

DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA



शहरोस्थानीय
निकाय निदेशालय
हरियाणा

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बे सं. 11-14, सैक्टर-4, पंचकूला, हरियाणा
Bay No. 11-14, Sector 4, Panchkula,

To:

1. All the Commissioners of Municipal Corporations in the State.
2. All the Deputy Commissioners in the State.
3. All the Executive Officers in Municipal Councils in the State.
4. All the Secretaries in Municipal Committees in the State.

Memo no: DULB/CTP/ATP-1/2018/ 754-756
Subject: Policy Mechanism for implementing the provisions of the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provision) Act, 2016.

Dated: 12/02/2018

2. I have been directed to inform that the Government has approved the Policy Mechanism for the areas already declared/ to be declared as Civic Amenities and Infrastructure Deficient areas under the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provision) Act, 2016.
3. It is requested to host the said policy mechanism on your respective website for knowledge of general public and follow the said mechanism to deal with applications after declaration of area as Civic Amenities and Infrastructure Deficient areas under the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provision) Act, 2016. /
D.A. - As above

o/c Assistant Town Planner,
for Director, Urban Local Bodies Department,
Haryana, Panchkula.

Encl no: DULB/CTP/ATP-1/2018/ 757-60
A copy of above is forwarded to the following for information and necessary action:

1. The Additional Chief Secretary to Government of Haryana, Finance Department, Haryana.
2. The Principal Secretary to Government of Haryana, Urban Local Bodies Department, Haryana.
3. The Additional Principal Secretary to Chief Minister Haryana.
4. The Convener, State Level Bankers Committee, Haryana, Zonal Office: PNB House, Sector-17-B, Chandigarh.

o/c Assistant Town Planner,
for Director, Urban Local Bodies Department,
Haryana, Panchkula.

C.C To the PA/ DULB for kind information of the DULB.

Policy Mechanism for implementing the provisions of the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Area (Special Provisions) Act, 2016.

I. Introduction:

The Government is declaring the unauthorized colonies falling within limits of municipalities in the State as Civic Amenities and Infrastructure Deficient areas vide notification under the Act. The colonies (found eligible as per parameters issued vide letter dated 10.07.2015) falling within Municipal limits of Faridabad and Gurugram stand notified vide notification dated 06.12.2017 along with the Development charges which is to be levied from the plot owner for regularizing the plot.

The Government has observed from public response on previous notification of unauthorized colonies in year 2004 and 2013-14, i.e despite of the Government efforts, the response of residents of notified colonies in getting the buildings plans approved and submission of development charges has not been encouraging. This lead to poor collection of development charges, which ultimately causing additional financial load to MCs in providing services in colonies.

II. Constraints in notified colonies:

1. Commercial establishments within the notified area/ khasra numbers of colony shall not be regularized.
2. Private institutions, school, religious institution, community buildings, clinics, hospitals, or any other building other than residential shall not be regularized.
3. For effective implementation, it is necessary that the Revenue Department and Town and Country Planning Department be requested to improvise enforcement for discouraging further carving of unauthorized colonies.

III. The policy mechanism for regularizing plot and construction in notified colonies shall with maximum ease and efficient implementation of the Act is as under:

1. The Municipality on the basis of approved layout plan of colony shall prepare a detailed list of plots in colony along with its owner name, area of plots and number of dwelling units on plots. (Within 2 months from notification of colonies). The municipality shall allot number to Property/ house so that it is identifiable.
2. The Municipality shall issue notices to all identified plot owners for submitting building plans and submitting applicable development charges along with scrutiny fees, and compounding fees (only on compoundable violation) based on plot size. (Within 1 month of creation of data base).
3. The plot owner shall within 60 days of receiving notice shall submit its building plan application as prescribed in Haryana Building Code along with necessary documents.
Note: After notification of colony, any plot owner if desires shall be permitted to submit building plans to municipality for approval on prescribed format in HBC and applicable fees/ charges, even if the municipality has not prepared data base or issued notice.
4. The plot owner is entitled for 10% rebate in Development charges, only if he submits building plans in prescribed format (in HBC) to the municipality along with applicable fee/ charges within 60 days of receiving the notice.
5. The municipality shall update its database along with onsite verification of plot and issue building plans as prescribed in the HBC.
6. In case, the identified applicant of plots/ didn't submits building plan application within 6 months of issuance of notice by MC, then the municipality has right to take action (such sealing and demolishing) against the applicant considering the building as unauthorized under Municipal Acts.

IV. Financial aspect:

1. The applicant shall pay scrutiny fee and compounding fee at the time of application to the MC.
2. The applicant is permitted to submit development charge (issued by the Government separately) at once (with 10% rebate) or may be allowed to deposit development charge in 6 equal instalments (with reduced 6% interest) within period of 3 years to MC. In case, the applicant is not able to pay development charges even in instalments, then MC shall