant of licence provided it fulfills any one of the following criteria:
 - (a) The applied site abuts any already constructed sector road or internal circulation road of approved sectoral plan (of min. 18m/24m width as the case may be) provided its entire stretch required for approach is licenced and is further leading upto at least 4 karam wide public rasta:

Provided that, in case such sector road or internal circulation road of approved sectoral plan (of minimum 18 m/ 24 m / 30 m width, as the case may be) forms a part of the licensed colony, then obstruction free access without raising any objection, shall be provided by the developer of such licensed colony to any other applicant seeking permission for grant of license based on said sector road or internal circulation road. In case of grant of license to the new applicant, maintenance of such sector road or internal circulation road as either kutcha/pucca, if not being taken care of by the existing developer/ colonizer, shall be looked after by the new developer/ colonizer.

Further, provided that no part Occupation Certificate/ Occupation Certificate/ Part Completion certificate/ Completion certificate shall be issued to the new developer/ colonizer till the time said sector road or internal circulation road is made motorable/ pucca. However, the new developer / colonizer shall make the road motorable before grant of Occupation certificate / Part completion certificate in case the existing developer / colonizer has not constructed the same by that time and transferred to the Government.

(b) The applied site, even though not abutting any public rasta is accessible from a minimum 4 karam wide rasta through **adjoining own land** of the applicant (but not applied for licence). The applicant shall however be required to donate at least 4 karam wide strip from its adjoining own land in favour of the Gram Panchayat/Municipality, in order to connect the applied site to existing 4 karam rasta. The seniority of the application in such case shall be considered from the date of mutation of such adjoining land in favour of the applicant or the date of application for licence, whichever is later, irrespective of the date of hibbanama entered in favour of Gram Panchayat /Municipality.

(c) The applied site, even though not abutting any public rasta is accessible from a minimum 4 karam wide rasta through **adjoining other's land** and the land-owner of the adjoining land donates at least 4 karam wide strip of land to the Gram Panchayat/Municipality, in a manner that the applied site gets connected to existing public rasta of atleast 4 karam width. The seniority of the application in such case shall be considered from the date of registration of the hibbanama in favour of the Gram Panchayat/Municipality.

II. Category-II: In case the applied site relies on any other existing approach of minimum 4 karam width for the purpose of grant of licence including that from an internal constructed road of a licenced plotted colony (other than 24m/18m wide road as approved in the sectoral plan), and, excluding any temporary approach through an integrated licensed colony, the same shall be examined on merits on case-to-case basis, and shall be further subject to the following:

- i. The Director may allow such proposal in case he is satisfied that the same is in the overall interest of comprehensive planned development of the sector/ colony.

- ii. Any such approval shall however be subject to the compliance of necessary conditions/ safeguards by the applicant as may be specified by the Director.
- iii. In case the approach is proposed from an internal constructed road of a licenced plotted colony (other than 24m/18m wide road as approved in the sectoral plan), the applicant shall submit an irrevocable consent from such licensee for uninterrupted usage of such internal road for the purpose of development of the colony by the applicant or by its agencies and for usage by its allottees.
- iv. The seniority of such applications shall be considered from the date when the Director grants its approval for such approach upon the compliance of conditions as specified by the Director.

It is however clarified that :-

- (a) The policy parameters as above shall not be applicable on any licence application for additional area contiguous to an already licenced colony, provided the earlier licenced area fulfills any of the existing approach road parameters as indicated above. This policy shall also not have any bearing on the merits of any licence that stands granted before issuance of policy dated 05.09.2014.
- (b) In case any license that was granted before 05.09.2014 is proposed to be migrated to another category of license as per the prevailing statutory/ policy provisions, the approach norms based on which such license was considered, shall continue to remain applicable even for the application to be considered under migration policy but limited to existing land schedule.

-sd/-

(A.K. Singh, I.A.S)

Principal Secretary to Government Haryana,
Town and Country Planning Department.