

शहरी स्थानीय
निकाय निदेशालय
हरियाणा



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

बे सं. 11-14, सेक्टर 4, पंचकुला, हरियाणा
Bay No. 11-14, Sector 4, Panchkula, Haryana

Tel.: +91 172 2570020 ; Fax: +91 172 2570021
website: www.ulbhry.gov.in ; email: dulbhry@hry.nic.in

POLICIES OF ULB DEPARTMENT

Urban Local Bodies Department,
Panchkula, Haryana

TOWN PLANNING CELL

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HARYANA GOVERNMENT
URBAN DEVELOPMENT DEPARTMENT

Notification

The 16th September, 2005

No. 8/13/05-6C-L—The Governor of Haryana is pleased to notify and publish for information of general public, the policy parameters for conversion of traditional Cinemas into Multiplexes and permitting new multiplexes within the municipalities in the State of Haryana.

Policy Parameters

1. Multiplex may be permitted only on a road having minimum width of 40ft. and predominantly Commercial Street.
2. Multiplex should be permitted only on plot having minimum area of 3/4th acre (3600 Sq. Yards).
3. The conversion Charges/External Development Charges at commercial rate notified by the Government for each town/municipal area as applicable, should be charged both from the existing cinemas to be converted into multiplexes and new multiplexes to be permitted.
4. Scrutiny fee @ Rs. 10/- per sq. meter and other fee and charges leviable under the Haryana Municipal Act, 1973 and Building Bye Laws, 1982 are proposed to be charged in case of conversion of existing cinemas into multiplex and new multiplexes to be permitted.
5. The height of the building shall not exceed 11 meters.
6. The ground coverage should not exceed 50% of the site area and it shall be restricted within the buildable zone. Maximum permissible FAR (excluding Basements) shall be 150 percent.
7. The percent of commercial component in multiplex shall not exceed 50% of the FAR. The commercial component of the multiplex hall may be allowed to be used for convention centre, shopping centre, restaurant and similar other uses for entertainment.
8. Three level basement under the buildable zone may be permitted provided that the basement outside the building is flush with the ground. The basement shall be used only for the purposes of parking, air conditioning plant, lift room, storage of such other uses required for running and maintenance of the building. The basement hall shall not be used in any way whatsoever for human habitation, standby generator and electric transformer.
9. Parking shall not be permitted at any place other than as provided in the zoning plan and approved in the sanctioned drawing.
10. The erection of building shall be governed and regulated by the stipulation of approved zoning plan and by the clauses and conditions contained therein as well by the provisions of the Haryana Municipal Act, 1973 and the Haryana Municipal Building Bye-laws, 1982 or the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963 and the Rules, 1965 framed thereunder as the case may be.
11. The erection of the building shall be further governed by B.I.S. National Building Code, The Punjab Cinema Regulations Act, 1952 and the Rules made thereunder.
12. Cinema building shall also conform to the following norms beside the zoning clauses and the Haryana Municipal Building Bye-laws, 1982 or the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963 and the Rules, 1965 framed thereunder as the case may be.

(A) Floor Minimum 5 Sq. Ft. (1/2 Sq. Mtr) per seat

(B) Toilet facilities

Gents

Urinals	@ one per 50 seats
W.C.	@ one per 100 seats upto 400 seats @ one per 250 seats above 400 seats
Washbasin	@ one per 200 seats

Ladies

W.C.	@ one per 50 seats
Washbasin	@ One per 200 seats

(c) Covered parking area not less than 50% of permissible F.A.R. shall be provided.

13. In addition to the details and drawing required to be submitted under the Haryana Municipal Act, 1973 and the Haryana Municipal Building Bye-laws, 1982 or the Punjab Controlled Areas and Restrictions of Unregulated Development Act, 1963 and the Rules, 1965 framed thereunder and Punjab Cinema Regulations Act, 1952 and Rules as the case may be, the owner shall have to submit any other details relating to the building as may be asked for by the Director or any other officer authorized by him in this behalf.
14. The applicant shall have to construct a minimum of two Theatres. Total number of seats of all the theatres shall not be less than 450 with minimum distance of 5.0 Meters between seats and movie display screen.
15. Plinth Level Certificate for the building shall be obtained from the Executive Officer of concerned municipality, or any other officer authorized by the Director.
16. The auditoriums including foyers shall be Air-conditioned.
17. No advertisement shall be allowed in space other than those indicated in approved plan.
18. No rainwater, soil, ventilating or any other pipe shall be permitted on the external facade of the building on any side.
19. The Auditoriums shall be provided with perfect acoustic treatment, which shall be carried out under the direct supervision of a duly qualified person.
20. The building plan containing fire safety provisions shall also be got approved from Fire Officer of the Directorate and maintenance, operation of fire safety measures will be the sole responsibility of the owner.
21. Owner is required to furnish a certificate from structural engineer registered with membership of the Institution of Engineers India or from Indian Institute of Technology, National Institute of Technology that the design and construction of the building and the foundation is safe from earthquake intensity specified for this zone.
22. No portion of the building shall be occupied or used for any other commercial purpose or storage other than the uses of building as mentioned in the zoning Plan.
23. Provisions for the physically handicapped should be made in the building as per latest I.S. Code 4963-1968: 1988.
24. Provisions for roof top rainwater harvesting as notified by Urban Development Department vide No. 3/2/2002 R-I, dated 13th December, 2002 shall be mandatory.
25. The construction of multiples should be completed in all respects within a period of three years from the date of sanction of building plans and in accordance with the terms and conditions of the sanction letter.
26. The owner shall enter into an Agreement with the Director for fulfilling the conditions contained in the permission finally granted.

N. BALA BASKAR,

Financial Commissioner and Principal Secretary to
Government Haryana, Urban Development Department

[Excerpt from Haryana Government Gazette (Extra.) dated the 30th January, 2007.]

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
Notification

The 30th January, 2007

In exercise of the powers conferred by Section 250 of the Haryana Municipal Act, 1973 the Government of Haryana hereby directs for the information of general public, the following policy parameters for conversion of residential houses or vacant land into commercial use within the following towns in the State of Haryana, namely:—

Policy Parameters

Applicability of the Policy

1. This policy covers conversion of existing houses or vacant land into shops/shopping complexes, professional establishments, private hospitals, nursing homes, creches, clinics, banquet halls, marriage halls, hotels, motels, lodge, guest houses, information technology enabled services and petrol pumps in old municipal towns.

2. The areas already covered under any Town Planning Scheme/any planned scheme developed by Haryana Urban Development Authority, Housing Board, Improvement Trust, Rehabilitation Department and municipal towns shall not be covered under this policy.

- (a) "Professional establishments" shall include departmental store, local/professional offices, restaurants, banks, transport booking agencies, coaching centres and beauty parlours;
- (b) "Information technology enabled services" shall include call centers, content development or animation, data processing, back office operations, engineering and design, geographic information system services, insurance claim processing, legal data base, medical transcription, pay roll, remote maintenance, revenue accounting, support centers and website services.

Provided that petrol pump, hotel and information technology enabled services fulfil the other required parameters, shall also fall within the scope of this policy.

Declaration of commercial area along a street

2. The concerned municipality shall declare the area along a continuous street or part thereof as "Commercial" under bye-law 13 (1) of the Haryana Municipal Building Byelaws, 1982.

Approach

The street of the proposed commercial building shall be located on a road having minimum width of 20 feet in core areas and 30 feet in other areas.

Area

4. The area of shopping complex, professional establishments shall not exceed one thousand square meters. No restriction of area for other commercial activities shall be applicable provided it does not violate the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975).

Ground Coverage

5. The permissible ground coverage and Floor Area Ratio shall be prescribed in the Haryana Municipal Building Bye-laws, 1982, as amended from time to time for plots upto 1000 square meters. For remaining areas, 40% ground coverage and 175 per cent permissible Floor Area Ratio and in case of petrol pumps 40% ground coverage with 100 per cent Floor Area Ratio which includes 40% area of canopy shall be permissible.

Basement

(1) A basement not exceeding the maximum permissible coverage on the ground floor (excluding the area under public corridors) and intended to be used only for parking, servicing and storage may be allowed if it satisfies the public health and structural requirement.

(2) In case of building with more than 21 meters height twin level basement under the buildable zone may be permitted; provided that the basement outside the building is flush with the ground. The basement shall be used only for the purposes of parking, air conditioning plant, lift room, storage or such other uses as may be required for running and maintenance of the building. The basement shall not be used in any way whatsoever for human habitation, standby generator and electric transformer.

(3) No basement shall be allowed for petrol pump sites.

Height

7. Maximum height of the building measured from the centre of the road from which entry is obtained, shall not exceed 21 meters in commercial areas and 30 meters in the remaining areas.

Parking

8. The parking space shall be provided to meet the requirements calculated @ 1 per car unit for every 75 square meters of the area proposed for the commercial activities.

Lifts and Ramps

9. In addition to staircases, provision of lifts (on the basis of occupancy as per National Building Code) shall be compulsory for the buildings with height above 15 meters. For continuous running of lifts 100% standby generators along with automatic switch over shall be essential.

Use of Sub Division of plot

10. The site shall not be sub divided into two or more plots in any case.

Central Water Heating System

11. The central water heating system shall be installed in the building as envisaged in Haryana Government, Urban Development Department, Notification No.22/52/05-SP, dated the 29th July, 2005. The capacity of which shall be decided on the basis of average occupancy of the building.

Fire safety

12. The building shall conform to the provisions of part IV of National Building Code with adequate arrangement to overcome fire hazards to the satisfaction of the Executive Officer of the Municipality.

Taxes and Charges

The following fee and charges shall be levied—

- (a) Scrutiny fee of the building plan @ Rs. 5/- per square meter of the proposed floor area for the plot area upto 1000 square meters and for the plot areas exceeding 1000 square meters @ Rs. 10/- per square meter of the proposed floor area.
- (b) The conversion charges at commercial rates notified by Government for each town/municipal area from time to time for change of land use.
- (c) External development charges @ approved by the Government from time to time; and
- (d) Other fees and charges leviable under the Haryana Municipal Act, 1973 and the Haryana Municipal Building Bye-law, 1982.

Approval of the Building Plans

14. The building plans of the buildings to be erected on the site shall have to be got approved from the Director or any other authorized officer for the plot area exceeding 250 square meters and the municipality for the plot size with

less than 250 square meters area. No construction or excavation etc shall be permitted till the plans are approved by the competent authority.

Occupation certificate

15. Occupation certificate for the building shall have to be obtained from competent authority as mentioned in para 14 in this behalf before occupying the building.

Structural safety certificate

16. The application for building plans in this case shall be accompanied structural engineer regarding safety of the building clearly stating that the structural design has been checked and found to be in conformity with National Building Code guideline and Indian Standard Code including fire safety and structural stability/earthquake resistance.

Rainwater harvesting

17. Roof top rainwater harvesting as notified by Haryana Government, Urban Development Department Office Order No. 30/2002-R-1, dated the 13th December 2002 shall be mandatory.

F. K. GUYA,
Commissioner and Secretary to Government
Haryana, Urban Local Bodies Department.

40371-4781-444 P. 1/12

From

Financial Commissioner & Principal Secretary to Govt. Haryana
Town & Country Planning Department,
Chandigarh.

To

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

Memo no: - 7/16/2006-2TCP

Dated:-22.12.2009

Subject: - Policy parameters approved by the Govt. for land requirement norms in respect of Original Municipal Limits/Extended MC limits.

In order to bring uniformity in the norms being followed by the Departments of Town & Country Planning and the Urban Local Bodies, Haryana, with respect to municipal areas, the government has directed to rationalization of the norms w.r.t. the minimum area requirement for all categories of licences/permissions. In a meeting held on 24/09/2009 a consensus was arrived between the Departments of Town & Country Planning and the Urban Local Bodies, on this subject. The norms thus finalized have been approved by the Government. Henceforth these norms are to be followed by both the Departments. The norms/parameters relate to the areas falling in the original Municipal Limits and the extended MC Limits in the State. The uniform norms are as follows:-

1. **Minimum area norms within Original MC Limits -**

(i) **Residential / Industrial Plotted- 4000 Sq. mts:-**

In case of Industries, only Local Service Industry as defined in the zoning regulations of the published Development Plans shall be allowed on a road with minimum 12 mtrs. width.

(ii) **Group Housing Colony- 2000 Sq. mts :-**

The site must be approachable from a minimum 12 mtrs wide road and basic infrastructure like adequate water supply, sewerage etc. should be available in the immediate vicinity.

(iii) **Commercial Colony- 1000 Sq. mts :-**

The site must be approachable from a minimum 12 mtrs wide road and basic infrastructure like adequate water supply, sewerage etc. should be available in the immediate vicinity.

2. **Minimum Area norms within Extended Municipal Limits i.e. areas for which Controlled Areas have been notified prior to extension in the Municipal Limits :-**

The minimum area norms formulated and being followed by the

Town and Country Planning, Haryana, for its controlled areas through

zoning regulations, policies, instructions etc. for all category of permissions/licences, shall be followed for areas located within extended MC Limits.

3. Minimum area norms for areas falling within extended MC Limit, which are non-conforming to the prescribed land use and the land owner intends to bring it in conformity to the prescribed land use.

- (i) Residential/Industrial Plotted: - As per the norms of Director Town & County Planning, Haryana applicable within Controlled Areas.
- (ii) Residential Group Housing: - 1 Acre.
- (iii) Commercial: - 2000 Sq. mts.

The above norms shall be applicable only to those sites which were non-conforming as on the 'material date', and also subject to fulfillment of other norms/parameters as laid down by the Department of Town and Country Planning. These norms shall not be applicable to those sites which have been allotted by the Government or its agencies.

Notes:-

1. The Municipal Limits around which controlled areas have been declared under Act No. 41 of 1963 will be considered as original Municipal Limit. In case of Municipal Corporation Faridabad, the old Municipal Limits of NIT, old Faridabad Town & Ballabgarh will be taken as original limits as the Department of Town and Country Planning, Haryana has declared controlled areas around these limits. Rest of the area under Municipal Corporation jurisdiction will be considered as extended Municipal Limit. In case of Gurgaon, the original Municipal Limits will be the one around which the controlled areas have been declared by the Department under Act No. 41 of 1963.

2. All the above three categories of norms are only w.r.t. to the minimum area requirements. All other standard norms/parameters shall remain applicable, unless otherwise specified.

This policy will come into force with immediate effect.

(JAI PARKASH LOHMORIA)

Superintendent

Financial Commissioner & Principal Secretary to Govt. Haryana
Town & Country Planning Department,
Chandigarh.

Endst. No.

Dated:-

A copy is forwarded to the following for information:-

- 1. Financial Commissioner & Principal Secretary to Govt. Haryana, Urban Local Bodies Department, Chandigarh.
- 2. Director, Urban Local Bodies, Haryana, Chandigarh.

From

Financial Commissioner & Principal Secretary to
Govt. Haryana, Urban Local Bodies Department
Chandigarh.

To

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

Memo No. 20/38/2010-3 क I

Dated 05.08.2011

Subject: Regarding preparation of Town Planning Schemes within municipal limits of towns and granting of permissions – Fixation of Area Norms.

Please refer to Director, Urban Local Bodies, Haryana office memo no. CTP 43/2011/23718-815, dated 14/16.06.2011, on the matter cited as subject above.

The matter regarding fixation of Area Norms for the Town Planning Schemes was under the consideration of the Government since quite some time, now it has been decided in supersession of the instructions issued vide memo under reference the following Area Norms shall be followed for preparing Town Planning Scheme in the Municipal areas under the provisions of the Haryana Municipal Corporation Act, 1994 and the Haryana Municipal Act, 1973.

OLD MUNICIPAL LIMITS

- i) Residential/Industrial/Institutional/Plotted Schemes- 4000 sq. mtrs
- ii) Group Housing Scheme – 2000 sq. mtrs
- iii) Commercial T.P. Schemes – 1000 sq. mtrs

MUNICIPAL LIMITS NOTIFIED AFTER DECLARATION OF CONTROLLED AREAS

- i) Residential/Industrial/Institutional/Plotted Schemes – 5 Acres
- ii) Group Housing Schemes – 1 Acre
- iii) Commercial T. P. Schemes – 2000 sq. mtrs

Town Planning Schemes shall be in conformity with the Development Plan proposals. The T P Schemes shall be planned in such a way that they shall get integrated with the Sector Plan as well as the development of the surrounding areas. It is therefore, requested that the above norms and conditions may be kept in view while considering the proposals of Town Planning Schemes. However, Government may relax any provisions of the policy in special circumstances.

-Sd-

Superintendent Committee-I

For Financial Commissioner & Principal Secretary to Govt.
Haryana, Urban Local Bodies Department, CHD.

शहरी स्थानीय निकाय निदेशालय हरियाणा

बे सं. 11-14, सेक्टर-4, पंचकुला, हरियाणा
Bay No. 11-14, Sector 4, Panchkula, Haryana



DIRECTORATE OF URBAN LOCAL BODIES HARYANA

Tel.: +91 172 2570020; Fax: +91 172 2570021
Website: www.ulbhry.gov.in; email: dulbhry@hry.nic.in

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To

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

Memo no. DULB/CTP/ATP-3/2016/ 2306-2405
Dated: 06/04/2016

Subject: Policy parameters for conversion of residential plots for commercial use and regularization of such illegal conversions in Rehabilitation Schemes, Town Planning Schemes and Improvement Trust Schemes located within municipal limit.

Please refer to the matter cited as subject above.

I am directed to inform you that the Government in Urban Local Bodies Department exercising powers under section 250 of the Haryana Municipal Act, 1973 and section 398 of the Haryana Municipal Corporation Act, 1994, approved policy in respect of cases mentioned in the subject above.

The policy parameters are as under:

- 1. Applicability:** This policy shall be applicable in
 - i. All rehabilitation schemes
 - ii. Improvement Trust schemes developed prior to the year 1980.
 - iii. Town Planning schemes developed prior to the year 1980.
- 2. Size of the plot:**
The conversion shall be allowed on any size of plot however for the plots measuring 1000 Sq. metres the conversion shall be allowed by the Authority as decided in the 'Standing Orders' issued by the Govt. vide Endst. No. 25/1/96-4CI, dated 01.12.2015.
- 3. Approach:**
The width of road on which such plot abuts shall not be less than 12 metres for considering the conversion.
- 4. Building Regulations:**
The ground coverage, Floor Area Ratio (FAR), height of the building and setbacks shall be allowed in accordance with the Building Bye -Laws. Further, the building shall be regularized in accordance with permission/compoundable limits as prescribed in the composition policy/Rules.
- 5. Parking:**
The parking provision will be made by the applicant in accordance with the parking policy of Urban Local Bodies Department circulated vide memo no. CTP/TP/ATP-IV/A3/2013/43639-68, dated 23.10.2013.

6. Bar on subdivision of plots:

The site for which permission is granted shall not be sub divided into two or more plots and not used for any purpose, other than permitted.

7. Solar water heating system and Solar Photo Voltaic Power plant:

Solar water heating system and Solar Photo Voltaic power plant, wherever applicable, shall be installed as per norms specified by H.A.R.E.D.A. in the building.

8. Structural safety certificate:

The application for sanction of building plans/regularization shall be accompanied with a certificate issued by a qualified Structural Engineer that the structural design has been checked and found to be in conformity with the National Building Code and Indian Standards Code, including fire safety and structural stability / earthquake resistance design for intended purpose.

9. Rainwater Harvesting:

Provision of roof-top rainwater harvesting system, wherever applicable, as notified by the Haryana Government, Urban Development Department office Endst. No. 3/2/2002-R-1 dated 13 December, 2002, shall be mandatory.

10. NOC from immediate neighbours:

The applicant shall submit NOC from immediate neighbours (Both right and left side) on a prescribed format mentioning therein that immediate neighbours don't have any objection if the applicant runs commercial activity in his plot.

11. Other conditions:

The applicant shall submit the application for regularization along with Demand Draft of scrutiny fee @ Rs. 10/- per sq. metres within 90 days from the date of public notice of this policy in local news papers both in Hindi and English. No application for regularization will be accepted thereafter.

12. Submission of application:

The owners of plot can apply to the Commissioner/Executive officer/Secretary, as the case may be, along with necessary documents, on the prescribed application form.

13. Time frame for approval:

Submission of application to the Municipality	Within 90 days from the date of issuance of Public Notice in Newspaper.
Grant of final permission/rejection.	Within 90 days from the receipt of application complete in all respect.

14. Submission of application:

List of documents to be attached with application (3 sets):

In case of regularization if conversion	In case of fresh conversion permission
a) Proof of ownership b) Building plans of the existing building showing: <ol style="list-style-type: none"> Area proposed for regularization as commercial area. Details of covered area, setbacks, parking space, etc. Fire safety measures/equipments provided in the building. Structural safety certificate from a qualified Structural Engineer. c) NOC from immediate neighbours.	a) Proof of ownership b) site plan c) Building plans showing: <ol style="list-style-type: none"> Area proposed for conversion as commercial area. Details of covered area, setbacks, parking space, etc. Fire safety measures/equipments provided in the building. Structural safety certificate from a qualified structural engineer. d) NOC from immediate neighbours.

15. Fee to be charged:

Sr. no.	Municipality	Charges/fee (Rs. Per Sq. mtrs.)	
		Regularization of existing building	Fresh conversion
1	Municipal corporation of Faridabad and Gurgaon	15325	14000
2	Other municipal corporations	12180	11,000
3	Municipal Councils	10608	9,000
4	Municipal Committees	9316	8,000

Note: In the above charges scrutiny fee is included. Therefore, if the scrutiny fee has been paid by the applicant as per condition at sr. no. 11 then it will be subtracted from above mentioned charges.

- 16.** Further, all the Commissioners/ E.O.s/Secretaries are directed to publish public notice in widely circulated newspapers in Hindi and English informing general public regarding policy of the Department and availability of this policy on the Department website i.e. <http://ulbharyana.gov.in>. The prescribed application form will follow.


(Musolani)

Assistant Town Planner,
for Director, Urban Local Bodies,
Haryana, Panchkula



To

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

Regd.

Memo No. DULB/TP/ATP-III/2019/ 8894 -9000
Dated: 02-01-2019

Sub: Amendment in the policy parameters for conversion of residential plots for commercial use and regularization of such illegal conversions in the Rehabilitation Schemes, Town Planning Schemes and Improvement Trust Schemes located within the Municipal Limit. .

Please refer this office memo no. DULB/CTP/ATP-III/2016/2306-2405, dated 06.04.2016 regarding the policy parameters for conversion of residential plots for commercial use and regularization of such illegal conversions in the Rehabilitation Schemes, Town Planning Schemes and Improvement Trust Schemes located within the Municipal Limit.

2. It is intimated that the Council of Ministers in its meeting held on 21.12.2018 has approved the following amendments in the above referred policy.

The clause no. 15 of the policy dated 06.04.2016 shall be replaced with the following:

a. Fee and Charges:-

Sr. No.	Municipality	Charges/ fee (Rs. Per Sq/ mtrs.)
		Regularization of existing building
1	Municipal Corporation Gurugram and Faridabad	7,662/-
2	Other Municipal Corporations	6,090/-
3	Municipal Council	5,304/-
4	Municipal Committee	4,658/-

b. The policy is extended for 3 months from the date of issuance of this letter, to receive the applications for regularization of existing illegal conversion only under the policy dated 06.04.2016. Further no application of fresh conversion under this policy shall be entertained by the municipalities.

c. All the other parameters of policy dated 06.04.2016 will remain the same.

o/c

(Sunil Verma)

Assistant Town Planner,
for Director, Urban Local Bodies,
Haryana, Panchkula

**Haryana Government
Urban Local Bodies Department
Notification**

Dated : 20th July, 2015

No. 2/29/2015-R-II, in exercise of the power conferred by Section 308 (2) (a) of the Haryana Municipal Corporation Act, 1994 and power conferred by Section 280 (a) of Haryana Municipal Act, 1973, the Governor of Haryana hereby directs for the information of general public the following Relocation Policy for shifting of Industries operating in the Residential Areas.

1. Introduction/Background:-

The formulation of the relocation policy has been necessitated consequent to orders of Hon'ble High Court in CWP No. 11226 of 2013 (O) & styled as Progress Industries vs. State of Haryana and others. The court issued directions to the State for framing a policy for shifting the industrial units operating in the residential areas.

2. Operative part of the order of the High Court:-

The above mentioned Civil Writ Petition alongwith other CWP Nos. 13134 to 13140 of 2013 were listed together for hearing and decided by a common judgment styled as CWP No.11226 of 2013 (O&H) styled as Progress Industries vs. State of Haryana and others dated 5.07.2014. All the aforementioned writ petitions preferred by the petitioners originated due to the claims of the factories by the respondents (Municipal Corporation, Municipal Corporation, Bahadurgarh and Faridkot) on the ground that they were running in notified residential area localities and such industrial activities should not be permitted in violation of the notified zoning/master plan.

In addition to above, it was another prayer with regard to framing of policy for shifting such units from the residential area. It was held that it was decided of the department in the interest of public at large, but also in the interest of the industrial units as well, and that would require immediate action. It was, therefore, directed that the Government shall do the needful after giving due publicity and after hearing all concerned.

Operative part of the order of the court pertains to the shifting of the manufacturing units out of the residential areas in case not permitted under the Municipal Committee Act and units in contravention of the Municipal laws. The Hon'ble High Court mandated that there should be a non-discriminatory treatment of the manufacturing units operating in the residential areas in the municipal limits. Therefore, the policy needs to apply uniformly to all such similar situated cases.

The second part of the order of the Hon'ble High Court refers to the running of the dangerous and hazardous factories specifically the belt and casting units. For the purpose of making policy regarding same, both have been considered.

3. Constitution of Committee:-

In compliance of order dated 24.02.2015, Sh. Deepinder Singh Dhilli, Chief Secretary, Haryana and Sh. S.A. Roy, Principal Secretary to Government, Haryana, Urban Local Bodies Department assured that they will make efforts to frame the policy for the entire State of Haryana and they will also direct the Pollution Control Board to identify the polluting industries and their categories. They assured the Hon'ble High Court that the requisite policy will be framed within four months. Affidavit filed by Sh. Roy in Court was taken on record.

Since framing of a State level policy for shifting of industries from the residential areas is a major policy decision involving different departments, the Hon'ble Chief Secretary of Govt. Haryana approved the constitution of the following committee for framing of the policy:-

Urban Local Bodies Department, Haryana

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1.	Principal Secretary to Govt. Haryana, Industries Department.	Chairman
2.	Principal Secretary to Govt. Haryana, Urban Local Bodies Dept.	Member
3.	Municipal Secretary to Govt. Haryana, Environment Dept.	do
4.	Director General, Town and Country Planning, Dept. Haryana	do
5.	Chief administrator, HUDA	do
6.	Managing Director, HSIDC	do
7.	Director, Urban Local Bodies, Haryana	do
8.	Commissioner, Municipal Corporations, Faridabad	do
9.	Commissioner, Municipal Corporation, Gurgaon	do

The committee was required to formulate the policy and notify the same before the next date of hearing, which was 15.07.2015.

The committee observed in its next meeting that a similar exercise of relocation of industrial units from the residential areas was implemented by the State of Delhi ensuing an order of the Hon'ble Supreme Court of India. The policy notified, since it was approved by the highest court of India, was taken as the reference document for the preparation of the policy for Haryana State.

A- Relocation of Industry in Delhi-

A similar exercise arising out of a Supreme Court Order was implemented in the capital city of Delhi, where approx. 1,29,000 units that employed nearly 14,40,000 workers were identified for relocation from residential areas. The committee decided that it will be instructive and useful to study the case of Delhi in some detail and draw lessons from the same for the purpose of making policy recommendations in the instant case especially in view of the fact that the highest court of the country had seen and notified the policy prescriptions in case of Delhi.

The Hon'ble Supreme Court, vide Judgment dated 27th Feb. 2004 delivered in the matter of *Association of Manufacturers and Unorganized Industrial Activities in Delhi in Residential Non-conforming Areas*, had passed certain directions in *Writ Petition (Civil) No. 4077 of 1985 Shri C. Mehra vs. Union of India & Others* which inter alia read as:-

- 4.1 All Industrial units that have come up in residential non-conforming areas in Delhi on or after 1st August 1980 shall close down and stop operating as per the following schedule:-
 - 4.1.1 Industrial units pertaining to extensive (Polluting Industries) have been classified as 'I' Category. Extensive Industries include Auto parts, castings, steel, chemicals, etc. etc. and etc. etc. industries within a period of one month;
 - 4.1.2 Industrial units pertaining to light and service industries within five months;
 - 4.1.3 Household like household industries will move to other areas;
 - 4.1.4 6,000 industrial units are waiting for allotment of industrial plots within 10 months;
 - 4.1.5 Household units that have been classified as per the attached list may continue to operate from the residential areas.

In case of Delhi, 122 household industrial activities were allowed to operate in the residential areas after obtaining necessary licenses from the relevant authority.

5. Consultation Committee- Stake Holder Comments:-

In compliance of the court order a committee for the purpose of policy formulation was constituted and after due deliberations with various experts and stake holders has attempted to address the

issue. Keeping in view the spirit of the order of Hon'ble Court, the committee formed under the chairmanship of the Principal Secretary Industries met every 15 days and held extensive consultative sessions to formulate a rational and practically implementable policy. A total of seven meetings were held with various stakeholders at Chandigarh and Delhi to consider diverse viewpoints regarding shifting and relocation of industry.

6. Representations of the Industrial Associations:-

Industries Association of Jagadhri had in the year 2000 and later in the year 2005 given representations to the Director Town and Country Planning to recognize the typical nature of industrial activity of the Jagadhri town. During the publishing of the draft development plan, the Department was urged to declare the town as an industrial town and identify & allocate larger geographic areas for the manufacturing units and declare certain industry occupied areas as industrial zones, as major industrial activity was prevalent in these areas and it was not possible to distinguish between residential and industrial activity areas, as both co-existed.

6.1 Deliberations with Jagadhri Metal Association:-

During the deliberations, the representative of industrial units, broadly agreed that industrial units falling under the red category should be closed or shifted from the residential area. The units falling under orange category should be allowed to continue subject to compliance of rules and procedures and regulations of Haryana State, Water and Air Pollution Control Board, as well as other authorities of the State Government. The units falling under the Green category should be exempted from shifting as per the court order. The industry representatives were of view that the residential area where industrial units have occupation of more than 70% (typical geographic areas like F-ride we have a number of such industrial occupied areas) should be declared/considered as industrial zone itself.

7. Inter Departmental Consultations:-

Inter Departmental consultations were held with Departments of Labour, HUDA, Urban Local Bodies and Town & Country Planning Department and the comments thereof alongwith counter comments of Department of Industries are given at Annexure-6.

8. Policy Recommendations:-

The following norms shall be followed with regard relocation of Industrial units working in residential areas:-

- 8.1 Clusters of industrial concentration in residential area pockets delineated as "residential areas" in the development plans, having more than 70% plotted geographic area within the cluster under industrial activity/uses would be considered for regularization on the basis of actual surveys after review of the development plans by following the due procedure prescribed under the Act.
- 8.2 The due process shall strictly be followed before reviewing the development Plan by inviting comments from the general public on the draft need to be followed strictly in such a situation before modifying and revising the development plan.
- 8.3 In case a decision is taken to regularize the land use and the development plan, the necessary provision with respect to changing of laws, prescription or zoning etc. need to be mandated accordingly.
- 8.4 Some Departments i.e. LLB, TDCP, Urban and Haryana State Pollution Control Board have opposed the idea of regularization of industrial colonies operating from the residential area. A Government view needs to be taken whether a larger public interest would be served by shifting such a large number of industrial units en-mass as they be retained by modifying the development plan, especially the zoning, where the current existing land use is determined

after a year of annual survey on the ground (to check shifting exercise) and found to be predominantly industrial as mentioned above, although the area is earmarked as residential.

8.5 Categorization for the purposes of Relocation;

The following categorization for the purposes of relocation shall be for Industrial units (i.e. manufacturing Industries) only.

- 8.5.1 Red category Industries To be shifted with immediate effect by giving them six months time.
- 8.5.2 Orange category Industries-To be shifted with immediate effect as in case of red category, but if these units comply with Pollution Control norms, then they may be given two years of time to shift to conforming areas.
- 8.5.3 Green category Industries These units may continue to be dealt with as per the existing provisions and norms of the Pollution Control Department and other relevant approvals from the concerned authorities.
- 8.5.4 House Hold Units-Whether engaged in manufacturing activities can continue in residential areas provided they are not exceeding from HUDA sectors or other Jamma, and approved residential colonies.
- 8.5.5 Only non-hazardous and non-toxicous industries having clearance from Pollution Control Department, shall be permitted to operate from the residential areas.

8.6 Facilitation for shifting of Industry to conforming Industrial Zones:-

The State Government shall facilitate shifting/relocation of industrial units to the conforming areas. In case of short fall of the existing zone space, additional zones shall be notified and notified by the Department of Town & Country Planning Department / Urban and Local Bodies as per their respective mandates, in consultation with the Deptt of Industries. Appropriately existing/new Development Plans shall be marked on map and the designated industrial zones shall be demarcated as the new hub of manufacturing.

- 8.6.1 Keeping in view the demographics, the socio & economic impact on the shifting of industry from the residential areas, a phased but time bound shifting is planned.
- 8.6.2 State shall identify and notify zones and areas for the industry.
- 8.6.3 State shall facilitate the change of land use for the make-ready shifting and relocation of the industry to conforming zones. The new Haryana Enterprises Promotion Policy-2015 envisages 25 blocks as 'C' zones and 75 Blocks as Auto CU zones for the purpose of existing industries. These provisions of the policy can be fully utilized for the shifting units out of residential areas.
- 8.6.4 Mechanization and technological upgradation shall also be encouraged and incentivized.
- 8.6.5 Green and clean technology adoption as provisions of the new Enterprises Policy shall be utilized.
- 8.6.6 Applicable norms with regard to pollution control shall be enforced.
- 8.6.7 Suitable incentives and other measures, for shifting and relocation of industrial units not conforming to the land use norms shall be provided as per the provisions of the new Enterprises Promotion Policy.

8.5.0 Any industries operating from the residential area that are not hazardous and cottage industries are meant to augment family incomes of the employees middle class of society shall be identified and permitted to operate.

9. Future Plan and prescription:-

- 9.1 To take specific measures to encourage cluster based industrial infrastructure.
- 9.2 Future norms shall be strictly enforced in the residential areas. Zero tolerance shall be enforced for effluent air and noise pollution.
- 9.3 In order to prevent re-occurrences of such non-conformance, geo-referenced smart card linked to filing FFP shall be made compulsory instrument for availing incentives. Tax cuts shall be made by concerned agencies on a chargeable basis on FFP made. The recent introduction of UAM (Udyog Adhar Memorandum) by Ministry of MSME can also be adopted for this purpose.

10. Implementation and Monitoring:-

Since, majority of units to be impacted by this policy are located within Municipal Limits in different towns of the State, for effective implementation of the policy for relocation of the Industry already running in residential area of the District, a committee under the chairmanship of Commissioner, Municipal Corporation and where Municipal Corporation is non-existing of Deputy Commissioner will be constituted with the following members:-

Chairman: Municipal Corporation/Commissioner Deputy Commissioner		
1.	Chief Town Planner of the concerned District.	Member
3.	Estate Officer, -UDA of the concerned District.	Member
4.	Estate Officer or HSOIC of the concerned District.	Member
5.	Secretary, Municipal Committee of the concerned District.	Member
6.	RO, Pollution Control Board of the concerned District.	Member
7.	Joint/Deputy Director DIC of the concerned District.	Member Secretary

- 10.1 A Monitoring mechanism shall be put in place to ensure that the re-location policy is implemented in the letter and spirit.

11. Revoking earlier permissions:-

All other permissions, licenses, consents for the purpose of the manufacturing/industrial activity issued for the Residential areas shall stand revoked from the respective dates of end of the period mentioned in para 9.1 and 9.5) - beginning from the date of notification of this policy.

12. House Hold Industry:-

The traditional house hold industry that has been operating from the residential areas of the old towns, within the MC Limits shall be permitted to operate. The same shall however, not be applicable to HUDA and other planned and approved residential colonies as these are governed by their own Acts, Rules and Bylaws. A list of house hold Industries and showing the permissible activities and the negative list of activities is annexed herewith.

Annexure-A

Draft Relocation Policy	Comments of the concerned department	Comments of the Industries Department
<p>Labour Department's views pertaining to Relocation and Licensing of Factories</p>	<p>LABOUR DEPARTMENT, HARYANA:</p> <p>It is submitted that under the Factories Act, 1947, the location of a factory in a residential area is not preferable because of the inherent risk and accordingly, under section 11(4a) of the said Act read with Rule 3 of the rules there under, it is mandatory to obtain the prior permission in writing of the State Government or the Chief Inspector, for the site on which the factory is to be situated. The relevant part of the rule is reproduced below for reference:-</p> <p>Section-6 (1) "Approval, Licensing and Registration of Factories,-</p> <p>(1) The State Government may make rules,-</p> <p>(aa) requiring, the previous permission in writing of the State Government or the Chief Inspector for the site on which the factory is to be situated and for the construction or extension of any factory or class or description of factories.</p> <p>Rule-3, Submission of Plans of Factories [Section 6(1)]</p> <p>The State Government or the Chief Inspector may require, for the purposes of the Act submission on the date of commencement of the Act or which has not been constructed or extended since then.</p> <p>In view of the provisions of law stated above, the department allows the registration and licensing of factory only on production of NOC/CLU/Allotment of land from the competent authority (Local Authority). <u>Therefore, the department is very keen in agreement with the provision in the draft policy that the industries in the residential areas should be shifted in a structured manner to ensure compliance of the law.</u></p>	<p>The Labour Department is in agreement with the provisions of the Relocation Policy.</p>
<p>Chapter 10 of the Proposed Relocation Policy</p>	<p>HARYANA URBAN DEVELOPMENT AUTHORITY (HUDA):</p> <p>It is intimated that this office has already referred to your office vide this office memo no.44 (HKS) UB 2015/13052 dated 13.03.2017 that this office agrees with the provisions made in the draft policy as the matter mainly pertains to LUB and Town & Country Planning Departments. Besides, in the draft policy under chapter 10, it has already been mentioned that no other activity be permitted in HUDA sectors other than that allowed in the HUDA Act.</p>	<p>HUDA is in compliance with the provisions of the relocation Policy.</p>

Draft Relocation Policy	Comments of the concerned department	Comments of the Industries Department.
<p>Chapter-10- Regulation of Clustering of Industrial Concentration in Controlled Areas.</p>	<p>URBAN LOCAL BODIES, HARYANA:</p> <p>The Draft Relocation Policy has been examined. This department agrees with the proposed move in the draft policy.</p>	<p>-No Comments-</p>
<p>Chapter 8.3</p> <p>Industry that manufacture for the consumption of the Immediate local Area may continue to operate no solid fuel is used.</p>	<p>TOWN AND COUNTRY PLANNING</p> <p>Industry that manufacture for the consumption of the Immediate local area (only local service industries like Auto Clacks, Bakers, Vehicle repairing shop) may continue to operate, provided no solid fuel is used.</p>	<p>This department is in agreement with the provisions of the proposed relocation policy and its exhaustive list of hazardous.</p>
<p>Chapter 10.1</p> <p>Regularization of clustering of Industrial Concentration in controlled areas:-</p> <p>Cluster of industrial concentration in controlled area parks having more than 100 plots within the master plan Industrial relocation shall be considered for regularization on the basis of actual survey after review of the development plan by following the due procedure prescribed under the act.</p> <p>The due diligence has been followed before reviewing the development plan by inviting comments from the general public on the draft need to be followed compulsorily in such a situation before modifying the development plan.</p>	<p>This Department is not pleased with the suggestions that where 70% industries are located in the residential areas, they should be declared as Industrial zone. Even during the last meeting held on 03.05.2015, it was clearly pointed out by the DTCP that proposal for declaring industrial zone is not feasible because the residents who have constructed their dwelling units and living in the same shall file objections and may even go to Court because they have constructed their house in the declared residential area.</p>	<p>This suggestion can not be considered in Draft Policy as it will lead to an unfeasible large scale relocation.</p>
<p>Chapter 10.3:</p> <p>The categorization for the purposes of relocation is being done for factories (Manufacturing Industries) only</p> <p>a. Red Category industries- to be shifted with immediate effect.</p> <p>b. Green Category industries- to be shifted with immediate effect as in case of red</p>	<p>The categorization can only be done as per statutory provisions contained in the Zoning Regulations published alongwith the Development Plan which classifies the industries as Local Service Industry, Light Industry, Medium and Large Scale Industry. Similarly, it is wrong to say that there is no concept of Hazardous and Dangerous Polluting Industries. The term 'Hazardous and Hazardous' has been duly defined in the Zoning Regulations which is as under:-</p>	<p>Reference is made to the e-mail of the Sr. Secretary dated 15.08.2018 to the FSO, dated 01 July 2018 5:03:23 pm, Para 3 and Para 13.2. Clarification () received: There is no concept of categorization of industries as 'Hazardous or 'dangerously polluting industries' under the provisions of Firemen, Laws. However, they go on to qualify the statement.</p>

Draft Relocation Policy	Comments of the concerned department	Comments of the Industries Department.
<p>c. Category A: if these unit comply with Pollution Control Norms. Then they may be given two years of time to shift to remaining area.</p> <p>d. Green Category industries- these unit may continue after taking due consent of the Pollution Control Dept.</p> <p>d. Household hold/units. Attached list of manufacturing activities can continue in residential areas provided they are not operating from HUDA and/or other planned residential areas.</p>	<p>Omnibus or Hazardous Industry means an industry set up with the permission of the Government and is highly capital intensive associated with such features as excessive noise, fumes, vibration, stench, unpleasant or injurious effluent, explosives, inflammable material etc. and other hazards to the health and safety of the community.</p> <p>The word dangerously polluting industry is also covered within the meaning of the Hazardous industry.</p> <p>The word used is 'cluster' of industrial concentration in controlled area packed having more than 70% units. This aspect is not clear. The plan may be of different sizes. In fact, wherever at first the area of industrial units should be taken into consideration even if the Urban Local Bodies Department considers to regularize such industrial units in the residential areas. The Department never miss impressed that ground building of a industries be carried out first before bringing any policy. Actually, the Government of Haryana in Industries Department is rewarding incentives that ground building of all industries be carried out. The Government of Haryana in Industries Department is regarding the violators who have not obtained any ULL permission nor the permission from Government, and proposing to regularize the industries.</p> <p>The Department is also of the opinion that it may not be feasible to prepare the regularization/scheme by the Municipal SPs (to be formed by the Government).</p>	<p>The definition is ambiguous and does not help in categorization of industries for the purpose of formulating the Policy.</p> <p>As suggestion is accepted, that a detailed ground building exercise be conducted.</p> <p>The SPs as a stake holder should be an active participant in the process of formulating scheme of regularization development which will be prepared by the Municipal Corporation Committee.</p>
<p>11.1- Future plan and prescription:-</p> <ul style="list-style-type: none"> • To take specific measures to 2024. Age cluster based national infrastructure. • Pollution norms shall be strictly enforced in the residential areas. Zero tolerance to be enforced for effluent, air and noise pollution. • To proceed to prevent re- 	<p>It may be difficult to make it mandatory requirement for having geo referenced smart grid linked to flow EM 2 for warning measures to be industry must. It will be appreciable to take specific measures for preventing cluster of industrial units being operated in the residential areas.</p>	<p>In view of introduction of IAM by Ministry of H&E the same can be made mandatory in the State.</p>

Draft Relocation Policy	Comments of the concerned department	Comments of the Industries Department.
<p>occurrences of such non-compliance, get referenced smart card linked to filing 19-2 shall be made mandatory instrument for availing incentives. These cards shall be issued by empowered agencies on a chargeable basis on P&A basis.</p> <p>11.2 House Hold Industry:</p> <p>The traditional House hold Industry that has been operating from the residential areas of the urban towns, with the MC units shall be permitted to operate. The same shall however not be applicable to HUDA and other planned and approved residential colonies.</p>	<p>It is informed that the Department considers 'approved residential colonies' as colonies established by private colonizers under Persons Development and Regulation of Urban Area Act, 1975 and Rules, 1976.</p> <p>The Department as already mentioned considers Local Service Industry as a permissible activity in the residential sectors to meet the local requirement of the area. This office goes to CUU permission for setting up of Local Service Industry in residential areas.</p>	<p>The department is in agreement with the provisions of the proposed relocation policy and its exhaustive list of 122 house hold industries.</p>

Draft Relocation Policy	Comments of the concerned department	Comments of the Industries Department.
	<p>HARYANA STATE POLLUTION CONTROL BOARD;</p> <p>1) As per recent policy notification of the Board issued on 15.4.2024, Board has already decided that no permission can be granted to the units located in already decided non-permissible area granted to the units located in Municipal Areas -UDA areas. The schemes of the committee or any other approved regional authority. The Board is aware of the various permissions in the form of Consent to Establish, Consent to Operate, Authorization and Registration under various industrial projects under Water Act, 1974 Air Act, 1986 Hazardous Waste (MH) Act, 2008, Plastic Waste (MH) Act, 2011, E Waste (MH) Act, 2017, Bio Medical Waste (MH) Rules, 1998 as applicable. The Board has categorized the industrial units and other projects under Red, Orange and Green category as highly polluting, medium and less polluting units depending upon the their pollution potentials. Only Red and Orange category of projects has been covered under consent management whereas the green category of the projects have been exempted from consent management subject to provisions of pollution control devices where ever required by local category projects depending upon their pollution potentials and are covered by self regulatory regime.</p> <p>2) In the draft policy under clause 7.2. it has been proposed that the green category of industries will not be shifted and continue to operate in the present area. For finalization and notification of the policy, the non hazardous and non-noxious industries having clearance from Pollution Control Board shall be permitted to operate from these locations. In Chapter 7.1 of the draft policy, it has been mentioned that as per survey of Haryana Industries conducted during 2011-13, there are approximately 70,000 industrial units in Haryana out of which 40% are operating from non conforming area and some of which are in residential zone. Rough Industries estimates suggest figure is nearly 2 to 3 times more. From the above data, it can be seen that the large number of industries are operating in non conforming residential areas that would also be including the large no. of green category of projects and if these green category projects are included under consent management then it would be very difficult to handle and a large no. of cases of consent to establish/consent to operate. It is suggested that the provision of including the green category projects under consent</p>	<p>This suggestion can be accepted.</p> <p>This suggestions can be accepted.</p>

Draft Relocation Policy	Comments of the concerned department	Comments of the Industries Department
	<p>management may be walled off from the policy however the type of units will be governed by self regulatory regime as per present policy.</p> <p>(j) It is pertinent to mention here that the Central Pollution Control Board is in the process of revising the categorization of industries based on pollution index criteria and environmental issues such as generation of emissions, effluent and hazardous waste and the re-categorization will be done on the basis of composite scores 90 to 1000 (index) of pollution index which has been proposed as under:</p> <ul style="list-style-type: none"> • Type of industries, if scores 50 and above be categorized as A. • Type of industries, if scores 30 to 50 be categorized as B/C/D. • Type of industries, if scores 15 to 30 be categorized as E/F/G/H. • Type of industries, if less than 15 be categorized as non-polluting industry / as other. <p>It is suggested that the above categorization of industrial projects may also be considered while framing the relocation policy and only white category of projects to be finalized by CPCB, may be considered to operate at the present locations subject to compliance of norms/standards with which presented under EPA, Rules, 1986 and not to discharge any other pollutant.</p> <p>(k) In the draft policy there is no specific mention of units/installations handling and storing the hazardous material as defined in the Hazardous Storage and Import of Hazardous Chemical Rules, 1989 and Chemical Accident Rules, 1996. This type of installations in any residential or commercial or mixed area is very dangerous and prone to chemical disaster and accidents. It is suggested that this type of units/installations handling with hazardous chemicals and listed in the above said rules may not be allowed to operate in any residential or commercial or mixed area and should be shifted to remote areas.</p>	<p>The suggestions can be accepted</p>

Classification of Industries (House Hold)

GROUP - A

1	Agarbatt and similar products	35	Cotton/Lex printing (by hand)
2	Aluminium hanger (including wire drawing and anodizing)	36	Computer repairing and cyber information centre
3	Ashtanga / Homeopathic/Unani medicines.	37	Computer Software
4	Assembly and repair of electrical gadgets.	38	Car and carpet weaving.
5	Assembly and repair of alarm clock goods	39	Detergent (without bleach)
6	Assembly and repair of sewing machines.	40	Data processing.
7	Assembly of hand tools	41	Dairy products e.g. Cream, ghee, paneer, etc.
8	Assembly of locomotion shuttle looms.	42	Dry Cleaning (excluding big workshops)
9	Assembly and repair of electrical gadgets, cooler/fan/etc.	43	Book Top Publishing
10	Assembly and repair of sewing machines.	44	Embroidery
11	Assembly and repair of typewriter (excluding font casting).	45	Framing Vitreous (without use of coal).
12	Assembly of Brake Switches	46	Framing of picture and mirrors.
13	Assembly and repair of measuring instruments (including tending of Mercury and hazardous material).	47	Football pens, ball pens and felt pens
14	Auto stickers	48	Gold and Silver thread, Kalasatti.
15	Batik works.	49	Hosiery products (without dyeing and bleaching).
16	Book making and photo enlarging	50	Hats, caps, turbans including embroideries.
17	Biscuit, papery, cakes and cookies making	51	Levy weaving
18	Button making, fixing of button and hooks.	52	Toy making for fountain pens, information Technology and coding services
19	Bone lacquing	53	Trunk making and outturning
20	Brushes and brushes (by hand)	54	Jewellery items.
21	Cane and Yachtle products	55	Khat and handloom.
22	Cane and bamboo products	56	Khus ketris.
23	Cassette recording.	57	Knitting works.
24	Clay and modelling.	58	Leah products
25	Coin and jute products.	59	Leather footwear.
26	Cardboard boxes	60	Leather belts and assembly of
27	Card art.	61	Locks (by hand)
28	Copper and brass articles.	62	Leather and textile made ups.
29	Cordage, rope and twine making	63	Oil press separation.
30	Carpentry.	64	Manufacture of toy products
31	Clay and Modelling with plaster of Paris.	65	Manufacture of Bindi.
32	Contact Lens.	66	Hand plate making.
33	Covered bags and handbags making.	67	Production of following items i) Kacha cakes ii) B-unies
34	Curdies, sweets, rasma ai etc (when not canned).	68	Kulfi and icecream cone.
		69	Crayons.
		70	Preserves and fruit preserves.

	Medical Instruments (including repairs).
61	Lace work and like
62	Ornamenta, leather goods like purses, hand bags.
63	Small electronic components
64	Paper stationery items and book binding.
65	Pink, herb, garlands of flowers and pots.
66	P.V.C. products (with one moulding machine).
67	Paper machine.
68	Perfumery and cosmetics
69	Plasticating
70	Plastic and recycling
71	Photo copying of drawings and blueprints
72	Preparation of drawings and designs
73	Preparation of Shampoos.
74	Preparation of hair oil.
75	Preparation of Vad, Paad etc.
76	Preparation of condiments, spices, groundnuts and da etc
77	Pan nakala.
78	Production of sweets and namkeens.
79	Paper Machine
80	Paper Cup, Plates, files cover and letter pads (without printing).
81	Photography (developing and printing)
82	Repair of watches and clocks.
83	Recluse making
84	Repair of domestic electrical appliances.
85	Ready made garments.
86	Repair of bicycles.
87	Repair and assembly of computer hardware.
88	Repair of bags, brief cases, suitcases, handbags, use of leather and PVC material.
89	Repairing of water meters, fanolizer, UPS, etc.
90	Repair of electronic goods.
91	Rubber Stamps.
92	Repair of Scooters.
93	Stone engraving.
94	Sports goods.

95	Surgical bandage rolling and cutting
96	Stove pipe, safety pins and aluminium buttons (by hand press)
97	Silver foil making.
98	Saree-tilt making
99	Shoe laces.
100	Sport nets.
101	Stamp pads.
102	Screen printing
103	Telching.
104	Thread balls and cotton fillings.
105	Toys and dolls.
106	Ties.
107	Tomato ketchup.
108	Umbrella assembly
109	Wash washing powder (dry mixing and packaging).
110	Velvet embroidered shawls/shawls.
111	Vermicelli and macaroni.
112	Wood carving and decorative wood wares
113	Wood carving and lathe making
114	Wooden cardboard jewellery boxes (subject to no objection certificate from the department).
115	Wool knitting (with machine).
116	Zari Zardozi.
117	Wooden cardboard jewellery boxes (subject to no objection certificate from the department).
118	Wool knitting (with machine).
119	Zari Zardozi.

Household Industries**GROUP A - I**

Household Industries in Villages (Already in Green Belt)

1. Black Smithy
2. Cane and bamboo products
3. Clay and modelling with Plaster of Paris
4. Dye/Carmel/Scar weaving (except dying & bleaching)
5. Stone masonry
6. Village pottery industry (without coal)
7. Village oil ghari
8. Wood carving and decorative and wood works

None of the industries mentioned in Group A and A-I shall carry out the following processes:

- (i) Anodising
- (j) Bleaching
- (k) Burning of coal
- (l) Canning Facility
- (m) Dyeing
- (n) Electroplating
- (o) Medicinal works
- (p) Use of CFC gases
- (q) Tanning
- (r) Washing

(i) Storage of chemicals listed under schedule I and/or II of the Manufacture, Storage and Import of hazardous Chemical Rules, 1989 and Public Liability Insurance Act, 1991 shall be prohibited.

(ii) No effluent or emissions shall be allowed to be generated by the units and these shall adhere to the noise standards as stipulated by Ministry of Environment and Forest, Government of India.

49	Iron/steel metal forging (using steam and power hammer - more than 3 tonnes capacity)
50	Industrial gelatine, nitro glycerine and film base
51	Industrial trucks, trailers, etc.
52	Linear alkyl benzene
53	Lead manufacturing including secondary lead industry recovery of lead from waste scrap
54	Lime kiln
55	Leather tanning (raw hides/skins/leather finish)
56	Locomotives and wagons
57	Methanol
58	Methyl alcohol
59	Mechanical sand crushers & washing of coarse sand
60	Manufacturing of pulp & paper
61	Mineral water bottling
62	Mineral water finish involve use of acids (H2SO4, HNO3, HCl, etc.)
63	Manufacturing of diesel engines, generators except assembly
64	Motor cycles, scooters, cars, tempos, trucks, etc.
65	Newspaper
66	Newspaper manufacturing, pulp mg, news paper making
67	Nitrogenous and phosphatic fertilizers, except mixing of fertilizers for compounding (large scale)
68	Nitrocellulose solvent, chlorinated minerals, methanol, aldehydes, methylated spirits
69	Petroleum coke processing, hot wax
70	Polyethylene/paraffin wax (using coal or furnace oil)
71	Polyethylene polymers
72	Print Industry (not Cellulose & Alkali based)
73	Plasticisers manufacturing
74	Pyridine
75	Phenol formaldehyde resin and powder (starting from urea and formaldehyde)

76	Potential product batteries (using coal or production capacity more than 20000 per day)
77	Rubber solution and thicken (using machine and rubber scrap)
78	Roasting of Ora Sulphide Oxides of mixtures
79	Rayon fibre manufacturing
80	Refractories
81	Reclamation of rubber and production of tyres and tubes (dry cementing)
82	Sandstone
83	Secondary Zinc Industry
84	Synthetic rubber
85	Smelting
86	Sewing machines (integrated make) except assembly
87	Slide gates and gears
88	Steam engines
89	Steel pipes and tubes (continuous welded/seamless)
90	Sugar, Khandsari
91	Sugar related industry (more than 1 tonne/day)
92	Stone quarrying (estate more than 100 workers full shifts, 1 acre of land, 100 LKD of water)
93	Thorium, radium and similar isotopes and recovery of rare earth
94	Tyres
95	Urea & Phenyl Formaldehyde resin
96	Urea & Phenyl Formaldehyde resin
97	Vegetable oil hydrogenated
98	Waste (crude / burnt) oil processing

(Refinery) Notes:

- i) A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.
- ii) Further additional alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the State Government to be so.

Anil Kumar
Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Endsl No. 2/29/2015-R-11

Dated: 20th, July, 2015

A copy is forwarded to the Controller, Printing and Stationery Department, Haryana, Chandigarh with the request that the above notification in English may please be published in the Haryana Government Gazette (Extra Ordinary). He is requested to supply 100 printed copies to the said notification to this office for record.

-sd-
Superintendent Committee
for Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Endsl No. 2/29/2015-R-11

Dated : 20th, July, 2015

A copy of the above mentioned notification is forwarded to the following for information and necessary action:

1. Director General, Information, Public Relation & Culture Affairs, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Days No. 13-14, Sector-4, Panchkula.
3. All Deputy Commissioners in Haryana State.
4. All Commissioners, Municipal Corporation, Haryana.
5. All Sub-Divisional Officers (CIVIL), Haryana.
6. All President/E.O/Secretary, Municipal Councils/Committee, Haryana.

-sd-
Superintendent Committee
for Principal Secretary to Govt. Haryana
Urban Local Bodies Department

**Haryana Government
Urban Local Bodies Department
Notification**

The 8th March, 2017

No. 1/9/2017-R-ULB in exercise of the powers conferred by Section 56-A (b) (vii) of the Haryana Municipal Act, 1973 and Section 12 (17) of the Haryana Municipal Corporation Act, 1974 the Government of Haryana hereby directs for the information of general public, the following policy parameters for use of vacant plots as temporary parking lots within the Municipal limits in the State of Haryana, namely:-

Policy Parameters

Applicability of the policy

1. This policy would be applicable on vacant plots for utilization as parking lots in the Municipal limits in the State of Haryana.

Area

2. The area of the plot size should not be less than 500 sq. m. However doubling of plots less than 500 Sq. mtr. under same ownership or different ownership (with an undertaking of consent) would be allowed to make the minimum area of 500 Sq. mtr., provided the plots are adjacent and carry name to each other.

Approach

3. The approach to the site should be from a road of width not less than 12 meters.

Fee/Charges

4. Permission shall be allowed subject of higher fee i.e. Rs. 100/- per sq. mtr./ per year
5. The parking charges/ fee for the vehicles shall be decided by the concerned municipalities (Municipal Corporation, Municipal Council, Municipal Committee.)

Procedure

6. Any person who desires to utilize its plot for providing parking spaces shall submit an application to the Commissioner/ Executive Officer, Secretary alongwith the requisite documents of the plot. Further the Municipalities may demand any additional document as per their requirement.

Other parameters

7. Only surface parking is allowed. The site should be levelled
8. No permanent construction may be allowed except well-warm and bucket wash or guard wall (not more than 50 cm. hts. each)
9. Permission issued should not be convertible as change of land use or any of the permanent permission. It is only temporary permission for providing service of parking. It should be issued for one year and renewed every six months year as per the need of that area. The renewal shall be allowed subject to the payment of the licence fee post for permission
10. The owners of the parking lot will ensure that there is no public inconvenience caused due to this facility otherwise permission can be revoked by the Municipality at any time without any notice.
11. The owner of the parking lot shall ensure that no vehicle is parked on the road within the influence zone of the parking lots. (The influence zone will be decided on the basis of the capacity of the parking lots).
12. The owner of the plot will put up sign board regarding use of the site and display the rates.
13. If the owner of parking lot violates any parameter of the policy, then the municipalities can issue notice and impose fine upto Rs. 5000/- for the first time. If the owner continues to violating the parameters of the policy, then by giving second notice the permission shall be revoked and the fees/ charges are enforced.

Anand Mohan Sharma, IAS
Principal Secretary to Govt. Haryana
Urban Local Bodies Department
-Faridkot, Chandigarh.

Order No. 4/2017-R-II

Dated 08/03/2017

A copy is forwarded to the Controller Printing & Stationery Department, Haryana, Chandigarh with the request that above notification (both in Hindi and English) may please be published in the Haryana Government Gazette (Extra Ordinary). He is requested to supply 100 printed copies of the said notification to this office for record.

Superintendent, Government
for Principal Secretary to Government, Haryana,
Urban Local Bodies Department.

(Copy)
Order No. 4/2017-R-II

Dated 08/03/2017

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

1. Director General, Information, Public Relation & Cultural Affairs, Haryana.
2. Director, Urban Local Bodies, Haryana, Days No. 11-14, Sector 4, Chandigarh.
3. Deputy Commissioner, Haryana.
4. Commissioner, Municipal Corporation, Faridkot, Gurgaon, Haryana, Panipat, Karnal, Yamunanagar, Panchkula, Ambala, Rohtak, Sonapat.
5. All President/P.O./Secretary, Municipal Councils/Committees, Haryana.

Superintendent, Government
for Principal Secretary to Government, Haryana,
Urban Local Bodies Department.

10/10/2017

**Haryana Government
Urban Local Bodies Department
Notification
The 30th March, 2017**

No 3/5/2017- R- II, In exercise of the power conferred by Section 205 (2) (a) of the Haryana Municipal Corporation Act, 1994 and power conferred by Section 250 (x) of Haryana Municipal Act, 1973, the Governor of Haryana hereby directs for the information of general public the following policy for regularization of existing nursing homes running from residential premises and grant of permission for the new nursing homes.

Background:

Via notification dated 30.01.2017, the policy for conversion of residential house or vacant land into commercial use within the local municipal towns was notified under the section 250 of the Haryana Municipal Act, 1973. Under this policy private hospitals, nursing homes are allowed after the declaration as "Commercial" under bye-law 3 (1) of the Haryana Municipal Building Bye-laws, 1982 by the concerned municipalities. Since after enactment of Haryana Building Code, 2016 the Haryana Municipal Building Bye-laws, 1982 are not valid hence therefore, there is a need of the policy under which the existing nursing homes running from residential premises will be regularized and permission to be given for the new nursing homes.

Notes:

- The provisions of regularization are not applicable on those nursing homes which are running before the constitution of municipalities under the Haryana Municipal Corporation Act, 1994 and Haryana Municipal Act, 1973. Further in such nursing homes if any addition or construction/alteration in the buildings to be done, then the owner will seek the permission of the competent authority.
- The nursing homes running at present which are not fit to the policy parameter in such cases they will be allowed to continue at the present site for the period of ten years after submission of the fee/charges (mentioned under procedure) subject to the condition that they will bring the nursing home in conformity to the policy. If the applicant after ten years does not bring the nursing home in accordance with the policy parameter then he double the fee/charges, prevailing at that time for the period premises continue after ten years shall be imposed on the applicant and the premises will be sealed. Further if within the period of ten years the applicant shifts the nursing home at another place to bring the nursing home in conformity to the policy parameter then the fee/charges already paid will be adjusted.

Policy Parameters for regularization of existing nursing homes running from residential premises and grant of permission for the new nursing homes.

1. Applicability of the policy

This policy would be applicable on nursing homes running from the residential premises located in the area falls under the jurisdiction of Municipal limits in the State of Haryana. The area under the jurisdiction of other Authorities like HUDA, Housing Board, Agencies alone shall not be covered under this policy.

2. Area

The area of the plot shall not be less than 350 sq. yards (292.54 sq. mtr) for the hyper High potential zone and 250 sq. yards (209.022 sq. mtr) for the medium and low potential zone.

3. Approach

The approach to the site should be from a road of width not less than 12 meters.

4. Parking

Each building in respect of which permission is sought should have a parking space for four wheeled vehicles i.e. four equal to the number of in-door beds plus 4 car. Parking space will also be provided at the adjacent land owned within the walkable distance from the proposed nursing homes. Further no vehicle shall be allowed to parked on the road/ street.

5. Procedure

The application for granting permission to the Nursing Home shall be made on the prescribed form to concerned Commissioners/ Executive Officer/ Secretary of Municipal Corporation/ Municipal Council/ Municipal Committee along with the following documents/Charges:-

One Time Conversion Charges:-

- (i) In the cases where premises are owned by the doctor(s) or their family members i.e. spouse / parents / children
 - a) Municipalities falling in the Hyper Potential Zone @ Rs 3,000/- per sq. yd.
 - b) Municipalities falling in the High Potential zone @ Rs 4,000/- per sq. yd.
 - c) Municipalities falling in the Medium Potential Zone @ Rs.2,000/- per sq. yd.
 - d) Municipalities falling in the low Potential Zone @ Rs.1,000/- per sq. yd.
- (ii) Conversion charges will be recovered in two annual instalments which will carry an interest @ 10% compounded annually. In case, the 2nd instalment of conversion charges is not paid within 90 days of the due date, the permission may be withdrawn by the Commissioner/ Executive Officer/ Secretary after issuing a Show Cause Notice. In addition, delayed interest @ 15% compounded annually will have to be charged instead of 10% compound interest for delayed payments.
- (iii) External and Internal Development charges as per the prevailing rate and policy
- (iv) The complete project report containing therein the activities / functions proposed to be carried out in full details, especially Surgeries, Lab tests, etc.
- (v) An affidavit duly attested by the Judicial/Executive Magistrate of First Class undertaking that he will abide by all the terms and conditions of this Policy shall be submitted by the applicant.
- (vi) In case of a Tenant Doctor -
 - One year's annual conversion charges equal to 15% of conversion charges, thereafter, the same will have to be paid in advance every year (left to start of the new Financial Year beginning 1st April every year) failing which the permission will lapse automatically. If the doctor continues with the Nursing Home operations beyond the permissible period, he will have to pay conversion charges for the unutilized period along with 15% compound interest. The year for annual conversion charges will be from April to March next year. Full annual conversion charges will have to be paid for first year irrespective of date of application in that financial year.

- A deed of rental agreement from the owner of the residence premises in the name of the doctor applying for permission at least for three years duly registered as per Act.

- Some of the applications shall be carried out by following Committee:

Sr. no.	Officer/Officials	
1	Civil Surgeon of the District	Chairman
2	Deputy Commissioner or his Representative	Member Secretary
3	Deputy Town Planner/Assistant Town Planner in case of Municipal Corporations	Member
4	Executive Officer/Secretaries in case of Municipal Council and Municipal Committee	Member Secretary
Note: the committee may co-opt any other person as per its requirement		

- This Committee shall scrutinize the applications & it will be the lead department for applications / policy guidelines & rules issued by Central/State Governments from time to time. The number of beds, needs and the availability of parking space shall also be examined by the Committee. The proposed committee give their recommendation to the concerned municipalities and on the recommendation of the committee the Commissioner/ Executive Officer/ Secretary will grant the permission.
- The concerned municipalities will convene the meetings of the Committee. The Committee will meet at least once a month so that each application will be dealt with in one month and will send its recommendations to the Commissioner/ Executive Officer/ Secretary. The Commissioner/ Executive Officer/ Secretary to approve the running / functioning of a Nursing Home from residential plot/building shall liaise with the municipalities.

6. Other Terms & Conditions: -

- No Nursing Home shall be allowed to function from a residential building except with the prior permission of the committee. The usage of plot/building shall be as per Mysore Building Code 2017, Covered area, FAR norms pertaining to residential premises subject to zoning Plans and a permission to occupy the building issued by the competent authority.
- The Building Plan of Nursing Home shall have to be got sanctioned.
- Adequate arrangements for disposal of hospital waste must be made by the owner. The applicant should be registered with the Health Department for usage of incinerator system if to be installed in the concerned district.
- No commercial activities shall be allowed in the Nursing Homes except Chemical shop being essential activity shall be allowed in nursing homes with a 10% FAR.
- The Nursing Home shall be liable to pay taxes, cess if any, levied by Municipalities/HUDA.
- The Nursing Home shall have to make adequate arrangements for the fire safety / spread of fire & safety, cleanliness of the area. It should be ensured that no nuisance or hardship is caused to the nearby residents of area.
- It shall be obligatory to observe formalities & follow directions / meet the norms of the laid down guidelines and codes / announced from time to time by Urban Local Bodies/Department of Public Health, the Department of Health & other authority bodies concerning functioning of Nursing Home.
- The permission shall also be governed by the provisions of HMDA-1991 and Mysore Municipal Act, 1977, Rules and Regulations, if any, in force from time to time.
- The permission given by Committee does not provide immunity from the rules and regulations of any other department of Government.


- (x) The applicant will give its a mail address for sending all communications.
- (xi) Any Affidavit duly attested by the Judge/Judicial Magistrate of this Class and a copy of that affidavit made by all the terms and conditions of this Policy shall be submitted by the applicant.
- (xii) Applicant will be required to obtain NOC from various departments to run such activities i.e. Fire, Pollution etc.
- (xiii) The Nursing Home shall be open to inspection by the Committee/Officers of Municipalities / Health Department at regular intervals. It shall be lawful for officers of the Municipalities or any other officers authorized by the Commissioner in case of Municipal Corporation and Executive Officer/ Secretary in case of Municipal Council/ Municipal Committee to inspect the premises at all reasonable hours to ensure that the conditions of permission are being complied with. In case of infringement of any condition of permission, the Commissioner in case of Municipal Corporation and Executive Officer/ Secretary in case of Municipal Council/ Municipal Committee may after such inquiry as deemed necessary, cancel the permission after giving a reasonable opportunity of being heard.

Anand Mohan Sharma, IAS
Principal Secretary to Govt. Haryana
Urban Local Bodies Department
Haryana, Chandigarh

Inst. No. 2/5/2017 R-11

Dated 29.08.2017

A copy of forwarded to the Centre of Printing & Stationery, Haryana, Chandigarh with the request that this notification may please be published in the extra ordinary Gazette and 25 copies of the original notification may be sent to this office for record.


S. Anand Mohan Sharma, IAS
for Principal Secretary to Govt. Haryana,
Urban Local Bodies Department

Inst. No. 2/5/2017 R-11

Dated 29.08.2017

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

1. Director General, Information, Public Relation & Cultural Affairs Haryana.
2. Director, Urban Local Bodies Department, Haryana, Bays No.11-11, Sector 4, Panchkula.
3. To Deputy Commissioners in Haryana State.
4. All Commissioners, Municipal Corporations.
5. All the Civil Surgeons of Districts in Haryana State.
6. All President/UP Secretaries, Municipal Councils/Committees, Haryana.


S. Anand Mohan Sharma, IAS
for Principal Secretary to Govt. Haryana,
Urban Local Bodies Department.

शहरी स्थानीय निकाय निदेशालय हरियाणा

वे. सं. 11-14, सेक्टर-4, पंचकुला, हरियाणा
Bdy No. 11-14, Sector 4, Panchkula, Haryana



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

Tel.: +91 172 2570020; Fax: +91 172 2570021
Website: www.ulbhry.gov.in ; email: dulbhry@hry.nic.in

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To

1. All the Commissioners, Municipal Corporations
2. All the Deputy Commissioners in Haryana State
3. All the Civil Surgeons of District in Haryana State
4. All the Executive Officers/ Secretary, Municipal Council/ Committee

Memo No. DULB/TP/ATP-III/2018/ 1780-1892
Dated: 16-04-2018

Sub: Amendment in the policy for regularization of existing Nursing Homes running from residential premises and grant of new Nursing Homes notified vide notification dated 30.03.2017.

Please refer Notification No. 2/5/2017/R-II dated 30.03.2017 vide which the policy for regularization of existing Nursing Homes running from residential premises and grant of new nursing homes on the matter cited as subject above has been notified.

2. I have been directed to inform that the Government has made the following amendments in the policy dated 30.03.2017.
 - a. **Applicability of the policy** - The policy regarding regularization of Nursing Homes will be applicable in the Core Area and in the Residential Zone, Industrial Zone and Public & Semi Public Zone as per the Zoning Regulation of the Development Plans. Further the new permissions under this policy for Nursing Home will be given only in the Core Area. Outside the Core Areas the permission will be given in accordance with Change of Land Use policy and as per Zoning Regulation of the Development Plan.
 - b. **Area** - The area of the plot size should not be less than 350 sq. yard (292.64 sq. mtr.) for the Hyper/ High Potential Zone and 250 sq. yard (209.032 sq. mtr.) for the Medium and Low Potential Zone. The maximum upper limit for regularization is 750 sq. yards in case of Hyper and High Potential zone and 300 sq. yards in case of Medium and Low Potential Zone.
 - c. **Approach** - If the area of the site is 350 sq. yards to 500 sq. yards then approach through 9 mtr. road is required and if the Nursing Home have area more than 500 sq. yards then the same need to be shifted to road having width of 12 mtr. or more.
3. The other policy parameter shall remain the same. Therefore it is requested to consider/ examine the cases in accordance with the above amendments.

o/c

(Sunil Verma)

Assistant Town Planner,
for Director General, Urban Local Bodies,
Haryana, Panchkula

dated: 16-04-2018

Endst. No. DULB/TP/ATP-III/2018/ 1892

A copy of above is forwarded to Director General, Information & Public Relation Culture Affairs, Chandigarh, Haryana for information and necessary action.

o/c

(Sunil Verma)

Assistant Town Planner,
for Director General, Urban Local Bodies,
Haryana, Panchkula

Haryana Government
Urban Local Bodies Department
Notification

The 06.10.2017

No 14/73/2017- 5 CI, In exercise of the powers conferred by Section 398 (2) (a) of the Haryana Municipal Corporation Act, 1994, the Government of Haryana hereby gives the following directions regarding regularization of subdivided plots in NIT Faridabad:

Background:

Government of India, Ministry of Rehabilitation developed an industrial area known as New Industrial Township, Faridabad to rehabilitate and provide economic base to migrants from Western Pakistan. Large size industrial plots were carved out keeping in view the economic and technical scenario prevalent at that time. These old industrial units were replaced by less labour intensive industries with an advancement of technology and this has resulted in underutilization of large size industrial plots. Owners of large size industrial plots started dividing these plots into smaller plots keeping in view the changed scenario without approval of the competent authority. Keeping in view the existing development scenario and the survey reports received from the Municipal Corporation, Faridabad, a policy for regularization of sub-divided plots, has been prepared which is as under:-

1. Applicability of policy and its parameters for regularization of sub-divided plots:

- a) This policy shall be only applicable on the industrial plots of NIT Industrial Area, Faridabad where the sub-division of plots have taken place without approval/ permission of the authority.
- b) Only those plots will be considered for regularization which have plot area of one acre and more as per the approved layout plan of NIT, Faridabad.
- c) The minimum size of subdivided plot shall not be less than 250 sq. yards. (209.32 sq. mtr).
- d) The minimum width of approach road shall not less than 15 mtrs.
- e) The plots/area where commercial activity is running unauthorizedly on the industrial plot already subdivided then the application for regularization shall not be considered and this area shall be excluded while calculating the fee/ charges on the plot.
- f) The applicant shall liable to pay the following fee and charges:
 - i. Scrutiny fees @ Rs. 10/- per sq. mtrs. of the gross area of the plot.
 - ii. Sub-division fee at par with licence fee at current rate for Faridabad Urban Area prescribed through notification under the Haryana Development and Regulation of Urban Areas Act, 1975. This fee shall be proportionately uploaded on the individual sub-divided plots.
 - iii. Infrastructure Development Charges at current rate for Faridabad Urban Area prescribed through notification under the Haryana Development and Regulation of Urban Areas Act, 1975. This fee shall be proportionately uploaded on the individual sub-divided plots.
 - iv. EDC at the current rate for the gross area of original plot. This fee shall be proportionately uploaded on the individual sub-divided plots.
 - v. Infrastructure augmentation charges at par with the conversion charges at the gross area of original plot. This charges shall be proportionately loaded on the individual sub-divided plots.

- vi. Fee for composition of offence regarding illegal sub-division of plot which amounts to violation of section 7(i) of the Haryana Development and Regulation of Urban Area Act, 1975 will be Rs 500 per sq. mtrs. and if the bifurcation of the land is upto 4 pieces, the composition fee will be Rs. 200 per sq. mtrs. (This composition rate is as per the policy of Town & Country Planning Department bearing memo no.PF-68/2012/5/38/2012-2TCP dated 14.06.2012).
 - vii. Municipal Corporation, Faridabad shall calculate the cost of internal development works to be carried out and the same shall be proportionately uploaded on the individual plot holders.
 - viii. If the original owner of the plot does not apply for regularization, then the owner of the illegally subdivided plot vide common Power of Attorney apply for regularization of their illegal subdivided plots.
 - ix. If the actual owner of the plot applied for regularization, then fee/ charges should be calculated only for the area under ownership of the actual plot owner.
 - x. The regularization is subject to the undertaking/ affidavit provided by the plot holders that they further not subdivided their plots.
- g) All the owners of the plots, who have sub-divided their plots without obtaining approval from the competent authority, shall get the sub-division of their plots regularized within a period of six months from the date of the publication of this policy. Municipal Corporation, Faridabad shall initiate action against such owners as per provision of law, who have not got their plots regularized within the above time frame.
 - h) All the owners of the plots, who have subdivided their plots without obtaining approval from the competent authority and the plots so subdivided are not fulfilling the policy parameters, all such owners of the original plots and of the subdivided plots will either bring the subdivided plots within the parameters of the policy or the plot may be restored to its original position. This exercise will be completed within six months from the publication of the policy. After the expiry of six months time period, if the owners failed to comply with the above policy parameters, Commissioner, Municipal Corporation, Faridabad will take action to comply this policy parameters.
 - i) The Commissioner, Municipal Corporation, Faridabad shall ensure that the building shall be allowed to be used for industrial purpose only. Further, the Ground Coverage, FAR, Height and Set backs of the building shall be in accordance with the provisions of the applicable Building Bye-laws. In case the construction at site is beyond permissible limits, the applicant shall be asked to alter the construction and to bring the same in conformity with the provisions of building bye-laws within a period of six months.
 - j) In case the original allottees who have subdivided and sold the plots do not apply for regularization of sub-division of the plot, the owner of subdivided plot can get his plot regularized independently by common power of attorney subject to condition that the original plot subdivided fulfills the policy parameters.
 - k) Commissioner, Municipal Corporation, Faridabad will submit action taken report of the implementation of this policy after every two months from the date of publication of this policy.
 - l) Owner of subdivided plot shall submit an application to the Commissioner, Municipal Corporation, Faridabad for regularization of plot under this policy along with following fee and documents :
 - Scrutiny fee @ Rs. 10/- per sq. mtrs. of the gross area of the plot.
 - Ownership proof/title of land along with sale deed of original allotment of plot.


- The plan showing the location of the plot and existing construction, if any.
 - Undertaking in the form of affidavit that he shall use the building for industrial purpose only and that no other activity shall be carried out over the plot/building in future and that he shall pay all the fee/ charges as may be conveyed by the competent authority/ Commissioner, Municipal Corporation, Faridabad.
 - Undertaking that he shall not further subdivide the plot.
 - Photographs of constructed portion from all sides.
 - Layout plan of the plot showing the details and location of the subdivided plots along with a brief note giving reasons for the use and sub-division.
 - No dues certificate from MCF.
 - The detailed building plan showing the existing construction.
 - Traffic Management Plan for area comprising of all the subdivided plots.
- m) After the receipt of application, the Commissioner, Municipal Corporation, Faridabad will examine the case as per the policy parameters and will take decision accordingly.

Anand M. Sharan
Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Endst. 14/73/2017- 5 CI

Dated: 06.10.2017

A copy of forwarded to the Controller, Printing & Stationery, Haryana, Chandigarh with the request that this notification may please be published in the extraordinary Gazette and 50 copies of the printed notification may be sent to this office for record.



Superintendent Committee- I
for Principal Secretary to Govt. Haryana,
Urban Local Bodies Department

Endst. 14/73/2017- 5 CI

Dated: 06.10.2017

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

- 1 Principal Secretary to Government Haryana, Industries and Commerce Department, Haryana, Chandigarh.
- 2 Director General, Urban Local Bodies Department, Haryana, Bays No.11-14, Sector-4, Panchkula.
- 3 Director General, Information, Public Relation & Cultural Affairs, Haryana.
- 4 Deputy Commissioner, Faridabad.
- 5 Commissioner, Municipal Corporation, Faridabad.
- 6 District Town Planner (E), Faridabad.
- 7 District Town Planner (P), Faridabad.


Superintendent Committee- I
for Principal Secretary to Govt., Haryana
Urban Local Bodies Department.

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Haryana Government
Urban Local Bodies Department
Notification

No. R/139/2020-SCI In exercise of the powers conferred by Section 398 (2) (a) of the Haryana Municipal Corporation Act, 1994, the Government of Haryana hereby amends/ substitutes the following directions/ parameters stated in the notification no. 14/73/2017-SCI dated 06.10.2017- Regarding regularization of sub-division of industrial plots in NIT Faridabad:

1. The **clause 1 d.** of the notification dated 06.10.2017 is here by substituted with the following;
 The minimum width of approach road shall not be less than 12 metres. Further, the plot abutting on 9 metres wide road may also be considered for regularization of sub-division, only if the owners of plots abutting 9 metres road transfers 3 metres wide strip from their plot/ area to Municipal Corporation Faridabad free of cost, to make the road width 12 metres through.
2. The **clause 1 h.** of the direction dated 06.10.2017 is here by substituted with the following;
 - i. All the owner of the plots, who have sub-divided their plots without obtaining approval from the competent authority, shall get the sub-division of their plots regularized within a period of one year from the date of publication of this notification.
 - ii. The Commissioner, Municipal Corporation, Faridabad is the competent authority to grant permission for regularization of sub-division or rejection of sub-division.
 - iii. Further, a Committee of the following officer is hereby constituted for implementing and monitoring of provisions and actions to be taken under stated in the notification dated 06.10.2017, as per provision of law;
 - a) Concerned Joint Commissioner.....Chairman
 - b) Senior Town Planner.....Member
 - c) XEN (as nominated by Joint Commissioner).....Member

Procedure for implementation:

- i. As the policy came into enforce, the Committee shall get the survey done of the area on which the instructions are applicable, within a period of 2 weeks, collecting information w.r.t name of owner, size/ area of plot and its location. The said information may be referred with the GIS map.
 - ii. The Committee shall inform all identified plots owners by way of issuance of a notice that the Govt. has notified the policy to get their illegal sub-division regularized and they are required to apply under the same. This shall be completed within 1 month of notification of these instructions.
 - iii. The Committee shall than consider applications submitted by owners as per the policy parameters and submit recommendation to the Commissioner, Municipal Corporation, Faridabad for taking decision.
 - iv. The Committee shall in further 2 weeks issue notice to all remaining owners of plots who have illegally sub-divided, but not applied under the policy, to either apply under the policy or face legal action as per law.
 - v. The Committee shall take legal action against all the owners whose applications either get rejected or those who didn't applied.
3. The **clause 1 j.** of the direction dated 06.10.2017 is here by substituted with the following;
 The individual owner can get regularized their sub-division on payment of prescribed fee/ charges, subject to the condition that the original plot which is subdivided fulfils the policy parameters.

Siddhi Nath Roy
 Additional Chief Secretary to Govt. Haryana,
 Urban Local Bodies Department, Haryana

Endst. No. Dated

A copy is forwarded to the Controller, Printing & Stationery, Haryana, Panchkula with the request that this notification may please be published in the extraordinary Gazette and 50 copies of the printed notification may be sent to this office for record.

Superintendent Committee-I
for Additional Chief Secretary to Govt. Haryana
Urban Local Bodies Department, Haryana

Endst. No. 12/139/2020-5-GJ Dated 1-9-2020

A copy of the above is forwarded to the following for information and necessary action:

1. Principal Secretary to Government, Haryana, Industries and Commerce Department, Haryana, Chandigarh
2. Director General, Urban Local Bodies Department, Haryana, Bays no. 11-14 Sector 04, Panchkula
3. Deputy Commissioner, Faridabad
4. Commissioner, Municipal Corporation, Faridabad
5. District Town Planner (E), Faridabad
6. District Town Planner (P), Faridabad


Superintendent Committee-I
for Additional Chief Secretary to Govt. Haryana
Urban Local Bodies Department, Haryana



To

The Commissioner,
Municipal Corporation,
Faridabad.

Memo no. DULB/TP/CTP/2021/ 10591
Dated : 21/12/2021

Subject: Extension in the time period of the policy dated 06.10.202017 regarding regularization of illegal sub-divided Industrial plots of NIT Industrial Area, Faridabad.

Ref: Memo no. MCF/CTP/2021/49 dated 18.06.2021.

1. It is intimated that your request to extend the policy for one year for regularization of illegal sub-divided Industrial plots of NIT Industrial Area, Faridabad has been considered by the Govt. The said policy shall be valid for further one year from the date of issuance of this letter.
2. It is hereby directed to decide the representations received in a time bound manner of three months and if needed the powers of Commissioner, Municipal Corporation, Faridabad may be delegated to Additional Commissioners/Joint Commissioners, MCF.
3. The Divisional Commissioner, Faridabad is hereby appointed as Appellate Authority to decide the cases filed against the orders of Commissioner, MCF.

21-12-21
Chief Town Planner,
for Director, Urban Local Bodies,
Haryana, Panchkula.

Endst. no. DULB/TP/CTP/2021/ 10592

Dated: 21/12/2021

A copy of the above is forwarded to Divisional Commissioner, Faridabad for kind information please.

21-12-21
Chief Town Planner,
for Director, Urban Local Bodies,
Haryana, Panchkula.

C.C:

PA to W/PSULB for information in compliance to Govt. orders dated 10.12.2021, please.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 84-2018/Ext.] CHANDIGARH, THURSDAY, MAY 17, 2018 (VAISAKHA 27, 1940 SAKA)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 17th May, 2018

No. 08/07/2018-1C-I.— The Government of Haryana is pleased to notify a comprehensive “Slum-in-Situ Rehabilitation Policy under Housing for All- 2018” under the Section 345 & 398 (2) (a) of the Haryana Municipal Corporation Act 1994 and Section 250 (a) of the Haryana Municipal Act 1973.

This policy shall come into effect from the date of its notification. The Director, Urban Local Bodies, is hereby directed to effectively implement this policy to facilitate Slum-in-Situ rehabilitation.

The Hon’ble Prime Minister envisioned Housing policy for All by 2022 when the Nation completes 75 years of its independence. In order to achieve this objective, Central Government has launched a comprehensive mission “Pradhan Mantri Awas Yojana- Housing for All (Urban)” for urban areas will be implemented during 2015-2022 and this Mission will provide central assistance to implementing agencies through States and UTs for providing houses to all eligible families/ beneficiaries by 2022.

‘Slum rehabilitation of Slum Dwellers with participation of private developers using land as a resource’ is one of the main component of the “Pradhan Mantri Awas Yojana- Housing for All (Urban)”. The following are the salient features of the Slum in situ redevelopment provided in the “Pradhan Mantri Awas Yojana- Housing for All (Urban)” mission;

1. Slums, whether on Central Government land/ State Government Land/ ULB land, Private Land, should be taken up for “in-situ” redevelopment for providing houses to all eligible slum dwellers. Slums so redeveloped should compulsorily be denotified.
2. Private partner for Slum Redevelopment would be selected through open bidding process. State Government and cities would, if required, provide additional Floor Area Ratio (FAR)/ Floor Space Index (FSI)/ Transferable Development Rights (TDR) for making slum redevelopment projects financially viable.
3. Slum rehabilitation grant of Rs. 1 lakh per house, on average would be admissible for all houses built for eligible slum dwellers in all such projects. States/ UTs will have the flexibility to deploy this central grant for other slums being redeveloped for providing houses to eligible slum dwellers with private participation, except slum on private land. It means that States/ UTs can utilize within overall average of Rs. 1 lakh per house calculated across the State/ UT.
4. The per house upper ceiling of central assistance, if any, for such slum redevelopment projects would be decided by the Ministry.

(1869)

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HARYANA GOVT. GAZ. (EXTRA.), MAY 17, 2018 (VYSK. 27, 1940 SAKA)

5. "In-situ" redevelopment of slums on private owned lands for providing houses to eligible slum dwellers can be incentivised by State Governments/ UTs or ULBs by giving additional FSI/ FAR or TDR to land owner as per its policy. Central assistance cannot be used in such cases.
6. Beneficiary contribution in slum redevelopment project, in any, shall be decided and fixed by the State/ UT Government.
7. Eligibility of the slum dwellers like-cut-off date etc. will be decided by States/ UTs preferably through legislation.
8. States/ UTs may decide whether the houses constructed will be allotted on ownership rights or on renewable, mortgageable and inheritable leasehold rights. States/ UTs may impose suitable restrictions on transfer of houses constructed under this component.

In view of the guideline provided in the "Pradhan Mantri Awas Yojana- Housing for All (Urban)" the following are the policy parameter for the "In-situ slum redevelopment;

A. Definitions :

- (i) "Allottee" means a person to whom a property has been allotted by way of sale or hire purchase or lease or rent or in such manner as determined by the Government.
- (ii) "Beneficiary" means a beneficiary family as per the policy which comprise husband, wife and unmarried children.
- (iii) "Slum Area" is the area identify as slum by the local authority;
- (iv) "Slum Rehabilitation Component" means that portion (area) of the project (scheme) which is used to provide EWS housing along with basic infrastructure;
- (v) "Free Sale Component" means that portion (area) which will be available to developer for selling in the market so as to cross subsidize the project.

B. Applicability:

This policy applies to the slum identified under PMAY survey to be conducted by the State Government and situated on Centre Government land/ State Govt. Land/ Urban Local Bodies. This policy can be extended for the other such land also in future as decided by the State Government Land. Municipality will provide ownership documents of these lands and ensure that such land is fit for Slum In Situ Project.

The Municipalities will also ensure that the site should be accessible for the fire tender and the basic services can reach to the project area.

Before executing the project, concerned municipality will obtain consent from the owner of the land to execute the project.

C. Responsibility of Implementation:

- (i) The concerned ULB within its jurisdiction shall identify the slums, which exist on land belonging to Central Government land/ State Government Land/ ULB land as per the guidelines.
- (ii) The Redevelopment of a Slum under this scheme may be carried out through Public Private Partnership (PPP). In such case the Private Partner will develop the units required to rehabilitate the slum as per specifications and conditions of the policy.
- (iii) The land which comes as a saving will be utilized by the developer to cross subsidize the Dwelling units construction. The private partner will be selected through open bidding process. In case, no private partner opts for the scheme, then the concerned local authority will take up the redevelopment of the slum keeping in view its financial viability and the availability of resources with the local authority.
- (iv) Financial and Economic analysis of these projects will be done on site to site basis and the project will be put to bidding or will be carried out by the local authority only after approval of the State Govt.
- (v) The concerned municipality ensure that the RWA be constituted within the one year from allotment of flat/ dwelling unit to the beneficiary. The RWA will be responsible for maintenance of the "Slum Rehabilitation Component".

D. Procedure:

- (i) In case the project is developed through PPP then 'Slum Rehabilitation Component' shall be handed over to the Private Partner for construction.
- (ii) The developer shall pay the rent to every household as mentioned in the following table so that the beneficiaries should move to other location and the construction will start:

Municipal Corporation, Gurugram and Faridabad	Municipal Corporation other than Gurugram and Faridabad	All the municipal Council	All the municipal Committee
Rs. 3000/- pm	Rs. 2000/- pm	Rs. 1500/- pm	Rs. 1000/-pm

The rent will be paid by the developer to the project beneficiaries till the date of handing over the project to the concerned municipality. The Municipality will ensure that from the date of handing over the project within a month allot the dwelling unit/ flat to the beneficiaries.

- (iii) **The slum development area and the free sale Component must be identified clearly before bidding out the project by the Urban Local Bodies.**
- (iv) The local authority will also ensure handing over of land which comes out free from this redevelopment/ relocation to the private partner, for further construction.
- (v) The private partner shall be allowed to open the booking in the "Free Sale Component" of the project at the time of completion of the plinth level in the "Slum Rehabilitation Component". Further the developer should be allowed to give possession of the "Free Sale Component" to the buyer only after the completion and transfer of all the projects and transfer of all DUs complete in all respect on 'Slum Rehabilitation Component' to the implementing agency/ State Government.

E. Allotment of unit to the beneficiary:

The allotment of units shall be held under the supervision of Commissioner, Municipal Corporation in case of Municipal Corporation and Deputy Commissioner in case of Municipal Council and Committee.

The beneficiaries need to pay the following amount in 24 monthly instalments i.e. within project completion period.

Municipal Corporation, Gurugram and Faridabad (Rs. per Dwelling Unit/ Flat)	Municipal Corporation other than Gurugram and Faridabad (Rs. per Dwelling Unit/ Flat)	All the municipal Council (Rs. per Dwelling Unit/ Flat)	All the municipal Committee (Rs. per Dwelling Unit/ Flat)
Rs. 1,00,000/-	Rs. 75,000/-	Rs. 50,000/-	Rs. 25,000/-

If the beneficiary does not deposit the due amount within the stipulated period then the possession of allotted dwelling unit/ flat will not be given to the beneficiary and 6 months time will be provided to the beneficiary to deposit the due amount. If the beneficiary does not pay the amount within the 6 month then the concerned municipalities will cancel the allotment of the flat/ dwelling unit and may offer to other PMAY identified beneficiaries.

The beneficiary would not be allowed to transfer/ sell the flat/ dwelling unit at least for ten years after allotment. Thus, the lock-in period of allotted flat/ dwelling unit under this scheme will be for ten years. In case, any beneficiary is found violating the said condition, the municipality can resume the flat/ dwelling unit.

F. Applicable Fees & Charges:

In order to eliminate the impact of EDC rates on the viability of such projects, no EDC, IDC, Licence fee, Conversion charges, scrutiny fee and labour cess shall be charged from the developer for the 'Slum Rehabilitation Component'. In case of 'Free Sale Component' developer will be required to pay the 50% of the EDC (as per the use of the Free Sale Component)", license fee, conversion charges and scrutiny fee at the time of submission of application layout and labour cess at the time of approval of building plans for the 'Free sale Component'.

The Center Government shall provide Rs. 1,00,000/- per dwelling unit and State Share is Rs. 67,000/- per dwelling unit. Therefore, the total Financial Assistant of Rs. 1,67,000/- per dwelling unit shall be provided to the developer.

G. Incentives and liabilities of the developer:

- (i) The construction of 'Slum Rehabilitation Component' will be completed within 2 years from the date of approval of the project.

If the developer fails to deliver the 'Slum Rehabilitation Component' within the stipulated period, then 20% of the "Free Sale Component" every year up to 2 years will be deducted. Further if the developer

fails to deliver the 'Slum Rehabilitation Component' beyond 4 years then the scheme will be takeover by the concerned municipality and no "Free Sale Component" will be given to the developer.

- (ii) The "Free Sale Component" will be used by the developer as 'mixed use' (commercial/ residential/ recreational only) on the basis of the financial viability of the project. To use the "Free Sale Component" the developer needs to get approved the layout/ zoning of the site from the Commissioner, Municipal Corporation, Gurugram and Faridabad for the area upto 5 acre. For the site having area more than 5 acre the layout/ zoning of the site should be approved by the Director, Urban Local Bodies. For the municipalities other than the Faridabad and Gurugram the layout/ zoning plan should be approved by the Director General, Urban Local Bodies Department. other municipalities
- (iii) The building plans for the 'Free Sale Component and 'Slum Rehabilitation Component' should be as per the Haryana Building Code 2017.
- (iv) The developer will dispose of the "Free Sale Component" by its own.

H. Physical Parameters for 'Slum Rehabilitation Component'

Sr. No.	Ground coverage for the area under Slum Rehabilitation component	Carpet area of the dwelling unit	FAR	No. of storeys allowed	Social infrastructure
1	50%	50 sq. Mtr.	250	5	(i) For the DU less than 100: One creche having area of 50 sq. mtr (ii) For the DU more than 100 and upto 300 unit One crèche having area of 100 sq. mtr (iii) For the DU more than 300: a. One community centre having area of 150 sq. mtr b. One crèche having area of 100 sq. mtr c. One health center having area of 50 sq. Mtr.

I. Selection of private developer will be as under:

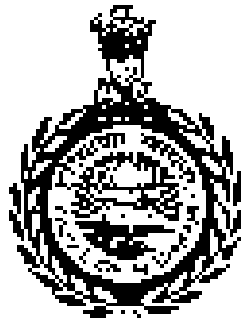
- (i) Selection of developers will be on the basis of two bid system. They will be screened technically first. Thereafter evaluation of financial bids of technically qualified developers will take place.
- (ii) Financial bid will be given, as under, by private developers.
 - (a) Total price for the entire scheme of slum rehabilitation will be calculated which includes cost of construction, estimated cost of transit accommodation, coverage of risks and developer's margin all together.
 - (b) The Municipality shall fix the reserve price for the area of free sale component left after slum rehabilitation component. The bidder quoting the maximum premium for the free sale component shall be selected.
- (iii) On sanction of the project, the concerned municipality will appoint a third party consultant to supervise the quality and timely execution of the project.
- (iv) Any contemporary building, technology with assured quality, speedy implementation, durability, reduced maintenance cost will be permitted. For this purpose, necessary certificates will be obtained for structural stability, material testing and applicability of the technology. The construction will be as per Haryana Building Code and as per National Building Code (NBC).

J. Selection criteria

Sr. No.	Category (area of Slum)	Minimum Net Worth of the company	Minimum turnover (combined for last 5 or less year in housing including infrastructure	Experience of housing/ land developed/ infrastructure project	Time period for completion of the complete project	
					Slum Rehabilitation on segment	Developer segment
1	2	3	4	5	6	7
(a)	Upto 5 Acre	5 cr.	30 cr.	3 yrs.	2 years	2 years
(b)	Above 5 Acre and upto 25 acres	10 cr.	45 cr.	4 yrs.		
(c)	Above 25 acre and upto 50 acre	20 cr.	60 cr.	5 yrs.		
(d)	Above 50 acre	30 cr.	90 cr.	5 yrs.		

- Note:** (i) Net Worth means paid up capital + reserves- losses if any.
- (ii) The requirements in column 3,4,5 shall be calculated on the basis of the experience of the applicant company along with the present/previous experience of the parent/sister concerns working in the real estate sector subject to the condition that one of the Directors of the applicant company shall also be the Director of the parent/sister concern and shall have majority of shareholding in them
- (iii) Joint venture/ special purpose vehicle/ consortium can also be considered for the eligibility.
- (iv) The net worth and turnover of any joint venture company having experience in the field other than real estate sector shall also be considered for eligibility criteria
- (v) The Government on the basis of any justified delay can extend the completion time period by maximum of two years.

ANAND M. SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 106-2018/Ext.] CHANDIGARH, TUESDAY, JUNE 26, 2018 (ASADHA 5, 1940 SAKA)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 26 June, 2018

No. 2/2018-R-II.— The Governor of Haryana is pleased to notify a comprehensive “Affordable Housing Policy under Housing for All- 2018 for Core Area” under the Section 9A, of the Haryana Development and Regulation of Urban Area Act, 1975 and any other corresponding statute governing development of group housing colonies.

The policy, of which the details are given in Annexure-A below, is approved by the Council of Ministers in its meeting held on 30.05.2018. This policy shall come into effect from the date of its notification. The Director, Urban Local Bodies, is hereby directed to effectively implement this policy to facilitate creation of additional affordable housing stock in the core areas of town which have mixed land use. Since the area is largely builtup hence very small vacant chunks are available.

ANNEXURE-A AFFORDABLE HOUSING POLICY UNDER HOUSING FOR ALL-2018 for Core Area

The Hon’ble Prime Minister envisioned “Housing policy for All by 2022” when the Nation completes 75 years of its independence. In order to achieve this objective, Central Government has launched a comprehensive mission “Pradhan Mantri Awas Yojana- Housing for All (Urban)”.

The mission seeks to address the housing requirement of Urban poor including slum dwellers through following programme verticals:

- Slum rehabilitation of Slum Dwellers with participation of private developers using land as a resource
- Promotion of Affordable Housing for weaker section through credit linked subsidy
- Affordable Housing in Partnership with Public & private Sectors
- Subsidy for beneficiary-led individual house construction/ enhancement.

“Pradhan Mantri Awas Yojana- Housing for All (Urban)” Mission for urban area will be implemented during 2015-2022 and this Mission will provide central assistance to implementing agencies through States and UTs for providing houses to all eligible families/ beneficiaries by 2022.

The affordable Housing in Partnership (AHP) will increase availability of houses for EWS category at an affordable rate, States/ UTs, either through its agency or in partnership with private sector including industries can plan affordable housing project. The Identified Beneficiaries have two options either to avail interest subsidy under Credit Link Subsidy Scheme (CLSS) or Central and State Financial Assistance at the rate 2.5 lakh (Central share @ Rs. 1.5 lakh and State share @Rs. 1.0 lakh) per EWS house would be available for all EWS houses in such project. The builder/ developer will formulate the project for seeking Central and State Government Financial assistance as per the PMAY Scheme/ Guidelines.

(2158)

As per the planning practice (after 2014), both the offices i.e. T&CP Department and Urban Local Bodies Department jointly prepare and notify the development plan for the controlled area falling within their jurisdiction. The department of Town and Country Planning prepare and notify the development plan under the Act no. 41 of 1963 for the controlled area falling outside the municipal limit. The department of Urban Local Bodies prepare and notify the development plan under the Haryana Municipal Act, 1973 (Municipal Council & Committee) and under the Haryana Municipal Corporation Act, 1994 for the Municipal Corporation. While making the development plan for Controlled area, core area of the Municipalities is not assigned any land use, being the abadi area.

There is already a policy known as "Affordable Housing Policy 2013" prepared by the Town and Country Planning Department notified on 19th August, 2013 applicable in Controlled Areas. Therefore, for core area of the municipalities a separate policy is required. Accordingly, the following are the policy parameter for the Core area of the Municipal town:

1. FOREWORD:

- (i) This policy shall be known as "Affordable Housing Policy Under Housing for All-2018 for Core Areas". All references to "policy" in this document shall imply to "Affordable Housing Policy Under Housing for All- 2018 for Core Areas".
- (ii) "core area" means thickly built up area of the old town, lal dora/ phirni of villages included in the municipalities or area shown as existing town in the Development Plan of the town;
- (iii) This policy is intended to encourage the planning and completion of "Group Housing Projects" wherein apartments of "pre-defined size" are made available at "pre-defined rates" within a "Targeted time-frame" as prescribed under the present policy to ensure increased supply of "Affordable Housing" in the urban housing market to the deserving beneficiaries.
- (iv) Any project for which licence is granted under the present policy cannot be converted into a normal group housing colony under any situation and irrespective of whether or not it falls within the 20% residential sector area limit prescribed for group housing projects.
- (v) All such projects shall be required to be necessarily completed as mentioned in the para related to Planning and Area Parameters. The completion of the project will be considered from the date of approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the date of commencement of project for the purpose of this policy. The licences shall not be renewed beyond the 3 years period for the area 1 acre to 2.5 acre and 3½ year for the area above 2.5 acre to 5 acre from the date of commencement of project.

2. SITING PARAMETERS:

- (i) The projects under this policy shall be allowed in the core areas of the municipal towns.
- (ii) The minimum and maximum areas of the projects shall be as mentioned in the para related to Planning and Area Parameters.

3. PLANNING AND AREA PARAMETERS:

- (i) Planning Parameters: The planning parameters for the projects allowed under this policy are as follows:

Area of the plot.	FAR	Minimum Road width required	Maximum Ground Coverage	Maximum Commercial component of the net planned area	Time period for completion of project	Density	Community site (with area)
1 acre to 2.5 acre	250	9 mtr	50%	6% at 175 FAR	2years	750-900 person per acre	One multi purpose hall having area 1000 sq. ft One creche having area of 1000 sq. ft
Above 2.5 acre to 5 acre	275	9 mtr	50%	6% at 175 FAR	2years	750-900 person per acre	One community centre having area of 1500 sq. ft One creche having area of 1000 sq. ft

- (ii) Type of Apartment and Area under such Apartments:
- The apartments of pre-defined size and rate shall be allotted to ensure provision of affordable housing under this policy.
 - The carpet area of the apartment shall be 48 sq. mtr. in size with basic civic facilities.
 - “Carpet area” means the net useable floor area of an apartment, excluding the area covered by the external walls, area under services shafts, exclusive balcony or verandah area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.
 - No separate EWS category apartments shall be provided to eliminate any cross subsidy component and thus to avoid any adverse impact on the affordability of apartments made available under this policy.
- (iii) Parking Norms:
- The parking space shall be provided at the rate of half Equivalent Car Space (ECS) for each dwelling unit.
 - Only one two-wheeler parking site shall be earmarked for each flat, which shall be allotted only to the flat-owners. The parking bay of two-wheelers shall be 0.8m x 2.5m unless otherwise specified in the zoning plan.
 - No car parking shall be allotted to any apartment owner in such projects.
 - The balance available parking space, if any, beyond the allocated two-wheeler parking sites, can be earmarked as free-visitor-car-parking space.
 - Additional parking norms and parameters, if any, can be specified in the zoning plan.
- (iv) Maintenance of colony after completion of project:
- A commercial component as mentioned in the table no. 3 of the policy is being allowed in the project to enable the coloniser to maintain the colony free-of-cost for a period of three year (projects having area, 1 acre to 2.5 acre) and 3½ year (project having area above 2.5 acre to 5 acre) from the date of grant of occupation certificate, after which the colony shall stand transferred to the “association of apartment owners” constituted under the Haryana Apartment Ownership Act 1983, for maintenance. The coloniser shall not be allowed to retain the maintenance of the colony either directly or indirectly (through any of its agencies) after the end of the said three/ three and half years’ period. Engaging any agency for such maintenance works shall be at the sole discretion and terms and conditions finalised by the “association of apartment owners” constituted under the Apartment Ownership Act 1983.
- (v) The applications for licence received under this policy should be made in the format as prescribed in the Rule 3 of the Haryana Development and Regulations of Urban Areas Rules, 1976 and the said Rules shall be applicable mutatis-mutandis for processing of the application under this policy.

4. ALLOTMENT RATES; ALLOTMENT & ELIGIBILITY CRITERIA:

- (i) Allotment Rate: The allotment rate for the Apartment units approved under such project shall be as follows:

	Hyper potential zone	High potential zone	Medium potential Zone	Low potential zone
Name of Municipality	Municipal Corporation, Gurugram	Municipal Corporation, Faridabad, Sonipat, Panipat, Panchkula Municipal Council, Sohna,	Municipal Corporations Karnal, Ambala, Hissar, Yamunanagar, Rohtak Municipal Councils, Kurukshetra, Bahadurgarh, Bawal, Rewari, Palwal Municipal Committee, Hodel, Dharuhera, Gannaur	All other municipalities in the State (Annexure-“A”)
Rate of allotment	₹ 4000 per Sq. ft.	₹ 3000 per sq. ft.	₹ 2500 per sq. ft.	₹ 2100 per sq. ft.

- (ii) Eligibility Criteria for the eligible beneficiaries identified in the Affordable Housing project under Housing for All-2018:
- a. The first preference in allotment will be given to physically Handicapped persons, senior citizens, scheduled castes, scheduled tribes, other backward classes, minority, single women, transgender and other weaker and vulnerable sections of the society among the eligible beneficiaries of same town identified in Affordable Housing Project under Housing for All-2018.
 - b. Second preference will be given to physically Handicapped persons, senior citizens, scheduled castes, scheduled tribes, other backward classes, minority, single women, transgender and other weaker and vulnerable sections of the society among the eligible beneficiaries of other towns identified in Affordable Housing Project under Hosing for All-2018.
 - c. Third preference will be given to the eligible identified beneficiaries not included in the point no. "a" and "b" of the said town.
- (iii) Allotment Criteria for the eligible beneficiaries identified in the Affordable Housing project under Housing for All-2018:
- a. The allotment shall be made following a transparent procedure by the Commissioner, Municipal Corporation for the Municipal Corporation and Deputy Commissioners for the Municipal Council and Municipal Committee.
 - b. The scrutiny of all applications received from the "Identified Beneficiaries" as per the parameters prescribed in the policy shall be completed by the concerned Commissioner, Municipal Corporation in case of Municipal Corporations and Deputy Commissioners in case of Municipal Council and Committee.
 - c. Only such applications shall be considered for draw of lots which are complete and which fulfil the criteria laid down in this Policy.
 - d. On completion of scrutiny as above, the concerned Commissioner, Municipal Corporation in case of Municipal Corporations and Deputy Commissioners in case of Municipal Council and Committee shall fix the date of draw of lots.
 - e. The draw for allotment of apartments shall be held under the supervision of a committee constituted under the chairmanship of Commissioner, Municipal Corporation for the Municipal Corporation and Deputy Commissioner, for the Municipal Council and Committee the purpose by following a transparent procedure.
 - f. Payment Mode for the "Identified Beneficiary"
 - a. In case the "Identified Beneficiary" opts for the benefits under the Credit Link Subsidy Scheme (CLSS) then:
 "Identify Beneficiary" may apply on the application form alongwith 5% amount of the pre-defined rates of the flat. The "Identify Beneficiary" will be required to deposit additional 20% amount of the pre-defined rates of the flat at the time of allotment of flat. The balance 75% amount will be recovered in six equated six monthly instalments spread over three-years period, with no interest falling due before the due date for payment. Any default in payment shall invite interest @15% per annum. The project-wise list of "Identify Beneficiary" shall also be hosted on the website of the Department.
 - b. In case the "Identified Beneficiary" opts for the benefits of Central and State Financial Assistance of Rs. 2.5 lakh then:
 "Identified Beneficiary" may apply on the application form alongwith 5% amount (from its own resources) of the pre-defined rates of the flat. The builder/ developer will claim first instalment of Financial Assistance (Central and State) from the concerned municipalities @ 20% per "Identified Beneficiary" after laying the foundation, second instalment @ 40% completion of structure and 3rd instalment @ 40% at the time of allotment of the flat to the all "Identified Beneficiary of the project." In case the any "Identified Beneficiary" surrenders/ does not claim for the flat then the Financial Assistance will be adjusted in the last and final instalment of the project.

- c. The schedule of the balance payment after deduction/ adjustment of the amount of the Central and State Financial Assistance will be decided as per the agreement between builders and identified beneficiaries.
- d. The builder/ developer will follow the other terms and conditions decided by the Central and State Government at the time of approval of project for sanctioning of Financial Assistance.
- (iv) Eligibility criteria for other than “Identified Beneficiaries”
- a. Since the first preference will be given to the “Identified Beneficiaries” for this scheme mentioned under para no. 4 (ii). If some flats are left after the allotment to the “Identified Beneficiaries” then with the approval of the allotment committee the developer can dispose of the remaining flats by its own by giving advertisement in the two daily newspapers one in Hindi and one in English. Further any person can apply for the remaining flats left after allotment of flats to the “Identified Beneficiaries.” But person which includes his/her spouse or his/her dependent children who do not own any flat/plot in any HUDA developed colony / sector or any licenced colony in any of the Urban Areas in Haryana, UT of Chandigarh and NCT Delhi shall be given second preference in allotment of flats.
- b. Upto 10% of the total number of flats as approved in the building plans may be allotted by a licensee to its employees/ associates/ friends/ relatives etc. subject to the disclosure of their name/address and other identification details to the allotment committee and the allotment procedure for such flats shall also be completed along with the draw of flats for “Identified Beneficiaries” flats. The rates and eligibility criteria prescribed under this policy shall continue to be applicable on such preferential allotments also and the allotment procedure shall be completed along with general category flats. In case less allotments are made for such preferential category flats, the extra availability shall be merged with general category allotments.
- (Note.— upto .5 will be consider as none and above .5 it will be considered as one flat)
- (v) Allotment criteria for other than “Identified Beneficiaries”
- a. For the flats remain after the allotment to “Identified Beneficiaries” the application for these such flats will be scrutinised by the joint team of developer/coloniser, officer/ official form the concerned municipalities and the concerned DTP. The process shall be completed within three months from the last date of receipt of applications as indicated in the advertisement.
- b. Simultaneously the ineligible applications shall be returned within one month of completion of scrutiny by the joint team indicating the grounds on which the applications have been held to be ineligible alongwith the 5% booking amount received from such applicants. No interest in such case shall be paid.
- c. All flats in a specific project shall be allotted in one go within four months of sanction of building plans or receipt of environmental clearance whichever is later and possession of flats shall be offered within the validity period prescribed under table at point no. 3 of the policy. The flats left after the allotment to the “Identify Beneficiary” then for the remaining flats any person interested to apply for allotment of flat in response to such advertisement by a coloniser may apply on the prescribed application form alongwith 5% amount of the total cost of the flat. All such applicants shall be eligible for an interest at the rate of 10% per annum on the booking amount received by the developer for a period beyond 90 days from the close of booking till the date of allotment of flat or refund of booking amount as the case may be. The applicant will be required to deposit additional 20% amount of the total cost of the flat at the time of allotment of flat. The balance 75% amount will be recovered in six equated six monthly instalments spread over three-years period, with no interest falling due before the due date for payment. Any default in payment shall invite interest @ 15% per annum. The project-wise list of “Identify Beneficiary” shall also be hosted on the website of the Department.
- d. After fixation of date for draw of lots, an advertisement shall be issued by the coloniser informing the applicants about the details regarding date/time and venue of the draw of lots in the same newspaper in which the original advertisement was issued.

- e. The allotment of apartments shall be done through draw of lots in the presence joint team of developer/coloniser, officer/ official form the concerned municipalities and the concerned DTP shall be completed within three months from the last date of receipt of applications as indicated in the advertisement.
- f. Only such applications shall be considered for draw of lots which are complete and which fulfil the criteria laid down in this Policy. However, it is possible that some of the application forms have certain minor deficiencies, viz., missing entry on the application form, incorrect/missing line in affidavit, illegible copies of certain documents. Such applications may also be included in the draw of lots. However, in case any of such applications are declared successful in the draw of lots, applicants may be granted an opportunity of removing the shortcomings in their application in all respects within a period of 15 days, failing which their claim shall stand forfeited. The said 15 days period shall start from the date of publication of the list of successful allottees in the newspaper marking those successful applications with minor deficiencies for information and notice of such applicants for removing such deficiencies and submit the same to the concerned DTP. The list of such successful allottees shall also be maintained on the website of the Department.
- g. The waiting list for a maximum of 25% of the total available number of flats (remaining after the allotment of flat to the “Identify Beneficiary”) for allotment, may also be prepared during the draw of lots who can be offered the allotment in case some of the successful allottees are not able to remove the deficiencies in their application within the prescribed period of 15 days. In case of surrender of flat by any successful applicant, an amount of Rs. 25,000/- may be deducted by the coloniser. Such flats may be considered by the committee for offer to those applicants falling in the waiting list. However, non-removal of deficiencies by any successful applicant shall not be considered as surrender of flat, and no such deduction of Rs. 25,000 shall be applicable on such cases. If any wait listed candidate does not want to continue in the waiting list, he may seek withdrawal and the licensee shall refund the booking amount within 30 days, without imposing any penalty. The waiting list shall be maintained for a period of 2 years, after which the booking amount shall be refunded back to the waitlisted applicants, without any interest. All non-successful applicants, shall be refunded back the booking amount within 15 days of holding the draw of lots.
- h. If any successful applicant (other than “Identified Beneficiaries”) fails to deposit the instalments within the time period as prescribed in the allotment letter issued by the colonizer, a reminder may be issued to him for depositing the due instalments within a period of 15 days from the date of issue of such notice. If the allottee still defaults in making the payment, the list of such defaulters may be published in one regional Hindi news-paper having circulation of more than ten thousand in the State for payment of due amount within 15 days from the date of publication of such notice, failing which allotment may be cancelled. In such cases also an amount of Rs. 25,000/- may be deducted by the coloniser and the balance amount shall be refunded to the applicant. Such flats may be considered by the committee for offer to those applicants falling in the waiting list.
- i. The colonizer shall issue advertisements on three separate occasions in case adequate number of applications are not received, after which if the situation continues to persist, the Government shall take a decision on the further continuance of such project on case-to case basis on individual merits

5. APPLICABLE FEES & CHARGES

- (i) Keeping into account the fact that a limited number of projects shall be allowed under this policy and the sale is to be effected at a predetermined rate, the licence fees and IDC shall stand waived off. However, scrutiny fees at prescribed rates shall be levied.
- (ii) Similarly, in order to minimize the impact of EDC rates on the viability of such a project, the rates and schedule of EDC applicable on plotted colonies shall be levied on such projects. In order to encourage early completion of projects, in case the colonizer completes the project before 3 year (in case where area of the project is less than 2.5 acre) or 3.5 years (in case where area of the project is more than 2.5 acre) from the date of commencement of project and applies for grant of occupation certificate in such period, the payment of last instalment of EDC shall be considered for waiver after grant of occupation certificate.

6. SPECIAL DISPENSATIONS:

- (i) As a matter of security against any possible delinquencies in completion of the project, the coloniser shall be required to furnish bank guarantee against the total realisation from the project at the rate of 15% for Municipal Corporation i.e. Gurgaon, Faridabad, Panchkula, Panchkula Extn and Pinjore-Kalka and at the rate of 10% for rest of the Municipalities to be furnished within 90 days of the date of commencement of the project. The bank guarantee shall be proportionately released against block-wise occupation certificate obtained by the licensee. However 10% of the total bank guarantee submitted shall be retained to be released at the end of 3 years or 3½ year maintenance period.
- (ii) No allotment of flat shall be permitted until the date of commencement of the project. However, the formalities pertaining to the allotment of flats can be initiated at an appropriate date after obtaining the licence to enable the actual allotment of flat immediately after the date of commencement of project.
- (iii) Once an apartment is allotted through the procedure as specified above, the same cannot be transferred by the coloniser to any other person by documentation in its records. Such apartments shall also be prohibited for transfer/sale up to five years after getting the possession of the flat to avoid speculation and to provide housing to the genuine persons. Breach of this condition will attract penalty equivalent to 200% of the selling price of the flat. The Penalty will be deposited in the "Fund" administered by the Urban Local Bodies so that the infrastructure of the State can be improved. Failure to deposit such penalty shall result in resumption of the flat and its re-allotment in consultation with the Department.
- (iv) The transfer of property through execution of irrevocable General Power of Attorney (GPA) where the consideration amount has been passed to the executor or any one on his behalf, will be considered as sale of the property and same will be counted as breach of terms and conditions of the policy. Penal proceedings as per the prescribed provisions above shall be initiated.
- (v) The allotment letter and sale-purchase agreement entered into with the allottees shall also include the parameters prescribed under this policy to maintain complete transparency in the matter.
- (vi) The developer shall disclose in the "Application Form" as well as in the advertisement, the complete set of specifications to be adopted for finishing/fittings to be provided by the coloniser in the flat, viz., Flooring (Rooms, Kitchen, Toilet & Bathroom, Balcony, Common Areas, staircase etc.); Door & Window frame and panel; Kitchen Worktop & Wall finishing; Toilet & Bathroom fittings and wall finishings; Internal Electrical Wiring, fittings, electrical points etc.; Internal public health Services—pipes and fittings, sewerage and sanitary fittings; Wall finishing; Staircase and Balcony railings, etc.

The 20th June, 2018.

ANAND M. SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

ANNEXURE – “A”

Municipalities Falling in Low Potential Zone

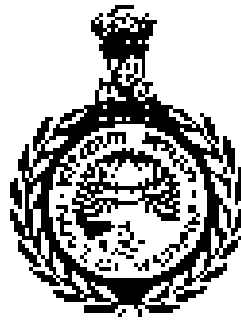
Name of Municipal Council	Name of Municipal Committee
Kaithal	Naraingarh
Gohana	Barara
Rewari	Radaur
Narnaul	Shahabad
Bhiwani	Ladwa
Charkhi Dadri	Pehowa
Hansi	Pundri
Fatehabad	Cheeka
Tohana	Kalayat
Sirsa	Rajound
Mandi Dabwali	Taraori
Jind	Nilokheri
Narwana	Gharaund
	Assandh
	Indri
	Nissing
	Samalkha
	Meham
	Kalanaur
	Sampla
	Kharkhoda
	Jhajjar
	Beri
	Haily Mandi
	Pataudi
	Farukh Nagar
	Hathin
	Mohindergarh
	Kanina
	Ateli Mandi
	Nagal Chaudhary
	Kanina
	Ateli Mandi
	Nagal Chaudhary

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HARYANA GOVT. GAZ. (EXTRA.), JUNE 26, 2018 (ASAR. 5, 1940 SAKA)

	Nuh
	Ferozpur Jhirka
	Tauru
	Punhana
	Siwani
	Bawani Khera
	Loharu
	Barwala
	Narnaund
	Uklana
	Ratia
	Bhuna
	Rania
	Kalanwali
	Ellenabad
	Safidon
	Uchana
	Julana

56352—C.S.—H.G.P., Chd.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 23-2019/Ext.] CHANDIGARH, TUESDAY, FEBRUARY 5, 2019 (MAGHA 16, 1940 SAKA)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 5th February, 2019

No. 18/17/2019-3C-I.— The Governor of Haryana is pleased to amend the following provision of the policy “Affordable Housing Policy under Housing for All-2018 Core Areas” notified *vide* notification dated 26th June, 2018.

1. **Clause 4(iv)(b):** Upto 10% of the total number of flats as approved in the building plans or remaining flats that are available after addressing/consulting/allotting all the beneficiaries in the MC may be allotted by licensee to its employees/ associates/ friends/ relatives etc. subject to the disclosure of their name/address and other identification details to the allotment committee.
2. **Clause 4(v)(h):** If any successful applicant (the allottee), fails to deposit two consecutive instalments prescribed by the coloniser, a notice shall be made to the allottee by the concerned MC, wherein a period of 30 days would be given to the applicant to respond and make the necessary payment(s). If the allottee still defaults in making the payment, the list of such defaulters shall be published in one regional Hindi newspaper having circulation of more than ten thousand in the State for payment of due amount within 15 days from the date of publication of such notice, failing which allotment may be cancelled. In such cases also an amount of Rs. 25,000/- may be deducted by the coloniser and the balance amount shall be refunded to the applicant. Thereafter, these DUs shall be transferred to the licensee for its disposal to its employees/ associates/ friends/ relatives etc. as per 4(iv)b.

ANAND M. SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

8548—C.S.—H.G.P., Pkl.

(575)

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Haryana Government Gazette

Published by Authority

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No. 31-2018] CHANDIGARH, TUESDAY, JULY 31, 2018 (SRAVANA 9, 1940 SAKA)

PART-I

Notifications, Orders and Declarations by Haryana Government

(TO BE SUBSTITUTED BEARING SAME NUMBER AND DATE)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 26th June, 2018

No.19/4/2012-6C-I.— In exercise of the power conferred by Section 364 & 398 (2) (a) of the Haryana Municipal Corporation Act, 1994 and power conferred by Section 203 & 250 (a) of Haryana Municipal Act, 1973, the Government of Haryana hereby directs for the information of general public the following Policy for regularization of illegally constructed commercial/ residential buildings and regularization of illegal conversion from residential to commercial which are located in the municipal areas.

Background:

1. Unauthorized constructions and illegal conversions within municipal limits are the biggest enforcement issues which ULBs in the State are facing. Further, lack of knowledge and growing demands of general public also discourages compliance of applicable Byelaws and Rules. The situation is getting worse with every passing day to the extent that it is not possible for ULBs to regulate unauthorized constructions and illegal conversion. Further, immediate mass enforcement may also bring distress and discomfort among public. On the contrary, regularizing all unauthorized constructions and illegal conversion without any concept of improvement in future will encourage unauthorized construction with a mentality that enforcement will never take place and people who are complying with byelaws and paying applicable fees/ charges may feel cheated. This situation will further reduce down chances of improved planned development in old/ core areas of municipalities.
2. Therefore, it is necessary that a concept of enforcement and planned future development of areas under ULBs shall be framed before granting relief of regularizing unauthorized constructions.

(1489)

Part-A**Granting relief with respect to unauthorized construction.****Definition of Unauthorized construction under this policy shall be considered as follow:**

1. Building constructed as per norms of HBC or previous norms but permission from municipality has not been taken.
2. Permission from municipality taken but building not constructed as per approved building plans i.e. constructed beyond compoundable limits.
3. Permission from Municipality not taken and also constructed building beyond compoundable limits.

Applicability of the Part-A of the policy:

The Part-A shall be applicable in the core area of municipality only.

Procedure of submitting application for regularization:

1. The applicant shall submit an online application to Municipality for regularization of unauthorized construction on prescribed format along with scrutiny fee (@Rs 10/ Square Metres), Compounding fee (only for compoundable construction), Development charges (if not paid earlier or difference of earlier charge and present applicable charge), Labour cess (if applicable). No charge is to be levied for unauthorized construction beyond compoundable limit, as it is to be rectified/ demolished by the applicant in a period of 10 years
2. The applicant has to submit online application along with following documents:
 - a. Last paid receipt of property tax
 - b. Ownership documents: Aks-Shajra, Jamabandi, Intkaal (Mutation), Registry or NOC from Tehsildar informing that there is clear ownership of applicant on site and there is no legal ambiguity.
 - c. Geo-coordinates of applied Site.
 - d. Affidavit/ Undertaking that the applicant shall rectify his non-compoundable construction in accordance to parameters specified in the Haryana Building Code within a period of 10 years, and in case he would not meeting building plans, then municipality has right to take all actions to bring building as per law and no immunity shall be claimed from the Hon'ble Court.
 - e. Complete set of Built-in drawings of existing building on applied site in .DWG format includes Site plan, all floor Plans, 2 sections and 2 elevations. (all area measurements and dimensions shall be metric system).
 - f. Structural safety certificate from the Structure Engineer. (along with Structural engineer qualification certificate).
 - g. Indemnity Affidavit from the applicant that in case of any mishap/ accident due to building, he shall be responsible and shall pay applicable cost/ penalty.
3. The application received online shall be scrutinized through scrutiny software (at present under development) which shall generate two reports and one zoning plan of site, as follows:-
 - a. One showing extent of violation made and rectification to be made.
 - b. Another report showing norms of the HBC applicable on site.
 - c. The municipality shall provide certification on the generated reports and plans to the applicant.

The Concept for granting relief for unauthorized construction:

1. This policy shall not be a blanket regularization policy, but a policy under which if applied only then relief be provided. The application for regularization of constructions shall be considered only if received within 2 years from the date of publication/ notification of this policy.
2. The regularization of unauthorized construction shall be permitted for only 10 years and within these years, the applicant has to construct/ rectify his building as per the Building Byelaw/ Code.
3. The Department shall prepare an IT based platform to record all submitted information on unauthorized construction and prepare a complete database on central server, integrated with the software, which will scrutinize the buildings plans and prepare report on violations. The report will be provided to the applicant whom he has to correct in span of 10 years.

4. The online system shall issue reminders/ notices every year from issuance of certification of regularization, informing the applicants about the time left for correcting unauthorized construction and obtaining Occupation Certificate from MC, accordingly.
5. The applicant after correcting the construction shall submit request along with As-Built Drawing of building to issue completion certificate to municipality. The online system shall scrutinize "As-Built Drawing" with the corrected plan issued and site verification by municipal official, before issuing Occupation Certificate.
6. After completion of period, the online system shall issue notices to all defaulter who have not applied for Occupation Certificates. Thereafter, Municipality shall take action against defaulters by way of sealing, demolition, penalty/ fine or referring case to the Court, as per applicable Statutes/ Rules/ byelaws.

Mode of Implementation:

1. The implementation of policy shall be initiated by developing an online system integrated with GIS application and scrutiny system with no human interference after incorporating the data of the applicant.
2. The system shall scrutinize the data of unauthorized constructions and generates two drawings and reports. One showing the extent of existing violations and second showing the building to be constructed as per parameters of the Building Code/ Byelaw.
3. The system shall generate notice to the applicant via email, SMS service and post to comply with the 2nd drawing and report every year of issuing permission.
4. Only those unauthorized constructions shall be regularized which will be applied for regularization to the municipality.

Responsibility of municipality:

1. Other than applied cases, municipalities shall upload data related to all applied/ approved/ rejected building plans cases (till date) along with their additional geographical information in the data base, so that the same shall be followed up for the online system for compliance of applicable rules, payment of pending fee/ charges and obtaining of Occupation Certificate. The system shall also issue notices w.r.t applied cases for compliance.
2. Along with certified unauthorized building plans, the municipalities shall initiate preparation of existing land use plan of Core/ Old area showing residential, commercial, institutional, industrial, transport, open/ green space and any other land use (if required) with the purpose to know existing situation.
3. The municipality, if required may divide the core/ old areas into several blocks for the purpose of re-development/ planning of same.
4. The municipality shall analyse the extent of unauthorized construction within the blocks or core/ old areas and prepare a re-development scheme/ plan for the same.
5. The re-development plan of block or core area shall include following:
 - a. Widening of existing street by acquiring land from the existing plots by offering additional FAR/ exemption from property tax/ awarding compensation/ any other viable offer for de-congesting streets and providing light and ventilation and green spaces in core areas.
 - b. All street less than equal to 6 metres width shall be declared as "No Vehicle Street" and shall only be utilized by pedestrian and cyclist.
 - c. All streets above 10 metres width shall have pedestrian pathway of at least 1.2 metre width on both side of road. Street between 6 to 10 metres width shall have 1.5 metres width pedestrian pathway only at one side of road. This pathway shall be modular which shall house underground sewerage, water supply, storm water drainage or electricity line, and other service. (Modular pathway means a pre-designed module made of concrete or other material of specific width size with provision to accommodate services.)
 - d. Vehicular traffic within core areas shall be discouraged by developing roads/ street for pedestrian and cyclist movement and developing common spaces for vehicular parking
 - e. Designated breathable spaces shall be developed as water bodies (for improving water table) and parks.
 - f. Tree plantation along pedestrian pathway of street above 10 metres width and street which declared as "No Vehicle Street".

6. The municipality shall improvise its enforcement and planning mechanism by appointing staff and other technological measures, such as:
- a. The online scrutiny system shall also act as an enforcement system, as it will keep on issuing timely notices/ reminders to applicant and notification to MC officials.
 - b. Additional posts of enforcement staff like Building Inspectors, Municipal Engineers, Architects, Urban Planner, etc. shall get sanctioned from the Government on the basis of population of municipality/ urban area. *i.e.*
 - i. For Every 20000 population – 1 Building inspector and 1 Municipal Engineer.
 - ii. For every 50000 population – 1 Assistant Architect, 1 Assistant Town Planner, 1-SDE.
 - iii. For Every 100000 Population – 1 Architect, 1 Deputy Town Planner, 1 Executive Engineer.
 - iv. For every 300000 Population – 1 Senior Architect, 1 Chief Town Planner, 1 Senior Town Planner, 1 Chief Engineer and 1 Superintending Engineer.
 - v. Similarly other posts shall be categorized.

Financial aspect:

1. The State Government may allocate separate budget for assisting ULBs to prepare redevelopment schemes for core areas/ old areas/ notified colonies.
2. Further, the ULBs shall also allocate separate budget for redevelopment schemes.
3. Funding for redevelopment of core/ old areas may also be taken Centre Government under AMRUT and other redevelopment schemes.
4. The applicants rectifying its non-compoundable construction as per HBC may be provided financial help by the Government under State or Central Government schemes of redevelopment of existing area.
5. The applicants may also be given 50% rebate on property tax, equivalent to expenditure of applicant occurred in rectifying the building/ unauthorized constructions.

Part-B

Regarding regularization of illegal conversion in the core area.

This part of the policy allows the regularization of illegal conversion from residential to commercial in the municipal limits. Due to the demand and market forces the old residential areas are converted into the commercial. It is a fact that the commercial area developed legally or illegally when there is a threshold for it. By keeping this aspect into practical situation this part of the policy deals with the regularization of the illegal conversion from residential to commercial within core areas. Earlier also the Government brought a policy vide memo dated 06.04.2016 for regularization of illegal conversion and allowed conversion in the planned scheme *i.e.* Rehabilitation scheme, Town Planning scheme and Improvement Trust Scheme.

Applicability of the Part-B of the policy:

The Part-B shall also applicable in the core area of municipality only.

Definition of Illegal conversion under this policy shall be considered as follow:

1. Converting use of plot other than permitted/ approved by the Government for the planned scheme developed in core areas.
2. Converting use of plot other than permission sought from municipality while approval of building plans.
3. No permission taken from municipality for constructing building and defining use of plot/ building.

Procedure for the regularization of illegal conversion:

1. The applicant shall submit an online application on prescribed format to municipality for seeking permission to change use of plot or regularize use of building along with scrutiny fees (@ Rs. 10 per square metre), Conversion charges (as per Use) and compounding fee (for not obtaining Occupation Certificate *i.e.* illegal occupation of building even if the building plan stand approved) along with following documents:

If the building plans already stand approved:

- i. The certified copies of the building plans approved by the municipality for the said site.
- ii. The occupation certificate issued by the municipality (if obtained), to avoid compounding fee for illegal occupation.
- iii. Building plans showing parking arrangement required after permitting conversion.

If the building plans are not approved (i.e. unauthorized construction):

- i. Ownership documents pertaining to the site/ building. (Details at Part-A)
- ii. Structural safety certificate from the Structure Engineer. (along with Structural Engineer qualification Certificate)

General documents:

- i. Dimension of site along with Geo-Coordinates.
 - ii. Complete 2 sets of As-built drawings of existing building (details stated in Part-A) in .DWG format.
 - iii. An affidavit that he shall abide by the decision taken by the municipality on his application and shall follow directions issued by municipality w.r.t approval of building plans and restoring use of building (as per case).
 - iv. An affidavit that the applicant shall make necessary arrangement for keeping parking generated because of conversion within premises of plot.
 - v. An affidavit that the applicant shall transfer 1.5 metres width of land (in case of planned scheme) and 1 metres for rest of core areas, adjoining the road from his property to the municipality for free of cost for road widening and laying of other services, in lieu of proportionate additional FAR free of cost.
2. The municipality after receipt of the application shall examine the case and after checking parameters stated below at site, shall decide application within 30 days from the receipt of application:
- i. Commercial Conversion shall be permitted to those buildings/ site which are falling on roads more than and equal to 9 metres width.
 - ii. In case road is less than 9 metres wide then commercial conversion is permitted only if the road is declared as no-vehicle road and shall only be accessed pedestrian and cyclist.
 - iii. In no case, the commercial conversion is permitted on road less than 6 metres width.
 - iv. The conversion to plots falling in any planned scheme stated in definition above shall be permitted only if 60% of the plots falling along major roads or 60% of total plots in the scheme stand commercially converted.
 - v. In case of commercial conversion in rest of core areas, the commercial conversion is permitted along the roads stated above upto the depth of 100 metres from the road.
 - vi. The plots falling in the planned scheme shall be permitted to convert only if it is not sub-divided from its original size of the scheme.

The Concept of Policy:

1. The policy shall permit conversion only if the applicant applies with written request along with applicable scrutiny fee, conversion charges and any other charges specified by the Government.
2. The conversion of plots is permitted only if the said plot has not been subdivided from original size or being used for multiple purposes. (i.e. residential, commercial, institutional, etc.)
3. All such application shall be submitted only on online system developed by the Department vide which data of such conversion shall be kept in record. This record will help municipalities to know the extent of conversions coming in given locality, vide which the extent of up-gradation of infrastructure required will be assessed and converting existing spaces (such as park in residential area) into underground parking areas with parks over it, plazas and other required spaces needed for commercial establishment (only if more than 60% of plots get converted in commercial).

Mode of Implementation:

1. This policy shall not be a blanket regularization of conversion policy, but a policy under which if applied only then relief be provided. The application for conversion shall be considered only if received within 2 years from the date of publication/ notification of this policy.
2. The policy shall be implemented via a online system developed by the Department integrated with GIS application in which data pertaining to defined earlier use of the plot and present use of plots for which request of conversion has been made are to be incorporated. The said system shall also be integrated with the online building plans approval and scrutiny system.
3. The applicant has to submit request application for conversion on the online system along with requisite documents and applicable fees/ charges stated separately in the policy.
4. The municipality shall examine the application on the basis of parameters stated in the policy separately and decide whether conversion is to be permitted or not.
5. In case of both sanction/ rejection of application, the municipality shall incorporate the received data received in the online building plan approval and scrutiny system.
6. The system in case of rejected application shall issue notice to the applicant to get the building restored to its original use within time period specified in Municipal Acts and in case of unauthorized construction he has to get its building plan certified approved as per Part-A of this policy.
7. In case, the applicant is permitted to change of use plot/ building, he has to get its building plan approved or re-approved (if already approved under different use) via online building Plan approval and scrutiny system. In case of unauthorized construction beyond compoundable limits the applicant has to apply for regularization of building plan under Part-A of the Policy.

Responsibility of municipality:

1. The Municipality shall conduct survey of all planned schemes within core areas w.r.t total number of illegally converted buildings/ plots to know the extent of conversion in planned scheme and based on the generated data shall permit conversion.
2. The municipality shall get the generated data on online system and based on that shall issue notice via the system to all concern who have illegally converted their buildings/ plots either to get it regularized or restore it in original use.
3. All such planned scheme where more than 60% of plot stand commercially converted, the municipality shall re-design all its common spaces like parks/ community centres/ commercial plots, etc. into underground parking lots to accommodate additional parking requirement, central plazas at top along with green breathable spaces.
4. The municipality shall also conduct survey to identify commercial establishments along roads with width less than 9 metres to 6 metres and issue notices via system to all owners of illegally converted plots/ buildings.
5. Since, to permit commercial conversion on roads between 9 to 6 metres width, the roads shall required to be declared as non-vehicle zone, the Municipal shall declare such road as Non-vehicle Street under relevant provision of Municipal Acts.
6. The municipality shall ensure that all such declared roads shall have all entries and exits sealed for all kind of motor vehicles (including two wheelers) by placing concrete columns/ block of height 500 mms and width 150 mms and at placing of 600 mm clear distance from each other. Such street shall have dedicated pedestrian lane of minimum 2 metres width, 1 metre wide of jogging track, green space for installing trees/ plantation and rest for cyclist movement. (such blocks may be removable at night time to park cars (from 9:00PM to 6:AM)
7. The municipality shall identify spaces (both private/ public) nearby the streets declared as Non-vehicle streets for converting such spaces as parking lots or breathable spaces like park or water bodies, as per requirement of locality.
8. The municipality shall acquire land 1.5 metres width of land (in case of planned scheme) and 1 metres for rest of core areas in lieu of additional FAR to owners for the purpose of decongest core areas and to lay additional required services.
9. The Re-development of area shall be executed as stated in Part-A of this Policy.

10. Rest of the responsibilities of municipalities shall be referred in Part-A of this Policy.
11. For non-compoundable construction action stated in Part-B of the policy shall be referred.

Fee/ charges:

In order to regularize the illegal conversion from the residential to commercial the following fee/ charges would be paid by the person/ applicant:

- i. Scrutiny fee @ Rs. 10/- per sq. mtr.
- ii. Conversion charges at the rate decided by the Government and approved by CMM from time to time.
- iii. External Development Charges at the rate of Commercial EDC for the area of the building on all floors. (in case, the owner willing transfers its land as stated above, then is not required to pay any EDC charges). The municipality shall acquire land along streets as stated above under relevant provision of the Municipal Act from the EDC generated.
- iv. Compounding fee for the illegal occupation, DPC certificate (if OC is not obtained) and compoundable construction(if any) calculated over the building area.

Repeal and savings:

The pending applications if any, received for regularization of illegal conversion at the time of prevailing of the policy for Commercial Street will be dealt and decided under Part-B of this policy. If the applicant has already submitted fee/ charges at the time of submission of the application under the commercial street policy then the same will be adjusted. After adjustment of the fee/ charges, applicant needs to pay the balance fee/ charges if any workout by the Municipality.

Appeal:

If any is person aggrieved from the decision of Municipal Corporation/ Council/ Committee can file an appeal before the Principal Secretary to Govt. Haryana, Urban Local Bodies Department within the 30 days from the date of the decision.

ANAND MOHAN SHARAN, IAS
Principal Secretary to Government Haryana,
Urban Local Bodies Department , Haryana, Chandigarh.

56358—C.S.—H.G.P., Chd.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 44-2019/Ext.] CHANDIGARH, FRIDAY, MARCH 8, 2019 (PHALGUNA 17, 1940 SAKA)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 8th March, 2019

No. 18/13/2019-3C-I.— The Council of Ministers in the meeting held on 05.03.2019 has approved the proposal for following amendments in Part-B of the Policy notified on 26th June, 2018 regarding grant of relief to unauthorized commercial construction and regularization of illegal conversion from residential to commercial in Core Area:—

1. Applicability of the Part-B of the Policy: The following shall be added in the applicability of the Part-B of the policy:

Plot Size: The Maximum size of the plot shall be 500 sq. yard for regularization of illegal conversion.

2. Fee/Chagres:

i. Scrutiny fee @ Rs. 10/- per Sq. mtr.

ii. Conversion charges, EDC and regularization fee;

Sr. No.	Municipality	Charges/fee (Rs. Per Sq. Mtrs.)
1	Municipal Corporation Gurugram	7,662/-
2	Municipal Corporation Faridabad	6896/-
3	Other Municipal Corporations	6,090/-
4	Municipal Councils	5304/-
5	Municipal Committees	4,658/-

The above mentioned charges/ fee are 50% of the Conversion Charges (policy dated 10.08.2015 of T&CP Dep.) External Development Charges (as per the indexation mechanism issued by T&CP Department on 11.02.2016) and Regularization Fee.

iii. Compounding fee for the illegal occupation, DPC certificate (if OC is not obtained) and compoundable construction (if any) shall be calculated over the building area.

ANAND M. SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

56941—C.S.—H.G.P., Chd.

(1065)

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Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 113-2019/Ext.] CHANDIGARH, TUESDAY, JULY 9, 2019 (ASADHA 18, 1941 SAKA)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 9th July, 2019

No. 19/04/2012-6C1.— The Policy regarding grant of relief to unauthorized commercial construction and regularization of illegal conversion from residential to commercial in Core Areas notified *vide* notification dated 26th June, 2018 and amendment *vide* notification dated 8th March 2019, are further amended as follow:-

- a. The Section 364 of the Haryana Municipal Corporation Act, 1994 is replaced with the Section 267 A of the Haryana Municipal Corporation Act, 1994.
- b. The Section 203 of the Haryana Municipal Act, 1973 is replaced with the Section 203 A of the Haryana Municipal Act, 1973.

Chandigarh :
Date: 09.07.2019

ANAND M. SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

57184—C.S.—H.G.P.,Chd.

(2141)

70

From

The Principal Secretary to Government Haryana,
Urban Local Bodies Department, Chandigarh

To

The Director,
Urban Local Bodies Department,
Haryana, Panchkula.

Memo no. 18/53/2019-3CI
Dated Chandigarh the 08.03.2019

Subject: Directions for regularization of illegal conversion from residential to commercial use in the colonies developed by Housing Board, Haryana which stand transferred to the municipalities

The Government in Urban Local Bodies Department in exercising powers under Section 250 of the Haryana Municipal Act, 1973 and Section 398 of the Haryana Municipal Corporation Act, 1994 issue following directions for regularization of illegal conversion from residential to commercial use in the colonies developed by Housing Board, Haryana which stand transferred to the municipalities:-

1. Applicability:

- i) This policy shall only be applicable to that Housing Board colony which has been transferred to the municipality.
- ii) That the colony is situated in the area designated as commercial zone in the published Final Development Plan of the town.
- iii) The existing commercial use of the building is also in conformity with the sub code/ use for commercial purpose specified in the Development plan proposal for that area.

2. Size of the plot:

The size of the property proposed to be regularized shall be in accordance with the approved layout plan of the Scheme.

3. Approach:

The approach should be in accordance with the layout plan of the scheme.

4. Building Regulations:

- i) The ground coverage, Floor Area Ratio (FAR) height of the building and parking etc. shall be allowed in accordance with the Haryana Building Code (amended from time to time).
- ii) Further, the building shall be regularized in accordance with permission/ compoundable limits as prescribed in the composition policy/ Rules.
- iii) The non-compoundable construction shall be got demolished prior to grant of permission under this policy.

5. Bar on sub-division of property:

The property proposed to be regularized has not been sub-divided from its original size as per the approved layout plan of the Scheme and no further sub-division of the property shall be allowed.

6. Submission of Application:

The applicant shall apply to the Commissioner/ Executive Officer/ Secretary of the Municipality as the case may be along with proof of ownership. The application shall be examined by the committee consisting of the following:

i. In case of Corporation

- a) Commissioner, Municipal Corporation.
- b) Representative of Administrator, HSVP.
- c) District Town Planner of T& CP Department.
- d) Estate Manager, HBH.
- e) Any other officer, whom the committee may decide to opt.

After recommendation of the Committee the Commissioner of the concerned Municipal Corporation shall take necessary action regarding permission/ refusal.

ii. In case of Municipal Council/Committee

- a) Additional Deputy Commissioner.
- b) Representative of Administrator, HSVP.
- c) District Town Planner of T& CP Department.
- d) Estate Manager, HBH.
- e) Executive Office of Municipal Council or Secretary of Municipal Committee.
- f) Any other officer, whom the committee may decide to opt.

After recommendation of the Committee the Executive Officer/ Secretary of the concerned municipalities shall take necessary action regarding permission/ refusal.

Note: The Committee as mentioned above shall take decision on the applications within the 90 days from the receipt of the applications.

7. Period of submission of application

- i. The applicant shall submit the application for regularization within 6 months from the date of notification of this policy.
- ii. If the owner of the property who has illegally converted the property but does not apply within the time period prescribed in the policy, then action shall be taken in accordance with the Haryana Municipal Corporation Act, 1994 and Haryana Municipal Act, 1973.
- iii. Further, if the owner of the property who has illegally converted the property applies for the regularization within the time period prescribed in the policy and if the Competent Authority rejects the application on the ground of non compoundable construction then 3 months time from the date of rejection will be given to the applicant to become the property into the conformity of the Haryana Building Code.

8. Fee to be charged:

Sr. no.	Municipality	Charges/ fee (Rs. Per Sq. Mtrs.)
1	Municipal Corporation Gurugram and Faridabad	7,662/-
2	Other Municipal Corporations	6,090/-
3	Municipal Council	5304/-
4	Municipal Committee	4,658/-

Note: The above are aggregated fee/ charges which contains, scrutiny fee, 50% of the conversion charges & EDC (at 1.5 FAR) and regularization fee. Compounding fee for the compoundable construction (if any) shall be calculated over the building area.

9. Submission of application:**i. List of documents to be attached with application:**

- a) Proof of ownership:
- b) Allotment letter
- c) Hire Purchase Tendency Agreement (HPTA)
- d) Conveyance deed/Sale Deed

ii. As built drawing of the property showing

- a) Details of covered area, setbacks, parking space, etc.
- b) Fire safety measures/ equipments provided in the building.
- c) Structure safety certificate from a qualified Structural Engineer.

10. Litigation:

Any pending litigation of the Housing Board colonies covered under this policy will be handled by the Housing Board, Haryana.

11. Appeal:

Any person aggrieved from the decision of the Commissioner, Municipal Corporation or Executive Officer/ Secretary as the case may be file an Appeal before the Divisional Commissioner In case of Municipal Corporation and Deputy Commissioner in case of Municipal Council and Committee.

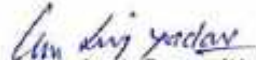
Anand M. Sharan
Principal Secretary to Government Haryana
Urban Local Bodies Department

Endst: 18/53/2019-3CI

Dated Chandigarh the 08.03.2019

A copy of the same is forwarded to the following for information and necessary action:

1. Principal Secretary to Government Haryana, Housing Department.
2. Director, Town and Country Planning Department, Haryana, Chandigarh.
3. All the Commissioners, Municipal Corporations in the State.
4. All the Additional Deputy Commissioners in the State.
5. Administrator, HSVP (HQ).
6. Administrator, Faridabad, Gurugram, Hisar, Panchkula, Rohtak.
7. All the District Town Planner (T & CP Department) in the districts in the State.
8. All the Executive Officer, Municipal Council, in the State.
9. All the Secretaries, Municipal Committees, in the State.


Superintendent Committee-I
For Principal Secretary to Government Haryana
Urban Local Bodies Department

GOVERNMENT OF HARYANA
DEPARTMENT OF URBAN LOCAL BODIES
NOTIFICATION

No. 08/04/2021-ICI

Dated 01.06.2021

POLICY FOR TRANSFER OF MUNICIPAL LANDS BY CHARGING CONSIDERATION

(see the relevant portions of section: 164 of the Haryana Municipal Corporation Act, 1994 and section 62 A of the Haryana Municipal Act, 1973)

The Governor of Haryana is pleased to notify the following policy to be applicable on all Municipal Bodies within the State of Haryana with immediate effect:

1. Short title and commencement: -

- (1) This Policy may be called the 'Policy for transfer of Municipal Lands by charging consideration'.
- (2) It shall come into force on the date it is notified by the Government.

2. For the purposes of this Policy, unless the context requires it to be otherwise,

- (a) **"exchange"** means a process involving transfer of property by one person to another and reciprocally the transfer of property by that other to the first person involving a mutual transfer of ownership of one thing for the ownership of another;
- (b) **"Government"** means the Government of the State of Haryana in the Urban Local Bodies Department, save as otherwise provided by or under this Policy;
- (c) **"market price"** means price of the landed property discovered through the mechanism established by the Government of Haryana in the Revenue Department, either specifically for the landed property or generally for the area in which the land in question fall.
- (d) **"municipal body"** means any local body functioning under the administrative control of the Department of Urban Local Bodies, Haryana including Municipal Corporation, Municipal Council, Municipal Committee, etc;
- (e) **"transfer"** means to make over the possession/right in property, including its ownership, either absolutely or subject to certain conditions, against some consideration by one person to another;
- (f) **"transferee"** means 'private individuals or entities' in whose favour either the Municipal Land is proposed to be transferred or with whom the Municipal Land is proposed to be exchanged in terms of this policy.

3. Categories of properties/persons to whom this Policy apply and the manner in which it shall so apply:-

- (1) Save as otherwise provided by or under this Policy or, as the case may be, directed by the Government from time to time, this Policy shall apply to the following categories and in the manner as specified against them:-
 - (i) **Where, due to exigencies or otherwise, no approach road is available to the land owned by private individuals or entities**

In such cases, where no approach road is available to land owned or, as the case may be, held on lease for a minimum period of 30 years or more, by private individuals or entities and it is possible to provide approach access through the land owned by the respective Municipal Body, the respective Municipal Body shall provide land for being utilized for the purposes of constructing approach road (rasta) against the consideration equal to the market rate of the said land which is proposed to be transferred:

provided that such transfer cannot be claimed as a matter of right and the decision of government, purely on the discretion of the Government, on all aspects related to the transfer including shall be final.

Note 1: Such road shall be constructed by the said owner being private individuals or entities at his own cost as per the specification provided by the respective Municipal Body within the timeframe specified by the respective Municipal Body.

Note 2: Such road shall be the property of the respective Municipal Body and shall remain a public street in nature with no hindrance of movement for public at large.

Note 3: Affidavit to the required effect, including the undertaking/No Objection Certificate from the owner in case of lease held land, shall be required to be submitted by the applicant for the rasta.

(ii) **Where, due to exigencies or otherwise, insufficient approach road/road width is available to the land owned by private individuals or entities**

In such cases where the land of Municipal Bodies is required by private individuals or entities to satisfy the lawfully prescribed requirement of any authority established by law and where insufficient approach width/wide road is available to land owned or, as the case may be, held on lease for a minimum period of 30 years or more, by private individuals or entities and it is possible to augment the width of the road satisfying the lawfully prescribed requirement of any authority established by law by incorporating whole or a part of the land owned by the respective Municipal Body, following options may be considered by the Government:

(a) **If by permitting the said land to be transferred to such individuals/entity, no public purpose stands to be compromised**

Such minimum land as is required to make the width of approach 'sufficient' to satisfy the lawfully prescribed requirement of any authority established by law shall be considered by the Government to be transferred to such individual/entity by charging the value of land at market rate at the location where the Municipal Land proposed to be transferred is situated;

provided that such transfer cannot be claimed as a matter of right and the decision of government on all aspects related to the transfer including as to whether 'public purpose stand to be compromised or not' shall be final.

Note 1: Such complete road (including the one falling within the land owned by the owner) shall be constructed by the said owner being private individuals or entities at his own cost as per the specification provided by the respective Municipal Body within the timeframe specified by the respective Municipal Body.

Note 2: Such complete road shall be the property of the respective Municipal Body and shall remain a public street in nature with no hindrance of movement for public at large.

Note 3: Affidavit to the required effect, including the undertaking/No Objection Certificate from the owner in case of lease held land, shall be required to be submitted by the applicant for the rasta.

(b) If by permitting the said land to be transferred to such individuals/entity, some public purpose stand to be compromised

(i) Such permission authorizing the transfer shall be purely discretionary in the hands of the Government and shall only be considered after protecting the purposes of the 'public purpose' in terms of this policy.

(ii) Subject to the provisions of this policy, such minimum land as is required to make the width of approach 'sufficient' to satisfy the lawfully prescribed requirement of any authority established by law shall be considered by the Government to be transferred to such individual/entity by charging the value of land at market rate at the location where the Municipal Land proposed to be transferred is situated:

provided that such transfer cannot be claimed as a matter of right and the decision of government on all aspects related to the transfer including as to whether 'public purpose stand to be compromised' shall be final.

Note 1: Such complete road (including the one falling within the land owned by the owner) shall be constructed by the said owner being private individuals or entities other than the respective Municipal Body at his own cost as per the specification provided by the respective Municipal Body within the timeframe specified by the respective Municipal Body.

Note 2: Such complete road shall be the property of the respective Municipal Body and shall remain a public street in nature with no hindrance of movement for public at large.

Note 3: Affidavit to the required effect, including the undertaking/No Objection Certificate from the owner in case of lease held land, shall be required to be submitted by the applicant for the rasta.

(iii) Such permission shall be subject to the condition that the owner being private individuals or entities seeking the transfer undertakes to make good the 'public purpose so compromised in the opinion of Government' to be compensated by way of creating requisite facilities up to the requirement/satisfaction expressed by way of a suitable scheme framed by the Commissioner/District Municipal Commissioner concerned at his own cost and put such approved scheme in place before the said land is transferred.

(iii) Where, due to exigencies or otherwise, land owned by Municipal Body is embedded within land owned by private individuals or entities

(a) If the land(s) belonging to the Municipal Body sought to be transferred to such individuals/entity is embedded in the land owned by individuals/entity and, on such transfer, no public purpose stands to be compromised

Such land shall be considered by the Government to be transferred to such individual/entity by charging the value of land at market rate at the location where the Municipal Land proposed to be transferred is situated;

provided that such transfer cannot be claimed as a matter of right and the decision of government on all aspects related to the transfer including as to whether 'public purpose stand to be compromised or not' shall be final.

(b) If the land(s) belonging to the Municipal Body sought to be transferred to such individuals/entity is embedded in the land owned by individuals/entity and, on such transfer, some public purpose stand to be compromised

(i) Such permission authorizing the transfer shall be purely discretionary in the hands of the Government and shall only be considered after protecting the purposes of the 'public purpose' in terms of this policy.

(ii) Subject to the provisions of this policy, such land shall be considered by the Government to be transferred to such individual/entity by charging the value of land at market rate at the location where the Municipal Land proposed to be transferred is situated;

provided that such transfer cannot be claimed as a matter of right and the decision of government on all aspects related to the transfer including as to whether 'public purpose stand to be compromised' shall be final.

(iii) Such permission shall be subject to the condition that the owner being private individuals or entities seeking the transfer undertakes to make good the 'public purpose so compromised in the opinion of Government' to be compensated by way of creating requisite facilities up to the requirement/satisfaction expressed by way of a suitable scheme framed by the Commissioner/District Municipal Commissioner concerned at his own cost and put such approved scheme in place before the said land is transferred.

(iv) Where a necessity, not otherwise explicitly covered in this policy, is felt by the Government to consider transfer/exchange of Municipal Land to/with the land owned by private individuals or entities

Owing to the assessment of the merit of individual proposal on case to case basis, the Government may, in its discretion, make an appropriate decision:

provided that when it is decided to transfer such any land, the reasons of making such decision shall be recorded in writing and the transfer shall be subject to such terms and conditions as deemed fit by the Government and such transfer can only

be made by charging value of land at market rate at the location where the Municipal Land proposed to be transferred is situated;

provided further that the decision so made by the Government in its discretion shall be final.

- (2). This policy shall not apply when land is proposed to be exchanged/transferred/purchased by the Municipal Bodies from any organ of the Government of the State of Haryana or any organ of Central Government/Government of any other State/Union Territory Government or any organization wholly or substantially owned or controlled by the Central Government/any State (including State of Haryana)/Union Territory Government.

4. Other Terms and Conditions:

- i. Transfer of land in terms of this policy shall be subject to the provisions of Haryana Municipal Corporation Act, 1994 or, as the case may be, Haryana Municipal Act, 1973 and Rules/Bye-Laws made there-under.
- ii. Any transfer of land in terms of this policy shall not be construed to have provided any person or property immunity from the applicability of any other law/Act/Rules in force.
- iii. The entire cost of registration deed/conveyance deed, etc. and all expenditure incidentals to it shall be borne by the transferee and Municipal Body shall not bear any expense on these counts. The registration deed/conveyance deed shall be executed by the authority of Municipal Body competent to do so only after entire consideration has been realized by the respective Municipal Body in terms of this policy.
- iv. It shall be the responsibility of the transferee to get the concerned revenue/other record updated very promptly once the transaction of transfer in terms of this policy is complete.
- v. The decision of Government in terms of this policy shall have a validity of 6 months. If the entire transaction does not fructify within the said 6 months, further process can only be undertaken after the proposal is revalidated by the Government, either as such or with further modification, if any. The revalidation shall also have a currency of 6 months and thereafter the approval shall lapse and money deposited, if any, by the transferee shall forfeit to the respective Municipal Body.

5. Proceeds how to be applied:

All proceeds in terms of cost of land or otherwise realized by the respective Municipal Body in terms of this policy shall be credited and kept, by observing the standards of prudent mechanism of investment, in a separate account maintained by the respective Municipal Body and shall, with the prior approval of Government, be applied only for the purposes of acquiring/purchasing land assets for the purposes of strengthening Municipal Infrastructure.

5. Relaxations

The Government may, if it deems fit so to do, accord relaxation(s) in the provision(s) of this policy, either generally or targeted to any class or category of persons or properties.

6. Interpretation, clarification and removal of doubts

If, at any stage of implementation of this policy or otherwise, any doubt is raised or encountered about the interpretation of any provision(s) of this policy or about the procedure required to be followed in giving effect to the letter and spirit of this policy, then the matter shall be referred to the Government and the decision of the Government about such interpretation/doubt/procedure to be followed shall be final and binding on all concerned and shall be reckoned as a clarificatory part of this policy.

2. The Governor of Haryana is further pleased to direct that the provisions of this policy be implemented/given effect to all the concerned in earnest with immediate effect.

Chandigarh dated the,
01.06.2021


S.N.Roy
Additional Chief Secretary to Government Haryana,
Local Bodies Department.

Endst. 08/04/2021-ICI

Dated : 01.06.2021

A copy of the above is forwarded to the following for information and necessary action please:-

1. Secretary to Governor, Haryana;
2. Chief Secretary to Government of Haryana, Chandigarh;
3. All the Administrative Secretaries to Government Haryana;
4. Director General of Police, Haryana, Panchkula;
5. Director General, Urban Local Bodies Department, Haryana, Panchkula;
6. All the Divisional Commissioners in the State;
7. All the Heads of Departments in Haryana;
8. All the Deputy Commissioners in Haryana;
9. All the Commissioners, Municipal Corporations in Haryana;
10. All the District Municipal Commissioners in Haryana;
11. All the Executive Officers/ Secretaries, Municipal Councils/ Municipal Committees in Haryana;
12. Secretary to Government Haryana, Secretariat Establishment;
13. Private Secretary to Hon'ble Speaker, Haryana Vidhan Sabha.



Superintendent Committee-I
For Additional Chief Secretary to Government of Haryana,
Urban Local Bodies Department.

Endst. No. 08/04/2021-ICI

Dated : 01.06.2021

A copy of the above is forwarded to the following for information and necessary action please:-

1. Private Secretary to Urban Local Bodies Minister;
2. Chief Principal Secretary to Chief Minister Haryana;
3. Principal Secretary to Chief Minister Haryana;
4. Additional Principal Secretary to Chief Minister Haryana;


Superintendent Committee-I
For Additional Chief Secretary to Government of Haryana,
Urban Local Bodies Department.

Endst. No. 08/04/2021-ICI

Dated : 01.06.2021

A copy of the above is forwarded to the following for information and necessary action please:-

1. All the Mayors of the Municipal Corporations in Haryana;
2. All the Presidents of the Municipal Councils/Municipal Committees in Haryana.



For Additional Chief Secretary to Government of Haryana,
Urban Local Bodies Department.

GOVERNMENT OF HARYANA
DEPARTMENT OF URBAN LOCAL BODIES
NOTIFICATION

No. 08/04/2021-1CI

Dated 09.07.2021

In exercise of the powers vested under the Clause "Relaxation" and "Interpretation, clarification and Removal of doubts" of the Policy for Transfer of Municipal Lands by Charging Consideration notified on 01.06.2021, following changes are ordered to be made in the said Policy:

1. Change in nomenclature:

(i) The number of the Clause for the provisions 'Relaxation' appearing as "5" may kindly be read as "6".

(ii) The number of Clause for the provisions of 'Interpretation, Clarification and Removal of doubts' appearing as "6" may kindly be read as "7".

2. For the Clause "Proceeds how to be Applied" existing provisions should be considered as having been omitted and substituted by the following:

"Proceeds how to be Applied"

"All proceeds in terms of cost of land or otherwise realized by the respective Municipal body under this Policy shall be permitted to be applied by the concerned municipal body for the purposes of acquiring and purchasing land assets for the purposes of strengthening municipal infrastructures in terms of the normal course. However, if any part of this proceeds is to be applied for purposes other than for acquiring/purchasing land for the purposes of strengthening municipal infrastructures, then it can be done only after obtaining the prior approval of the Government".

Chandigarh dated the,
09.07.2021


S.N.Roy
Additional Chief Secretary to Government Haryana,
Local Bodies Department.

Endst. 08/04/2021-1CI

Dated 09.07.2021

A copy of the above is forwarded to the following for information and necessary action please:-

1. Secretary to Governor, Haryana;
2. Chief Secretary to Government of Haryana, Chandigarh;
3. All the Administrative Secretaries to Government Haryana;
4. Director General of Police, Haryana, Panchkula;
5. Director General, Urban Local Bodies Department, Haryana, Panchkula;
6. All the Divisional Commissioners in the State;
7. All the Heads of Departments in Haryana;
8. All the Deputy Commissioners in Haryana;
9. All the Commissioners, Municipal Corporations in Haryana;
10. All the District Municipal Commissioners in Haryana;
11. All the Executive Officers/ Secretaries, Municipal Councils/ Municipal Committees in Haryana;
12. Secretary to Government Haryana, Secretariat Establishment;
13. Private Secretary to Hon'ble Speaker, Haryana Vidhan Sabha.


Superintendent Committee-I
For Additional Chief Secretary to Government of Haryana,
Urban Local Bodies Department.

Endst. No. 08/04/2021-1C1

Dated : 09.07.2021

14

A copy of the above is forwarded to the following for information and necessary action please:-

1. Private Secretary to Urban Local Bodies Minister;
2. Chief Principal Secretary to Chief Minister Haryana;
3. Principal Secretary to Chief Minister Haryana;
4. Additional Principal Secretary to Chief Minister Haryana;


Superintendent Committee-I

For Additional Chief Secretary to Government of Haryana,
Urban Local Bodies Department.

Endst. No. 08/04/2021-1C1

Dated : 01.06.2021

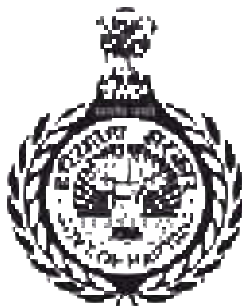
11.07.2021

A copy of the above is forwarded to the following for information and necessary action please:-

1. All the Mayors of the Municipal Corporations in Haryana;
2. All the Presidents of the Municipal Councils/Municipal Committees in Haryana.


Superintendent Committee-I

For Additional Chief Secretary to Government of Haryana,
Urban Local Bodies Department.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 194-2021/Ext.] CHANDIGARH, THURSDAY, NOVEMBER 25, 2021 (AGRAHAYANA 4, 1943 SAKA)

To be substituted for the policy bearing the same number and date

HARYANA GOVERNMENT

REVENUE & DISASTER MANAGEMENT DEPARTMENT

Notification

The 25th November, 2021

Policy for Fixation of Market Rate of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.

No. 391-ARIC-I-2021/6273.— dated 6th July, 2021/2nd September, 2021/11th October, 2021

1. INTRODUCTION

Different Departments of the Government have constituted different committees for fixation of reserve/ market rate of land for various purposes. In this regard, the Urban Local Bodies Department have constituted a committee comprising of Divisional Commissioner; Deputy Commissioner; Commissioner, Municipal Corporation concerned; Special Secretary; Joint Commissioner and District Town Planner concerned in respect of Municipal Corporations other than Faridabad and Gurugram. Similarly, the said Department has constituted a committee for Municipal Corporation Faridabad comprising of Divisional Commissioner, Faridabad; Deputy Commissioner Faridabad; Commissioner Municipal Corporation Faridabad and Chief Town Planner Faridabad. In addition, the said Department, has constituted a committee for Municipal Corporation Gurugram, comprising of Divisional Commissioner, Gurugram; Deputy Commissioner Gurugram; Commissioner Municipal Commissioner Gurugram, Joint Secretary of the Department and Chief Town Planner. Other Departments might have constituted similar committees for the valuation of market rate of land and there is every likelihood that different yardsticks by different committees might have been adopted in the matter. Consequently, this gives rise to multiplicity of legal complications. Therefore, there is a need to provide a policy for fixation of market rate of land in the State for all the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.

2. SHORT TITLE

This Policy may be called the Policy for Fixation of Market Rate of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.

3. Objectives

One of the objectives of the policy is that in the absence of crystal clear guidelines, many Departments of the Government including their entities have been experiencing difficulties in transferring their unutilized lands of minor nature including its abandoned paths etc. to the private bodies, being situated in between their lands and is thus, a stumbling block in the fast development of their projects, besides, affecting the revenue of the State to a considerable extent. More to it, there is encroachment or authorized/unauthorized possession over such lands/immovable properties

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resulting in unfruitful litigation under the different relevant statutes viz. the Punjab Village Common Lands (Regulations) Act, 1961 (Punjab Act No.18 of 1961);the Haryana Public Premises and Land (Eviction And Rent Recovery) Act, 1972 (Act No. 24 Of 1972) and other relevant statutes including Rules framed thereunder, besides, involvement of human resources without any tangible results. Therefore, there is a need to provide a Policy in the matter under the Revenue Department, being Nodal Department.

4. Definitions

In this Policy unless the context otherwise requires means:

- (i) **Empanelled Valuers:-** means the valuers empanelled by the Revenue Department out of those registered by the Income Tax Department, State Bank of India and Government owned Insurance Companies.
- (ii) **Standing Committee:-** means the committee of officers and empanelled valuers for fixation of market value of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.(Composition of Committee at Annexure-A)
- (iii) **Panchayati Raj Institutions:-** means the institutions constituted under the Haryana Panchayati Raj Act, 1994 (Haryana Act No. of 1994)
- (iv) **Urban Local Bodies:-** means the Municipal Committees and Municipal Councils constituted under the Haryana Municipal Act, 1973 (Haryana Act No. of 1973); Municipal Corporations constituted under Haryana Municipal Corporation Act, 1994 (Haryana Act No. of 1994) and Haryana Town Improvement Act, 2008 (Haryana Act No.36 of 2008)

5. Procedure

(i) Documents & their verification by the revenue team of the Divisional Commissioner:

- (a) Land records i.e., copies of jamabandi, mutation, khasra girdawari, aksh shijra, field book shall be made available by the O/o Deputy Commissioner concerned.
- (b) The title of the property including ownership, khasra numbers shall be verified online from the Web-HALRIS portal by the revenue team of the Divisional Commissioner. It is to be ensured that the land is in complete khasra number(s) with specific karukan (length & breadth i.e. field book) and not in share in any manner, as per ownership column of the jamabandi.

(ii) Selection of valuers and valuation of the property:

- (a) The Revenue and Disaster Management Department shall empanel the valuers being drawn from the registered valuers of the Income Tax Department, State Bank of India and Government owned Insurance Companies relevant to the State of Haryana. The said Department shall also notify Code of Ethics for Empanelled Valuers for ensuring that the valuers follow the Code and can be de-panelled, in case the Code is violated.
- (b) Firstly, out of the three valuers in the Committee, one shall be nominated by the Administrative Department, the second valuers shall be chosen from the panel by the second/opposite party and the third shall be chosen as agreed upon both by the Administrative Department and second/opposite party. In case, there is no consensus on the third valuer, the same shall be nominated by the Administrative Department.
- (c) The valuers shall submit their report in 10 days from the date they are so requested.
- (d) The Standing Committee shall meet within 7 days of the receipt of report by the three valuers.
- (e) The Standing Committee shall include the three official members, as mentioned in Annexure A and the Committee shall be free to invite the valuers concerned to participate in its deliberations.
- (f) The Standing Committee shall, thereafter, workout the mean of the valuation made by the three valuers.

(iii) Determination of final market value:

- (a) The standing Committee shall determine the market value of the land in accordance with the above procedure, provided that the same shall not be less than the collector rates fixed under the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated.
- (b) The final market value shall be conveyed by the Standing Committee to the Government Department and its entity, as the case may be.
- (c) In case if the concerned builder/private entity is ready to pay double the amount of the latest Collector rate fixed under the Indian Stamp Act, 1899 for the registration of sale deeds of the land under reference or average of two deeds of highest amount during the preceding year in the

revenue estate pertaining to the same kind of land/immovable property, whichever is higher, the appropriate decision can be taken by the concerned Department with the approval of High Level Land Purchase Committee and the other procedure prescribed in the policy shall not be applicable, with the clarification that this will apply to sale only by the Government or Local Authority. It is further made clear that in case, the builder / private entity has obtained 'Change of Land Use' (CLU) under the Punjab Scheduled Roads and Controlled, Areas Restriction of Unregulated Development Act, 1963 (Punjab Act No. 41 of 1963), the Collector Rates fixed under the Indian Stamp Act, 1899 for the commercial or residential or institutional or industrial land, shall be applicable. Further, it shall also apply to requesting entities, who have obtained a licence under the Haryana Development and Regulation of Urban Areas Act, 1975 (Haryana Act No. 8 of 1975).

- (d) After receipt of full price of the land, the conveyance deed shall be got executed by the concerned Government Department and got registered under the Registration Act, 1908 (Central Act 16 of 1908) after paying the stamp duty and registration fees by the second / opposite party.

SANJEEV KAUSHAL,
Financial Commissioner, Revenue & Additional
Chief Secretary, to Government Haryana,
Revenue and Disaster Management Department.

Annexure-A**Standing Committee**

1.	Divisional Commissioner concerned	Chairperson
2.	District Revenue Officer concerned	Member Secretary
3.	One Departmental Officer in the Head Quarter/ District, in whose charge the land to be disposed of lies, as nominated by the Head of Department	Member
4.	Valuer registered by Income Tax Department	Member
5.	Valuer registered by State Bank of India	Member
6.	Valuer registered by Government owned Insurance Company	Member

Note:-The Chairperson may invite any other officer/expert to participate in its meeting.

9392—C.S.—H.G.P., Pkl.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

© Govt. of Haryana

No. 132-2022/Ext.] CHANDIGARH, FRIDAY, JULY 22, 2022 (ASADHA 31, 1944 SAKA)

HARYANA GOVERNMENT URBAN LOCAL BODIES DEPARTMENT

Notification

The 22nd July, 2022

No. 9/32/2022-4C-II.— In exercise of the powers conferred under Section 250 of the Haryana Municipal Act, 1973 and Section 398 of the Haryana Municipal Corporation Act, 1994, the Government of Haryana is pleased to issue the “**Directions in form of policy for regularization of illegal subdivision of plots/permission for sub-division of residential plots in Town Planning Schemes, Rehabilitation Schemes, Improvement Trust Schemes situated in Municipal Areas of Haryana**”.

Introduction:

1. The State of Haryana witnessed development of planned colonies under various schemes in the past which were developed by various government agencies and now falls within the municipal limits.
2. With the increase in density of population in Municipal Bodies and on account of rise of demand for homes, the original allotted plot got sub-divided illegally by the concerned owners which was accentuated by lack of enforcement by concerned municipal bodies. In view of demand received from public, there is a need to regularize these illegally sub divided plots and also to permit plot owners to rationally sub divide the originally allotted plots.
3. **Objective:** To issue guidelines and parameters for regularization of illegal subdivision of plot/permission for sub-division of residential plots in Town Planning Schemes, Rehabilitation Schemes, Improvement Trust Schemes situated in Municipal Areas of Haryanawhile maintaining the original nature of Planned Scheme.
4. **Regularization of illegal sub division and permission of fresh sub-division of plot.**
 - a) Regularization/sub-division of plots located in the planed scheme developed prior to 1980 shall only be considered under this policy.
 - b) The minimum plot size eligible for regularization and new sub-division shall be 200 sq.yard and above.
 - c) The Size of the sub-divided plot shall not be less than 100 sqyard.

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- d) The sub-divided plot shall have access from the road shown in the original layout.
- e) All such sub-divided plots shall have parking provisions within the plot as per the parking guidelines of Haryana Building Code 2017.
- f) Under no circumstances, the area under parks/ tot-lot/ parking / public amenities shall be changed or revised and same shall be as per the original scheme.

5. Procedure for submission of application

- i. Eligibility: The plot having area/size of equal or more than 200 sqyard is eligible for regularization in case of illegal sub division of plot/fresh sub-division of plots under this policy.
- ii. The applicant shall apply online (only) for regularization of sub-divided plot/ fresh sub-division of plotas per the prescribed format to the competent authority i.e. Commissioner, in case of Municipal Commissioner and District Municipal Commissioner in case of Municipal Council and Committees within a period of 6(six) months from the date of issue of the policy.
 - a) Form "A"- Application form for regularization of illegal sub-division of plot.
 - b) Form-"B"- Application for permission for fresh/new sub-division of plot.
- iii. Following documents are required to be submitted by the applicant;
 - i. The applicant shall submit ownership documents such as allotment letter/sale deed/transfer deed.
 - ii. The applicant shall submit an indemnity bond that in case of any mishap/accident due to building the applicant shall be responsible and shall pay applicable cost/penalty and MC/Government/competent authority is not liable for the same in any manner whatsoever.
 - iii. Site plan showing the existing sub-division in case of regularization of plot and site plan showing proposed sub-division in case of proposed sub-division of plot.
 - iv. Location of the site on the original layout plan.
 - v. Affidavit duly signed from the First Class Magistrate stating that applicant shall not park vehicle outside his plot i.e. on footpath or road or green area and in case violation will be liable for prosecution.
 - vi. The plot owner of sub-divided plot shall get the building plan approved as per provisions stated in the Haryana Building Code 2017, subject to the condition that setback of the original plot shall remain applicable to sub-divided plot also.
 - vii. An affidavit duly signed from the First Class Magistrate declaring that he will not construct boundary wall on front setback and permit the municipality to utilize area of his plot under front setback for laying of services, footpath and green area etc.

6. Fees

- i. Scrutiny fees @ Rs. 10 per square meter shall be charged.
- ii. For regularization of illegally sub-divided plot, Sub-division/ license fees @ 1.5 times of fee/charges notified by TCP Department from time to time shall be applicable.
- iii. For fresh sub-division, licence fee as notified by the Town and Country Planning department shall be applicable.

7. Issue of Letter of Intent (LOI)

- i. The competent authority after due examination of the case may issue LOI to the applicant.
- ii. The applicant is required to ensure compliance of the LOI within a period of 30 days from the date of its issue. If the applicant fails to comply within 30 days from the date of LOI then the LOI shall deem to be cancelled and shall be treated as null and void ab initio.
- iii. In case the applicant ensures compliance of the LOI within the stipulated time period, then the competent authority may grant final approval for regularization of illegally sub-divided plots/ permission for fresh sub-division of plot and the site plan shall be signed by the competent authority.
- iv. The applications which do not meet out the parameters of this policy shall be summarily rejected after giving opportunity of hearing to the applicant by the competent authority and a speaking order shall be passed by the said authority.

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HARYANA GOVT. GAZ. (EXTRA.), JULY 22, 2022 (ASAR. 31, 1944 SAKA)

8. Appellate Authority:

- i. Any person aggrieved by the decision of competent authority shall file an appeal before the Appellate Authority i.e. Director, Urban Local Bodies Department within a time period of 60 days from the date of passing of such order by the competent authority u/s 7 (iv).
- ii. The decision of the appellate authority shall be final and binding.

9. Relaxation: If Government considers that any of the provisions mentioned in this policy may require relaxation in public interest then it can relax such provision of this policy or add any other additional provision/condition as it deems fit.

Note:— Subdivision in the Housing Board Scheme which has been transferred to Municipalities is not allowed under the said policy.

Date
Place

ARUN GUPTA,
Principal Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Chandigarh.

9758—C.S.—H.G.P. Pkl.

From

The Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department

To

1. The Commissioners in Municipal Corporations in the State.
2. The District Municipal Commissioners in the State.
3. The Executive Officers in Municipal Councils in the State.
4. The Secretary in Municipal Committee in the State.

Memo no. 9/95/2023-UCI

dated: 05-12-2023

Subject:

The Haryana Municipal Urban Built-plan Reform Policy, 2023 (Residential to Non-Residential Conversion Policy).

I have been directed to inform that the Governor of Haryana is pleased to issue the subject cited policy as directions under section 250 of the Haryana Municipal Act, 1973 and section 398 of the Haryana Municipal Corporation Act, 1994, for implementation. The copy of the policy is enclosed. It is requested to take immediate necessary action under the said policy.

DA: As above.


Superintendent (Committee-II)

for Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Panchkula. ✓

Endst no. 9/95/2023-UCI

dated 05-12-2023

A copy of the above is forwarded to the Secretary, Council of Ministers, Haryana in reference to UO no. 9/151/2023-2Cabinet, dated 11.10.2023 on the subject cited matter, with the request to consider these directions as implementation of the decision of the Council of Ministers.


Superintendent (Committee-II)

for Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Panchkula.

**Haryana Government
Urban Local Bodies Department**

The Governor of Haryana by exercising powers conferred under section 250 of the Haryana Municipal Act, 1973 and section 398 of the Haryana Municipal Corporation Act, 1994 is pleased to issue "the Haryana Municipal Urban Built-Plan Reform Policy, 2023."

I. Introduction/ background:

- (1). Various planned schemes have been implemented to achieve systematic and planned urban development in municipal areas from time to time through different statutes namely Model Town Schemes, Rehabilitation Schemes, Town Planning Schemes, Improvement Trust Schemes etc. Over the time, these schemes were handed over to concerned municipalities for management and maintenance.
- (2). With the passage of time the owners of the plots/ construction in these schemes changed the use of plot from residential to non-residential use which was not permitted as per the scheme.
- (3). Considering changing needs and demands of the people, it is necessary to regulate such conversions by prescribing norms and methodology for conversion from residential to non-residential use.
- (4). This policy shall not only allow owners to convert the use of plot from Residential to Commercial, but also help ULBs to manage and regulate the conversion with upgradation of infrastructure while generating revenue from such conversion.

II. Objective:

To grant permission and to regularize conversion of residential plots to commercial use in planned schemes falling within the core areas in municipal limits, where the schemes have been implemented 50 years ago.

III. Definitions:

- (1). "Act" means the Haryana Municipal Act, 1973 and the Haryana Municipal Corporation Act, 1994.
- (2). "Commercial activities" means shop, showroom, clinic, restaurant, cafeteria, bank branch, convenience store, consultancy offices for non-nuisance activities like architect/ doctors/ advocate and activities defined by the Govt. from time to time.
- (3). "Competent Authority" means the Commissioner in case of Municipal Corporation, District Municipal Commissioner in case of Municipal Council/ Committee.
- (4). "Core Area" means the core area defined in section 2(7B) of the Haryana Municipal Act, 1973 and section 2(4B) of the Haryana Municipal Corporation Act, 1994.
- (5). "Planned Scheme" means Model Town, Rehabilitation Scheme, Improvement Trust Scheme, Town Planning Scheme and any other planned scheme developed at least 50 years prior to the date of this notification managed by the municipality.

IV. Legal provisions:

- (1). The policy has been prepared in reference to building-scheme permitted to draw under section 250 of the Haryana Municipal Act, 1973 and section 398 of the Haryana Municipal Corporation Act, 1994, for improving planning, potential and uses of the existing built area.
- (2). Therefore, all permission granted under this policy shall be available in public domain for scrutiny/ information of general public. Further, the digitized plans as stated under this policy shall also be available to the general public.

V. Applicability:

- (1). The policy is applicable to all plots including lawfully sub-divided plots in all planned schemes falling within core area(s) in municipal limits, except areas/ sectors developed by Haryana Shehri

Vikas Pradhikaran (HSVP), Housing Board (Haryana), Haryana State Industrial Infrastructure Development Corporation (HSIIDC) and licenses granted by Town and Country Planning Department (Haryana).

VI. Parameters:

- (1). The parameters like Floor Area Ratio (FAR/ FSI), Ground Coverage and height of the plot shall remain the same as permitted in the scheme for the residential plot. Only the use shall be allowed to be changed.
- (2). The building line of the original scheme shall remain applicable and the conversion shall be done accordingly.
- (3). The Fees/ Charges:

Sr. no.	Fees/ charges	For fresh permission for commercial component	For regularization of existing commercial component
1.	Application Scrutiny Fees (Non-refundable)	Rs. 10 per square meter	Rs. 10 per square meter
2.	Conversion Charges	As per the notification of TCP Department for conversion charges	
3.	Development Charges	5% of commercial collector rate(per square meter)	5% of commercial collector rate (per square meter)
4	Composition fees	-	Rs. 160 per square meter on converted area only.

Note:

- i. The scrutiny fees shall be charged on total covered area of the plot
 - ii. The development charges and conversion charges are applicable as per the permitted commercial component.
- (4). The parking norms specified in the Haryana Building Code, 2017 and its subsequent amendments shall be applicable on the commercial or residential or both components of the plot. The applicant shall make arrangement within the plot to accommodate the required parking.
 - (5). The applicant shall remove the front boundary wall upto the extent of building line and allow its public use by giving an undertaking. The municipality shall utilize the said portion of the plot for laying/ enhancing service/ infrastructure or parking or widening of road.

VII. Application procedure:

- (1). The applicant shall submit an application to the concerned municipality through an online portal (to be developed by ULB Dept.) along with the followings:
 - a. Scrutiny fees.
 - b. Documents:

Sr. no.	Fresh application for commercial component	Regularization of existing commercial component
1.	Building plan showing the proposed commercial component – All floor plans, 2 sections, 2 elevations	As built drawing showing the existing commercial component - All floor plans, 2 sections and 2 elevations
2.	Site plan showing the plot and width of the approach road along with dimensions.	
3.	Property ID documents.	
4.	An undertaking that he/ she allows the municipality to utilize its property falling between the boundary of the plot and building line, for public infrastructure, free of cost.	

- (2). The municipality shall decide the application within 45 days of its receiving.

- (3). The municipality shall issue a public notice to the neighboring plots by pasting the notice on their properties, for seeking objections/ suggestions, if any pertaining to the application, within 15 days of pasting the notice:
 - a. In case, no objections/ suggestions is received within the given time, then it will be deemed that no one has objection in converting the use of applied plot to non-residential purpose.
 - b. The objections/ suggestions received in response to the public notice shall be decided by the municipality within the period of 15 days from completion period stated in the public notice.
- (4). The application received shall be considered, only if it confirms to the FAR and Ground coverage of original plot/ scheme, the commercial component stated in this policy, original building line of the scheme and no objections from the neighboring plots.
- (5). In case the application is found eligible under the policy, the municipality shall issue demand notice to the applicant.
- (6). The applicant shall comply with the demand notice within 60 days, failing which the demand notice shall be deemed to be withdrawn and the applicant shall be required to apply fresh application with scrutiny fees.
- (7). In case of rejection, the applicant shall be informed to restore the commercial component to its original status or face legal action as per the law/ policy, within a period of 60 days from the date of rejection.
- (8). All the permissions granted shall be uploaded on the portal for public scrutiny.

VIII. Responsibility of municipality:

- (1). The municipality shall get the layout of the planned scheme digitized on GIS platform and verify the same through ground truthing.
- (2). These GIS maps shall have:
 - a. Right of Way of road,
 - b. Plot showing numbers,
 - c. Dimension of plots,
 - d. Building line and setbacks,
- (3). The municipality shall submit all these digitized plans to the Department.

IX. Enforcement Mechanism:

- (1). The municipality shall conduct survey of all such planned scheme and identify all illegal commercial conversions. The survey shall be properly mapped with the information of RoW of road and plots with illegal conversions.
- (2). The municipality shall issue notice under the applicable Municipal Act to the applicant informing that its commercial conversion is illegal and hence he either has to restore to its original or apply for regularization under this policy, within 30 days of the notice, failing which necessary legal action will be taken against the illegal conversion upto the extent of sealing or demolition.
- (3). In case, the property owner didn't apply under the policy or his application under the policy got rejected, then the municipality shall take followings action as per the applicable provisions of the Municipal Act:
 - a. Restoration of the building/ plot to its original status under the applicable Municipal Act.
 - b. Demolition of the building for bringing it in conformity with the applicable building parameters like FAR, ground coverage, etc.
 - c. Cancellation of license or permission, if any, issued by the municipality for running the business on the property
 - d. The penal charges shall be levied from the property owner who is doing illegal activity as nuisance activity, as per the followings:
 - i. No penal charges shall be levied for the period of 6 months from the date of notification of this policy.

- ii. In case, the property owner has not applied under this policy, then penal charges @ Rs. 10 per sq. mtr. per day shall be levied for the period initiated after 6 months from the date of this policy till decision taken on the matter i.e. either restoration of plot to original use or demolition of the illegal construction.
- iii. In case, the property owner applied under this policy, and its application gets rejected, then penal charges @ Rs. 01 per sq. mtr. per day shall be levied for the period to be initiated from the date on which his application was rejected till decision taken on the matter i.e. either restoration of plot to original use or demolition of the illegal construction.
- iv. These penal charges are non-refundable/ non-adjustable and shall be recovered at the time of issuance of No Due Certificate (NDC).

Application - Form-A

To,

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee.

Subject: Application for conversion of the property to non-residential use.

I would like to apply for conversion of my property to non-residential use, under the provisions of the Haryana Municipal Urban Built-Plan Reform Policy, 2023. The details of the property are submitted as under:

1. Name of the municipality:
2. Name of the applicant/ owner:
3. Correspondence address of the applicant:
4. Phone no:
5. Address of the plot/ property in question:
 - a. Plot no.:
 - b. Plot area (In sq. mtrs.):
 - c. Property ID:
 - d. Name of the Scheme along with its number (if any): (Model Town/ Improvement Trust Scheme/ Town Planning Scheme/ Any other scheme):
6. Width of the approach road from where the plot has original access (in meters):
7. Copy of building plans:
 - a. Site plan (Scale 1:200)
 - b. All floor plans (Scale 1:100):
 - c. 2 sections (Scale 1:100):
 - d. 2 elevations (Scale 1:100):
8. Ownership documents (Sale deed/ Registry/ Allotment Letter):

Date:

Signature of the applicant

Letter of Intent - Form B

From

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>
<Correspondence address of the applicant>

1. It is hereby informed that your application dated for allowing conversion of your plot no..... in <Address of the property>, having access from meters wide road, has been examined in reference to the provision of the Haryana Municipal Urban Built-Plan Reform Policy, 2023 notified on and found in order.
2. This office intent to grant you permission for converting your property to non-residential use upto the extent of <100% or 50%>, subject to compliance of the followings:
 - a. Deposit Fees/ charges:
 - i. Conversion charges:
 - ii. Development charges:
 - iii. Composition fees (in case of regularization only):
 - b. You have to demolish the construction which is beyond the original FAR and ground coverage of the property.
 - c. An undertaking to allow the municipality to use your plot area falling within setbacks for lying/ enhancing service/ infrastructure or parking or widening of road.
3. It is also requested to comply with the above within 30 days of issuance of this letter, failing which this Lol stands withdrawn.

Date:

Signature of the Competent Authority

Approval Letter - Form C

From

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>
<Correspondence address of the applicant>

1. It is hereby informed that your application dated for allowing conversion of your plot no..... in <Address of the property>, having access from meters wide road, has been examined in reference to the provision of the Haryana Municipal Urban Built-Plan Reform Policy, 2023 notified on and found in order.
2. In compliance of the LOI dated issued by this office, the office has received fees/ charges and undertaking.
3. Therefore, it is hereby informed that you are hereby permitted to convert <100% or 50%> your property to non-residential use.
4. This letter shall be valid subject to the followings:
 - a. Parking shall be provided within the premises of the property, as per the provision of the Haryana Building Code, 2017.
 - b. FAR and Ground coverage of the plot shall remain same, as permitted in the original scheme and in no case, FAR and ground coverage stated in the HBC, 2017 for commercial use shall be permitted.

Date:

Signature of the Competent Authority

Rejection Letter - Form D

From

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>
<Correspondence address of the applicant>

1. It is hereby informed that your application dated for allowing conversion of your plot no..... in <Address of the property>, having access from meters wide road, has been examined in reference to the provision of the Haryana Municipal Urban Built-Plan Reform Policy, 2023 notified on and not found in order.
2. Therefore, your application is hereby rejected due to the followings:
 - a. The width of approach road to the property is less than 12 meters.
 - b. The building constructed is not as per the original FAR and Ground coverage of the plot and the construction is non-compoundable.
3. It is requested to comply with the above within 30 days, failing which:
 - a. You shall be liable for pay penalty @ Rs. 10 per sq. mtrs. per day for illegal non-residential use of the property, upto the date of its restoration.

Date:

Signature of the Competent Authority

From

The Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department

To

1. The Commissioners in Municipal Corporations in the State.
2. The District Municipal Commissioners in the State.
3. The Executive Officers in Municipal Councils in the State.
4. The Secretary in Municipal Committee in the State.

Memo no. 09/96/2023-4011 dated: 05-12-2023

Subject:

Policy for regularisation and fresh permission for constructing first floor or basement or both on single level booths/shops/service booths allotted by municipalities or Town Improvement Trust schemes and Mandi Townships within municipal limits.

I have been directed to inform that the Governor of Haryana is pleased to issue the subject cited policy as directions under section 250 of the Haryana Municipal Act, 1973 and section 398 of the Haryana Municipal Corporation Act, 1994, for implementation. The copy of the policy is enclosed. It is requested to take immediate necessary action under the said policy.

DA: As above.


Superintendent (Committee-II)

for Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Panchkula. ✓

Endst no. 09/96/2023-4011

dated 05-12-2023

A copy of the above is forwarded to the Secretary, Council of Ministers, Haryana in reference to UO no. 9/152/2023-2Cabinet, dated 11.10.2023 on the subject cited matter, with the request to consider these directions as implementation of the decision of the Council of Ministers.


Superintendent (Committee-II)

for Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Panchkula.

Haryana Government
Urban Local Bodies Department

Policy for regularisation and fresh permission for constructing first floor or basement or both on single level booths/shops/service booths allotted by Municipalities or Town Improvement Trust schemes and Mandi Townships within municipal limits.

1. Policy Applicability:

- a. This policy is applicable in all municipalities in the State of Haryana and will be applicable:
 - i. On single level booths/shops/service booths as allotted by Municipalities, Town Improvement Trusts and Mandi Townships.
 - ii. For regularization of unauthorized construction of basement or first floor or both and fresh permission for constructing basement or first floor or both.
 - iii. For regularization of existing unauthorized construction of first floor or basement or both on the booth, the policy shall be valid for applications received upto 31.03.2024.
 - iv. For fresh permission of first floor or basement or booth, there shall be no time limit.
- b. This policy shall not be applicable:
 - i. In controlled areas where Change of Land Use (CLU) permission is required and in licensed schemes permitted by Town and Country Planning Department falling within municipal limits.
 - ii. In case the original single level booth/ shop/ service booth has been sub-divided horizontally.
 - iii. On shops under tehbazari or khoka or any other temporary structure allotted by municipalities.

2. General Instructions:

- a. The applicant intends to regularize the illegal construction of first floor or basement or both, or intends to construct first floor or basement or both on a vacant plot of single level booths/ shops/ service booths shall apply under this policy.
- b. The competent authority under this policy shall be the Commissioner in case of Municipal Corporation and District Municipal Commissioner in case of Municipal Councils and Committees.

3. Applicable Fee/ Charges:

- a. **Non-refundable scrutiny fee** which shall be:
 - i. In case of fresh permission of first floor or basement or both: Rs 10 per sq. mtr. on the proposed total built up area.
 - ii. In case of regularization of first floor or basement or both: Rs 10 per sq. mtr on proposed and existing built up area on the plot (including structure at ground floor).
- b. **The charges for additional built-up** i.e. first floor or basement or both shall be levied:
 - i. @ 5% of the commercial collector rate per square meters for first floor, and
 - ii. @ 2.5% of the commercial collector rate per square meters for basement.

Note:

1. *The commercial collector rate prevailing at the time of submitting the application shall be levied.*

2. *These charges shall not be applicable, if the applicant is not constructing either basement or first floor or both and only constructing upto the permitted construction as per the standard design on vacant plot.*
- c. **The Composition Charges** shall be levied @ of Rs. 200 per sq. mtr. for compounding the illegal construction of basement or first floor or both, upto compoundable limits. In case occupation certificate of the booth has not been taken, then the said booth may also be compounded, so that Occupation Certificate of the whole construction of booth can be issued.
- d. In case the property stand vertically divided into two separate ownerships, then vertical sub-division fees shall be charged @ Rs. 100 per sq. mtr. and transfer fees @Rs. 50 per sq. mtr. Both the fees shall be charged on the sub-divided structure/ part, not on the whole structure.

Note: *No composition charges shall be levied in case of the applicant seeking fresh permission.*

4. **Building norms:**

- a. In case of regularization of existing first floor or basement or both, the building plans shall be permitted as-is-where-is basis and its use shall be allowed upto the shelf-life of the structure. However, in case of revision in existing building plan, the parameters given under for fresh permission shall be followed.
- b. For fresh permission cases, the municipality shall approve the building plans at its level, of such single level booths/shops/service booths showing first floor or basement or both, as per the following norms:
- i. The basement construction shall be permitted upto the extent of the booth corridor at ground floor (same area & dimensions of the original single level booths/shops/service booths).
 - ii. The first floor construction shall be permitted:
 - a. In case the booth is having a corridor in front under the planned scheme, then the construction, less than or equivalent to the extent of the corridor shall be permitted.
 - b. In case the single level booths/shops/service booths does not have a corridor in front under the planned scheme, then projection of 1.80 meters from the building line of the booth shall be permitted.
 - iii. Minimum clear height for basement and first floor shall be 2.4 meters.
 - iv. The staircase to basement or first floor shall be within the booth only.
 - v. Any type of encroachment by the applicant i.e. in corridors or its rear or side of its booth shall not be permitted.

5. **Enforcement:**

- a. The municipality shall identify and list all such illegally raised constructions on single level booths/shops/service booths from the databank of property IDs.
- b. The municipality shall issue notices to the owners of the identified illegal construction, directing them to submit application for regularization of the construction, under this policy.

6. **Application process:**

- a. In case for fresh permission or regularizing the already raised illegal construction, the applicant shall submit application under **Form A**.

- b. The municipality shall ensure that no dues shall be outstanding towards the said property like property tax or development charges or any other applicable fees/charges.
- c. The competent authority shall examine the applications within 20 working days.
- d. The applicant shall submit an application to the respective municipality with following documents and scrutiny fees.
 - i. The copy of ownership documents i.e. allotment letter, sale deed, registry or any other legal document establishing the ownership of the property and the name of the applicant.
(Note: Assessment register and property tax receipt shall not be accepted as ownership documents.)
 - ii. **Building Plans:**
 - a. In case of regularization, a copy of the as-is building plan of the property along with the issued standard design, showing the ground floor along with the first floor or basement or both, at a readable scale.
 - b. In case of fresh permission, a copy of proposed building plan of the property along with the issued standard design, showing the ground floor along with the first floor or basement or both, at a readable scale.
 - iii. Structure certificate from Structure Engineer giving undertaking that the booth design is structurally stable.
- e. The municipality shall examine the application and decide the same vis-à-vis following aspects:
 - i. The building plan is as per original standard plans/design and additional construction as per this policy.
 - ii. There is no pending payment outstanding against the said property.
 - iii. The booth/property has not been sub-divided in any manner (horizontally or vertically).
 - iv. The first floor or basement or both, if already constructed shall be under sole ownership of the booth owner i.e. ground floor.
- f. In case, the application found eligible, the competent authority shall issue Letter of Intent (LoI) as per **Form-B**, alongwith the demand notice seeking applicable fee/charges i.e. scrutiny fees (only, if it is deficient) development charges, composition charges and demolition of any encroachment found (if any).
- g. The applicant shall comply with the LoI within 30 days, failing which the LoI shall be deemed to be withdrawn and the applicant has to apply fresh with scrutiny fees. This is to avoid delayed action from the applicant, which may cause levy of interest on the demand notice.
- h. After compliance, the municipality shall issue final permission letter as per **Form-C**, along with copy of the approved building plans/as built plans, as the case may be.
- i. In case of regularization of construction, the competent authority shall also issue occupation certificate.
- j. In case of fresh permission taken, the applicant shall require to obtain occupation certificate within a period of 2 years, failing which the building shall stand illegal and liable for action as per the applicable law.

Application - Form-A

To,

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee.

Subject: Application for allowing/ regularization of construction of first floor/ basement/ both on my single level booth/ shop/ service booth.

It is requested to consider this application vide which I intend to get regularized/ construct my property under the provisions of the "Policy for regularization/ fresh permission for constructing first floor and basement on single level booths/ shops/ service booths". The details of the property are as under:

1. Name of the municipality:
2. Name of the applicant/owner:
3. Correspondence address of the applicant:
4. Phone No:
5. Address of the plot/ property in question:
 - a. Type of property: single level booth/ shops/ service booth (as per the allotment letter)
 - b. Property area (In sq. mtrs.):
 - c. Property ID:
 - d. Name of the Scheme along with its number (if any): (Model Town/ Improvement Trust Scheme/ Town Planning Scheme/ Any other scheme):
6. Regularization/ construction of first floor/ basement/ both:
 - a. Area of ground floor (In sq. mtrs.): and clear height (in meters):
 - b. Area of the first floor (In sq. mtrs.): and clear height (in meters):
 - c. Area of the basement (In sq. mtrs.): and clear height (in meters):
7. Copy of existing/ proposed building plans showing the intended :
 - a. Site plan (Scale 1:200)
 - b. All floor plans (Scale 1:100):
 - c. 2 sections (Scale 1:100):
 - d. 2 elevations (Scale 1:100):
8. Ownership documents (Sale deed/ Registry/ Allotment Letter):

Date:

Signature of the applicant

Letter of Intent - Form B**From**

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>
<Correspondence address of the applicant>

1. It is hereby informed that your application dated for regularizing/ allowing construction of first floor/ basement/ both on your single level booth/shop/ service booth at <Address of the property>, has been examined in reference to the provisions of the "Policy for regularization/ fresh permission for constructing first floor and basement on single level booths/ shops/ service booths" issued on and found in order.
2. This office intent to grant you permission for regularization/ construction of first floor/ basement/ both on your already constructed single level booth/ shop/ service booth, subject to compliance of the followings:
 - a. Deposit Fees/ charges:
 - i. Charges for additional built-up i.e. first floor or basement or both:
 - ii. Composition fees (in case of regularization only):
 - b. You have to demolish the construction which is beyond the permitted construction .
3. It is also requested to comply with the above within 30 days of issuance of this letter, failing which this Lol stands withdrawn.

Date:

Signature of the Competent Authority

Approval Letter - Form C**From**

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>
<Correspondence address of the applicant>

1. It is hereby informed that your application dated for regularizing/ allowing construction of first floor/ basement/ both on your single level booth/shop/ service booth at <Address of the property>, has been examined in reference to the provisions of the "Policy for regularization/ fresh permission for constructing first floor and basement on single level booths/ shops/ service booths" issued on and found in order.
2. In compliance of the LOI dated issued by this office, the office has received fees/ charges and undertaking.
3. Therefore, it is hereby informed that your construction of first floor/ basement/ both has been regularized or you are permitted to initiate construction of first floor/ basement/ both on your single level booth/ shop/ service booth, as per the given plans (Copy enclosed).
4. This approval shall be valid subject to the followings:
 - a. You shall construct the building as per the approved plans.
 - b. You shall obtain Occupation Certificate within 2 years from the issuance of this letter, failing which the building shall be treated as illegal and liable for action as per the applicable laws. (Only in case of fresh permission)

Date:**Signature of the Competent Authority**

GOVERNMENT OF HARYANA
DEPARTMENT OF URBAN LOCAL BODIES
STANDING ORDER

1. In pursuance of the provisions of Rules 18 and 19 of the Rules of Business of the Government of Haryana, 1977 framed under Article 166 of the Constitution of India, I hereby order and direct that the work relating to the Department of Urban Local Bodies under the administrative control of the Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department shall be disposed of as indicated in the Annexure I to V with immediate effect. This order supersedes and substitutes all the orders issued so far on the said subject.
2. Unless provided in these orders or their Annexure to be otherwise, all cases in Annexure-I requiring my orders/approvals/consideration shall be routed through the Additional Chief Secretary/Principal Secretary to the Government of Haryana, Urban Local Bodies Department.
3. In case of my absence from the headquarter, the Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department may finally dispose of cases of extreme urgency. In the event of the simultaneous absence both of me and the Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department, the Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department shall determine how the cases falling in this category shall be finally disposed of in extreme urgency. However, wherever possible to do so without compromising the call of urgency, Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department or, as the case may be, the authority determined by him under this provision, should feel encouraged to discuss the proposed course of disposal under this category of disposal with me telephonically before effecting the said disposal. All such disposals will, however, be brought to my notice appropriately on my return to Chandigarh.
4. Without limiting the extent and intent of the provisions made under Annexure I appended to these orders, Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department shall be at his liberty to allocate/vary/re-allocate duties amongst the Secretary, or, as the case may be, Special/Additional/Joint/Deputy/Under Secretary(ies), Superintendent(s), Assistants, etc.
5. The Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department may, at any point in time, either on his own motion or after taking into consideration any application made in this behalf, call for the record of any case wherein either any order has been passed or has been disposed of or remains pending for disposal by authorities subordinate to him i.e. the disposals made in terms of all Annexure save Annexure I appended to this Standing Order or by the offices/other statutory bodies that are represented in the Government through the Urban Local Bodies Department (such as the Offices of Director General of Urban Local Bodies or such other officers/officials of the statutory Bodies/Public Sector Undertakings/Funds, etc.) for the purposes of satisfying himself as to the legality or propriety or correctness of any order passed or directions given or any other mode of disposal and may, upon his satisfaction so determined, pass such orders or issue such directions in relation thereto, as he may deem fit, including the order/direction to set aside the disposal/order made or substitute them with fresh directions/disposal. However, he shall not pass any order under this provision that

amounts to adversely affecting the interest of any person without affording him a reasonable opportunity of being heard.

6. The Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department may, at any point in time, call for any case remaining pending for disposal under these standing orders by authorities subordinate to him i.e. the disposal made in terms of all Annexures save Annexure 1 or before the officers of offices/other statutory bodies that are represented in the Government through the Urban Local Bodies Department such as the Offices of Director General of Urban Local Bodies, such other officers/officials of Haryana Space Applications Centre, Haryana State Council for Science, Innovation and Technology and other Statutory Bodies/Public Sector undertakings/Funds, etc. On such examination/scrutiny, he may pass appropriate orders directing either the cases to be disposed of by prescribing a time frame for its disposal or may direct transfer of the case to some other authority for its disposal either in a time bound manner or otherwise. The Additional Chief Secretary/Principal Secretary to Government Haryana, Urban Local Bodies Department shall be barred from acting under this provision to the extent of transferring the case to any other authority powers flowing out of any Act or Rules framed there under or in compliance of the decree or order of any court of law exercising competent jurisdiction over the subject.

7. The Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department may, at any point in time, call for any case remaining pending for disposal under these standing orders by authorities subordinate to him i.e. the disposal made in terms of all Annexures save Annexure 1 and may dispose it of himself or, as the case may be, may refer it directly to any higher authority/other authority for their consideration/disposal.

8. These delegation orders are subject to the provisions of Rules of Business of the Government of Haryana-in general and as contained in clause 28 of the same in particular and, wherever they are inconsistent with the same, the provisions/procedure/requirements as contained in the said Rules of Business shall prevail.

9. If any question arises as to whether any disposal or course of disposal were in terms of these delegation order or not or any difficulty is encountered/envisaged in giving effect to the provisions of these delegation orders then the matter shall be referred to me through the Additional Chief Secretary/Principal Secretary to Government of Haryana, Urban Local Bodies Department for final decision and the decision made by me either generally or specific to the said case shall be final and shall be deemed to be a part of these orders in so far as it relates to the procedure of delegation.

10. It is further made clear that a superior authority shall always enjoy competence to discharge functions delegated in an authority subordinate to him in terms of these orders.

11. No order(s) shall be opened to question by way of representation, enquiries, etc, or its legality shall be challenged solely on the ground that it had failed to receive the approval or consideration of the level prescribed under these delegation orders.

(ANIL VIJ)

Chandigarh, dated 09.12.2019

URBAN LOCAL BODIES MINISTER, HARYANA.

Enclst. No. 25/1/1996 – 4C-1

Chandigarh, dated the

A copy, along with its enclosures, is forwarded to the followings for information and necessary action:-

1. Secretary to Governor, Haryana, Chandigarh.
2. Chief Secretary to Government of Haryana, Chandigarh.
3. Senior Private Secretary to the Chief Minister, Haryana, Chandigarh.
4. Private Secretary to the Chief Minister, Haryana, Chandigarh.
5. Principal Secretary to Government of Haryana, Urban Local Bodies Department.
6. Legal Remembrance & Secretary to Government, Law, Haryana Chandigarh.
7. Additional Principal Secretary – II to Chief Minister, Haryana.
8. Private Secretary/Urban Local Bodies Minister Haryana.
9. Director, Urban Local Bodies Haryana, Bays No. 11-14, Sector-4, Panchkula.
10. Secretary/Additional Secretary/Joint Secretary to Government of Haryana, Urban Local Bodies Department.
11. Additional Director/Deputy Director in Urban Local Bodies Department.
12. All the Superintendents/Deputy Superintendents in Urban Local Bodies Department.

O/o PSULB

No. 6340

DL 20/12/19

19/12/19
PSULB
19.12.19


Superintendent Committee-I
for Principal Secretary to Government of Haryana,
Urban Local Bodies Department, Chandigarh.

A copy, along with its enclosures, is forwarded to the Secretary to Council of Ministers Haryana, Chandigarh for information and necessary action.


Superintendent Committee-I
for Principal Secretary to Government of Haryana,
Urban Local Bodies Department, Chandigarh.

1. ADULB
2. CTP
3. CE To
4. ADP(HO)

The Secretary to Council of
Ministers Haryana, Chandigarh.

U.O. No. 25/1/1996 – 4C-1

Chandigarh, dated the 18-12-19

Annexure IList of Cases pertaining to the Urban Local Bodies Department to be submitted to the Minister In Charge through the Principal Secretary, Urban Local Bodies, Secretary, Urban Local BodiesGeneral

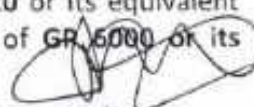
1. All cases which are required to be submitted to the Council of Minister, Honorable Governor, Chief Minister in terms of the provisions of the Rules of Business of the Government of Haryana.
2. All important cases involving question of policy or principles.
3. Cases of according relaxation in important policy matters.

LEGISLATIVE MATTERS

1. All Assembly Questions/Resolutions/Motions/Replies and other legislative matters/measures.
2. Cases relating to framing/amending the Acts, Statutory Rules and Manuals, including the service Rules framed under provision Article 307 of the Constitution of India.
3. All important reference/replies relating to assurance/promise made by the minister on the floor of the House.
4. All reference relating to Assembly Question, Resolutions, Motions, etc.
5. All references/cases relating to Legislative Measure including enactment/amendment in Acts, Rules to be framed there under/amendment therein, preparation of draft bills.
6. Replies to such questions as tabled in the Houses of Parliament where information proposed to be given in not merely or wholly factual.
7. Cases pertaining to issuance of Ordinance and obtaining Presidential Assent.

ADMINISTRATIVE MATTERS

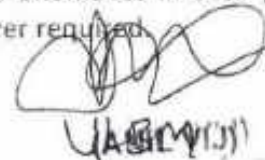
1. Creation of New Posts.
2. Training/Tour/Personal Visits of employees abroad-All cases of all categories of employees.
3. Relaxation of Age in fresh appointments.
4. Permission to fill up the available vacant post on contract basis or on basis other than by way of regular recruitment.
5. Voluntary retirement of officers of GP 5400 Level-10 or its equivalent and above. **(Note: there is no classification as Group A and B Officers being Corporation/Council/Committees)**
6. Annual Confidential Reports of Administrative Secretary.
7. Disposal of representation against adverse remarks in Annual Confidential Report pertaining to officers of GP 5400 Level-10 or its equivalent and above.
8. All cases pertaining to officers of GP 5400 Level-10 or its equivalent and above who are proposed to be sent on deputation within India or Abroad.
9. All cases of appointment, promotion, confirmation, grant of ACP grades, reversion of officers of GP 5400 or its equivalent and above.
10. All cases pertaining to officers of GP 5400 Level -10 or its equivalent and above where it is proposed to send them on training abroad or within India when the total duration of such training exceeds 30 days or where Finance Department's (FO) Circular No. 5/6(11)/852 FR-II, dated 28.03.1985 is attracted.
11. All matters relating to Vigilance Department i.e making reference to it or accepting or rejecting or partially accepting its recommendations/findings when they pertain to officers of **GP 5400 Level-10 or its equivalent and above.**
12. Extension in Service beyond 50 and 55 years of age for officers of **GP 5400 Level-10 or its equivalent and above.**
13. Decision regarding institution of Disciplinary Proceedings under Rule 7/8 under the punishment & Appeal Rules against officers of **GP 5400 Level-10 or its equivalent and above** and proceeding for minor penalty against officers of **GP 5000 or its**


 Principal Secretary
 Home, Urban Local Bodies, Health,
 S & T, Government of Haryana, Chandigarh,
 Haryana

- equivalent and above and decision regarding appointment of Enquiry Officer and grant of prosecution sanction.
14. Cases relating to placing officers of GP 6000 or its equivalent and above under suspension, including revoking the same.
 15. All cases where it is proposed to terminate the service within the probation period relating to officers of GP 5400 Level-10 its equivalent and above.
 16. Proposals to initiate Civil or Criminal Proceedings against categories of officers of GP 5400 Level-10 and its equivalent or above.
 17. Cases related to appointment, removal, initiation of disciplinary action including prosecution/Charge Sheet etc, pertaining to the Presidents/Vice President/Members of Municipal Bodies/Boards.
 18. Sanction for purchase of immovable property pertaining to officers of GP 5400 Level 10 or its equivalent and above.
 19. Cases related to appointment removal, initiation of disciplinary action, including prosecution/Charge Sheet, etc, pertaining to the Presidents/Vice Presidents/Members of Municipal Bodies/Boards.
 20. Engagement of private advocates, other than the one on the panel of Government, to defend cases in High Courts/Supreme Court/Courts outside Haryana and approval of their terms and conditions including the fee to be paid to them.
 21. Cases relating to reference to HPSC and exclusion of posts from the purview of HPSC.
 22. Cases involving Acquisition of Land, including release thereof.
 23. Finalization of Annual Administrative Reports of the Department.
 24. Establishment of Board/Committees and appointment of members thereto.
 25. Replies to the sent to the Estimates Committee Public Accounts Committee and Assurance Committee of Vidhan Sabha, where policy matters are involved including routine quarterly reports, etc.
 26. Promotion reversion confirmation acceptance/refusal of resignation extension in probation period, matters related to seniority and other residual service matters in case of officers/officials GP 5400 Level-10 or its equivalent.
 27. Engagement of private advocates to defend important cases in lower courts, including District Courts, in exceptional cases and approval of their terms and conditions including the fee to be paid to them .
 28. Approval of Tour Programme/Casual Leave of Head of Departments, including Commissioner of Municipal Corporations.
 29. Final approval of building plans in the municipal areas/Improvements trust areas pertaining to the Commercial and Institutional area plan for area measuring 1,000 square meter and above but not exceeding 5,000 square meter, including approval or concession relating to it, if any of advertisement sites falling within these limits on case to case basis.
 30. Sanction of Journey beyond Jurisdiction pertaining to Head of Departments, including Commissioners of Municipal Corporations.
 31. Cases related to administration or Rajiv Gandhi Urban Development Mission in Haryana.
 32. Issues related to Advertisement Policy and all other miscellaneous issues relating to Advertisement within Municipal Bodies.
 33. *All matters of CTA Branch.*

FINANCIAL MATTERS

1. Matter involving loss of Government Stores or money exceeding Rs. 20.00 Lakhs, including writing them off either wholly or in parts.
2. Inclusion of new schemes in Plan and Non Plan budget.
3. Cases relating to grant or withdrawal of special/personal pay/advance increment or allowances either generally or pertaining to any class or category or persons, including individuals, that are not covered under the rules or government instruction or are in exception thereto.
4. Grant/Review of Pay Scales to the employees in Municipal Bodies/Boards under the control of Urban Local Bodies Department and removal of anomalies in their pay scales with the concurrence of Finance Department, wherever required.




UAGM(13)

5. Reports of Public Accounts Committee/assurance Committee and Estimates Committee.
6. Temporary diversion of Finance/Funds/Resources from one municipal body/Board to other such bodies.
7. Inclusion of new works in supplementary estimates.
8. Financial irregularity of serious nature.
9. Waiving of any claim or recovery against any officers of GP 5400 Level-10 or its equivalent and above.
10. Grant of Bonus to employees of Municipal Bodies/Boards.
11. Cases relating to settlement of disputes outside court.
12. Inclusion of new schemes in Plan and Non Plan Budget where total estimated expenditure on the said new scheme does not exceed Rs.50.00 crores (total) or, as the case may be does not exceed Rs.10.00 crores per annum.
13. Approval of Budget of Municipal Corporations and Boards.
14. Loans and Grant in aid to Municipal Bodies/Improvements Trusts/Boards under the Administrative Control of the Department of Urban Local Bodies and issue of sanction under Section 57 of the Haryana Municipal Act, 1973 other than section 57(2) (1) ex-gratia.
15. Administrative approvals for works exceeding Rs. 1.00 Crore pertaining to the Municipal Bodies/Boards/Improvement Trusts.
16. Matter involving loss of Government Stores or money not exceeding Rs. 20.00 Lakhs including writing them off either wholly or in parts.
17. Cases relating to grant of honorarium either generally or pertaining to any class or category of person for good, meritorious work, etc.
18. Sanction of non recurring contingent expenditure, including furnishing the newly constructed establishments and replacing/adding new facilities/up grading existing facilities, including furniture and articles ancillary to furnishing existing office facilities, purchase/replacement of Personal Computers, Printers and Gadgets ancillary to it where the value of proposed estimated expense exceeds Rs. 50,000/-.
19. Budget proposals for inclusion of scheme in SNE.
20. Sanction of Refunds.
21. Approval of Payment of compensation enhanced by Courts.
22. Cases related to budget estimates/supplementary estimates etc.
23. All matters for which no specific delegation of power has been made.
24. Any case which ULBM like to see

OTHER MISCELLANEOUS MATTERS

1. Important references, including policy references, received from or going to Central Government/other state Governments.
2. Important cases involving question of Policy or Principles not expressly provided elsewhere in these delegation orders.
3. Final approval of Town Planning Scheme in Municipal Areas/Improvement Trusts.
4. Final approval of various development plans under the relevant provisions of law.
5. Cases of grant of CLU under the relevant Act.
6. Final approval of building plans in the municipal areas/Improvement trust areas pertaining to the Commercial and Institutional
7. Issues relating to approval and extension of contract including its termination, and other such activity/approval or concessions relatable to it, if any, of advertisement sites falling within this limit on case to case basis.
8. All cases pertaining to constitution/supersession/adolition of Municipal Bodies/Improvement Trust/Boards.
9. Alteration of Limits of Municipal Bodies/Improvement Trusts.
10. All Cases or classes of cases which the Minister in Charge may require to be submitted to him or on which a report has been called for by him.
11. All such cases which the Administrative Secretary may like to place before the Minister in Charge soliciting his decision.


ULBM
(ANIL VIJ)
 Urban Local Bodies
 M. HARYANA

Annexure-II
LIST OF CASES TO BE DISPOSED OF BY THE ADMINISTRATIVE SECRETARY TO
GOVERNMENT OF HARYANA, URBAN LOCAL BODIES DEPARTMENT


ADMINISTRATIVE MATTERS

1. All cases pertaining to officers of GP 5400 Level 10 or its equivalent and above where it is proposed to sent them on training within India when the total duration of such training does not exceed 30 days and where Finance Department's (FD) Circular No. 5/6 (11)/852 FR-II dated 28.03.1985 is not attracted.
2. Acceptance of resignation of GP 5400 Level-10 or its equivalent officer after obtaining statutory clearances, wherever necessary, as per Government Instructions.
3. All cases to be referred to CS, AG, LR and FD.
4. Writ Petitions and notices under section 80 CPC.
5. Approval of Written Statements/Affadavits to be filed in CWP/RSA/LPA/SLP/COCP, etc.
6. Issue of Notification under the Acts that are regulated/administered through the Department of Urban Local Bodies and where competence to issue such notification vests in the State Government and duly approved by Minister in Charge.
7. Disposal of appeal/review/revision in exercise of the quasi judicial powers vested in the State Government under various Act/Rules regulated/Administered through the Department of Urban Local Bodies.
8. Unless provided to be otherwise under these orders or other Rules/Instructions to exercise all powers and discharge all responsibilities enjoined on the State Government under the Acts and Rules framed there under that are regulated/administered through the Department of Urban Local Bodies.
9. To seek explanation convey displeasure, issue show cause notices on behalf of Government on any issue and from any authority that is subordinate to the government.
10. Transfer of Government land from one department to other department free of cost when it is within the Government Policy after the approval of Minister in Charge.
11. Work distribution amongst Secretary and Special/Additional/Joint/Deputy/Under Secretaries etc.
12. Forwarding of applications of Gazetted Officers outside the Department.
13. Forwarding of applications of officers/officials upto GP 5400 Level-10 or its equivalent and above for various posts in India.


FINANCIAL MATTERS

1. Financial sanctions for the resolutions of Municipal Bodies/Boards/Improvements trust, clearing expenditure on specific matters as an appropriate charge on Municipal Fund/Board Fund/Trust Funds. In cases where the amount of fit expenditure is Rs. 5.00 lacs and above.
2. Cases relating to settlement of disputes outside courts where financial implications does not exceed Rs. 5.00 lakhs.
3. Grant of pension/family pension/DCRG and commutation of pension and correction of date of birth in respect of officers/officials with **GP 5400 Level-10 or its equivalent.**
4. Approval of proposals to be placed before the High Level Monitoring Committee and steering Committee constituted for the purpose of Stimulus Package projects.
5. Reimbursement of Medical Colleges involving relaxation in rules.
6. Exemption from payment of municipal taxes which are in conformity with the Government Policy, where the amount exceeds Rs. 30,000/-
7. Time Barred Claim cases to be referred to Finance Department.
8. Gratuity/Leave Encashment cases pertaining to officers/official with **GP 5400 Level-10 or its equivalent and above,**
9. Hiring of accommodation/buildings.

OTHERS


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 Urban Local Bodies
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1. All residuary matters.
2. Other cases considered important by the Secretary and Special/Additional/Joint/Deputy Secretary, etc.
3. All such cases/exercise of powers which the Minister in Charge assigns/delegates either generally of specific order either explicitly or by implication.



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ANNEXURE-III

**LIST OF CASES TO BE DISPOSED OF BY THE SECRETARY/SPECIAL
SECRETARY/ADDITIONAL SECRETARY/JOINT SECRETARY TO GOVERNMENT
OF HARYANA, URBAN LOCAL BODIES**


1. References of cases of all Gazetted and Non-Gazetted officers, relating to various advances, including G.P. advance, Car advance, House Building Advance, etc.
2. Sanction of Ex-gratia grant to the widow/widower of deceased municipal employees in terms of Government Policy relating to officers/officials with **GP 1900 Level-2 or its equivalent and above.**
3. Exemption from payment of municipal taxes which are in conformity with the Government Policy, where the amount does not exceed Rs. 30,000/-.
4. To sign and file replies on behalf of Government in the Courts of law.
5. Cases relating to Medical Reimbursement in terms of Government policy.
6. Reply/disposal of routine references received from Government of India/other Governments.
7. Cases relating to submission of factual information sought/required by Public Accounts Committee/Estimate Committee/other Committees/Sub-Committees of Vidhan Sabha.
8. All cases relating to leave encasement in respect of **employees with GP below 5400 Level-10.**
9. All cases relating to property returns in respect of officers **GP 5400 Level-10 or its equivalent and above**, except the cases where it shows increase beyond the known source of income. These exceptional cases should be placed before the Administrative Secretary for his consideration.
10. All cases relating to grant of Daily Allowances beyond 10 days in a month.
11. All cases of reimbursement of medical bills above Rs. 50,000/- in each individual case.
12. All routine complaints against all categories of officers/officials.
13. Disposal of individual representation of with **GP below 5400.**
14. Approving terms and conditions of deputations which are in accordance with Government rules and instructions.
15. Settlement of audit objections.
16. POL coupons cases.
17. Cases of routine nature which require back references seeking Cases clarifications, Information, etc.
18. All cases of routine nature which have not been included in the list of cases to be disposed of by the Minister-In-Charge/Administrative Secretary.
19. All cases relating to grant of LTC.
20. Sanction of journey beyond jurisdiction pertaining to officers of **GP 5400 Level-10 or its equivalent.**
21. Sanction of leave to Under Secretary.
22. Appeal and representation made by officers/officials with **GP below 5400**, including appeal preferred against the orders of Head of Department, etc. in disciplinary matters when such appeal lies before the Government.


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Minister, HARYANA

ANNEXURE-IV

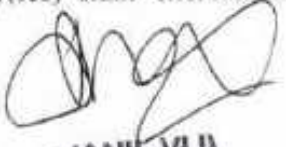
**LIST OF CASES TO BE DISPOSED OF BY THE DEPUTY SECRETARY/UNDER
SECRETARY TO GOVERNMENT OF HARYANA, URBAN LOCAL BODIES
DEPARTMENT**

1. Sanction of Ex-gratia grant to the widow/widower of deceased municipal employees in terms of Government Policy relating upto **GP 1800 Level-01**.
2. Reference of cases of upto **GP 1800 Level-01** relating to various advances, including G.P. advance, Car advance, House Building Advance. etc.
3. Other such works as are assigned by the Administrative Secretary.
4. Request to LR for instructions to A.G. Haryana to defend the case before the High Court and request to D.A. to defend the case in lower courts.
5. Approval of draft after approval of competent authority.
6. Sanction of casual leave of ministerial/supporting staff.
7. Tour programme of ministerial/supporting staff.


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Minister, HARYANA**

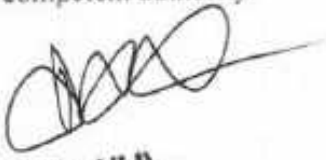
23. All cases relating to training of officers /officials GP 5400 Level-10 or its equivalent and above.
24. All cases of grant of NOC for the purposes of preparation of passport.
25. Tour programme of Under Secretary.
26. To sanction upto Rs. 50,000/- as non recurring contingent expenditure, including furnishing the newly constructed establishment and replacing/adding new facilities/ upgrading existing facilities, including furniture and articles ancillary to furnishing/ upgrading existing office facilities, purchase/ replacement of Personal computers, Printers and Gadgets ancillary to it.
27. To sanction non recurring contingent expenditure, including establishments in field formations where the estimated expenditure is up to Rs. 50,000/-.
28. Approval of affidavit and written statement to be filed in lower courts.
29. General supervision and inspection work at the Headquarters/field office.
30. All cases relating to grant of permission for purchase/sale of moveable/immoveable property, where the value of such purchase/sale does not exceed Rs. 5,00,000/- in case of officers /officials GP 5400 Level-10 or its equivalent and above.
31. Cases relating to fixation of pay, increment and allowance to Gazetted & Non Gazetted officers/officials.

Note:- If the post(s) of Special/Joint/Deputy Secretary remains vacant at any point in time, then the Administrative Secretary shall determine as to which authority(ies) shall exercise these delegations.


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Urban Local Bodies
Minister, HARYANA

ANNEXURE-V**LIST OF CASES TO BE DISPOSED OF BY THE SUPERINTENDENT/DEPUTY
SUPERINTENDENT TO GOVERNMENT OF HARYANA, URBAN LOCAL BODIES****DEPARTMENT**

1. Routine reference of all cases.
2. Routine cases regarding committee members.
3. Issue of reminders/interim replies.
4. References to be kept pending for want of relevant files.
5. References where duplicate copies are to be asked for.
6. Circular from CS/FD and other departments where no new reply is required.
7. To sign the sanction of GP Fund, etc. after the approval of competent authority.



(ANIL VIJ)
Urban Local Bodies
Minister, HARYANA


GOVERNMENT OF HARYANA
DEPARTMENT OF URBAN LOCAL BODIES

ORDER

In partial modification of the Standing Order made under the provision of rule 18 and 19 of the Rules of Business of Government of Haryana, 1977 framed under Article 166 of the Constitution of India by the Urban Local Bodies Minister and conveyed through Endst. No. 25/1/1996 - 4C - 1 dated 18.12.2019 (Standing Order), following changes/amendments are directed to be inserted therein:

- i. Entries as appearing in the said Standing Order at Sr. No. 29 and 33 under the sub-head 'Administrative Matters' in Annexure - I shall be omitted.
- ii. Entries as appearing in the said Standing Order at Sr. No. 3, 4, 5 and 6 under the sub-head 'Other Miscellaneous Matters' in Annexure - I shall be omitted.
- iii. Under the provisions of Annexure - II appended to the said Standing Order, new provisions shall be inserted, namely:
 - "14. To grant of permissions and licenses pertaining to non conforming Land Use and permissions (including the CLUs).
 15. Approval of Town Planning Schemes in Municipal Areas (including the areas under Municipal Corporations)/Improvement Trust Areas and final approval of Development Plans and final approval of building plans (pertaining to commercial/institutional areas) where the area in question 1000 sq yds and above for Municipal Areas/Improvement Trust areas."
2. These orders directing changes/amendments in the Standing Orders are being issued with the approval of the Urban Local Bodies Minister.
3. As a consequence, under the provisions of section 349 of the Haryana Municipal Act 1994 and Section 203E of the Haryana Municipal Act, 1973, the Director, Urban Local Bodies shall be competent to exercise powers of granting permissions or licenses and/or grant of refusal thereof without making any reference to the Government.
4. Clarifications, if required, may be sought wherever felt necessary.

Chandigarh
13.02.2020


 (S.N.Roy)
 Additional Chief Secretary to Government Haryana,
 Urban Local Bodies Department

Endst. No. 25/1/1996 - 4C-I

Chandigarh, dated the 14.2.2020

A copy, along with its enclosures, is forwarded to the followings for information and necessary action:-

1. Secretary to Governor, Haryana, Chandigarh.
2. Chief Secretary to Government of Haryana, Chandigarh.
3. Senior Private Secretary to the Chief Minister, Haryana, Chandigarh.
4. Private Secretary to the Chief Minister, Haryana, Chandigarh.
5. Additional Chief Secretary, to Government of Haryana, Urban Local Bodies Department.
6. Legal Remembrance & Secretary to Government, Law, Haryana Chandigarh.
7. Additional Principal Secretary - II to Chief Minister, Haryana.

शहरी स्थानीय
निकाय निदेशालय
हरियाणा



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

ब्ले सं. 11-14, सेक्टर 4, पंचकुला, हरियाणा
Bay No. 11-14, Sector 4, Panchkula, Haryana

Tel: +91 172 2570020 ; Fax: +91 172 2570021
website: www.ulbhry.gov.in ; email: dulbhry@hry.nic.in

To

1. The Commissioners, Municipal Corporations in the State
2. The Executive Officers in the Municipal Council in the State
3. The Secretaries in the Municipal Committee in the State

Memo no. DULB/CTP/A2/2020/ 1325-1412

Dated 27.02.2020

Subject: Regarding grant of permission to the Gas Pipe line

The undersigned has been directed to inform that the Government at the level of Additional Chief Secretary to Government Haryana, Urban Local Bodies Department has taken a decision that the policy issued vide memo no. HSIIDC:1A:2010:878 dated 17.06.2010 (copy enclose) issued by HSIIDC shall be followed in granting the permission for laying of Gas Pipe Line in municipal limit.

Further, it is also directed that municipality shall ask the company to furnish before grant of permission an undertaking that if any other enhance charges to be paid at later stage due to amendment or revision in the policy, the applicant company shall pay as and when demanded the balance amount or charges.

DA: As above

(Sunil Verma)

Assistant Town Planner,
for Director General, Urban Local Bodies,
Haryana, Panchkula

Endst. No. DULB/CTP/A2/2020/1433

Dated 27.02.2020

A copy of the above is forwarded to the All the Deputy Commissioners in the State for information and necessary action

(Sunil Verma)

Assistant Town Planner,
for Director General, Urban Local Bodies,
Haryana, Panchkula

हरियाणा राज्य औद्योगिक एवं संरचना विकास निगम लिमिटेड



Haryana State Industrial and Infrastructure Development Corporation Ltd.

By Hand

(A State Government Undertaking)

NO. HSIIDC/IA:2010: 278

Dated 17/6/10

The Financial Commissioner & Principal Secretary, Industries & Commerce, Govt. of Haryana Civil Secretariat, Chandigarh.

The Director, Development & Panchayats, Haryana Plot No. 3, Sector-20A, Chandigarh

The Financial Commissioner & Principal Secretary PWD (B&R), Govt. of Haryana Civil Secretariat, Sector-17, Chandigarh.

The Chief Administrator, Haryana Housing Board, C-15, Sector-6, Chandigarh.

The Director, Deptt. of Town & Country Planning, Haryana Sector-18, Chandigarh.

The Director, Industries & Commerce, Haryana, 30 Bays building, Sector-17, Chandigarh.

The Chief Administrator, Haryana State Agriculture & Marketing Board, Sector-6, Panchkula.

The Engineer in Chief, P.W.D (B&R) Deptt, Haryana Nirman Sadan, Sector-33, Chandigarh

The Director, Urban Local Bodies, Haryana SCO-6 & 7, Sector-17 B, Panchkula

The Engineer-in-Chief, Irrigation Deptt. Haryana Sector-5, Panchkula

The Chief Administrator, HUDA, Sector-6, Panchkula.

The Engineer-in-Chief, PWD (WG & S) Sector-4, Panchkula.

Subj: Policy/guidelines for grant of permission of Right of Way to Gas Companies for laying of Gas Pipelines in the State of Haryana.

Dear Sir,

Please refer subject cited matter.

In this connection, I am directed to inform you that a committee comprising of FC&PS, Industries & Commerce, FC&PS, PWD (B&R), Director Town & Country Planning & HD/HSIIDC was constituted under the Chairmanship of FC&PS, Finance Deptt., Govt. of Haryana. In order to finalize Policy/guidelines for grant of permission of Right of Way to Gas Companies for laying of Gas Pipelines in the State of Haryana. The committee in meeting dated. 21.4.2010 finalized the policy/guidelines. A Copy of approved policy/guidelines and the specimen of the agreement are enclosed at Ann-I & II for your information and circulating in your Deptt.

Thanking you,

Yours faithfully, for Hr. State Indl. & Infr. Dev. Corpn. Ltd

Asstt. General Manager (IA)

End: As above

cc: PS to Financial Commissioner & Principal Secretary, Govt. of Haryana, Deptt. of Finance, Civil Secretariat, Chandigarh

- for information of worthy FC & PS Finance Please.

HSIIDC - your partner in progress

पंजीकृत कार्यालय : नं. गी. 13 14, रोड नं-6, पंचकुला-114 105

REGD. OFFICE : NO. G. 13-14, SECTOR-5, PANCHKULA, TEL. : 2594131

L. FAX : 91(172) 2502474 E-MAIL : hsiidc@hsiidc.com

NEW DELHI OFFICE : TEL : 23241600-81-94 FAX : 91(11) 23247000 E-MAIL : hsiidc@hsiidc.com

Policy/Guidelines for Grant of permission of Right of Way to Gas Companies for laying of Gas Pipe Lines in the State of Haryana.

1. The Gas Company will have to obtain necessary NOC/clearance for the provision of commodity from the competent authorities of the state govt./ Govt. of India / PNGRB, as the case may be and same shall be submitted to the Deptt. from where the permission is sought.
2. The company will have to lay the gas pipeline in conformity with the OISD-STD relevant code (s) (141,170 & 228 etc.) of Oil Industry Directorate, Govt. of India, Ministry of petroleum and Natural Gas, and also other codes (ASME-31, 88 & API15L) with latest amendments & stipulations as may be applicable to the subject matter from time to time.
3. The Company shall take all kind of safety measures during the execution of work and in view of the fact that in future Land Owner Deptt./Board/Corporation may need to upgrade existing infrastructure and widen the existing roads etc. The Company shall be fully responsible for shifting of gas pipe line and to restore the line, if damaged during the execution, at its risk and cost and as per directions of officers of Land Owner Deptt./Board/Corporation.
4. ✓ The Company have to lay the gas pipeline at 1.50 mtr. depth from the Ground Level. The pipelines shall be allowed only within 1.5 mtr. of the extreme edge of the Right of Way of the road.
5. The Company shall take permission from the concerned authorities for crossing of others' line such as telecom line and power lines etc (if any). Regarding the location of other cables, underground installation/utilities etc, the agency shall be responsible to ascertain from the respective company or allottees in coordination with concerned department. The company shall ensure the safety and security of already existing cables/underground installation/utilities facilities etc before commencement of the excavation and shall be solely responsible/liable for full compensation/indemnification to concerned company/aggrieved owner for any direct/indirect or consequential damage caused to them/claims or replacement sought for, at the cost and risk of company. The concerned agency in coordination with Land Owner Deptt./Board/Corporation shall also have a right to make good such damages/recover the claims by way of invoking of Bank Guarantee furnished by this company.
6. The Company will not put up any permanent structure in the land area over the ground level. One of representative of company shall remain available at site during the execution of the work. The gas pipeline shall be placed in such a way that at no time there is any interference with the maintenance of the roads, water supply, sewerage, SWD line and other civic infrastructure.
7. The company shall ensure that laying Gas pipeline should not have any deleterious effects on any of the bridge components and roadway safety for traffic, water supply, sewerage, SWD line and other infrastructure. Wherever the pipelines have to be taken along the bridges, the aesthetics at the bridges shall be maintained, and the pipelines shall be taken only from the outside of the railings with appropriate overhanging arrangement.
8. The Gas pipelining is permitted to cross the roads either encased in pipes or through structure of conduits specially built for that purpose at the expense of the agency owing the line. Existing drainage structures shall not be allowed to carry the lines across. Efforts be made to cross the roads by horizontal drilling method (trenchless technology only). In case any damage is caused to the road pavement in this process, the company will be required to restore the same to the original condition at its own cost.

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9. In case the work contemplated herewith not completed to the satisfaction of the Land Owner Deptt./Board/Corporation, which has granted permission, the company shall either furnish afresh guarantee or extend the validity of guarantee for a further period of one year, one month before the expiry of the Bank Guarantee submitted earlier. In case of the company failing to discharge the obligation of making good the excavated trench, the Deptt./Board/Corporation shall have a right to make good the damages caused by excavation, at the cost of company and recover the amount by invoking the Bank Guarantee furnished by the company.
10. The company shall procure insurance from reputed insurance company against damages to already existing cables/underground installation/utilities/ facilities etc during trenching.
11. For maintenance/repair work, the company shall inform the department at least 15 days in advance with route details prior to digging trenches for approval of the Land Owner Deptt./Board/Corporation shall be obtained before undertaking any work of installation, shifting or repairs, or alterations to the Gas pipeline located in the road Right-of-Ways.
12. The permission granted shall not in any way be deemed to convey to the company any ownership right or any interest in route/ road/ highway/ land/ property, other than what is herein expressly granted.
13. The Gas pipe line shall not be brought into use by the company unless a completion certificate to the effect that the laying of Gas pipe line has been laid in accordance with the approved specifications and drawings and the trenches have been filled up to the specifications of the concerned agency in coordination with the owner has been obtained. The Gas/Oil Company will submit drawings of completed work in hard as well as soft copies.
14. If Land Owner Deptt./Board/Corporation is required to do some emergent work in the area where Gas Pipeline is laid, the company will provide an observer within 24 hours of notice in this regard. Department will not be responsible for any damage of any kind by what so ever means natural or otherwise.
15. Permission granted will be specific for the length/area considered while working out the permission charges, in case additional length/area is required at any point of time, separate permission will have to be obtained by agency from department and charges applicable at that point of time shall be levied.
16. The base rate of lease charges in respect of approvals granted earlier or those to be granted during 2010-11 shall be as under:

Sr. No.	Trench width	Rate per km or part thereof	Validity of Lease Charges	Rates after 10 yrs. for another block of 10 yrs.
1.	Upto 0.6 mtrs.	Rs.1.50 lakh per km or part thereof	10 years	Rs.1.00 lakh per km or part thereof
2.	Above 0.6 mts.	Rs.3.00 lakh per km or part thereof	10 years	Rs.6.00 lakh per km or part thereof

As for the proposals to be considered during 2011-12 and thereafter, the base rates shall be revised and updated @10% every year.

17. The horizontal distance between power line/cable and gas pipeline shall be kept in accordance with relevant IS codes.

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18. The company will have to submit a bank guarantee valid upto one year beyond the date of completion of laying of Gas Pipe Line as a security to remove defects if any observed, at the risk and cost of the agency, at the following rate :-
- For paved portion @ Rs.10,00,000/- (Rs. Ten Lacs) per KM length or part thereof.
 - For unpaved kacha portion @ Rs.1,00,000/- (Rs. One Lac only) per KM length or part thereof.

19. In case Gas company fails to restore the existing ground/road to its original position, restoration charges will be recovered from the company on the following rates:-

- For paved portion @ Rs.85/- per sqft. i.e. Rs.915/- per sqm, taking minimum width 1.00 mtr. or actual whichever is more.
- or unpaved kacha portion @ Rs.6/- per sqft. i.e. @ 65/- per sqm taking minimum width 0.6 M or actual whichever is more.
- For trenchless boring across the road @ Rs.1000/- per mtr length for pipelines upto 300 mm diameter.

These rates are for the current year i.e. 2009-10, which will be updated every year thereafter by adding 10% p.a. in the basic rate.

20. The Land Owner Deptt./Board/Corporation will have a right to terminate the permission or to extend the period of agreement. In the case of termination/ expiry of the agreement, the company shall remove the Gas pipe line within 30 days and the site shall be brought back to the original condition failing which the company will lose the right to remove the conduits/ ducts. However, before taking up the work of removal of Gas pipe line the company shall furnish a Bank Guarantee to the owner for a period of one year for an amount assessed by the owner for making good the excavated trench by proper filling and compaction, clearing debris, loose earth produced due to excavation of trenching at least 50m away from the edge of the right of way or as directed by Land Owner Deptt./Board/Corporation.
21. That the Licensee / Licensees shall at all times permit any duly authorized officer or servant of the Government Deptt. / Board / Corporation to inspect the said Gas pipeline.
22. That the Licensee / Licensees within two months of a notice duly given to him to this behalf by the Government Deptt. / Board / Corporation shall at his/their own cost remove the Gas pipeline and restore the road land to its original condition when required to do so by the Government Deptt. / Board / Corporation or by any person authorised on its behalf. The Licensee / Licensees shall not be entitled to any compensation on account of such removal or restoration.
23. The Gas/Oil Company shall have to execute an agreement in respect of above terms of conditions on non-judicial stamp paper amounting to Rs.100/- signed by authorized signatory of the company and Land Owner Deptt./Board/Corporation and attested by the notary public.
24. The company shall bear the stamp duty charged for the agreement.

Annexure-II

**AGREEMENT TO BE EXECUTED FOR LAYING OF GAS PIPE LINES ON
GOVERNMENT LAND IN THE STATE OF HARYANA**

Agreement to lay Gas pipeline at/from _____ Kilometer to _____ Kilometer
_____ on / along Highway No. _____ in village of _____ Taluka _____
of the _____ District.

AN AGREEMENT made this _____ day of _____ (month) of _____ year
(to be written in words) _____ between the Land Owner Deptt / Board / Corporation
(hereinafter called the Government which expression shall, unless excluded by or repugnant
to the context, include his successors in office and assigns) of the one part and
_____ (name of the party). (hereinafter called the 'Licensee'
which expression shall, unless excluded by or repugnant to the context, include his heirs its
successors/their successors and assigns) of the other Part.

WHEREAS the licensee has/licensees have applied to the Government Deptt. / Board
/ Corporation for permission to lay Gas pipeline at/from _____ Kilometer to _____
Kilometers _____ on / along Highway No. _____ in village of _____ Taluka
_____ of the _____ District.

AND WHEREAS the Government Deptt. / Board / Corporation have agreed to grant
such permission on the terms and conditions hereinafter mentioned.

Now this Agreement witness that, in consideration of the conditions hereinafter
contained and on the part of the Licensee/Licensees to be observed and performed, the
Government Deptt. / Board / Corporation hereby grants to the licensee/licensees permission
to lay Gas pipeline as per the approved drawing attached hereto subject to the following
conditions namely:-

1. The Gas Company will have to obtain necessary NOC/clearance for the provision of
commodity from the competent authorities of the state govt./ Govt. of India / PNGRB,
as the case may be and same shall be submitted to the deptt. from where the
permission is sought.
2. The company will have to lay the gas pipeline in conformity with the OISD-STD
relevant code (s) (141,179 & 226 etc.) of Oil Industry Directorate, Govt. of India,
Ministry of petroleum and Natural Gas, and also other codes (ASME-31, 88 &
API15L) with latest amendments & stipulations as may be applicable to the subject
matter from time to time.

- 2 -

3. The Company shall take all kind of safety measures during the execution of work and in view of the fact that in future Land Owner Deptt./Board/Corporation may need to upgrade existing Infrastructure and widen the existing roads etc. The Company shall be fully responsible for shifting of gas pipe line and to restore the line, if damaged during the execution, at its risk and cost and as per directions of officers of Land Owner Deptt./Board/Corporation.
4. The Company have to lay the gas pipeline at 1.50 mtr. depth from the Ground Level. The pipelines shall be allowed only within 1.5 mtr. of the extreme edge of the Right of Way of the road.
5. The Company shall take permission from the concerned authorities for crossing of others' line such as telecom line and power lines etc (if any). Regarding the location of other cables, underground installation/utilities etc, the agency shall be responsible to ascertain from the respective company or allottees in coordination with concerned department. The company shall ensure the safety and security of already existing cables/underground installation/utilities facilities etc before commencement of the excavation and shall be solely responsible/liable for full compensation/indemnification to concerned company/aggrieved owner for any direct/indirect or consequential damage caused to them/claims or replacement sought for, at the cost and risk of company. The concerned agency in coordination with Land Owner Deptt./Board/Corporation shall also have a right to make good such damages/recover the claims by way of invoking of Bank Guarantee furnished by the company.
6. The Company will not put up any permanent structure in the land area over the ground level. One of representative of company shall remain available at site during the execution of the work. The gas pipeline shall be placed in such a way that at no time there is any interference with the maintenance of the roads, water supply, sewerage, SWD line and other civic infrastructure.
7. The company shall ensure that laying Gas pipeline should not have any deleterious effects on any of the bridge components and roadway safety for traffic, water supply, sewerage, SWD line and other infrastructure. Wherever the pipelines have to be taken along the bridges, the aesthetics at the bridges shall be maintained, and the pipelines shall be taken only from the outside of the railings with appropriate overhanging arrangement.
8. The Gas pipeline is permitted to cross the roads either encased in pipes or through structure of conduits specially built for that purpose at the expense of the agency owing the line. Existing drainage structures shall not be allowed to carry the lines across. Efforts be made to cross the roads by horizontal drilling method (trenchless technology only). In case any damage is caused to the road pavement in this process, the company will be required to restore the same to the original condition at its own cost.

9. In case the work contemplated herewith not completed to the satisfaction of the Land Owner Deptt./Board/Corporation, which has granted permission, the company shall either furnish afresh guarantee or extend the validity of guarantee for a further period of one year, one month before the expiry of the Bank Guarantee submitted earlier. In case of the company failing to discharge the obligation of making good the excavated trench, the Deptt./Board/Corporation shall have a right to make good the damages caused by excavation, at the cost of company and recover the amount by invoking the Bank Guarantee furnished by the company.
10. The company shall procure insurance from reputed insurance company against damages to already existing cables/underground installation/utilities/ facilities etc during trenching.
11. For maintenance/repair work, the company shall inform the department at least 15 days in advance with route details prior to digging trenches for approval of the Land Owner Deptt./Board/Corporation shall be obtained before undertaking any work of installation, shifting or repairs, or alterations to the Gas pipeline located in the road Right-of-Ways.
12. The permission granted shall not in any way be deemed to convey to the company any ownership right or any interest in route/ road/ highway/ land/ property, other than what is herein expressly granted.
13. The Gas pipe line shall not be brought into use by the company unless a completion certificate to the effect that the laying of Gas pipe line has been laid in accordance with the approved specifications and drawings and the trenches have been filled up to the specifications of the concerned agency in coordination with the owner has been obtained. The Gas/Oil Company will submit drawings of completed work in hard as well as soft copies.
14. If Land Owner Deptt./Board/Corporation is required to do some emergent work in the area where Gas Pipeline is laid, the company will provide an observer within 24 hours of notice in this regard. Department will not be responsible for any damage of any kind by what so ever means natural or otherwise.
15. Permission granted will be specific for the length/area considered while working out the permission charges, in case additional length/area is required at any point of time, separate permission will have to be obtained by agency from department and charges applicable at that point of time shall be levied.
16. The base rate of lease charges in respect of approvals granted earlier or those to be granted during 2010-11 shall be as under:

Sr. No.	Trench width	Rate per km or part thereof	Validity of Lease Charges	Rates after 10 yrs. for another block of 10 yrs.
1.	Upto 0.6 mtrs.	Rs.1.50 lakh per km or part thereof	10 years	Rs.3 00 lakh per km or part thereof
2.	Above 0.6 mts.	Rs.3.00 lakh per km or part thereof	10 years	Rs.6 00 lakh per km or part thereof

As for the proposals to be considered during 2011-12 and thereafter, the basic rates shall be revised and updated @ 10% every year.

17. The horizontal distance between power line/cable and gas pipe line shall be kept in accordance with relevant IS codes.
18. The company will have to submit a bank guarantee valid upto one year beyond the date of completion of laying of Gas Pipe Line as a security to remove defects if any observed, at the risk and cost of the agency, at the following rates:-
 - i) For paved portion @ Rs.10,00,000/- (Rs. Ten Lacs) per KM length or part thereof.
 - ii) For unpaved kacha portion @ Rs.1,00,000/- (Rs. One Lakh only) per KM length or part thereof.
19. In case Gas company fails to restore the existing ground/road to its original position, restoration charges will be recovered from the company on the following rates:-
 - i) For paved portion @ Rs.85/- per sqft. i.e. Rs.915/- per sqm, taking minimum width 1.00 mtr. or actual whichever is more.
 - ii) For unpaved kacha portion @ Rs.6/- per sqft. i.e. @ 35/- per sqm taking minimum width 0.6 M or actual whichever is more.
 - iii) For trenchless boring across the road @ Rs.1000/- per mtr length for pipelines upto 300 mm diameter.

These rates are for the current year i.e. 2009-10, which will be updated every year thereafter by adding 10% p.a. in the basic rate.

20. The Land Owner Deptt./Board/Corporation will have a right to terminate the permission or to extend the period of agreement. In the case of termination/ expiry of the agreement, the company shall remove the Gas pipe line within 30 days and the site shall be brought back to the original condition failing which the company will lose the right to remove the conduits/ ducts. However, before taking up the work of removal of Gas pipe line the company shall furnish a Bank Guarantee to the owner for a period of one year for an amount assessed by the owner for making good the excavated trench by proper filling and compaction, clearing debris, loose earth produced due to excavation of trenching at least 50m away from the edge of the right of way or as directed by Land Owner Deptt./Board/Corporation.
21. That the Licensee / Licensees shall at all times permit any duly authorized officer or servant of the Government Deptt. / Board / Corporation to inspect the said Gas pipeline.

- 5 -

22. That the Licensee / Licensees within two months of a notice duly given to him to this behalf by the Government Deptt. / Board / Corporation shall at him/their own cost remove the Gas pipeline and restore the road land to its original condition when required to do so by the Government Deptt. / Board / Corporation or by any person authorised on its behalf. The Licensee / Licensees shall not be entitled to any compensation on account of such removal or restoration.
23. The Gas/Oil Company shall have to execute an agreement in respect of above terms of conditions on non-judicial stamp paper amounting to Rs.100/- signed by authorized signatory of the company and Land Owner Deptt./Board/Corporation and attested by the notary public.
24. The company shall bear the stamp duty charged for the agreement.

Notwithstanding anything contained in clause 22 above, the licence may be cancelled at any time by the Government for a breach of any condition of the licence and the licensee shall not be entitled to any loss caused to it by such cancellation, nor shall it be absolved from any liability already incurred under this agreement.

This Agreement has been executed in duplicate and each party to this agreement has retained one stamped copy each.

Signed by Shri(Name in full) the licensee
The constituted attorney of the licensees

Signed by Shri(Name in full)
Designation
Govt. Deptt / Board / Corporation

In the presence of

1. Name in full (Signature) with designation

1. Name in full (Signature) with designation

2. Name in full (Signature) with designation

2. Name in full (Signature) with designation

N.B. In case of BOT works following clause has to be inserted.

"The permitted Highway on which Licensee has been granted the right to lay Gas Pipe Line has also been granted as a right of way to the concessionaire under the concession agreement for up-gradation of _____ section from Km _____ to Km _____ of NH No. _____ on Build, Operate and Transfer Basis and therefore, the licensee shall honour the same."

Order

In exercise of the powers conferred upon me under sub-section (2) of Section 19 of the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963 (Act No. 41 of 1963) by virtue of 203 (G) of the Haryana Municipal Act, 1973, I, Vikas Gupta, IAS, Director, Urban Local Bodies Department with the approval of the Government, do hereby delegate/ authorize the Executive Officers of Municipal Councils and Secretaries of Municipal Committees in the State within the municipal limits under their respective jurisdiction, to exercise the powers and functions vested in me under Sections 8(1), 12 and 12A of the Act No. 41 of 1963 within municipal limits.

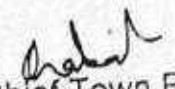
Dated: 31.01.2014

Vikas Gupta IAS,
Director, Urban Local Bodies,
Haryana, Chandigarh.

Endst. No. CTP/A3/2014/6920-2014 Dated 03-2-14

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

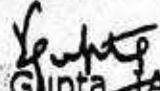
- 1 Principal Secretary to Govt. Haryana, Urban Local Bodies Department.
- 2 Principal Secretary to Govt. Haryana, Town & Country Planning Department.
- 3 All Deputy Commissioners in the State of Haryana.
- 4 All Executive Officers of Municipal Councils and Secretaries of Municipal Committees in the State of Haryana.


Chief Town Planner,
for Director, Urban Local Bodies,
Haryana, Chandigarh

Order

In exercise of the powers conferred upon me under sub section (3) of Section 401 of the Haryana Municipal Corporation Act, 1994, I, Vikas Gupta, IAS, Director, Urban Local Bodies Department, with the approval of the Government, do hereby delegate/ authorize all the Commissioners of Municipal Corporations In the State of Haryana within the Municipal Corporation limits under their respective jurisdiction to exercise the powers and functions vested in me under Section 349 (1), and 350 A and 350 B of the Haryana Municipal Corporation Act, 1994.

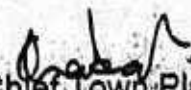
Dated: 31.01.2014


Vikas Gupta, IAS,
Director, Urban Local Bodies,
Haryana, Chandigarh.

Endst. No. CTP/A3/2-14/7012-7103 Dated 03-2-14

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

- 1 Principal Secretary to Govt. Haryana, Urban Local Bodies Department.
- 2 Principal Secretary to Govt. Haryana, Town & Country Planning Department.
- 3 All Commissioners of Municipal Corporations In the State of Haryana.
- 4 All Deputy Commissioners In the State of Haryana.


Chief Town Planner,
for Director, Urban Local Bodies,
Haryana, Chandigarh.

ORDER

In exercise of the powers conferred by sub-section (3) of Section-401 of the Haryana Municipal Corporation Act, 1994 and with the prior approval of the Government, the powers and functions to consider and approve change of land use applications under Section 349(2) of the Act *ibid*, for areas falling in conforming Industrial Zones of the published Final Development Plans falling within the controlled areas in municipal corporation limits for Industrial purpose, within their jurisdictions and as specified in Office Memo 18/6/2015-3C-I dated 2.6.2016 are hereby delegated to the Deputy Commissioners in the State of Haryana.

Dated:


 (Sameer Patil, IAS),

 Director, Urban Local Bodies Department,
 Haryana, Panchkula.

Endst. No. DULB/CTP/A3/2016, 4235

Dated: 28/6/2016

A copy is forwarded to the Principal Secretary to Government Haryana, Urban Local Bodies Department, for information.



Assistant Town Planner,

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

Endst. No. DULB/CTP/A3/2016/ 4236-4368

Dated: 28/6/2016

A copy of the above along with copy of notification dated 03.09.2014 is forwarded to the following for information and necessary action:

1. The Chief Secretary to Govt. Haryana, Chandigarh.
2. The Additional Chief Secretary to Govt. Haryana Town & Country Planning Department.
3. The Principal Secretary to Govt. Haryana Industries Department.
4. All the Commissioners of Municipal Corporations in the State of Haryana.
5. All the Deputy Commissioners in the State.
6. All District Town Planners of Town & Country Planning Department.
7. All the Executive Officers/Secretaries of the Municipal Councils/Committees in the State.




Assistant Town Planner,

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

ORDER

In exercise of the powers conferred by Sub-Section (2) of Section-19 of the Punjab Scheduled Roads and Controlled Areas Restrictions of Un-Regulated Development Act, 1963 (Act no. 41 of 1963) by virtue of Section 203 G of the Haryana Municipal Act, 1973 and with the prior approval of the Government, the powers and functions to consider and approve change of land use applications under section 203E (2) of the Haryana Municipal Act, 1973, for the areas falling in conforming Industrial Zones of the published Final Development Plans within the controlled areas in municipal council/committee limits for Industrial purpose, within their jurisdiction and as specified in Office Memo 18/6/2015-3C-I dated 2.6.2016 are hereby delegated to the Deputy Commissioners in the State of Haryana.


Dated:


 (Sameer Pal Srow, IAS),
 Director, Urban Local Bodies Department,
 Haryana, Panchkula.

Endst. No. DULB/CTP/A3/2016/4369

Dated: 28/6/2016

A copy is forwarded to the Principal Secretary to Government Haryana, Urban Local Bodies Department, for information.



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

Endst. No. DULB/CTP/A3/2016/4370-4502

Dated: 28/6/2016

A copy of the above along with copy of notification dated 03.09.2014 is forwarded to the following for information and necessary action:

1. The Chief Secretary to Govt. Haryana, Chandigarh.
2. The Additional Chief Secretary to Govt. Haryana Town & Country Planning Department.
3. The Principal Secretary to Govt. Haryana Industries Department.
4. All Deputy Commissioners in the State.
5. All District Town Planner of Town & Country Planning Department.
6. All the Secretaries of Municipal Committees in the State.
7. All Executive Officer/Secretaries of Municipal Councils/Committees.


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


Order

In exercise of the powers conferred upon me under sub section (3) of Section 401 of the Haryana Municipal Corporation Act, 1994 and in compliance of the directions of the Government as communicated vide notification no. 18/6/2015-3C1 dated 7.1.2015, I, Pankaj Agarwal, IAS, Director, Urban Local Bodies Department, Haryana do hereby delegate/ authorize the Commissioners of Municipal Corporation, Gurgaon and Faridabad to exercise the power and function vested in me under Section 347 of the Haryana Municipal Corporation Act 1994, regarding sanction of building plans and occupation certificate in respect of sites up to five acres where permission for change of land use are to be granted by Director, Urban Local Bodies, within the Municipal Corporation limit. Further, the Building Plan Advisory Committee consisting of the following officers is hereby constituted to advise Commissioner, Municipal Corporation, Gurgaon and Faridabad for sanction of such Building plans and issuance of Occupation Certificate:-

- i. Chief Town Planner of concerned Municipal Corporation or any other officer officiating as such for the time being as Chairman.
- ii. Chief Engineer of concerned Municipal Corporation or any other officer officiating as such for the time being as member;
- iii. District Town Planner of T & CP Department of the concerned District as member.

Note: In the event of any vacancy in the office of these advisory committees, CMCG/CMCF would make temporary arrangements appropriately.

Dated:

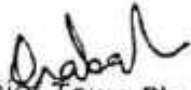

Pankaj Agarwal, IAS,
Director, Urban Local Bodies,
Haryana, Panchkula.

Dated: 10/3/15

Endst. No. 649-60

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

- 1 Additional Chief Secretary to Govt. Haryana, Town & Country Planning Department.
- 2 Principal Secretary to Govt. Haryana, Urban Local Bodies Department.
- 3 Commissioners of Municipal Corporations Gurgaon and Faridabad.


Chief Town Planner
for Director, Urban Local Bodies,
Haryana, Panchkula.

Order

In exercise of the powers conferred upon me under sub section (3) of Section 401 of the Haryana Municipal Corporation Act, 1994, I, Yash Pal, Director, Urban Local Bodies Department, with the approval of the Government, do hereby delegate/authorize Chief Town Planner (HQ) in Town Planning Cell to exercise the power and function vested in me under Section 347 of the Haryana Municipal Corporation Act, 1994 regarding sanction of building plans and composition of violation in building plans where change of land use permission has been granted by the competent authority.

Further the order issued vide endst. No. 649-60 dated 10.03.2015 shall also remain applicable.

Dated: 05/12/2023

Director,
Urban Local Bodies
Haryana, Panchkula

Endst. No. DULB/CTP/ATP-II/10996-98 dated: 05/12/2023

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

1. All the Commissioner, Municipal Corporations in the State.
2. All the District Municipal Commissioners in the State.
3. All the District Town Planners at District head quarter.

05/12/2023
Senior Town Planner,
Urban Local Bodies
Haryana, Panchkula

HARYANA GOVT. GAZ. (EXTRA.), APR. 1, 2014
(CHTR. 11, 1936 SAKA)

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HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 1st April, 2014

No. Leg. 15/2014.—The following Act of the Legislature of the State of Haryana received the Assent of the Governor of Haryana on the 22nd March, 2014, and is hereby published for general information :—

(HARYANA ACT NO. 12 OF 2014)

THE HARYANA MUNICIPAL CORPORATION
(AMENDMENT) ACT, 2014

AN

ACT

further to amend the Haryana Municipal Corporation Act, 1994.

Be it enacted by the Legislature of the State of Haryana in the Sixty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Municipal Corporation Short title. (Amendment) Act, 2014.

2. In section 2 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act),—

(i) after clause (9), the following clause shall be inserted, namely :—

‘(9A) “Director” means the Director, Urban Local Bodies, Department, Haryana and includes any other officer for the time being appointed by the Government, by notification in the Official Gazette, to exercise and perform all or any of the powers and functions of the Director under this Act and the rules made thereunder;’;

(ii) after clause (51), the following clause shall be inserted, namely :—

‘(51A) “Secretary” means the Secretary to Government, Haryana, Urban Local Bodies Department;’.

3. For sub-section (1) of section 346 of the principal Act, the following sub-section shall be substituted, namely :—

“(1) Notwithstanding anything to the contrary contained in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), the

Director may, with the prior approval of the Government, by notification in the Official Gazette, declare any area within the Municipal area to be controlled area. In case any area within the Municipal area has already been declared as controlled area under the above said Act, then it shall be deemed to be controlled area for the purposes of this Act and if any plan has already been notified for such controlled area under the aforesaid Act then it shall also be deemed to be the plan for the purposes of this Act."

Amendment of sections 346, 347, 348, 349, 350, 350A and 350B of Haryana Act 16 of 1994.

4. In sections 346, 347, 348, 349, 350, 350A and 350B of the principal Act, for the word "Commissioner", wherever occurring, the word "Director" shall be substituted.

Insertion of section 350D in Haryana Act 16 of 1994.

5. After section 350C of the principal Act, the following section shall be inserted, namely :—

"350D. Effect of other laws.—The acts already done under the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) within the Municipal area shall be deemed to have been validly done under this Act."

Amendment of section 398 of Haryana Act 16 of 1994.

6. In sub-section (2) of section 398 of the principal Act, after the words "the Commissioner", the words "or the Director" shall be inserted.

Amendment of section 401 of Haryana Act 16 of 1994.

7. After sub-section (2) of section 401 of the principal Act, the following sub-section shall be added, namely :—

"(3) The Director may, with the approval of the Government, by an order in writing delegate any of its powers and functions under the Act or the rules made thereunder to any officer as may be specified in such order."

Repeal and savings.

8. (1) The Haryana Municipal Corporation (Third Amendment) Ordinance, 2013 (Haryana Ordinance No.3 of 2014), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

RAJ RAHUL GARG,
Secretary to Government Haryana,
Law and Legislative Department.

PART-I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 23rd November, 2017

No. Leg. 35/2017.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 8th November, 2017 and is hereby published for general information:—

HARYANA ACT NO. 32 OF 2017**THE HARYANA MUNICIPAL (SECOND AMENDMENT) ACT, 2017****AN****ACT**

further to amend the Haryana Municipal Act, 1973.

Be it enacted by the Legislature of the State of Haryana in the Sixty-eighth Year of the Republic of India as follows:—

- | | |
|---|--|
| <p>1. This Act may be called the Haryana Municipal (Second Amendment) Act, 2017.</p> | <p>Short title.</p> |
| <p>2. For clause (viii) of sub-section (1) of section 70 of the Haryana Municipal Act, 1973, the following clause shall be substituted, namely:—
“(viii) a tax on the consumption of electricity at the rate of two percent of the electricity bill consumed by any person within the limits of the municipality;”.</p> | <p>Amendment of section 70 of Haryana Act 24 of 1973.</p> |
| <p>3. In sub-section (1) of section 203 of the principal Act,—
(i) in clause (i), for the sign “.” existing at the end, the sign “:” shall be substituted; and
(ii) after clause (i), the following proviso shall be inserted, namely:—
“Provided that where an individual or a company applies for preparation/ approval of town planning scheme over its own land, then the un-built area shall not be declared. The committee shall pass a resolution for approval of town planning scheme within sixty days from the date such proposal is put up for its consideration for the first time, otherwise the Deputy Commissioner shall forward the proposal of the town planning scheme directly to the State Government.”.</p> | <p>Amendment of section 203 of Haryana Act 24 of 1973.</p> |

BHUPINDER NATH,
Additional Legal Remembrancer &
Special Secretary to Government Haryana,
Law and Legislative Department.

55804—L.R.—H.G.P., Chd.

Regd. No. CHD/0093/2015-2017



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

© Govt. of Haryana

No. 204-2017/Ext.] CHANDIGARH, THURSDAY, NOVEMBER 23, 2017
(AGRAHAYANA 1, 1939 SAKA)

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PART-I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 23rd November, 2017

No. Leg. 34/2017.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 8th November, 2017 and is hereby published for general information:—

HARYANA ACT NO. 31 OF 2017**THE HARYANA MUNICIPAL CORPORATION (SECOND AMENDMENT) ACT, 2017****AN****ACT**

further to amend the Haryana Municipal Corporation Act, 1994.

Be it enacted by the Legislature of the State of Haryana in the Sixty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Haryana Municipal Corporation (Second Amendment) Act, 2017. Short title.
2. For clause (e) of sub-section (2) of section 87 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act), the following clause shall be substituted, namely:—
 “(e) a tax on consumption of energy at a rate of two percent of the electricity bill consumed by any person within the Municipal area;”. Amendment of section 87 of Haryana Act 16 of 1994.
3. In sub-section (1) of section 267 of the principal Act,—
 (i) in clause (i), for the sign “.” existing at the end, the sign “.” shall be substituted; and Amendment of section 267 of Haryana Act 16 of 1994.
 (ii) after clause (i), the following proviso shall be inserted, namely:—
 “Provided that where an individual or a company applies for preparation/approval of town planning scheme over its own land, then the un-built area shall not be declared. The Corporation shall pass a resolution for approval of town planning scheme within sixty days from the date such proposal is put up for its consideration for the first time, otherwise the Commissioner shall forward the proposal of the town planning scheme directly to the Government.”.

BHUPINDER NATH,
 Additional Legal Remembrancer &
 Special Secretary to Government Haryana,
 Law and Legislative Department.

55804—L.R.—H.G.P., Chd.

PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 4th October, 2018

No. Leg.33/2018.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 27th September, 2018 and is hereby published for general information:-

HARYANA ACT NO. 28 OF 2018**THE HARYANA MUNICIPAL CORPORATION (SECOND AMENDMENT)****ACT, 2018**

AN

ACT

further to amend the Haryana Municipal Corporation Act, 1994.

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

1. This Act may be called the Haryana Municipal Corporation (Second Amendment) Act, 2018. Short title.
2. In section 4 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act),- Amendment of section 4 of Haryana Act 16 of 1994.
 - (i) for sub-section (2), the following sub-section shall be substituted, namely:-

“(2) Save as provided in sub-section (3), all seats in the Corporation including a Mayor shall be filled by persons chosen by direct election from the territorial constituencies in the Municipal area and for this purpose the Municipal area shall by a notification issued in this behalf be divided into territorial constituencies to be known as wards.”;
 - (ii) in the second proviso to sub-section (3), the word and sign “Mayor,” occurring twice shall be omitted; and
 - (iii) in the proviso to sub-section (4), for the words “three years and three months”, the words “four years” shall be substituted and shall be deemed to have been substituted with effect from the 10th October, 2008.
3. For section 7 of the principal Act, the following section shall be substituted, namely:- Substitution of section 7 of Haryana Act 16 of 1994.

“7. Qualifications for Mayor and members. - A person shall not be qualified to be chosen as a Mayor or member unless,-

 - (a) he has attained twenty-one years of age; and
 - (b) his name is registered as an elector in the electoral roll of a ward in the Municipal area.”.
4. In section 8 of the principal Act,- Amendment of section 8 of Haryana Act 16 of 1994.
 - (i) for the existing marginal heading, the following marginal heading shall be substituted, namely:-

“Disqualifications of Mayor and members.”;
 - (ii) in sub-section (1), for the words “for being a member”, the words “for being a Mayor or member” shall be substituted;
 - (iii) in sub-section (2),-

- (a) for the words “for being a member”, the words “for being a Mayor or member” shall be substituted;
- (b) for the second proviso to clause (r), the following proviso shall be substituted, namely:-
 “Provided further that in case of a woman candidate belonging to Scheduled Caste, the minimum qualification for members excluding Mayor shall be 5th pass.”;
- (iv) for sub-section (4), the following sub-section shall be substituted, namely:-
 “(4) If a person sits or votes as a Mayor or member of the Corporation where he is not qualified or that he is disqualified for the post of Mayor or membership, he shall be liable in respect of each day on which he so sits or votes to penalty of five hundred rupees to be recovered as an arrear of tax under this Act.”;
- (v) in sub-section (5), for the words “as to whether a member”, the words “as to whether a Mayor or member” shall be substituted.
- 5.** For section 8A of the principal Act, the following section shall be substituted, namely:-
 “8A. Restriction on simultaneous or double membership.- (1) No person shall be a Mayor or member of the Corporation, member of Legislative Assembly of the State or member of Parliament simultaneously.
 (2) In case a Mayor or member of the Corporation is elected to the Legislative Assembly or Parliament, he shall cease to continue as a Mayor or member of the Corporation from the date he is declared as elected to the Legislative Assembly or Parliament, as the case may be.”.
- 6.** In sub-section (1) of section 14 of the principal Act, for the words “the names of elected members”, the words “the name of Mayor and members” shall be substituted.
- 7.** In sub-section (1) of section 15 of the principal Act, for the words “no election of a member”, the words “no election of a Mayor or member” shall be substituted.
- 8.** In clause (a) of sub-section (1) of section 17 of the principal Act, for the words “to be chosen as a member”, the words “to be chosen as a Mayor or member” shall be substituted.
- 9.** In sub-section (2) of section 21 of the principal Act, for the words “election of member”, the words “election of a Mayor or member” shall be substituted.
- 10.** In section 32 of the principal Act,-
 (i) for the existing marginal heading, the following marginal heading shall be substituted, namely:-
 “Power to make rules regulating the election of Mayor and members.”; and
 (ii) in sub-section (1), for the words “holding election of members”, the words “holding election of Mayor and members” shall be substituted.
- 11.** For section 33 of the principal Act, the following section shall be substituted, namely:-
 “33.Oath of affirmation by Mayor or member.- (1) Every elected Mayor or member shall, before taking his seat, make and subscribe at a meeting of the Corporation, an oath or affirmation according to the following form, namely :-
 ‘I _____ having been elected as a Mayor or member of the Municipal Corporation of _____ do swear in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully discharge the duty upon which I am about to enter.’
 (2) If a person sits or votes as a Mayor or member before he complied with the requirements of sub-section (1), he shall be liable in respect of each day on which he so sits or voted to a penalty of five hundred rupees to be recovered as an arrear of tax under this Act, and his vote shall be considered invalid.”.

- 12.** For section 34 of the principal Act, the following section shall be substituted, namely:-
- Substitution of section 34 of Haryana Act 16 of 1994.
- “34. Removal of and resignation by Mayor or member.- (1) The Government may, by notification remove Mayor or member, if in its opinion -
- (a) he becomes subject to any of the disqualifications mentioned in section 8; or
 - (b) he has flagrantly abused his position as a Mayor or member or has through negligence or misconduct been responsible for the loss or misapplication of any money or property of the Corporation ; or
 - (c) he has become physically or mentally incapacitated for performing his duties as a Mayor or member ; or
 - (d) he absents himself during three successive months from the meetings of the Corporation ; or
 - (e) he acts in contravention of the provisions of section 60; or
 - (f) he has, since his election or nomination, become subject to any disqualification which, if it had existed at the time of his election or nomination, would have rendered him ineligible under any law for the time being in force regulating the qualifications of candidate for election or nomination:
- Provided that before making an order under this section, reasonable opportunity of being heard and to show cause against such an order shall be given to the Mayor or member, as the case may be.
- (2) If a Mayor or member resigns his seat by writing under his hand addressed to the Commissioner, he shall cease to be a Mayor or member on the date of acceptance of his resignation and his office shall thereupon fall vacant.
- 13.** In section 34-A of the principal Act,-
- Amendment of section 34-A of Haryana Act 16 of 1994.
- (i) for the existing marginal heading, the following marginal heading shall be substituted, namely:-
“Suspension of Mayor or member.”;
 - (ii) in sub-section (1), for the words “suspend any member”, the words “suspend a Mayor or member” shall be substituted;
 - (iii) in sub-section (2),-
 - (a) for the words “Any member”, the words “A Mayor or any member” shall be substituted; and
 - (b) for the existing proviso, the following provisos shall be substituted, namely:-
“Provided that the suspension period of a Mayor or member shall not exceed six months from the date of issuance of suspension order except in criminal cases involving moral turpitude:
Provided further that if the Mayor is suspended or removed or resigned from the post under the Act, the officiating charge of the seat of Mayor shall be given to the elected member of the same category having maximum number of members in his favour until the predecessor of Mayor is elected or the existing Mayor is reinstated:
Provided further that if there is only one member from the category for which seat of Mayor is reserved, no question of maximum number of members in his favour shall arise:
Provided further that when the Mayor is absent from duty on account of illness or other cause, the senior Deputy Mayor and in his absence the Deputy Mayor shall act as Mayor.”.
- 14.** For section 34-B of the principal Act, the following section shall be substituted, namely:-
- Substitution of section 34-B of Haryana Act 16 of 1994.
- “34-B. Removal of Mayor or member having any disqualification at time of election. – The State Election Commission may, after such enquiry, as it may deem fit and after giving an opportunity of being heard, by order, remove a Mayor or member, if he was having any disqualification mentioned in section 8 at the time of his election. The office of the Mayor or member so disqualified shall become vacant immediately.”.

Substitution of section 34-C of Haryana Act 16 of 1994.

15. For section 34-C of the principal Act, the following section shall be substituted, namely:-

“34-C Removal of an elected Mayor or member who fails to lodge election expenditure statement. – If an elected Mayor or member fails to follow the provisions of sections 8E or 8G, he shall be removed by the State Election Commission after giving him an opportunity of being heard. The office of the Mayor or member so disqualified shall become vacant immediately.”.

Amendment of section 34-D of Haryana Act 16 of 1994.

16. In section 34-D of the principal Act, for the words “A member”, the words “A Mayor or member” shall be substituted.

Amendment of section 36 of Haryana Act 16 of 1994.

17. In section 36 of the principal Act,-

(i) for the existing marginal heading, the following marginal heading shall be substituted, namely:-

“Election of Senior Deputy Mayor, Deputy Mayor and their term of office.”; and

(ii) sub-sections (1), (3) and (4) shall be omitted.

Insertion of section 36-A in Haryana Act 16 of 1994.

18. After section 36 of the principal Act, the following section shall be inserted, namely:-

“36-A. Facilities and powers of Mayor.- (1) The Mayor shall be entitled to payment of such honorarium and may be given such facilities in respect of residential accommodation, telephone, conveyance and the like, as may be prescribed.

(2) The Mayor shall have access to the record of the Corporation and may issue directions to the Commissioner or call for reports from him with a view to ensure proper implementation of the decision of the Corporation.”.

Amendment of section 37 of Haryana Act 16 of 1994.

19. In section 37 of the principal Act, the words “Mayor” and “Mayor or”, wherever occurring shall be omitted.

Amendment of section 37A of Haryana Act 16 of 1994.

20. In section 37A of the principal Act,-

(i) in the marginal heading, the word “Mayor” shall be omitted;

(ii) in sub-section (1), the word “Mayor” shall be omitted;

(iii) in sub-section (2),-

(a) the word “Mayor” shall be omitted;

(b) clause (i) shall be omitted;

(c) in clause (iii), the word “Mayor” shall be omitted;

(iv) in the proviso, the words “Mayor” shall be omitted.

Omission of section 38 of Haryana Act 16 of 1994.

21. Section 38 of the principal Act shall be omitted.

Amendment of section 39 of Haryana Act 16 of 1994.

22. In section 39 of the principal Act,-

(i) in the marginal heading, the word “Mayor” shall be omitted; and

(ii) sub-section (1) shall be omitted.

Amendment of section 346 of Haryana Act 16 of 1994.

23. For sub-section (1) of section 346 of the principal Act, the following sub-section shall be substituted, namely:-

“(1) Notwithstanding anything to the contrary contained in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) and the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953), the Director may, with the prior approval of the Government, by notification in the Official Gazette, declare any area within the Municipal area to be controlled area. In case any area within the Municipal area has already been declared as controlled area under the above said Acts, then it shall deemed to be controlled area for the purpose of this Act, and if any plan has already been notified for such controlled area under the aforesaid Acts then it shall deemed to be the plan for the purposes of this Act:

Provided that the limits of local area exempted under section 15 of the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953) from the purview of the said Act, which were earlier notified as controlled area and development plan was prepared, shall deemed to be controlled area and plan for the purposes of this Act.”.

24. For section 350D of the principal Act, the following section shall be substituted, namely:-
- “350 D. Effect of other laws.- The acts already done under the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) and the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953), within the Municipal area shall be deemed to have been validly done under this Act.”
- Substitution of section 350D of Haryana Act 16 of 1994.

MEENAKSHI I. MEHTA,
Additional Legal Remembrancer & Special Secretary
to Government Haryana,
Law and Legislative Department.

8393—L.R.—H.G.P., Pkl.

PART – I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 22nd March, 2021

No. Leg.5/2021.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 20th March, 2021 and is hereby published for general information :—

HARYANA ACT NO. 5 OF 2021**THE HARYANA MUNICIPAL (AMENDMENT) ACT, 2021**

AN

ACT

further to amend the Haryana Municipal Act, 1973.

Be it enacted by the Legislature of the State of Haryana in the Seventy-second Year of the Republic of India as follows:—

1. This Act may be called the Haryana Municipal (Amendment) Act, 2021. Short title.
2. In item (ii) of Explanation 2 to section 2A of the Haryana Municipal Act, 1973 (hereinafter called the principal Act), for the brackets and figure “(45)”, the brackets, figure and alphabet “(19A)” shall be substituted and shall be deemed to have been substituted with effect from the 23rd January, 2019. Amendment of section 2A of Haryana Act 24 of 1973.
3. After section 60 of the principal Act, the following section shall be inserted, namely:— Insertion of section 60A in Haryana Act 24 of 1973.

“60A. Power of municipality to borrow.— (1) The Municipal Council or Municipal Committee, as the case may be, may in pursuance of any resolution passed by it, borrow by way of debenture or otherwise on the security of any immovable property vested in it or property proposed to be acquired by it or of all or any of the taxes, rates, cesses, fees and charges authorised by or under this Act, from banks or, from other public financial institutions, as the case may be, any sums of money which may be required,—

 - (a) for acquiring any land which it has power to acquire; or
 - (b) for erecting any building which it has power to erect; or
 - (c) for the execution of any permanent work, the provision of any plant, or the execution of any other thing which it has power to execute, provide or do, if the cost of carrying out the purpose in question ought to be spread over a term of years; or
 - (d) to pay off any debt due to the State Government; or
 - (e) to repay a loan previously raised under this Act or any other Act previously in force; or
 - (f) for any other purpose for which the Municipal Council or Municipal Committee, as the case may be, is, by virtue of this Act or any other law for the time being in force, authorised to borrow:

Provided that—

- (i) no loan, etc. under this section shall be raised without the previous sanction of the State Government;
- (ii) the amount of loan, the rate of interest and the terms including the date of flotation, the time and method of the repayment and the like shall be subject to the approval of the State Government.

(2) When any sum of money has been borrowed under sub-section (1), no portion of any sum of money borrowed for any of the purposes referred to in clause (c) of sub-section (1) shall be applied to the payment of salaries and allowances to any Municipal officer or other Municipal employee other than those exclusively employed in connection with the carrying out the said purposes.

(3) The Municipal Council or Municipal Committee, as the case may be, shall for the purposes of this section, be deemed to be a local authority for the purpose of the Local Authorities Loans Act, 1914 (Central Act 9 of 1914).”.

Insertion of section 62A in Haryana Act 24 of 1973.

4. After section 62 of the principal Act, the following section shall be inserted, namely:-

“**62A. Disposal of property.**— With respect to the disposal of the property belonging to the Municipal Council or Municipal Committee, as the case may be, the following provisions shall have effect, namely:-

- (a) the authority as specified by the State Government may,-
 - (i) dispose of by sale or otherwise, any movable property belonging to the Municipal Council or Municipal Committee, as the case may be, the depreciated value of which does not exceed two lakh rupees in case of Municipal Council and one lakh rupees in case of Municipal Committee;
 - (ii) grant a lease not exceeding a period of five years, of any immovable property belonging to the Municipal Council or Municipal Committee;
 - (iii) sell or grant a lease in perpetuity of any immovable property belonging to the concerned Municipal Council or Municipal Committee, the prevailing collector rate value of which does not exceed two lakh rupees in case of Municipal Council and one lakh rupees in case of Municipal Committee or the annual market rent of which does not exceed twenty thousand rupees in case of Municipal Council and ten thousand rupees in case of Municipal Committee;
- (b) in case not covered by clause (a), the said authority may, with the sanction of the State Government on recommendation of the Municipal Council or Municipal Committee, as the case may be, lease, sell, let out on hire or otherwise transfer any property movable or immovable belonging to the Municipal Council or Municipal Committee;
- (c) subject to other provisions of this Act, the consideration for which any immovable property may be sold, leased or otherwise transferred under the aforesaid clauses shall not be less than value at which such immovable property could be sold, leased or otherwise transferred in normal and fair competition:

Provided that in case of transfer of immovable property to Government Department by way of sale or lease or otherwise, the property may be transferred at collector rate, subject to prior approval of the State Government:

Provided further that in case of transfer of shop or house to individual, who is in possession of such property for the last twenty years or more, by way of rent or lease or otherwise, the property may be transferred at collector rate or any other concessional rate, as may be determined by the State Government, by way of sale, subject to prior approval of such authority, as may be specified:

Provided further that ownership rights in respect of shops or houses which are on lease or rent or license fee or tehbazari or otherwise for the last twenty years or more, may be transferred by way of sale, on such terms and conditions, including the rate at which such ownership rights shall be transferred, as specified in the policy framed in this behalf by the State Government, from time to time.

- (d) the consideration for which any immovable property may be sold, leased or otherwise transferred to social, religious or charitable or educational institution, trust or social entities by the authority as specified by the State Government shall be as given below:-

Serial Number	Nature of facility	Area	Tentative rate of sale
1	2	3	4
1.	Religious sites – the land of Municipal Council or Municipal Committee, as the case may be, for the purpose of worship (Mandir, Gurudwara, Masjid, Church, etc.) and for Community Dharamshalas, Janjghar, Baratghar, community centres or educational institutions etc.	upto 3000 square meters	(i) upto 2000 square meters, 50% of the collector rate, proportionate cost of development of the area and other incidental charges thereto. (ii) for 2001-3000 square meters, 100% of the collector rate, proportionate cost of development charges of the area and other incidental charges thereto.
2.	Nandi Shala, Gaushalas or stray cattle yard.	upto 5 acres	50% of the Collector rate, proportionate cost of development charges of the area and other incidental charges thereto:

Provided that the property shall be transferred by way of sale, lease or otherwise subject to prior approval of such authority, as may be notified by the State Government.

- (e) notwithstanding anything to the contrary contained in this Act, the authority shall sell, lease or let out on hire or otherwise transfer any moveable or immovable property belonging to the Municipal Council or Municipal Committee under the following circumstances, namely:-
- on the directions of the State Government to sell, lease or otherwise transfer any moveable or immovable property of the Municipal Council or Municipal Committee, as the case may be, for such consideration, as specified by the State Government;
 - when any policy framed by the State Government requires, as a part thereof, to sell, lease or otherwise transfer any moveable or immovable property of the Municipal Council or Municipal Committee for consideration as specified in the said policy:

Provided that the prior sanction of the State Government shall be required before the authority as specified by the State Government acts under clause (ii);

- (f) the sanction of the State Government under the aforesaid clauses may be given either generally for any class of cases or specially for any particular case;
- (g) subject to any condition or limitation that may be specified by or under any provision of this Act, the foregoing provisions of this section shall apply to every disposal of property belonging to the Municipal Council or Municipal Committee, as the case may be, made under or for any purposes of this Act;

- (h) every case of disposal of property under clause (a), shall be intimated by the said authority, without delay to Municipal Council or Municipal Committee, as the case may be.”.

Substitution of section 69 of Haryana Act 24 of 1973.

5. For section 69 of the principal Act, the following section shall be substituted, namely:-

“69. Taxes which committee shall impose.— (1) For the purposes of this Act and subject to the provisions thereof, every committee shall impose the following taxes, namely :-

- (a) a property tax payable by the owner or occupier of a building or land in the municipal area, calculated depending upon the area in which the building or land is situated, its location, purpose for which it is used, its capacity for profitable use, quality of construction and other relevant factors, method of calculation and the rates for application be such, as the State Government shall, by notification in the Official Gazette specify. The rates of tax may be different for different types of properties like residential, non-residential or commercial, industrial, institutional etc. and may be at flat rate or at a graded scale; and in all cases, those shall be the floor rates and the Municipal Council or Municipal Committee, as the case may be, may increase the rates prospectively at any time by following the due procedure as specified by the State Government:

Provided that no property tax shall be payable on any land being exclusively used for agricultural purposes.

Explanation.— For the purposes of this clause,-

- (1) the words “land being exclusively used for agricultural purposes” shall include the land on which any structure has been raised for the purposes of keeping electricity meter and other electric fixture for tubewell connection.
- (2) the words “floor rate” means the minimum rate as specified in the notification to be issued under the said clause;
- (b) such other tax, at such rates as the State Government may by notification in each case direct;
- (c) a duty on the transfer of immovable properties situated within the limits of the municipality in addition to the duty imposed under the Indian Stamp Act, 1899, as in force for the time being in the State of Haryana, on every instrument of the description specified below and at such rate, as the State Government may, by notification, direct, which shall not be less than one per centum and more than three per centum on the amount specified below against such instrument:-

	Description of instruments	Amount on which duty shall be levied
(i)	Sale of immovable property	the amount or value of the consideration for the sale as set forth in the instrument.
(ii)	Exchange of immovable property	the value of the property of the greater value as set forth in these instruments.
(iii)	Gift of immovable property	the value of the property as set forth in the instrument.
(iv)	Mortgage with possession of immovable property	the amount secured by the mortgage as set forth in the instrument.

- | | | |
|-----|---|---|
| (v) | Lease in perpetuity of immovable property | the amount equal to one-sixth of the whole amount or value of the rent which would be paid or delivered in respect of the first fifty years of the lease, as set forth in the instrument. |
|-----|---|---|

The said duty shall be collected by the Registrar or Sub-Registrar in the shape of non-judicial stamp paper at the time of Registration of the document and intimation thereof shall be sent to the committee immediately. The amount of the duty so collected shall be paid to the committee concerned.

(2) Save as provided in clause (a) of sub-section (1), the taxes as specified above shall be levied at such rates as may, from time to time, be specified by the State Government by notification and shall be assessed and collected in accordance with the provisions of this Act and the bye-laws made thereunder.

(3) Notwithstanding anything contained contrary to other provisions of this Act, the State Government may, by special or general order, direct the Municipal Council or Municipal Committee, as the case may be, to impose any tax falling under clause (a) or clause (b) of sub-section (1) not already imposed, within such period as may be specified and the Municipal Council or Municipal Committee, as the case may be, shall thereupon act accordingly.

(4) If the Municipal Council or Municipal Committee, as the case may be, fails to carry out any order passed under sub-section (3), the State Government may, by a suitable order notified in the Official Gazette, impose the tax and the order so passed shall operate as if the tax had been duly imposed by the Municipal Council or Municipal Committee, as the case may be, under clause (a) or clause (b) of sub-section (1).”

6. After section 70 of the principal Act, the following section shall be inserted, namely:—

Insertion of section
70A in Haryana Act
24 of 1973.

“70A. Control and regulation of advertisement in public spaces.— (1) The authority as specified by the State Government, shall control and regulate all advertisements displayed in public spaces and means of transport in the municipal area. They shall for this purpose, identify the suitable spots and sites for displaying advertisement in the municipal area and may, as part of this exercise, invite, by wide publicity, applications from the interested persons for letting out public visual landscape of their premises or vehicles for display of advertisements. The authority as specified by the State Government shall decide all such applications made to him by finalising the identification of spots, sites and vehicles after taking into consideration such relevant factors, which are either specified by the State Government or directed in terms of any order of the court of law exercising such jurisdiction or specified under any policy of the State Government.

(2) Any person, desirous of putting up an advertisement at a spot, site or vehicle, identified under sub-section (1), shall make an application in such manner, as may be specified by the State Government, to the authority, for permission, who shall dispose of the same by taking into consideration all the relevant factors, within a reasonable time and may, while doing so, impose such other restrictions and conditions as befits the facts and circumstances of each case. No application shall, in any circumstances, be entertained for putting up an advertisement at a spot, site or vehicle different from those which have been identified under sub-section (1).

(3) The authority, as specified by the State Government, shall, before giving such a permission for putting up an advertisement under sub-section (2), shall enter into a rent sharing arrangement with the owner/occupier of the identified premises or owner/user of the identified vehicle (other than the building, land or vehicle belonging to the Municipal Council or Municipal Committee) where the advertisement is to be put up; and shall, at the time of giving permission, charge a permission fee from the applicant advertiser at the rates as determined by an authority appointed by the State Government for this purpose and different authorities may be appointed for different municipalities or regions of the State.

(4) The State Government may lay down guidelines/policy for the identification of sites, spots and vehicles, the processing of applications made for giving permission for putting up the advertisements, the rent sharing arrangements and other relevant matters, as it deems fit.

(5) No advertisement shall be erected, exhibited, fixed or retained upon or over any land, building, wall, hoarding, frame, post or structure or upon any vehicle or shall be displayed in any manner whatsoever in any place within the municipal area without the written permission of the authority as specified by the State Government.

Explanation.— For the purposes of this section, “a public space” means a place that is generally open and accessible to people and includes-

- (i) roads, flyovers, pavement, sidewalks, streets, public squares, parks, gardens, water bodies, lakes, river fronts, green belts along the roads;
- (ii) government buildings which are open to the public, such as public libraries, museums, monuments, zoos, aquariums, open air theatres, sports grounds, stadiums;
- (iii) railway stations, metro railway stations, bus stands, taxi stands, rickshaw stands, bus queue shelters, street furniture, parking places;
- (iv) all other lands, buildings and structures, whether in Government hands or private, that are visible from sidewalks, public thoroughfares and other public places in so far as they affect the public visual landscape.”.

Insertion of sections 75D and 75E in Haryana Act 24 of 1973.

7. After section 75C of the principal Act, the following sections shall be inserted, namely:—

“75D. Levy of penalty on unlawful building.— (1) Whoever unlawfully constructs or reconstructs any building or part of a building,-

- (a) on his land without obtaining permission under this Act or any other law for the time being in force or any rules or bye-laws made thereunder or in contravention of any condition attached to such permission; or
- (b) on a site belonging to him which is formed without approval under the relevant applicable law, including rules framed/instructions issued thereunder; or
- (c) on any land belonging to, or leased by the Municipal Council or Municipal Committee, the Central Government or State Government, or any statutory Board/Corporation or organization or company set up by any such Government, in breach of any provisions of this Act or of any other law for the time being in force and the rules and bye-laws made thereunder,

shall be liable to pay every year a penalty, which shall be equal to twice the amount of property tax leviable on such building, so long as it remains unlawful construction without prejudice to any proceedings which may be instituted against him in respect of such unlawful construction and the penalty paid under sub-section (1), shall be determined as collected under the provisions of this Act, as if the amount thereof were a property tax due against any such person:

Provided that none of such levy and collection of tax and penalty shall be construed as having regularised such unlawful construction or reconstruction for any period whatsoever of its such unlawful existence.

75E. Levy of penalty on unlawful use of a building or land.— (1) Whoever puts a building or land or a part thereof to any use either in contravention of any law for the time being in force regulating or controlling the use of such building or land or part thereof or in violation of an order or direction, if any, issued under such law, shall be liable to pay a penalty, which shall be equal to two times the amount of property tax that

is leviable on such building or land or part thereof, as the case may be, under clause (a) of sub-section (1) of section 69 of this Act for the whole period of such unlawful use on annual basis, calculated construing part of a year as full year and the penalty paid under this sub-section shall be determined as collected under the provisions of this Act, as if the amount thereof were a property tax due against any such person.

(2) The penalty imposed or paid under sub-section (1), shall be without prejudice to any proceedings which may be instituted against the user in respect of such unlawful use and shall not clothe him with any right to raise the plea of regularisation of such unlawful use; and shall not be offset against any composition that may be lawfully accepted from him.”.

8. After section 84 of the principal Act, following section shall be inserted, namely: –

Insertion of section 84A in Haryana Act 24 of 1973.

“84A. Taxation of properties of Government of India.– Notwithstanding anything to the contrary contained in this Act, lands and buildings being properties of the Government of India shall be exempted from the taxes on lands and buildings specified in section 84:

Provided that nothing in this section shall prevent the Municipal Council or Municipal Committee, as the case may be, from levying any of the said taxes on such lands and buildings to which immediately before the 26th January, 1950, they were liable, or treated as liable, so long as that tax continues to be levied by the Municipal Council or Municipal Committee, as the case may be, on other lands and buildings:

Provided further that nothing in this section, shall prevent the concerned Municipal Council or Municipal Committee, as the case may be, for charging the service charges in lieu of services rendered as quantified by the said Municipal Council or Municipal Committee within the general guidelines of the State Government and instructions of the Government of India.”.

9. After section 99 of the principal Act, the following section shall be inserted, namely:–

Insertion of section 99A in Haryana Act 24 of 1973.

“99A. Issue of no dues certificate for registration of certain documents.– A document in respect of sale, transfer, lease, gift or alienation, in any manner, of any land or building, situated in a municipal area, which is required to be registered under section 17 of the Registration Act, 1908 (Central Act 16 of 1908), shall not be registered unless the said document is accompanied with a no dues certificate issued by the authority as specified by the State Government, which shall remain valid for a period of three months or for such other time period, as may be specified by the State Government, from time to time, certifying that all municipal dues including rents, taxes, cesses, charges, fees, fines and penalties in respect of such lands and/or buildings as mentioned in the document, payable or recoverable under this Act or the rules, bye-laws or regulations made thereunder, have been fully paid:

Provided that the State Government may by order, exempt, wholly or partly, such lands and buildings, which have fallen for the first time or have fallen afresh in the municipal area as a result of a notification issued under sections 3 and 4 of the Act, from the requirements of this section, for such duration, as the State Government may deem fit.”.

10. In section 203G of the principal Act,-

Amendment of section 203G of Haryana Act 24 of 1973.

- (i) for the sign “.” existing at the end, the sign “:” shall be substituted; and
(ii) the following proviso shall be added and shall be deemed to have been added with effect from the 27th March, 2001, namely: –

“Provided that where provisions of this Act are silent regarding the provision of the controlled area, then the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) shall be deemed to be applicable *mutatis mutandis* within the municipal limit.”.

Substitution of section 203H of Haryana Act 24 of 1973.

11. For section 203H of the principal Act, the following section shall be substituted and shall be deemed to have been substituted with effect from the 2nd April, 2002, namely:-

“203H. Issue of no objection certificate for sanction/release of electricity, water and sewerage connection.— Any person before making application to concerned authority for sanction/release of electricity, water and sewerage connection to any premises, shall obtain a no dues certificate from concerned Municipal Council or Municipal Committee, as the case may be and no authority shall sanction/release such connection unless no dues certificate is accompanied with the application.

Explanation.— For the purposes of this section, the term ‘sanction/release’ shall include restoration of disconnection or increase in capacity/load etc.”.

BIMLESH TANWAR,
Administrative Secretary to Government,
Haryana, Law and Legislative Department.

9123—L.R.—H.G.P. Pkl.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 48-2021/Ext.]

CHANDIGARH, MONDAY, MARCH 22, 2021
(CHAITRA 1, 1942 SAKA)

LEGISLATIVE SUPPLEMENT

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PART – I
HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 22nd March, 2021

No. Leg. 4/2021.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 20th March, 2021 and is hereby published for general information:—

HARYANA ACT NO. 4 OF 2021

THE HARYANA MUNICIPAL CORPORATION (AMENDMENT) ACT, 2021

AN

ACT

further to amend the Haryana Municipal Corporation Act, 1994.

Be it enacted by the Legislature of the State of Haryana in the Seventy-second Year of the Republic of India as follows:—

1. This Act may be called the Haryana Municipal Corporation (Amendment) Act, 2021.

Short title.

2. For sub-section (1) of section 67 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act), the following section shall be substituted and shall be deemed to have been substituted with effect from the 31st May, 1994, namely:—

Amendment of section 67 of Haryana Act 16 of 1994

“(1) The Government may, by notification constitute, in the prescribed manner, all or any of the categories of Corporation services and notwithstanding anything to the contrary contained in any other provision of this Act, once a category of Corporation services has been constituted, all employees of category, who are in service on the date of such constitution or who shall come into the service on any subsequent date, shall constitute one-single joint cadre of that category of Corporation services:

Provided that the Government shall appoint a Corporation Secretary for performing the duties assigned to him under this Act for every Corporation.”.

3. In section 87 of the principal Act,—

Amendment of section 87 of Haryana Act 16 of 1994.

(i) for clause (a) of sub-section (1), the following clause shall be substituted, namely:—

“(a) a property tax payable by the owner or occupier of a building or land in the municipal area, calculated depending upon the area in which the building or land is situated, its location, purpose for which it is used, its capacity for profitable use, quality of construction and other relevant factors, method of calculation and the rates for application be such, as the Government shall, by notification in the Official Gazette specify. The rates of tax may be different for different types of properties like residential, non-residential or commercial, industrial, institutional etc. and may be at flat rate or at a graded scale; and in all cases, those shall be the floor rates and the Corporation may increase the rates prospectively at any time by following the due procedure as specified by the Government:

Provided that no property tax shall be payable on any land being exclusively used for agricultural purposes.

Explanation.— For the purposes of this clause,—

- (1) the words “land being exclusively used for agricultural purposes” shall include the land on which any structure has been raised for the purposes of keeping electricity meter and other electric fixture for tubewell connection.
- (2) the words “floor rate” means the minimum rate, as specified in the notification to be issued under the said clause;

(ii) for sub-section (3), the following sub-section shall be substituted, namely:-

“(3) Save as provided in clause (a) of sub-section (1), the taxes as specified in sub-section (1) and sub-section (2) shall be levied at such rates, as may from time to time be specified by the Government, by notification and shall be assessed and collected in accordance with the provisions of this Act and the bye-laws made thereunder.”.

Insertion of sections 87D and 87E in Haryana Act 16 of 1994.

4. After section 87C of the principal Act, the following sections shall be inserted, namely:-

“**87D. Levy of penalty on unlawful building.**— (1) Whoever unlawfully constructs or reconstructs any building or part of a building,-

- (a) on his land without obtaining permission under this Act or any other law for the time being in force or any rules or bye laws made thereunder or in contravention of any condition attached to such permission; or
- (b) on a site belonging to him which is formed without approval under the relevant applicable law, including rules framed/instructions issued thereunder; or
- (c) on any land belonging to, or leased by the Corporation, the Central Government or Government, or any statutory Board/Corporation or organization or company set up by any such Government, in breach of any provisions of this Act or of any other law for the time being in force and the rules and bye-laws made there-under,

shall be liable to pay every year a penalty, which shall be equal to twice the amount of property tax leviable on such building, so long as it remains unlawful construction without prejudice to any proceedings which may be instituted against him in respect of such unlawful construction and the penalty paid under sub-section (1), shall be determined as collected under the provisions of this Act, as if the amount thereof were a property tax due against any such person:

Provided that none of such levy and collection of tax and penalty shall be construed as having regularised such unlawful construction or reconstruction for any period whatsoever of its such unlawful existence.

87E. Levy of penalty on unlawful use of a building or land.— (1) Whoever puts a building or land or a part thereof to any use either in contravention of any law for the time being in force regulating or controlling the use of such building or land or part thereof or in violation of an order or direction, if any, issued under such law, shall be liable to pay a penalty, which shall be equal to two times the amount of property tax that is leviable on such building or land or part thereof, as the case may be, under sub-section (1) of section 87 of this Act for the whole period of such unlawful use on annual basis, calculated construing part of a year as full year and the penalty paid under this sub-section shall be determined as collected under the provisions of this Act, as if the amount thereof were a property tax due against any such person.

(2) The penalty imposed or paid under sub-section (1) shall be without prejudice to any proceedings which may be instituted against the user in respect of such unlawful use and shall not clothe him with any right to raise the plea of regularisation of such unlawful use; and shall not be offset against any composition that may be lawfully accepted from him.”.

Amendment of section 89 of Haryana Act 16 of 1994.

5. In clause (a) of section 89 of the principal Act, for the words “annual value” the word “value” shall be substituted.

Insertion of sections 96A and 96B in Haryana Act 16 of 1994.

6. After section 96 of the principal Act, the following sections shall be inserted, namely: –

“**96A. Issue of no dues certificate for registration of certain documents.**— A document in respect of sale, transfer, lease, gift or alienation, in any manner, of any lands or buildings, situated in a municipal area, which is required to be registered under section 17 of the Registration Act, 1908 (Central Act 16 of 1908), shall not be registered

unless the said document is accompanied with a no dues certificate issued by the Commissioner which shall remain valid for a period of three months or for such other time period, as may be specified by the Government, from time to time, certifying that all municipal dues including rents, taxes, cesses, charges, fees, fines and penalties in respect of such lands and/or buildings as mentioned in the document, payable or recoverable under this Act or the rules, bye-laws or regulations made thereunder, have been fully paid:

Provided that the Government may by order, exempt, wholly or partly, such lands and buildings, which have fallen for the first time or have fallen afresh in the municipal area as a result of a notification issued under section 3 of the Act, from the requirements of this section, for such duration, as the Government may deem fit.

96B. Issue of no objection certificate for sanction/release of electricity, water and sewerage connection.— Any person before making application to concerned authority for sanction/release of electricity, water and sewerage connection to any premises, shall obtain a no dues certificate from concerned municipal corporation and no authority shall sanction/release such connection unless no dues certificate is accompanied with the application.

Explanation.— For the purposes of this section, the term ‘sanction/release’ shall include restoration of disconnection or increase in capacity/load, etc.”.

7. For section 122 of the principal Act, the following section shall be substituted, namely:-

“122. Control and regulation of advertisement in public spaces. – (1) The Commissioner, or such other authority as specified by the Government, shall control and regulate all advertisements displayed in public spaces and means of transport in the municipal area. They shall for this purpose, identify the suitable spots and sites for displaying advertisement in the municipal area and may, as part of this exercise, invite, by wide publicity, applications from the interested persons for letting out public visual landscape of their premises or vehicles for display of advertisements. The Commissioner or an authority as specified by the Government shall decide all such applications made to him by finalising the identification of spots, sites and vehicles after taking into consideration such relevant factors, which are either specified by the Government or directed in terms of any order of the court of law exercising such jurisdiction or specified under any policy of the Government.

(2) Any person, desirous of putting up an advertisement at a spot, site or vehicle, identified under sub-section (1), shall make an application in such manner, as may be specified by the Government, to the Commissioner or to the authority for permission, who shall dispose of the same by taking into consideration all the relevant factors, within a reasonable time and may, while doing so, impose such other restrictions and conditions as befits the facts and circumstances of each case. No application shall, in any circumstances, be entertained for putting up an advertisement at a spot, site or vehicle different from those which have been identified under sub-section (1).

(3) The Commissioner or the authority, as specified by the Government, shall, before giving such a permission for putting up an advertisement under sub-section (2), shall enter into a rent sharing arrangement with the owner/occupier of the identified premises or owner/user of the identified vehicle (other than the building, land or vehicle belonging to the Municipal Corporation) where the advertisement is to be put up; and shall, at the time of giving permission, charge a permission fee from the applicant advertiser at the rates as determined by an authority appointed by the Government for this purpose and different authorities may be appointed for different Corporations or regions of the State.

(4) The Government may lay down guidelines/policy for the identification of sites, spots and vehicles, the processing of applications made for giving permission for putting up the advertisements, the rent sharing arrangements and other relevant matters, as it deems fit.

(5) No advertisement shall be erected, exhibited, fixed or retained upon or over any land, building, wall, hoarding, frame, post or structure or upon any vehicle or shall be displayed in any manner whatsoever in any place within the municipal area without the written permission of the Commissioner or the authority as specified by the Government, as the case may be.

Substitution of section 122 of Haryana Act 16 of 1994.

Explanation.— For the purposes of this section, “a public space” means a place that is generally open and accessible to people and includes-

- (i) roads, flyovers, pavement, sidewalks, streets, public squares, parks, gardens, water bodies, lakes, river fronts, green belts along the roads;
- (ii) government buildings which are open to the public, such as public libraries, museums, monuments, zoos, aquariums, open air theatres, sports grounds, stadiums;
- (iii) railway stations, metro railway stations, bus stands, taxi stands, rickshaw stands, bus queue shelters, street furniture, parking places;
- (iv) all other lands, buildings and structures, whether in government hands or private, that are visible from sidewalks, public thoroughfares and other public places in so far as they affect the public visual landscape.”.

Amendment of section 132 of Haryana Act 16 of 1994.

8. In section 132 of the principal Act, for the words “annual value”, the word “value” shall be substituted.

Amendment of section 164 of Haryana Act 16 of 1994.

9. (1) In section 164 of the principal Act,-

(i) for the existing clause (a), the following clause shall be substituted , namely: -

“(a) the Commissioner may,-

- (i) dispose of by sale or otherwise, any movable property belonging to the Corporation, the depreciated value of which does not exceed five lakh rupees;
- (ii) grant a lease not exceeding a period of ten years of any immovable property belonging to the Corporation; or
- (iii) sell or grant a lease in perpetuity of any immovable property belonging to the Corporation, the prevailing collector rate value of which does not exceed five lakh rupees, or the annual market rent of which does not exceed fifty thousand rupees;”;

(ii) for clause (c), the following clause shall be substituted, namely:-

“(c) subject to other provisions of this Act, the consideration for which any immovable property may be sold, leased or otherwise transferred under the aforesaid clauses shall not be less than the value at which such immovable property could be sold, leased or otherwise transferred in normal and fair competition:

Provided that in case of transfer of immovable property to Government Department by way of sale or lease or otherwise, the property may be transferred at collector rate, subject to prior approval from the Government:

Provided further that in case of transfer of shop or house to individual, who is in possession of such property for the last twenty years or more, by way of rent or lease or otherwise, the property may be transferred at collector rate or any other concessional rate, as may be determined by the Government by way of sale, subject to prior approval of such authority, as may be specified:

Provided further that ownership rights in respect of shops or houses which are on lease or rent or license fee or tehbazari or otherwise for the last twenty years or more, may be transferred by way of sale, on such terms and conditions, including the rate at which such ownership rights shall be transferred, as specified in the policy framed in this behalf by the Government, from time to time.”;

(iii) after clause (ca), the following clause shall be inserted, namely:-

“(cb) Notwithstanding anything to the contrary contained in this Act, the Commissioner shall sell, lease or let out on hire or otherwise transfer any moveable or immovable property belonging to the Corporation under the following circumstances, namely:-

- (i) on the directions of the Government to sell, lease or otherwise transfer any moveable or immovable property of the Corporation for such consideration, as specified by the Government;
- (ii) when any policy framed by the Government requires, as a part thereof, to sell, lease or otherwise transfer any moveable or immovable property of the Corporation for consideration as specified in the said policy:

Provided that the prior sanction of Government shall be required before the Commissioner acts under clause (ii).”.

10. In section 350-D of the principal Act,-

- (i) for the sign “.” existing at the end, the sign “:” shall be substituted;
- (ii) the following proviso shall be added and shall be deemed to have been added with effect from the 1st April, 2014, namely:-

“Provided that all powers and functions of the Director, Town and Country Planning, Haryana being performed under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), and the rules made thereunder as applicable to the areas within municipal limits, shall be exercised and performed by the Director. The powers of the Commissioner and Secretary to Government, Haryana Town and Country Planning Department under the above referred Act shall be exercised by the Administrative Secretary to the Government, Haryana, Urban Local Bodies Department under this Act, within the municipal limits:

Provided further that where provisions of this Act are silent regarding the provision of the controlled area, then the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) shall be deemed to be applicable *mutatis mutandis* within the municipal limit.”.

Amendment of section 350-D of Haryana Act 16 of 1994.

11. In clause (b) of section 385 of the principal Act, for the words “annual value”, the word “value” shall be substituted.

Amendment of section 385 of Haryana Act 16 of 1994.

12. In section 419 of the principal Act,-

- (i) in the existing proviso, for the sign “.” existing at the end, the sign “:” shall be substituted;
- (ii) after the existing proviso, the following proviso shall be added and shall be deemed to have been added with effect from the 31st May, 1994, namely:-

“Provided further that on determination of their designation by the Commissioner under this section, the officers and employees shall constitute part of such categories of Corporation service as their designation, nature of work and duties befit and their services shall be governed by the provisions regulating the category of the respective service as per the notifications issued under sub-section (1) of section 67 of this Act constituting all or any of the categories of the Corporation services with effect from the date of such notifications and in case any doubt arising or claims made regarding designation, nature of work and duties that befit the services of any individual or class or categories of officer/employee, the matter shall be referred to the Government, whose decision in this regard shall be final and binding.”.

Amendment of section 419 of Haryana Act 16 of 1994.

Amendment of
section 422 of
Haryana Act 16 of
1994.

13. In sub-section (1) of section 422 of the principal Act, the following sub-section shall be substituted and shall be deemed to have been substituted with effect from the 31st May, 1994, namely:—

“(1) Subject to the provisions of section 67, when any municipality including area comprising rural area or a part thereof, if any, is declared and constituted a Corporation under sections 3 and 4 of this Act, the entire officers and employees serving in a municipality including area comprising rural area or a part thereof, if any, on a post in relation to which the Corporation is constituted, shall, on the declaration and constitution of the Corporation, be deemed to be transferred to the Corporation on the existing terms of service and integrated into the Corporation Service.”.

BIMLESH TANWAR,
Administrative Secretary to Government,
Haryana, Law and Legislative Department.

9123—L.R.—H.G.P. Pkl.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 30-2023/Ext.]

CHANDIGARH, THURSDAY, FEBRUARY 9, 2023

(MAGHA 20, 1944 SAKA)

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PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 9th February, 2023

No. Leg. 11/2023.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 16th January, 2023 and is hereby published for general information:-

HARYANA ACT NO. 11 OF 2023**THE HARYANA MUNICIPAL (SECOND AMENDMENT) ACT, 2022**

AN

ACT

further to amend the Haryana Municipal Act, 1973.

Be it enacted by the Legislature of the State of Haryana in the Seventy-third Year of the Republic of India as follows:-

- | | |
|---|---|
| <p>1. This Act may be called the Haryana Municipal (Second Amendment) Act, 2022.</p> | <p>Short title.</p> |
| <p>2. After clause (7A) of section 2 of the Haryana Municipal Act, 1973 (hereinafter called the principal Act), the following clause shall be inserted, namely:-
“(7B) ‘core area’ means built-up area within the municipal limit planned or developed fifty years before the coming into force of this amendment Act and which due to urbanization and efflux of time require replanning of land use and also includes built-up area of village abadi, which has subsequently been included in municipal limit;”.</p> | <p>Amendment of section 2 of Haryana Act 24 of 1973.</p> |
| <p>3. In sub-section (2) of section 203C of the principal Act,-
(i) after the words “controlled area”, the words “and core area” shall be inserted;
(ii) in the existing proviso, for the sign “.”, the sign “:” shall be substituted; and
(iii) the following proviso shall be added at the end, namely:-
“Provided further that the mixed land use shall be permitted in core area subject to the planning parameters and payment or recovery of such charges, as may be notified by the State Government.”.</p> | <p>Amendment of section 203C of Haryana Act 24 of 1973.</p> |

BIMLESH TANWAR,
ADMINISTRATIVE SECRETARY TO GOVERNMENT, HARYANA,
LAW AND LEGISLATIVE DEPARTMENT.

10185—L.R.—H.G.P., Pk1.

PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 9th February, 2023

No. Leg. 12/2023.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 16th January, 2023 and is hereby published for general information:-

HARYANA ACT NO. 12 OF 2023**THE HARYANA MUNICIPAL CORPORATION (SECOND AMENDMENT) ACT, 2022**

AN

ACT

further to amend the Haryana Municipal Corporation Act, 1994.

Be it enacted by the Legislature of the State of Haryana in the Seventy-third Year of the Republic of India as follows:-

1. This Act may be called the Haryana Municipal Corporation (Second Amendment) Act, 2022. Short title.
2. After clause (4A) of section 2 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act), the following clause shall be inserted, namely:- Amendment of section 2 of Haryana Act 16 of 1994.

“(4B) ‘core area’ means built-up area within the municipal limit planned or developed fifty years before the coming into force of this amendment Act and which due to urbanization and efflux of time require replanning of land use and also includes built-up area of village abadi, which has subsequently been included in municipal limit;”.
3. For sub-section (2) of section 346 of the principal Act, the following sub-section shall be substituted, namely:- Amendment of section 346 of Haryana Act 16 of 1994.

“(2) The Director shall not later than six months from the date of declaration under sub-section (1), or within such further period as the Government may allow, prepare plans showing the controlled area and core area and signifying therein the nature of restrictions and conditions proposed to be made applicable to the controlled area and submit the plans to the Government:

Provided that the mixed land use shall be permitted in core area subject to the planning parameters and payment or recovery of such charges, as may be notified by the Government.”.

BIMLESH TANWAR,
ADMINISTRATIVE SECRETARY TO GOVERNMENT, HARYANA,
LAW AND LEGISLATIVE DEPARTMENT.

10185—L.R.—H.G.P., PkI.

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT

Notification

The 03rd October, 2013

No.2/12/2013/RF2.—In exercise of the powers conferred by Section 392 read with Section 393 of the Haryana Municipal Corporation Act, 1994 (Act 16 of 1994), and with reference to Haryana Government, Urban Local Bodies Department, notification No. 2/12/2013/R2 dated the 2nd September, 2013, the Governor of Haryana hereby makes the following Bye-laws, namely:—

BYE-LAWS

Short title and commencement.

1. (i) These bye-laws may be called as the Haryana Municipal Corporation (Communication and Connectivity Infrastructure) Byelaws 2013.
- (ii) They shall come into force at once.

Definitions.

2. In these bye-laws, unless the context otherwise requires—
 - (a) “Act” means the Haryana Municipal Corporation Act, 1994 (Act 16 of 1994);
 - (b) “Appendix” means Appendix appended with these bye-laws;
 - (c) “applicant” means communication infrastructure provider registered with the Department of Telecommunications, Government of India or any telecom service provider licensed from the Department of Telecommunications, Government of India, to lay the communication and connectivity infrastructure and eligible to seek licence under these bye-laws;
 - (d) “arrears” means the amount an applicant is liable to pay to the State Development Agency for communication infrastructure laid/erected before the notification of these bye-laws;
 - (e) “cable” means an assembly of one or more insulated conductors or optical fibres or a combination of both, within an enveloping jacket which may be underground or overhanging and is a high speed physical medium for transmitting data/information;
 - (f) “communication infrastructure” includes dish antenna, optical fibre cable, Ground Based Mast, Roof Top Mast, mobile/communication towers and other associated infrastructure;
 - (g) “competent authority” means the Commissioner of the concerned Municipal Corporation;
 - (h) “designated institute” means and includes;
 - (i) All the Indian Institute of Technology;
 - (ii) Central Building Research Institute, Roorkee;
 - (iii) Rail India Technical and Economic Services Limited;
 - (iv) National Council for Building Material, Faridabad;
 - (v) National Institute of Technology, Kurukshetra;
 - (vi) Punjab Engineering College, Chandigarh;
 - (i) “dish antenna” or a “dish” means antenna or any other mode which can be used for broadcast, reception, space communication or radio transmission and is common in microwave system. The dish may be of metal or fibreglass, but shall exclude dish antenna installed under Direct-To-Home (D.T.H) scheme or a dish used for Television;

- (j) "Ground Based Mast (GBM)/Roof Top Mast (RTM)" is a communication tower in which the entire structure, functions as an antenna (without Diesel Generator and equipment room);
- (k) "license" means permission given by the competent authority to use Right of way/Right of use;
- (l) "moveable communication tower" means a mobile cell site that consists of a cellular antenna and equipment mounted on a truck or trailer, designed to be part of a cellular network;
- (m) "nodal officer" means any officer designated by commissioner municipal corporation;
- (n) "Right of use" means permission to use right of way/services/spaces;
- (o) "Right of Way" is the space between two property lines;
- (p) "State Development Agency" means a municipal corporation.

Prohibition.

3. No communication infrastructure shall be laid/installed without obtaining a license under these bye-laws from the competent authority within the area of a municipal corporation.

Submission of application and development.

4. (1) An application for seeking license on non-exclusive basis to lay the communication infrastructure, shall be submitted by the applicant, along with all the particulars and documents specified in Appendix A, to the nodal officer under whose jurisdiction the area falls. Nodal officer shall ensure that,-

- (i) in any scheme for laying of overhead cables on poles specifically erected for the purpose, as far as possible, shall be allowed only in exceptional cases, as the same tends to interfere with the overhead electricity distribution system apart from disturbing the aesthetics of the eco system;
- (ii) the applicant earmarks a pre-defined route alignment along the internal road circulation network, as per the required specifications (with or without a duct) as part of their development works for laying of the communication infrastructure, so as to avoid repeated digging and/or to facilitate the infrastructure providers seeking license to lay the cables in future.
- (iii) an applicant desirous of sharing already laid/installed communication infrastructure, do so after depositing the amount as mentioned in Appendix B with the permission of the competent authority.
- (iv) incomplete application not being in accordance with Appendix A is not processed and is rejected.

(2) The municipal corporation may provide ducts and lay the optical fibre cable with sufficient bandwidth capacity/ redundancy as part of their development plans, which may be leased out to an applicant on a recurring charge basis, determined by the competent authority.

Conditions of license

5. The conditions for grant of license shall be as under,—

- (i) it may be granted for the period applied for, subject to a maximum period of twenty years. This period would be further co-terminus with the lease period of lease agreement for land or/and building entered into between the applicant and the owner;
- (ii) if granted for moveable communication infrastructure, it shall be co-terminus with the period of the event for which the license is sought or for a maximum period of three months against a specific requirement to provide communication facility to public, subject to the fulfillment of all the conditions laid in the license or these bye-laws;
- (iii) it shall not be transferable and shall be applicable only for the period for which it has been granted;
- (iv) ~~the licensee is entitled to this license in his individual capacity. In case of further transfer/merger/acquisition or any other form of transfer of the asset/property of the licensee, the entitlement of the license shall not be treated as transferred.~~
- (v) it shall not, in any manner, be deemed to convey to the licensee any ownership or perpetual rights in respect of the land or structures used for communication infrastructure other than expressly granted therein;

- (vi) in case of violation of any terms and conditions of the license, the competent authority shall cause a notice to be served upon the licensee to rectify the violation within a period of fifteen days. The competent authority may cancel the license, if the licensee does not rectify the violation within the period so specified in the show cause notice. On cancellation of the license, the licensee shall not be entitled to any compensation for any loss caused by such a cancellation;
- (vii) any other condition which the competent authority may think necessary in the public interest.

Processing of applications

6. Each application shall be duly scrutinized by the nodal officer, who may seek such additional information from the applicant, as may be considered necessary. While processing the said application, the nodal officer shall take the following into consideration namely:—

- (i) existing infrastructure services, their safety, operations and future requirements of widening of the roads or augmentation of services. In case the proposed route alignment interferes with any service already laid, and it is feasible to relay/ re-align such a services at the cost of the licensee or the licensee offers to undertake such realignment at his cost to the satisfaction of the competent authority, the same may be considered and allowed;
- (ii) competent authority on being satisfied with the proposed alignment route/ site or if such route is determined and finalized through mutual agreement alongwith the time schedule in which the proposed work is to be executed/ completed, shall issue a letter of intent (LoI), alongwith the agreement to be executed in this behalf, and demand notice of charges, right of way/right of use charges (except of M/s Bharat Broadband Network Limited), lease charges for use of the land for its purpose, and demand a performance bank guarantee as a refundable security for satisfactory restoration of the sites as per the details specified in Appendix B;
- (iii) upon issue of the letter of intent, the applicant shall furnish the agreement as per Appendix E, alongwith all the applicable charges to the nodal officer within thrity days;
- (iv) as soon as the letter of intent holder completes the documentation and deposits all the relevant charges, including the performance bank guarantee, the competent authority shall execute an agreement and issue a license in favour of the applicant within a period of fifteen days, to enable the licensee to commence the execution of infrastructure work.

Timeframe for decision on applications

7. The competent authority shall adhere to the following timeframe for grant of the licenses, namely:—

Serial Number	Event	Number of working days
(i)	Processing of applications and seeking of additional information, if any, from the date of receipt of complete application;	45 days
(ii)	Issue of letter of intent or rejection of application along with reasons thereof;	15 days
(iii)	Compliance of the letter of intent conditions	30 days
(iv)	Execution of Agreements and issue of license.	15 days from the date of receipt of papers from the letter of intent holder.

Timeframe to complete infrastructure work.

8. While laying/executing infrastructure work;

- (i) the licensee shall submit the time-frame within which it plans to execute the infrastructure work. The said plan may provide stretch-wise completion schedule, alongwith the complete plan;
- (ii) the licensee shall ensure that no inconvenience is caused to the general public in the process of carrying out its operations. If found necessary, the nodal officer may direct the licensee to undertake execution of its work during the off-peak hours or during night;

- (iii) the licensee shall keep the nodal officer duly informed about the progress on a monthly basis, which may be reviewed at regular intervals; and
- (iv) wherever the licensee is not executing the related work in the stated time frame, the competent authority may revoke the license after granting an opportunity of hearing to the licensee. However, where the licensee is able to establish that any such delay is for reasons beyond its control, the competent authority may extend the execution period and allow the work to be completed within the mutually agreed time-frame.

Execution of work.

9. The licensee shall execute the communication infrastructure work by strictly adhering to the following, namely:—
- (i) technical standards and parameters specified in Appendix C;
 - (ii) all the safety standards applicable as per relevant guidelines of the Government of India/ State Government. Further, the licensee shall ensure that the communication infrastructure at all times conform to the electricity magnetic field radiation norms as prescribed by the Department of Telecommunications, Government of India or the Telecom Regulatory Authority of India, as the case may be, from time to time;
 - (iii) no Ground Based Mast/Roof Top Mast/communication/mobile tower shall be allowed to be installed unless a structure stability/ safety certificate is obtained from one of the designated institutes both at the time of submission of application and completion of work.

Infrastructure installed without license.

10. (1) From the date of commencement of these bye-laws, any communication infrastructure already installed for which license has not been granted by the competent authority, the service provider shall either remove the communication infrastructure immediately or apply for the license within a period of ninety days of publication of these bye-laws in the Official Gazette, to get such unauthorized action compounded, for which he shall be liable to pay a compounding fee, which shall be calculated at rate of fifty percent of the applicable charges as specified in Appendix B along with the arrears, if any, due to the municipal corporation, subject to the condition that such communication infrastructure fulfills the conditions of these bye-laws. Wherever any rectification is required in this process, he shall be granted period of thirty days to undertake such a rectifications;

(2) If the applicant does not apply or remove the communication structure, he shall be called upon to show cause as to why action should not be taken against him as per provisions of the Act. If the applicant fails to show cause or take corrective measures, the competent authority shall proceed to get the unauthorized communication structure removed at the expense of such service provider.

Indemnity bond.

11. The applicant shall indemnify the municipal corporation against any loss of life or property in the process of execution of work or against any claim thereafter during the period of operation and maintenance of such communication infrastructure at all times. The applicant shall submit the indemnity bond on a properly stamped non-judicial stamp paper.

Additional Corporate Social Responsibility.

12. The competent authority may encourage and persuade the licensee to undertake some social responsibility as per Appendix D in furtherance of the principles of corporate social responsibility. However, any such initiative may be mutually agreed upon and decided, for which no coercive method shall be applied.

Repeal provisions.

13. The Haryana Municipal Corporation (Erection of Communication Towers) bye laws, 2009 are hereby repealed:

Provided that any order made or action taken, under the bye-laws so repealed shall be deemed to have been made or taken under the corresponding provision of these bye-laws.

Appendix A*[See Bye-law 4(1)]***APPLICATION FORM**

(To be submitted by the applicant on his letter head)

Ref No:

Dated:

To

Subject: Regarding grant of license under the Haryana Municipal Corporation (Communication & Connectivity Infrastructure) bye laws, 2013.

License applied for :
 Name of the Applicant Company :
 Registration Number :
 Address :
 Telephone Number :
 Mobile Number :
 Fax :
 E-mail ID :

I/We hereby request to grant license to carry out the work for underground cables /Micro Trenching/ Erection of poles for overhead cables/Ground Based Mast/Roof Top Mast/mobile/moveable/communication tower/sharing of communication infrastructure at _____(name and detail of the location/route).

Board Resolution/ Power of attorney issued to the signatory of this application is attached herewith.

We further undertake to abide by all the terms and conditions laid in the bye laws.

It is therefore, requested to grant license to carry out the above mentioned work.

Signature of the authorized signatory.

(Name and Address)

List of documents to be attached along with the application:**1. Documents to be submitted in all cases:-**

- (i) Copy of registration certificate as communication Infrastructure provider of a telecom service provider granted by the Department of Telecommunications, Government of India;

- (ii) Two sets of the proposed route layout plan drawings clearly indicating the locations of communication infrastructure for which the license is being sought;
- (iii) Time schedule (stretch and stage wise) for completion of the work and investment;
- (iv) Indemnity bond to indemnify the municipal corporation against
 - (a) any liability for the damage caused to the existing infrastructure by the applicant for any reasons, and
 - (b) claims against any accidents on account of the infrastructure laid/ facilities installed or against any claims thereafter during the period of operation and maintenance of such infrastructure at all times;
- (v) Undertaking to pay all the applicable charges and the performance bank guarantee, as specified in Appendix B to the competent authority;
- (vi) Undertaking to maintain the infrastructure facility in good and safe condition at all times during the operation and maintenance period;
- (vii) Undertaking to execute an agreement with the competent authority;
- (viii) Undertaking to re-lay/ re-align the communication network/ relocate the poles/ dish antenna/ mobile / communication tower/ Ground Based Mast at its own cost in the event of requirement of the area for augmentation of public services like widening of roads, pedestrian walkways, water supply and distribution network, sewage/ drainage network etc.;
- (ix) Undertaking to abide by the terms and conditions of grant of license and adherence to the radiation norms as prescribed by the Department of Telecommunications, Government of India or the Telecom Regulatory Authority of India.

2. Documents for laying underground Optic Fibre/ Co-axial Cables (in addition to those listed at serial number 1 above):

- (i) Technology/ method proposed to be used for laying the cables (Horizontal Directional Drilling/Horizontal Boring methods/Micro Trenching or open digging) with preference for use of Horizontal Directional Drilling/Micro Trenching;
- (ii) Specific area details (in square feet or square meter) required for any structure (manholes/boxes/towers/ ground based mast/roof top mast etc.) on the land proposed to be taken on lease;
- (iii) Dimensions (depth, length and width) of the area proposed to be used for right of way/right of use for laying the Optic fibre cables and other communication devices/structures.

3. Documents for erection of Poles for overhead communication cables (in addition to those listed at Sr. No. 1 above):

- (i) Specific area details (in square feet or square meter) required for erection of poles and connection boxes on the land proposed to be taken on lease;
- (ii) Details marked on town map showing (a) proposed route; (b) no. of poles; (c) dimension of poles (height, thickness/diameter); (d) distance between each pole; and (e) minimum ground clearance for the cable.

- 4. Documents for installation of dish antenna (in addition to those listed at serial number 1 above):**
- (i) The proposed location of the dish antenna/ panel box/ dish/ inspection box/ connection box duly marked on town map;
 - (ii) Ownership document or lease deed of the site/ premises. on which dish antenna is proposed to be set up;
 - (iii) Structure safety certificate from the designated institute.
- 5. Documents for erection of Ground based mast/Roof top mast/ Communication/Mobile Tower (in addition to those listed at serial number 1 above)**
- (i) Copies of site plan indicating specific area details (in square feet or square meter) required for the manholes, ground based mast/roof top mast/ communication/mobile towers on the land proposed to be taken on lease alongwith the dimensions in each case;
 - (ii) Location of the ground based mast/roof top mast/communication/mobile tower duly marked on the route map, preferably with global positioning system readings/values;
 - (iii) True copy of the approval/ clearance from the Standing Advisory Committee for Frequency Allocation (SACFA) for the said location issued by Wireless Planning and Coordination (WPC) Wing of the Department of Telecommunications, Government of India;
 - (iv) Ownership document or lease deed of the site, on which ground based mast/roof top mast/communication/mobile tower is proposed to be set up;
 - (v) True copy of permission from the Airport Authority of India or any defense establishment in case the height of ground based mast/roof top mast /communication/mobile towers require such approval/ clearance;
 - (vi) If the communication/ mobile tower is to be erected on a roof-top, copy of the agreement with the owner of the building and structure safety certificate from a designated institute;
 - (vii) Two sets of the structural drawings of towers with complete details including the specifications of foundation, design parameters, dimensions and type of construction alongwith a structural safety certificate;
 - (viii) Certificate of adherence to the radiation emission norms as prescribed by the Department of Telecommunications, Government of India or any other competent authority;
 - (ix) Data Sheet containing the name of the service/ Infrastructure provider;
 - (x) In case of mobile tower, capacity of towers or antenna in megawatt;
 - (xi) Undertaking that the generator sets installed at the communication/ mobile tower sites/ moveable communication towers conform to the noise and emission norms prescribed by the Haryana State Pollution Control Board;
 - (xii) Undertaking that the applicant has taken all precautions for fire safety, lightening etc. and shall obtain necessary permission from the concerned fire Office of the area.

Appendix-B*[See Bye-law 4(iii) and 6 (ii)]***Schedule of Charges:**

For levy of fee/charges the State has been divided into different zones. The areas forming part of each zone are given below.

Hyper Potential Zone	High Potential Zone	Medium Potential Zone
Gurgaon	Faridabad, Panchkula, Panipat.	Karnal, Ambala, Yamunanagar, Hisar, Rohtak

Charges:**(i) Processing fee:**

In case of ground based mast/roof top mast/mobile/communication towers/moveable communication tower/dish antenna processing fee shall be charged at the rate of ₹1000/- per tower and in case of underground cable or overhead cable (except micro trenching) it will be ₹2/- per route meter.

(ii) Right of use/Right of way charges:

The charges for grant of license for the communication infrastructure shall be payable at the rates given in table below. These charges shall be payable only one time for a period of twenty years or the period of license, whichever is lower. The applicant would be required to pay such one-time charges afresh on completion of the period of initial license/ or on completion of a period of twenty years, whichever is earlier, at the rates applicable at such time.

Charges for license to Right of way/ Right of use (in ₹)

Sr. No.	Purpose	Zones		
		Hyper Potential Zone	High Potential Zone	Medium Potential Zone
1.	Laying of Underground optical fibre cable/Co-axial cables except micro trenching (per route meter)	100/-	80/-	65/-
2.	Laying of overhead communication Cables using Poles (per route meter)	35/-	35/-	25/-
3.	For every Pit dug-up, other than a man-hole with spacing of 100 mtrs. centre to centre. (in square meter)	900/-	750/-	600/-
4.	Dish Antenna (other than dish antenna installed under DTH)	₹5,000/- per dish antenna		
5.	For every pole erected to lay overhead communication cables (per pole)	2000/-	1500/-	1500/-
6.	Erection of Ground Based Mast/Roof Top Mast (per site)	1,00,000/-	75,000/-	50,000/-
7.	Erection of mobile/communication towers (per site)	2,50,000/-	2,00,000/-	1,50,000/-
8.	In case Underground optical fibre cable/Co-axial cables are shared (per sharing per route meter)	30/-	20/-	20/-
9.	In case mobile/communication towers are shared (per sharing)	75,000/-	50,000/-	50,000/-
10.	Moveable communication towers mounted on vehicles (per such tower per month)	50,000/-	40,000/-	30,000/-

(iii) Annual lease charges:

(a) The annual lease charges in respect of land area used for the construction of manhole, erection of dish antenna/poles/Ground Based Masts/ Roof Top Mast/mobile/communication towers shall be 6% of the applicable collector rates of the land (in ₹ per square meter). The lease charges, initially determined at the time of grant of license, shall be increased at the rate of 5% every year for a period up to five years. The lease

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charges will be re-fixed after a period of five years for another block of five years and so on and so forth with reference to the collector rates applicable at the time. The licensee shall also have the option of depositing the lease charges upfront on lump-sum basis for a period of five years calculated at the rates determined initially without any escalation.

- (b) The above lease charges shall be applicable only in respect of the land owned by the municipal corporation. Wherever the applicant proposes to use privately owned land for the said purpose, no lease charges shall be payable to the State Development Agency to that extent and the lease agreements/ charges shall be decided/ settled mutually between the parties. The competent authority shall only ask for the lease agreements between the parties in such cases.

(iv) Performance bank guarantee:

The applicant shall furnish a refundable performance bank guarantee (PBG) towards security for restoration of the sites dug/ used in the process of execution of work. The performance bank guarantee shall be valid for a period of six months over and above the project completion period and shall have to be renewed accordingly in the event of grant of extension of the execution period. The competent authority shall discharge the bank guarantee on satisfactory restoration of the site/area. The performance bank guarantee shall be furnished at the following rates:

Performance bank guarantee against restoration work (₹ per route meter)

Performance Bank Guarantee	Cement Concrete Paver Pavements	Cement Concrete Paver Blocks	Metalled Roads/ Pavements	Unpaved (Kutchra) Roads/ Rastas	Others
1 Micro Trenching Method	50/-	50/-	30/-	NA	20/-
2 Horizontal Directional Drilling Method/ Horizontal Boring Method	100/-	100/-	100/-	100/-	100/-
3 Open Digging Method	Not Allowed	Not allowed	Not Allowed	500/-	500/-

- (a) The amount for performance bank guarantee against restoration shall be reviewed every five years.
- (b) The performance bank guarantee, as a security against satisfactory restoration of sites, shall be valid for a period of six months over and above the project completion period. In case time overruns for completion of the work, the bank guarantee shall be renewed/ got extended by the licensee corresponding to the revised completion period and for six months. The licensee shall obtain formal permission for extension of time from the competent authority.
- (c) The licensee shall report regarding satisfactory completion of restoration of related work sites, which shall be visited/ ascertained by a representative of the municipal corporation within a period of fifteen days of such report. Thereafter, the bank guarantee shall be discharged to the licensee within a period of fifteen days from the date of inspection thereof or within a period of thirty days of submission of the request subject to such restoration work having been carried out to the satisfaction of the said authority.
- (d) The licensee may provide the performance bank guarantee, as applicable for a stretch over which the work is proposed to be undertaken and roll the same over to each of the subsequent stretches, subject to the validity of such performance bank guarantee for the period of execution and for six months.
- (e) In case the work contemplated by the licensee is not completed to the satisfaction of the municipal corporation granting the license, the competent authority may extend the completion period as deemed appropriate, along with extension in bank guarantee. Where the licensee fails to meet his performance obligations in this behalf within the agreed time-frame, the competent authority may en-cash the bank guarantee and undertake restoration of the site on its own at the risk and cost of the licensee.

Appendix-C*[See Bye-law 9(i)]***1. Location of Ground Based Masts/Roof Top Mast/communication/mobile towers**

The location of Ground Based Mast/Roof Top Mast/communication/mobile towers is important in view of any likely adverse impact of radiation on human health. The infrastructure installed shall conform to the radiation and safety norms prescribed by the Department of Telecommunications, Government of India or the Telecom regulatory authority of India or any other authority in this behalf at all times. Further, the location thereof shall be governed by radio-frequency system adopted by the applicant and shall be allowed subject to the following conditions namely:-

- (i) Location of Ground Based Mast/towers shall be avoided in thickly populated residential areas in so far as feasible. In case it becomes absolutely unavoidable to do so, efforts shall be made to install these structures in the open spaces such as Parks or Green belts available in the residential sectors or open spaces/ fields in rural areas, maintaining a safe distance of about fifty meters from the residential areas.
- (ii) Wherever it is critical to install these communication towers in the populated residential areas and no open spaces are available, the infrastructure provider shall use Micro Cell based stations where there are high number of users.
- (iii) The Ground Based Mast/Roof Top Mast/communication/mobile towers may be installed in the commercial, industrial, institutional zones or in the open areas (except set-back area of the buildings) within the commercial, industrial, institutional sites and fields outside the populated areas.
- (iv) In the case of Roof Top Mast/mobile/communication towers with multiple antennas (per sector), the roof top usage is desirable to be restricted in the residential areas. However, the license to install a mobile/communication tower may be allowed on the roof-tops of commercial or institutional buildings subject to structural safety certificates as issued by the designated institutes specified in these bye-laws.
- (v) The municipal corporation shall endeavor to explore the possibility of identifying suitable spaces *within their premises or land* as found suitable by the infrastructure provider for the installation of the Ground Based Mast/Roof Top Mast/mobile/communication towers. The space for such facilities shall be made available to the applicant on lease basis in accordance with these bye-laws within a period of one month from the date of application, failing which the applicant shall be free to install the said structure at alternate locations/ sites identified by them, subject to the conditions laid down in these bye-laws.
- (vi) All the above conditions pertaining to the location of towers shall also be applicable to the moveable communication towers.
- (vii) The licensee shall ensure that each of the sites of the infrastructure systems, such as Ground Based Mast/Roof Top Mast/towers or any other structure, for which license has been granted, is easily approachable for maintenance and operation.

2. Technical parameters to be followed by the Infrastructure/service providers while laying the cables (over-ground and underground), erection and installation of poles/ dish antennas / Ground Based Masts/ Roof Top Mast/ mobile & communication towers.**(i) Laying of underground cables:—**

- (a) The applicant shall undertake communication infrastructure work in a manner so as to cause least public inconvenience. He shall suitably cordon-off the area to ensure public safety and be encouraged to execute the work during off-peak times so as to cause minimum inconvenience to the public. The applicant shall restore the dug up area/site to its original condition simultaneously, clear the area of any unused earth/ debris, and dispose of such debris/ earth at the dumping sites away from the work site as permitted and to the satisfaction of the competent authority.
- (b) The applicant shall carry out ground penetration/ probing radar survey for detection of existing utilities/ services along the route where the cable is proposed to be laid. The data collected in respect of existing utility services through this survey shall be unconditionally shared with the municipal corporation free of any charge.

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- (c) As far as possible, the applicant shall carry out the work by using *Micro Trenching/ Horizontal Directional Drilling* techniques or *Horizontal boring* methods so as to minimize the damage and to cause minimum inconvenience to public.
- (d) The cable shall ordinarily be laid at the edge of the *Right of Way* or as permitted/ approved by the competent authority. In case of restricted width of the *Right of Way*, which may be adequate only to accommodate the carriageways, central verge, shoulders, slopes of embankment and drains, the cables shall be laid beyond the toe-line of the embankments and clear of the drain. Wherever it is found that it is not feasible to lay the cable without adversely impacting the existing utilities/ services, the license may be declined.
- (e) The top of the casing/ conduit pipe containing the cables shall be at least 1.5 meter below the top surface subject to at least 0.3 meter below the drain inverts;
- (f) Pits of 2 meter x 2 meter and 1.5 meter deep, or of lower size shall be made at a distance of 100 meter, centre-to-centre, for laying cables. However, in case of special site conditions, variable depth/ dimensions may be permitted depending on the site conditions.
- (g) Route markers shall be fixed, preferably in steel or concrete, along the route at an interval of 300 meter with clear marking of the ownership and depth of the cable laid.

(ii) Erection of poles for overhead communication cables:—

- (a) License to lay overhead cables shall be restricted.
- (b) The electric poles/towers etc. of power utilities shall not be allowed to lay overhead communication cables.
- (c) Wherever, it is not feasible to avoid laying of overhead cables, the applicant shall take all precautionary measures to maintain the ecosystem and aesthetics of that area.
- (d) The height of the pole shall be such that it does not interfere with the electric cables/ distribution transmission system and minimum distance between two poles shall be forty meters.
- (e) Subject to availability, a maximum 1.0 meter x 1.0 meter space shall be made available for erection of the pole at a minimum distance of 0.3 meter from the edge of the walkway of road (road berm) and shall be installed in cement-concrete foundation;
- (f) The sag of cable shall be such that it does not interfere with the movement of vehicles.

(iii) Ground based Masts/ Roof Top Mast:-

The maximum height of Ground Based Mast/ Roof Top Mast shall not exceed 30 meters from the adjoining ground level and distance between two masts shall not be less than 150 meters in line of sight to the extent feasible.

(iv) Mobile/communication towers:—

The height of the mobile/communication tower from the adjoining ground level shall not exceed 75 meters subject to clearance from the defense and civil aviation authorities. Erection of the mobile/ communication towers shall be avoided in narrow lanes (< 5 meter). However, in the case of moveable communication towers, the maximum permissible height shall be 21 meter.

3. Other terms and conditions to be adhered to by the licensee while laying the cables (over-ground and underground), erection of poles / dish antennas / Ground Based Masts/ Roof Top Mast/mobile/ communication towers.

- (i) The terms and conditions/ guidelines issued/ notified by the Department of Telecommunications, Government of India in respect of any condition applicable to the licensee, as amended from time to time, shall be applicable and binding in all cases.
- (ii) The license to lay underground/ over-head communication/ connectivity infrastructure shall not be granted, where it causes disruption to public services and facilities, obstruction/ hindrance to the pedestrian movement or vehicular traffic. The principle of public convenience and safety shall over-ride all other considerations. However, the competent authority may grant license in extreme criticality only if the applicant offers to suitably adjust and/ or realign such services at his own cost without any adverse impact on the public services, to the satisfaction of the competent authority.

- (iii) In the case of Ground Based Mast/Roof Top Mast/mobile/communication towers, license shall not be granted, if any building is found in front of the Antenna within the safe distance in meter as mentioned below:—

Sr. No.	Number of multiple antennas	Building /structure distance from the antenna (safe distance in meter).
1.	2	35
2.	4	45
3.	6	55
4.	8	65
5.	10	70
6.	12	75

- (iv) The licensee, shall be responsible to get the required technical safety checks of the Ground Based Mast/Roof Top Mast/mobile/ communication towers from the designated institute and shall submit the report to the competent authority.
- (v) The licensee must get the radiation levels checked at regular intervals during the operation and maintenance period from any authorized authority and submit the conformance report to the competent authority. In the absence of such report, the competent authority may ask for such tests at the costs of the licensee. Non-compliance with the radiation emission standards shall attract penalties as prescribed by the Department of Telecommunications, Government of India from time to time and cancellation of license.
- (vi) The licensee shall be solely responsible for any damage to the building, adjoining buildings and to the public.
- (vii) Lightning arresters provided at the top of the Ground Based Mast/Roof Top Mast/mobile/ communication tower, shall be of adequate height so that all protruding antennas hoisted on the mast are protected within its conical safety zone.
- (viii) Aviation warning lights installed at the top of the Ground Based Mast/Roof Top Mast/mobile/ communication towers shall be as per International Civil Aviation Organization's guidelines and shall be checked regularly for good operating conditions.
- (ix) The earth resistance of the Ground Based Mast/Roof Top Mast/mobile/ communication towers should be maintained within the prescribed range and shall be checked periodically every year.
- (x) The licensee shall also be responsible to get the required checks of such communication infrastructure at regular intervals from any Government approved agency and shall submit the report to the competent authority.
- (xi) The optic fibre cable/ communication cables shall not be brought into use by the licensee unless a completion certificate is obtained to the effect that the telecom cables/ ducts/ manholes have been laid in accordance with the approved specifications and drawings and the pits have been filled-up to the satisfaction of the concerned authority;
- (xii) In case of any shifting or change in alignment in the already laid optic fibre cable/ other communication cables/ Ground Based Masts/ Roof Top Mast/ mobile/ communication towers is necessitated due to widening of roads/ construction of flyovers or public building the licensee shall be bound to do the same at his own cost within the period specified by the respective authority. If the licensee fails to comply with this condition to the satisfaction of the said authority, the same shall be got executed by the said authority at the risk and cost of the licensee. The charges so incurred on this account shall be recoverable from the licensee.

- (xiii) In case of removal of already laid optic fibre cable/ other communication cables/ Ground Based Masts/ Roof Top Mast/ mobile/ communication towers on expiry of licence period granted, the licensee shall be bound to do the same at his own cost within the period specified by the competent authority. If the licensee fails to comply with this condition to the satisfaction of the competent authority, the same shall be got executed by the competent authority at the risk and cost of the licensee. The charges so incurred on this account shall be recoverable from the licensee.
- (xiv) In order to avoid repeated digging on the same routes, the licensee may voluntarily lay extra ducts / conduits with redundant capacity so as to take care of any future needs. However, the creation of excess capacity shall not be a pre-condition for giving Right of Way license.
- (xv) The licensee shall ensure safety and security of all underground installations/ utilities/ facilities and shall be solely responsible for compensation/ indemnification to concerned authority for damage caused/ claims or replacements sought for at the cost and risk of licensee to the concerned authority.
- (xvi) The extent of the digging trenches shall be strictly regulated so that the cables are laid and trenches are filled up before the close of the work for that day. Filling should be to the satisfaction of the State Development Agency.
- (xvii) The licensee shall not undertake any work of shifting, repair or alterations of the said cables / communication cables without the prior permission of the nodal officer in writing. The licensee shall be liable to give a notice of fifteen days with route/ location details, prior to digging for fresh/ maintenance/ repair works.
- (xviii) The licensee shall make his own arrangement for crossing of cross drainage structures, rivers, etc. below the bed. In case, this is not feasible, the cables/ ducts may be carried outside the railings/ parapets and supported on brackets fixed to the outside of the bridge super-structure. The fixing and supporting arrangement with all details shall be got approved in advance from the concerned authority granting such permission. Additional cost on account of fixing and supporting arrangement, as assessed by such authority, shall be payable by the licensee. If the licensee fails to comply with this condition to the satisfaction of the authority, the same shall be got executed by the authority at the risk and cost of the licensee and the cost so incurred on this account shall be recoverable from the licensee.
- (xix) In case of any damage to the essential services i.e. water supply, sewerage system and telecommunication lines, electricity supply etc., it shall be the responsibility of the licensee to get the services restored to their original and satisfactory condition at his own cost.
- (xx) Municipal corporation shall not be responsible for any damage to optic fibre cable and resultant losses, if any, during performance of official duties by any employee of municipal corporation.
- (xxi) The licensee shall have to provide barricade, danger lights and other necessary caution boards while executing the work.
- (xxii) If any traffic diversion is found necessary during the working period, such diversion shall be provided by the licensee at his cost.
- (xxiii) The competent authority may effect a modification/alteration in the site plan/ route, if necessary, in the interest of public safety.
- (xxiv) The communication infrastructure shall not be shared/sub-let, without the permission of the competent authority and payment of sharing charges.
- (xxv) The licensee shall abide by all the terms and conditions laid in these bye-laws.
- (xxvi) Any dispute arising between the signatories to an agreement under these bye-laws shall be settled / resolved in accordance with the procedures outlined in the agreement i.e. all the disputes shall be settled at Chandigarh. In case of breach of any of the clauses of the agreement, the competent authority shall be entitled to terminate the contract after giving a show cause notice of fifteen days. An officer of the rank of Administrative Secretary, (to be nominated by the Government of Haryana) shall act as an Arbitrator to whom the dispute shall be referred to and the decision of the Arbitrators shall be final and binding on both the parties.

Appendix-D*(See Bye-law 12)***An illustrative list of facilities as part of the Corporate Social Responsibility.**

1. Development and maintenance of public parks/roundabouts within the jurisdiction of the municipal corporation, where the services are rolled out. In such cases, the competent authority shall permit the infrastructure provider to display its board/ credit for the same as mutually decided/ agreed.
2. Free-of-charge use of poles erected by the licensee for provision of street lights/ LED solar lights on the poles (with or without supply of the fixtures) for provision of the facility of street lighting in a defined area.
3. Provision of bandwidth/ internet connectivity, free or at discounted rates, to the local authority for its office and other community service centers, by whatever name called, for e-delivery of citizen services.
4. Provide computing hardware (two desktops of latest configuration with laser printer, webcam, head phone and mike, computer furniture, online UPS etc.) for at least ten village information centers/ citizen service centers in the area where the applicant rolls out his services.
5. Sponsorship of certain number of community service centers for e-delivery of citizen services for a particular period.
6. Establish training/ skill development facilities and operation and management of such skill development centres for an agreed period, for capacity building of the low income groups for improving employment prospect.
7. Free-of-cost supply and installation of surveillance cameras on the towers to be put up on public land. These cameras shall be connected to the designated police control rooms in the cities and the connectivity may be provided free of cost or at a discounted price for the agreed period.

Appendix-E*[See Bye-law 6(iii)]***FORM FOR AGREEMENT**

This agreement, made on the _____ day of _____ two thousand _____ between the Governor of Haryana acting through Municipal Commissioner of the one part.

AND

(Name of applicant) hereinafter called "the licensee" of the other part who has applied to the competent authority for permission to lay underground cables/Micro Trenching/ erection of poles for overhead cables/ Ground Based Mast/ Roof Top Mast/mobile/communication/moveable tower/sharing of communication/ infrastructure.

WHEREAS, the competent authority, has agreed to grant such license as per the terms and conditions contained in the Haryana Municipal Corporation Act, 1994 (Act 16 of 1994) and the Haryana Municipal Corporation (Communication and Connectivity Infrastructure) Bye-laws, 2013 made thereunder, hereinafter referred as the Act and Bye-laws.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:—

In consideration of the competent authority agreeing to grant license to the licensee to lay/erect _____ on the fulfillment of all the conditions by the licensee, the licensee hereby convenance as follows:

1. That the licensee shall execute the work as per the time-frame.
2. That the licensee, shall be responsible to get the required technical safety check of the Ground Based Mast/ Roof Top Mast/mobile/communication towers from the designated institute and shall submit the report to the competent authority.
3. That the licensee shall get the radiation levels checked at regular intervals during the operation and maintenance period from any authorised authority and submit the conformance report to the concerned authority. In the absence of such report, the competent authority may ask for conducting such tests at the cost of the licensee. Non-compliance with the radiation emission standards shall attract penalties as prescribed by the Department of Telecommunications, Government of India from time to time and cancellation of license.
4. That the licensee shall be solely responsible for any damage to the building, adjoining buildings and to the public.
5. That the lightening arresters and aviations lights (as per International standards) be provided at the top of the Ground Based Mast/Roof Top Mast/mobile/communication tower.
6. That the earth resistance of the Ground Based Mast/Roof Top Mast/mobile/ communication towers shall be maintained within the prescribed range and shall be checked periodically every year.
7. That the licensee shall also be responsible to get the required checks of such communication infrastructure done at regular intervals from any State Government approved agency and shall submit the report to the competent authority.
8. That the licensee shall not use the optic fibre cable/ communication cables unless a completion certificate is obtained to the effect that the Telecom cables/ ducts/manholes have been laid in accordance with the approved specifications and drawings and the pits have been filled-up to the satisfaction of the concerned authority.
9. That the licensee shall carry out the shifting or change in alignment of the already laid optic fibre cable/ other communication cables/ Ground Based Mast/Roof Top Mast/mobile/ communication towers if necessitated due to widening of roads/ construction of flyovers or public buildings at his own cost within the period specified by the respective authority.

10. That the licensee shall remove already laid optic fibre cable/ other communication cables/ Ground Based Mast/Roof Top Mast/mobile/ communication towers on the expiry of licence period granted at his own cost within the period specified by the respective authority.
11. That the licensee shall ensure safety and security of all underground installations/ utilities/ facilities and shall be solely responsible for compensation/ indemnification of concerned authority for damage caused/ claims or replacements sought for at the cost and risk of the licensee to the concerned authority.
12. That the licensee shall not undertake any work of shifting, repair or alterations to the said cables /communication cables without the prior permission of the concerned authorities in writing.
13. That in case of any damage to the essential services i.e. water supply, sewerage system and telecommunication lines, electricity supply etc., it shall be the responsibility of the licensee to get the services restored to their original and satisfactory condition at his own cost.
14. That the municipal corporation shall not be responsible for any damage to Optic fibre cable and resultant losses, if any, during performance of official duties by any employee of municipal corporation.
15. That the licensee shall have to provide all safety measures like barricades, danger lights, caution boards, etc while executing the work.
16. That the communication infrastructure shall not be shared/sub-let, without the permission of the competent authority and payment of sharing charges.
17. That in case of breach of any of the clauses of the agreement, the competent authority shall be empowered to terminate the contract after giving a show cause notice of fifteen days.
18. That in case of violation of any terms and conditions the license granted can be withdrawn and cancelled at any time, such licensee shall neither be entitled for any compensation or any loss caused to it by such cancellation.
19. That an officer of the rank of Principal Secretary to be nominated by the Government shall act as Arbitrator to whom the matter shall be referred to and the decision of the Arbitrator shall be final and binding on both the parties.

In witnesses whereof the parties hereto have hereunto set their respective hands the day and the year first above written.

This agreement has been executed in duplicate and each party to this agreement has retained one stamped copy each.

SIGNED AND DELIVERED BY
(Competent Authority)

in the presence of

Signature
Name & Designation Address

Signature
Name & Designation Address

SIGNED AND DELIVERED BY
(On behalf of licensee)

in the presence of

Signature
Name & Designation Address

Signature
Name & Designation Address

P. RAGHAVENDRA RAO,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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189-2019/Ext.] CHANDIGARH, FRIDAY, NOVEMBER 8, 2019 (KARTIKA 17, 1941 SAKA)

हरियाणा सरकार

शहरी स्थानीय निकाय विभाग

अधिसूचना

दिनांक 8 नवम्बर, 2019

संख्या. 3/7/2003-आर-II.— हरियाणा नगर निगम अधिनियम, 1994 (1994 का 16) की धारा 393 के साथ पठित धारा 392 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तथा हरियाणा सरकार, शहरी स्थानीय निकाय विभाग, अधिसूचना संख्या 1/4/2019-RII दिनांक 2 अगस्त, 2019 के प्रतिनिर्देश से, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा नगर निगम (संचार तथा संयोजन अवसंरचना) उपविधियां, 2013 को आगे संशोधित करने के लिए निम्नलिखित उप-विधियां बनाते हैं, अर्थात्:—

- ये उप-विधियां हरियाणा नगर निगम (संचार तथा संयोजन अवसंरचना) संशोधन उप-विधियां, 2019, कही जा सकती हैं।
- हरियाणा नगर निगम (संचार तथा संयोजन अवसंरचना) उप-विधियां, 2013 (जिन्हें, इसमें, इसके बाद, उक्त उप-विधियां कहा गया है) में, उप-विधि 4 में,
 - विद्यमान “आवेदन की प्रस्तुति तथा अवसंरचना विकास” शीर्ष के स्थान पर, “अन्-अनन्य आधार पर अनुमति” शीर्ष प्रतिस्थापित किया जाएगा;
 - खण्ड(1) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात्:—

“(1). रास्ता अधिकार (आर ओ डब्ल्यू) या उपयोग अधिकार (आर ओ यू) तथा सम्बद्ध अवसंरचना की स्थापना के लिए अनुमति, इन उप-विधियों के अधीन अन्-अनन्य आधार पर उप-विधि 2 के खण्ड (च) तथा (झ) में यथा वर्णित संचार अवसंरचना स्थापित करने के इच्छुक पात्र आवेदक (चाहे वर्तमान या भावी) को दी जाएगी। तथापि, किसी विशिष्ट क्षेत्र में बहुविध सेवा प्रदाताओं के लिए रास्ता अधिकार हेतु दिया गया स्थल कम है, तो प्रथम प्रस्तावक लाभ के सिद्धांत पर चलाएगा तथा पश्चात्वर्ती प्रवेशक, यदि कोई हो, से प्रथम प्रवर्तक सेवा प्रदाता द्वारा पहले ही डाली गई अवसंरचना क्षमता सांझी करने की अपेक्षा की जा सकती है”।
- उक्त उपविधियों में परिशिष्ट-ख में, “प्रभार” शीर्ष के नीचे खण्ड (i) तथा (ii) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किए जाएंगे, अर्थात्:—

“(i) प्रक्रिया फीस:

ग्राऊंड बेसड मास्ट/रूफ टोप मास्ट/मोबाइल तथा संचार टावर/चल संचार टावर/डिश एन्टीना के मामले में प्रक्रिया फीस ₹ 10,000/- प्रति टावर की दर से प्रभारित की जाएगी तथा भूमिगत केबल या ऊपरी केबल (माईक्रो ट्रेंचिंग के सिवाय) के मामले में ₹ 1 प्रति रूट मीटर होगी।

(4219)

4220

HARYANA GOVT. GAZ., (EXTRA.), NOV. 8, 2019 (KRTK. 17, 1941 SAKA)

(ii) रास्ता अधिकार/उपयोग अधिकार प्रभार:-

संचार अवसंरचना के लिए अनुज्ञप्ति प्रदान करने के लिए प्रभार नीचे तालिका में दी गई दरों पर भुगतानयोग्य होंगे। ये प्रभार बीस वर्ष या अनुज्ञप्ति की अवधि, जो भी पहले हो, के लिए सालाना भुगतान योग्य होंगे। आवेदक से ऐसे प्रभार प्रारम्भिक अनुज्ञप्ति की अवधि के समापन पर या बीस वर्ष की अवधि के समापन पर, जो भी पहले हो, ऐसे समय पर लागू दरों पर लागू दरों पर भुगतान करना अपेक्षित होगा। आवेदक यदि, चाहे तो ऐसे पूर्ण वार्षिक प्रभारों का बीस गुणा नीचे सारणी के अनुसार एकमुश्त जमा करवा सकता है।

रास्ता अधिकार/उपयोग अधिकार हेतु अनुज्ञप्ति के लिए प्रभार (₹ में)

क्रम संख्या	प्रयोजन	जोन		
		अतिउच्च सम्भाव्य जोन	उच्च सम्भाव्य जोन	मध्यम सम्भाव्य जोन
1.	केन्द्र से केन्द्र तक 100 मीटर के स्थान सहित मेनहोल से भिन्न प्रत्येक खोदे गए गडडे के लिए (वर्ग मीटर में)	कलेक्टर दरों का 10% वार्षिक किराया 1 मीटर x 1 मीटर x 1.5 मीटर गहरे आकार के साथ 10 मीटर केन्द्र से केन्द्र तक		
2.	डिश एन्टीना (डी. टी.एच. के अधीन लगाया गये डिश एन्टीना से भिन्न)	₹5,000/- प्रति डिश एन्टीना		
3.	ऊपरी संचार केबल (प्रति खम्बा) डालने के लिए निर्मित प्रत्येक खम्बे के लिए	i. ₹1,000/- नए पोल के लिए ii. ₹500/- मौजूदा पोल के लिए		
4.	ग्राउंड बेसड मास्ट/रूफ टोप मास्ट का निर्माण (प्रति स्थल)	₹10,000/-		
5.	मोबाईल/संचार टावरों का निर्माण (प्रति स्थल)	₹15,000/-		
6.	वाहनों पर लगाए गए चल संचार टावर (प्रति ऐसा टावर प्रति तीन मास)	₹20,000/-	₹15,000/-	₹15,000/-

4. उक्त उपविधियों में, परिशिष्ट-ग में, खण्ड (1) में, मद (v) के स्थान पर, निम्नलिखित मद प्रतिस्थापित की जाएगी, अर्थात् :-

- “(v) (क) सरकारी/सार्वजनिक सेक्टर उपक्रम भूमि तथा भवनों में मोबाईल/दूरसंचार टावरों की स्थापना करने के लिए किसी सक्षम प्राधिकारी की अनुमति प्राप्त के लिए सभी आवेदन, आवेदक द्वारा सम्बद्ध नोडल अधिकारी, जिसकी अधिकारिता के अधीन क्षेत्र/भवन आता है, को परिशिष्ट-क में विनिर्दिष्ट भूमि पर वैध अधिकार रखने वाले सभी अन्य व्यौरों तथा दस्तावेजों सहित सक्षम प्राधिकारी को पूर्व लिखित सहमति सहित प्रस्तुत किया जाएगा।
- (ख) खम्बों/ग्राउंड बेसड मास्ट/मोबाईल/संचार टावरों के निर्माण के लिए प्रयुक्त भूमि क्षेत्र तथा भवन के सम्बन्ध में वार्षिक उपभोक्ता प्रभार परिशिष्ट-ख के अनुसार अवधारित किए जाएंगे।
- (ग) सरकारी भूमि/भवन पर निर्मित किए जा रहे टावरों में तकनीकी सम्भाव्यता के अनुसार भविष्य में टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं के साथ हिस्सेदारी की जानी है। टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं को हिस्सेदारी अवसंरचना से पहले सम्बद्ध प्राधिकारी से अनुमति मांगेगा।
- (घ) रास्ता अधिकार (आर ओ डब्लू)/उपयोग अधिकार (आर ओ यू) तथा सम्बद्ध अवसंरचना के लिए अनुमति प्रदान करने हेतु प्रभार: प्रत्येक आवेदक से (i) प्रक्रिया फीस (ii) उपयोग अधिकार/रास्ता अधिकार प्रभार का भुगतान तथा (iii) इन उप-विधियों के परिशिष्ट-ख में विनिर्दिष्ट व्यौरों के अनुसार स्थलों के पुनरुद्धार के लिए प्रत्यर्पणीय प्रतिभूति के रूप में कार्य बैंक गारंटी प्रस्तुत करना अपेक्षित होगा।
- (ङ) प्रक्रिया फीस तथा उपयोग अधिकार/रास्ता अधिकार प्रभार, परिशिष्ट-ख के अधीन निर्धारित फीस तथा प्रभारों के अनुसार विभाग जिसके स्वामित्वाधीन भूमि तथा भवन है, जो भुगतानयोग्य होंगे।
- (च) राज्य सरकार के कार्यालयों/ सार्वजनिक सेक्टर उपक्रम से सम्बन्धित भूमि भवनों पर ग्राउंड बेसड मास्ट (टावर)/ रूफ टाप टावर की स्थापना के लिए अनुमति-पत्र, इन उप-विधियों के उपबन्धों के अनुसार सम्बद्ध उपायुक्त द्वारा जारी किया जाएगा। मामले में हरियाणा सरकार द्वारा, समय-समय पर जारी, दिशा निर्देश भी लागू होंगे।

- (छ) टेलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं का, पट्टोंया किराये के आधार पर ग्राउंड बेस्ड मास्ट(टावर)/रूफ टाप टावर की स्थापना की अनुमति देने के लिए उचित निर्णय करने हेतु, सक्षम प्राधिकारी द्वारा अनुमति देने हेतु इन उप-विधियों के दृष्टिगत, किसी सरकारी भवन/परिसरों पर कोई अधिकार या दावा नहीं होगा। यह अनुज्ञात्मक खण्ड अनुमति देने के लिए किसी विभाग पर बाध्य नहीं है।
- (ज) भवन की ऊपरी छत को पट्टों पर देने से पूर्व कार्यालाध्यक्ष द्वारा तकनीकी सम्भाव्यता तथा संरचनात्मक स्थिरता को ध्यान में रखेगा। इसके अतिरिक्त भवन/परिसर के विस्तार/प्रसार को भी ध्यान में रखेगा।
- (झ) ऐसी सभी स्थापनाएं दूर संचार विभाग, भारत सरकार के मानकों और भारत सरकार तथा राज्य सरकार द्वारा, समय-समय पर जारी, संबंधित अनुदेशों की अनुपालना करेंगी।
- (ञ) कार्यालाध्यक्ष भूमि या भवन के उपरी छत स्थल को पट्टों पर देने से पूर्व, टेलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं के साथ करार करेगा। संचार अवसंरचना डालने तथा सम्बद्ध स्थापना के लिए रास्ता अधिकार या उपयोग अधिकार हेतु अनुमति की वैधता, इन उप-विधियों के परिशिष्ट-ख में वर्णित निबन्धनों पर प्रदान की जा सकती है।
- (ट) भवन/आस्तियों/भूमि, यदि कोई हो, को हुई हानि हेतु भवनों को मूल स्थिति में वापस लाने के लिए तथा सम्बद्ध प्राधिकरणों की संतुष्टि तक टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं द्वारा परिशोधित की जाएगी। टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाता टावर स्थापित करते समय या उसके बाद होने वाली किसी दुर्घटना के कारण सम्पत्ति/जनता की किसी हानि/नुकसान के लिए अकेले जिम्मेवार होंगे।
- (ठ) टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं को परिसरों या भवनों को पट्टों पर देना सम्बद्ध कार्यालय या अधिकारियों के दिनचर्या कार्यकलापों के लिए हानिकारक नहीं होगा।
- (ड) कार्यालय परिसरों के मामले में कार्यालय अध्यक्ष इन उप-विधियों के अधीन यथा अपेक्षित रूफ टाप टावर/ग्राउंड बेस्ड मास्ट (टावर) लगाने के लिए टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाता को अनापत्ति प्रमाणपत्र जारी करेगा, बशर्ते कि ऐसी स्थापना किसी विधि का उल्लंघन नहीं करती जो एकल खिडकी समाशोधन प्राप्त करने के लिए नोडल अधिकारी को किए गए आवेदन से संलग्न है”।

आनन्द मोहन शरण,
प्रधान सचिव, हरियाणा सरकार,
शहरी स्थानीय निकाय विभाग।

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 8th November, 2019

No. 3/7/2003-R-II.— In exercise of the powers conferred by section 392 read with section 393 of the Haryana Municipal Corporation Act, 1994 (16 of 1994), and with reference to Haryana Government, Urban Local Bodies Department, notification No. 1/4/2019-R-II, dated the 2nd August, 2019, the Governor of Haryana hereby makes the following bye-laws further to amend the Haryana Municipal Corporation (Communication and Connectivity Infrastructure) Amendment Bye-laws, 2013, namely:-

1. These bye-laws may be called as the Haryana Municipal Corporation (Communication and Connectivity Infrastructure) Amendment Bye-laws, 2019.

2. In the Haryana Municipal Corporation (Communication and Connectivity Infrastructure) Bye-laws, 2013, (hereinafter called the said bye-laws), in bye-laws 4,-

(i) for the heading “Submission of application and development”, the following heading shall be substituted, namely:-

“Permission on Non-Exclusive basis.”; and

- (ii) for clause (1), the following clause shall be substituted, namely:-

“(1) Permission for Right of Way (RoW) or Right of Use (RoU) and installation of the associated infrastructure shall be provided to an eligible applicant (whether existing or future) desirous of establishing Communication Infrastructure as mentioned under clause (f) and (i) of bye-law 2 on a Non-Exclusive Basis under these bye-laws. However, given the space constraints for Right of Way for multiple service providers in any specific area, the principle of first mover advantage would operate and the subsequent entrant, if any, may need to share the infrastructure capacity already laid by first-moving service provider.”.

3. In the said bye-laws, in Appendix-B, under heading “Charges”, for clauses (i) and (ii), the following clauses shall be substituted, namely:-

- “(i) Processing Fees:

In case of ground based mast/roof top mast/mobile communication towers/moveable communication tower/ dish antenna processing fee shall be charged at the rate of ₹ 10,000/- per tower and in case of underground cable or overhead cable (except micro trenching) it shall be ₹ 1/- per route meter.

- (ii) Right to Use/ Right of Way charges:

The charges for grant of license for the communication infrastructure shall be payable at the rates given in table below. These charges shall be payable annually for a period of twenty years or the period of license, whichever is earlier. The applicant shall be required to pay such charges afresh on completion of the period of initial license/or on completion of a period of twenty years, whichever is earlier, at the rates applicable at such time. The applicant if, desire can deposit one time charges as per the table below to twenty times of such full annual charges.

Charges for license to Right of Way/ Right of Use (in Rupees)

Serial number	Purpose	Zones		
		Hyper Potential Zone	High Potential Zone	MediumZone
1	For every Pit dug-up, other than a man-hole with spacing of 100 metre centre to centre (in square metre)	Annual rent of 10% of the collector rates with size of 1m x 1m x 1.5m deep with 100 m centre to centre.		
2	Dish Antenna (other than dish antenna installed under DTH)	₹ 5,000/- per dish antenna		
3	For every pole erected to pay overhead communication cables (per pole)	(i) ₹ 1000/- for new pole (ii) ₹ 500/- for existing poles		
4	Erection of Ground Based Mast/Roof Top Mast (per site)	₹ 10,000/-		
5	Erection of mobile/ communication towers (per site)	₹ 15,000/-		
6	Moveable communication towers mounted on vehicles (per such tower for three month)	₹ 20,000/-	₹ 15,000/-	₹ 15,000/-

4. In the said bye-laws, in Appendix-C, in clause 1, for sub-clause (v), the following clause shall be substituted, namely:-

- “(V) (a) All applications for seeking permission of any competent authority to the installation of mobile/ telecommunication towers in Government/ Public Sector Undertaking land and buildings shall be submitted by the applicant, along with the prior written consent from the competent authority having legitimate right over the land all other particulars and documents specified in Appendix-A to the concerned nodal officer under whose jurisdiction the area/ building falls.
- (b) Annual user charges in respect of land area and building used for erection of Poles/ Ground Based Masts/ Mobile/ Communication Towers shall be determined as per the Appendix-B.

- (c) The tower being constructed at Government land/ Building is to be shared with and other Telecom Infrastructure Provider/ Service Providers in future as per Technical feasibility. Telecom Infrastructure Providers/ Service Providers shall seek permission from the concerned authority before sharing infrastructure.
- (d) Charges for grant of permission for Right of Way (RoW)/ Right of Use (RoU) and associated infrastructure: Every applicant shall be required to pay (i) processing fee, (ii) right of Use/ right of Way charges, and (iii) furnish the performance Bank Guarantee as a refundable security for restoration of sites as per the details specified in Appendix-B of this Bye-laws.
- (e) Processing fee and Right of Use/ Right of Way charges shall be payable to the Department who own the land and buildings as per the fee and charges defined under Appendix-B.
- (f) Permit for installation of Ground Based Mast (Tower)/ Roof Top tower on the land/ buildings belonging to the State Government offices/ Public Sector Undertaking shall be issued by the concerned Deputy Commissioner in accordance as per the provisions of this bye-laws. The guidelines in the matter issued by the Government of Haryana from time to time shall also be applicable.
- (g) Telecom Infrastructure Provider/ Service Providers shall have no right or claim over any Government Building/ premises, in the light of this bye-laws for granting permission by competent authority to take appropriate decision for allowing the installation of Ground Based Mast (Tower)/ Roof Top Tower on lease or rent basis. This permissive section do not force any Department to grant permission.
- (h) Technical feasibility and structural stability shall be taken in to account by the head of office before easing out the building roof tops. Further expansion/ extension of building/ premises shall be kept in mind.
- (i) All such installations shall be in compliance to the Department of Telecommunication, Government of India norms and related instructions issued by the Government of India and the State Government from time to time.
- (j) Head of Office shall enter into an agreement with Telecom Infrastructure provider/ Service Providers before leasing out land or roof top space of the building. Validity of permission for Right of Way or Right of Use for laying the communication infrastructure and associated installations may be granted on the terms mentioned under Appendix-B of this bye-laws.
- (k) Damage caused to the building/ assets/ land, if any, shall be rectified by the Telecom Infrastructure Provider/ Service Providers to bring back the building to its original condition, to the satisfaction of the authorities concerned. The Telecom Infrastructure Provider/ Service Providers shall be solely responsible for any damage/ losses to the property/ people due to any accidents occurring while installing the Tower or thereafter.
- (l) Leasing of premises or buildings to Telecom Infrastructure Provider/ Service Providers shall not be detrimental to the daily routine activities of the office or officers concerned.
- (m) Head of office in case of office premises shall issue No Objection Certificate to Telecom Infrastructure Provider/ Service Providers for installing Roof Top Tower/ Ground Based Mast (Tower) as required under this bye-laws provided that such installation does not violate any law is attached with the application made to the Nodal Officer for obtaining Single Window Clearance.

ANAND MOHAN SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

57472—C.S.—H.G.P., Chd.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

© Govt. of Haryana

189-2019/Ext.] CHANDIGARH, FRIDAY, NOVEMBER 8, 2019 (KARTIKA 17, 1941 SAKA)

हरियाणा सरकार

शहरी स्थानीय निकाय विभाग

अधिसूचना

दिनांक 8 नवम्बर, 2019

संख्या. 3/7/2003-R-II.— हरियाणा नगरपालिका अधिनियम, 1973 (1973 का 24) की धारा 214 के साथ पठित धारा 200 के खण्ड (xxx) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तथा हरियाणा सरकार, शहरी स्थानीय निकाय विभाग, अधिसूचना संख्या 1/3/2019-R-II, दिनांक 2 अगस्त, 2019 के प्रतिनिर्देश से, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा नगर पालिका (संचार तथा संयोजन अवसंरचना) उपविधियां 2013 को आगे संशोधित करने के लिए निम्नलिखित उप-विधियां बनाते हैं, अर्थात्—

1. ये उप-विधियां हरियाणा नगरपालिका (संचार तथा संयोजन अवसंरचना) संशोधन उप-विधियां, 2019, कही जा सकती हैं।

2. हरियाणा नगरपालिका (संचार तथा संयोजन अवसंरचना) उप-विधियां, 2013 (जिन्हें, इसमें, इसके बाद, उक्त उप-विधियां कहा गया है) में, उप-विधि 4 में,

(i) विद्यमान “आवेदन की प्रस्तुति तथा अवसंरचना विकास” शीर्ष के स्थान पर, “अन्-अनन्य आधार पर अनुमति” शीर्ष प्रतिस्थापित किया जाएगा,;

(ii) खण्ड (1) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात्—

“(1). रास्ता अधिकार (आर ओ डब्ल्यू) या उपयोग अधिकार (आर ओ यू) तथा सम्बद्ध अवसंरचना की स्थापना के लिए अनुमति, इन उप-विधियों के अधीन अन्-अनन्य आधार पर उप-विधि 2 के खण्ड (च) तथा (झ) में यथा वर्णित संचार तथा संयोजन अवसंरचना स्थापित करने के इच्छुक पात्र आवेदक (चाहे वर्तमान या भावी) को दी जाएगी तथापि, किसी विशिष्ट क्षेत्र में बहुविध सेवा प्रदाताओं के लिए रास्ता अधिकार हेतु दिया गया स्थल कम है, तो, प्रथम प्रस्तावक लाभ के सिद्धांत पर चलाएगा तथा पश्चात्पूर्ती प्रवेशक, यदि कोई हो, से प्रथम प्रवर्तक सेवा प्रदाता द्वारा पहले ही डाली गई अवसंरचना क्षमता सांझी करने की अपेक्षा की जा सकती है”।

3. उक्त उप-विधियों में, परिशिष्ट-ख में, “प्रभार” शीर्ष के नीचे खण्ड (i) तथा (ii) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किए जाएंगे, अर्थात्—

“(i) प्रक्रिया फीस:

ग्राऊंड बेसड मास्ट/रूफ टोप मास्ट/मोबाइल तथा संचार टावर/ चल संचार टावर/ डिश एन्टीना के मामले में प्रक्रिया फीस ₹ 10,000/— प्रति टावर की दर से प्रभारित की जाएगी तथा भूमिगत केबल या ऊपरी केबल (माईक्रो ट्रेचिंग के सिवाय) के मामले में यह ₹ 1 प्रति रूट मीटर होगी।

(4224)

(ii) रास्ता अधिकार / उपयोग अधिकार प्रभार:-

संचार अवसंरचना के लिए अनुज्ञप्ति प्रदान करने के लिए प्रभार नीचे तालिका में दी गई दरों पर भुगतानयोग्य होंगे। ये प्रभार बीस वर्ष या अनुज्ञप्ति की अवधि, जो भी पहले हो, के लिए सालाना भुगतान योग्य होंगे। आवेदक से ऐसे प्रभार प्रारम्भिक अनुज्ञप्ति की अवधि के समापन पर या बीस वर्ष की अवधि के समापन पर, जो भी पहले हो, ऐसे समय पर लागू दरों पर भुगतान करना अपेक्षित होगा। आवेदक यदि, चाहे तो ऐसे पूर्ण वार्षिक प्रभारों का बीस गुणा नीचे सारणी के अनुसार एकमुश्त जमा करवा सकता है।

रास्ता अधिकार/उपयोग अधिकार हेतु अनुज्ञप्ति के लिए प्रभार (₹ में)

क्रम संख्या	प्रयोजन	जोन		
		उच्च सम्भाव्य जोन	मध्यम सम्भाव्य जोन	निम्न सम्भाव्य जोन
1.	केन्द्र से केन्द्र तक 100 मीटर के स्थान सहित मेनहोल से भिन्न प्रत्येक खोदे गए गड्डे के लिए (वर्ग मीटर में)	कलेक्टर दरों का 10% वार्षिक किराया 1 मीटर x 1 मीटर x 1.5 मीटर गहरे आकार के साथ 10 मीटर केन्द्र से केन्द्र तक		
2.	डिश एन्टीना (डी. टी.एच. के अधीन लगाया गये डिश एन्टीना से भिन्न)	₹ 5,000/- प्रति डिश एन्टीना		
3.	ऊपरी संचार केबल (प्रति खम्बा) डालने के लिए निर्मित प्रत्येक खम्बे के लिए	i. ₹ 1,000/- प्रति नए पोल के लिए ii. ₹ 500/- मौजूदा पोल के लिए		
4.	ग्राऊंड बेसड मास्ट/रूफ टोप मास्ट का निर्माण (प्रति स्थल)	₹ 10,000/-		
5.	मोबाईल/संचार टावरों का निर्माण (प्रति स्थल)	₹ 15,000/-		
6.	वाहनों पर लगाए गए चल संचार टावर (प्रति ऐसा टावर प्रति तीन मास)	₹ 20,000/-	₹ 15,000/-	₹ 15,000/-

4. उक्त उपविधियों में, परिशिष्ट-ग में, खण्ड (1) में, मद (v) के स्थान पर, निम्नलिखित मद प्रतिस्थापित की जाएगी, अर्थात्:-

“(v) (क) सरकारी/सार्वजनिक सेक्टर उपक्रम भूमि तथा भवनों में मोबाईल/दूरसंचार टावरों की स्थापना करने के लिए किसी सक्षम प्राधिकारी की अनुमति प्राप्त के लिए सभी आवेदन, आवेदक द्वारा सम्बद्ध नोडल अधिकारी, जिसकी अधिकारिता के अधीन क्षेत्र/भवन आता है, को परिशिष्ट-क में विनिर्दिष्ट भूमि पर वैध अधिकार रखने वाले सभी अन्य व्यौरों तथा दस्तावेजों सहित सक्षम प्राधिकारी को पूर्व लिखित सहमति सहित प्रस्तुत किया जाएगा।

- (ख) खम्बों/ग्राऊंड बेसड मास्ट/मोबाईल/संचार टावरों के निर्माण के लिए प्रयुक्त भूमि क्षेत्र तथा भवन के सम्बन्ध में वार्षिक उपभोक्ता प्रभार परिशिष्ट-ख के अनुसार अवधारित किए जाएंगे।
- (ग) सरकारी भूमि/भवन पर निर्मित किए जा रहे टावरों में तकनीकी सम्भाव्यता के अनुसार भविष्य में टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं के साथ हिस्सेदारी की जानी है। टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं को हिस्सेदारी अवसंरचना से पहले सम्बद्ध प्राधिकारी से अनुमति मांगेगा।
- (घ) रास्ता अधिकार (आर ओ डब्लू)/उपयोग अधिकार (आर ओ यू) तथा सम्बद्ध अवसंरचना के लिए अनुमति प्रदान करने हेतु प्रभार: प्रत्येक आवेदक से (i) प्रक्रिया फीस (ii) उपयोग अधिकार/रास्ता अधिकार प्रभार का भुगतान तथा (iii) इन उप-विधियों के परिशिष्ट-ख में विनिर्दिष्ट व्यौरों के अनुसार स्थलों के पुनरुद्धार के लिए प्रत्यर्पणीय प्रतिभूति के रूप में कार्य बैंक गारंटी प्रस्तुत करना अपेक्षित होगा।
- (ङ) प्रक्रिया फीस तथा उपयोग अधिकार/रास्ता अधिकार प्रभार, परिशिष्ट-ख के अधीन निर्धारित फीस तथा प्रभारों के अनुसार विभाग जिसके स्वामित्वाधीन भूमि तथा भवन है, जो भुगतानयोग्य होंगे।
- (च) राज्य सरकार के कार्यालयों/ सार्वजनिक सेक्टर उपक्रम से सम्बन्धित भूमि भवनों पर ग्राऊंड बेसडमास्ट (टावर)/रूफ टाप टावर की स्थापना के लिए अनुमति-पत्र, इन उप-विधियों के उपबन्धों के अनुसार सम्बद्ध उपायुक्त द्वारा जारी किया जाएगा। मामले में हरियाणा सरकार द्वारा, समय-समय पर जारी, दिशा निर्देश भी लागू होंगे।
- (छ) टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं का, पट्टों या किरायों के आधार पर ग्राऊंड बेसडमास्ट (टावर)/रूफ टाप टावर की स्थापना की अनुमति देने के लिए उचित निर्णय करने हेतु, सक्षम प्राधिकारी द्वारा अनुमति देने हेतु इन उप-विधियों के दृष्टिगत, किसी सरकारी भवन/परिसरों पर कोई अधिकार या दावा नहीं होगा। यह अनुज्ञात्मक खण्ड अनुमति देने के लिए किसी विभाग पर बाध्य नहीं है।

- (ज) भवन की उपरी छत को पट्टे पर देने से पूर्व कार्यालय अध्यक्ष द्वारा तकनीकी सम्भाव्यता तथा संरचनात्मक स्थिरता को ध्यान में रखेगा। इसके अतिरिक्त भवन/परिसर के विस्तार/प्रसार को भी ध्यान में रखेगा।
- (झ) ऐसी सभी स्थापनाएं दूर संचार विभाग, भारत सरकार के मानकों और भारत सरकार तथा राज्य सरकार द्वारा, समय-समय पर जारी, संबंधित अनुदेशों की अनुपालना करेगी।
- (ञ) कार्यालयाध्यक्ष भूमि या भवन के उपरी छत स्थल को पट्टे पर देने से पूर्व, टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं के साथ करार करेगा। संचार अवसंरचना डालने तथा सम्बन्ध स्थापना के लिए रास्ता अधिकार या उपयोग अधिकार हेतु अनुमति की वैधता, इन उप-विधियों के परिशिष्ट-ख में वर्णित निबन्धनों पर प्रदान की जा सकती है।
- (ट) भवन/आस्तियों/भूमि, यदि कोई हो, को हुई हानि हेतु भवनों को मूल स्थिति में वापस लाने के लिए तथा सम्बद्ध प्राधिकरणों की संतुष्टि तक टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं द्वारा परिशोधित की जाएगी। टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाता टावर स्थापित करते समय या उसके बाद होने वाली किसी दुर्घटना के कारण सम्पत्ति/जनता की किसी हानि/नुकसान के लिए अकेले जिम्मेवार होंगे।
- (ठ) टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाताओं को परिसरों या भवनों को पट्टे पर देना सम्बद्ध कार्यालय या अधिकारियों के दिनचर्या कार्यकलापों के लिए हानिकारक नहीं होगा।
- (ड) कार्यालय परिसरों के मामले में कार्यालय अध्यक्ष इन उप-विधियों के अधीन यथा अपेक्षित रूप टापटावर/ग्राउंड बेस्डमास्ट (टावर) लगाने के लिए टैलीकाम अवसंरचना प्रदाता/सेवा प्रदाता को अनापत्ति प्रमाणपत्र जारी करेगा, बशर्ते कि ऐसी स्थापना किसी विधि का उल्लंघन नहीं करती जो एकल खिड़की समाशोधन प्राप्त करने के लिए नोडल अधिकारी को किए गए आवेदन से संलग्न है”।

आनन्द मोहन शरण,
प्रधान सचिव, हरियाणा सरकार,
शहरी स्थानीय निकाय विभाग।

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT

Notification

The 8th November, 2019

No. 3/7/2003-R-II.— In exercise of the power conferred by clause (xxx) of section 200 read with section 214 of the Haryana Municipal Act, 1973 (24 of 1973), and with reference to Haryana Government, Urban Local Bodies Department notification No. 1/3/2019-RII, dated the 2nd August, 2019, the Governor of Haryana hereby makes the following, bye-laws further to amend Haryana Municipal (Communication and Connectivity Infrastructure) Bye-laws, 2013, namely:-

1. These bye-laws may be called the Haryana Municipal (Communication and Connectivity Infrastructure) Amendment Bye-laws, 2019.
2. In the Haryana Municipal (Communication and connectivity Infrastructure) Bye-laws, 2013 (hereinafter called the said bye-laws), in bye-laws 4,
 - (i) for the heading “Submission of application and development”, the following heading shall be substituted, namely:-
“Permission on Non-Exclusive basis.”; and
 - (ii) for clause (1), the following clause shall be substituted, namely:-
“(1) Permission for Right of Way (RoW) or Right of Use (RoU) and installation of the associated infrastructure shall be provided to an eligible applicant (whether existing or future) desirous of establishing Communication Infrastructure as mentioned under clause (f) and (i) of bye-law 2 on a Non-Exclusive Basis under these bye-laws. However, given the space constraints for Right of Way for multiple service providers in any specific area, the principle of first mover advantage would operate and the subsequent entrant, if any, may need to share the infrastructure capacity already laid by first-moving service provider.”.

3. In the said bye-laws, in Appendix-B, under heading "Charges", for clauses (i) and (ii), the following clauses shall be substituted, namely:-

“(i) Processing Fees:

In case of ground based mast/roof top mast/mobile communication towers/moveable communication tower/ dish antenna processing fee shall be charged at the rate of ₹ 10,000/- per tower and in case of underground cable or overhead cable (except micro trenching) it shall be ₹ 1/- per route meter.

(ii) Right to Use/ Right of Way charges:

The charges for grant of license for the communication infrastructure shall be payable at the rates given in table below. These charges shall be payable annually for a period of twenty years or the period of license, whichever is earlier. The applicant shall be required to pay such charges afresh on completion of the period of initial license/or on completion of a period of twenty years, whichever is earlier, at the rates applicable at such time. The applicant if, desire can deposit one time charges as per the table below to twenty times of such full annual charges.

Charges for license to Right of Way/ Right of Use (in Rupees)

Serial number	Purpose	Zones		
		Hyper Potential Zone	High Potential Zone	Medium Zone
1	For every Pit dug-up, other than a man-hole with spacing of 100 metre centre to centre (in square metre)	Annual rent of 10% of the collector rates with size of 1m x 1m x 1.5m deep with 100 m centre to centre.		
2	Dish Antenna (other than dish antenna installed under DTH)	₹ 5,000/- per dish antenna		
3	For every pole erected to pay overhead communication cables (per pole)	(i) ₹ 1000/- for new pole (ii) ₹ 500/- for existing poles		
4	Erection of Ground Based Mast/Roof Top Mast (per site)	₹ 10,000/-		
5	Erection of mobile/ communication towers (per site)	₹ 15,000/-		
6	Moveable communication towers mounted on vehicles (per such tower for three month)	₹ 20,000/-	₹ 15,000/-	₹ 15,000/-”

4. In the said bye-laws, in Appendix-C, in clause 1, for sub-clause (v), the following clause shall be substituted, namely:-

“(V) (a) All applications for seeking permission of any competent authority to the installation of mobile/ telecommunication towers in Government/ Public Sector Undertaking land and buildings shall be submitted by the applicant, along with the prior written consent from the competent authority having legitimate right over the land all other particulars and documents specified in Appendix-A to the concerned nodal officer under whose jurisdiction the area/ building falls.

- (b) Annual user charges in respect of land area and building used for erection of Poles/ Ground Based Masts/ Mobile/ Communication Towers shall be determined as per the Appendix-B.
- (c) The tower being constructed at Government land/ Building is to be shared with and other Telecom Infrastructure Provider/ Service Providers in future as per Technical feasibility. Telecom Infrastructure Providers/ Service Providers shall seek permission from the concerned authority before sharing infrastructure.
- (d) Charges for grant of permission for Right of Way (RoW)/ Right of Use (RoU) and associated infrastructure: Every applicant shall be required to pay (i) processing fee, (ii) right of use/ right of way charges, and (iii) furnish the performance Bank Guarantee as a refundable security for restoration of sites as per the details specified in Appendix-B of this bye-laws.

- (e) Processing fee and Right of Use/ Right of Way charges shall be payable to the Department who own the land and buildings as per the fee and charges defined under Appendix-B.
- (f) Permit for installation of Ground Based Mast (Tower)/ Roof Top tower on the land/ buildings belonging to the State Government offices/ Public Sector Undertaking shall be issued by the concerned Deputy Commissioner in accordance as per the provisions of this Bye-law. The guidelines in the matter issued by the Government of Haryana from time to time shall also be applicable.
- (g) Telecom Infrastructure Provider/ Service Providers shall have no right or claim over any Government Building/ premises, in the light of this bye-laws for granting permission by competent authority to take appropriate decision for allowing the installation of Ground Based Mast (Tower)/ Roof Top Tower on lease or rent basis. This permissive section do not force any department to grant permission.
- (h) Technical feasibility and structural stability should be taken in to account by the head of office before easing out the building roof tops. Further, expansion/ extension of building/ premises shall be kept in mind.
- (i) All such installations shall be in compliance to the Department of Telecommunication, Government of India norms and related instructions issued by the Government of India and the State Government from time to time.
- (j) Head of Office should enter into an agreement with Telecom Infrastructure provider/ Service Providers before leasing out land or roof top space of the building. Validity of permission for Right of Way or Right of Use for laying the communication infrastructure and associated installations may be granted on the terms mentioned under Appendix-B of this bye-laws.
- (k) Damage cause to the building/ assets/ land, if any, shall be rectified by the Telecom Infrastructure Provider/ Service Providers to bring back to the original condition and to the satisfaction of the authorities concerned. The Telecom Infrastructure Provider/ Service Providers shall be solely responsible for any damages/losses to the property/ people due to any accidents occurring while installing the Tower or thereafter.
- (l) Leasing of premises or buildings to Telecom Infrastructure Provider/ Service Providers shall not be detrimental to the daily routine activities of the office or officers concerned.
- (m) Head of office in case of office premises shall issue No Objection Certificate to Telecom Infrastructure Provider/ Service Providers for installing Roof Top Tower/ Ground Based Mast (Tower) as required under this bye-laws provided that such installation does not violate any law is attached with the application made to the Nodal Officer for Single Window Clearance.

ANAND MOHAN SHARAN,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

57472—C.S.—H.G.P., Chd.



बे.सं. 11-14, सेक्टर-4, पंचकुला, हरियाणा
Bay No. 11-14, Sector 4, Panchkula, Haryana

Tel.: +91 172 2570020; Fax: +911722570021
website: www.ulbhry.gov.in; email: dulbhry@hry.nic.in

To

1. All the Commissioners in Municipal Corporations in the State.
2. All the District Municipal 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/2024/532-35

dated: 31/01/2024

Subject: The Haryana Communication and Connectivity Infrastructure Policy, 2023.

It is hereby informed that the Citizen resource Information Department (CRID) has notified the revised policy namely the Haryana Communication and Connectivity Infrastructure Policy, 2023 vide notification dated 30.11.2023.

2. As per clause 15.3 of the policy, all prevailing rules/ byelaws/ policies/ guidelines by any department shall be superseded by this policy.
3. In accordance to the above, it is requested to follow up the provisions of the Haryana Communication and Connectivity Infrastructure Policy, 2023 instead of the Haryana Municipal Communication and Connectivity Infrastructure Byelaws, 2013 and the Haryana Municipal Corporation Communication and Connectivity Infrastructure Byelaws, 2013.
4. All the permissions and regulations pertaining to communication and connectivity infrastructure, shall be given in accordance to the Policy of 2023. The copy of the policy is enclosed for ready reference.

DA: As above.

(Manjeet Singh)

District Town Planner

for Director, Urban Local Bodies Department

Haryana, Panchkula

4030

HARYANA GOVT. GAZ. (EXTRA.), NOV. 30, 2023 (AGHN. 9, 1945 SAKA)

HARYANA GOVERNMENT**CITIZEN RESOURCES INFORMATION DEPARTMENT****Notification**

The 30th November, 2023

No. Admn/368/ISIT/19344.— The Governor of Haryana is pleased to notify a Revised Communication & Connectivity Infrastructure Policy- 2023 for the State, a copy of which is attached at Annexure 'A'.

2. The said policy stands applicable with effect from 27.11.2023

V. UMASHANKAR,

Principal Secretary to Government Haryana,
Citizen Resources Information Department.

- 1.12. दूरसंचार अवसंरचना प्रदाता/सेवा प्रदाताओं को परिसर या भवन पट्टे पर देने से कार्यालय या संबंधित अधिकारियों की दैनिक दिनचर्या की गतिविधियों को नुकसान नहीं होना चाहिए।
- 1.13. कार्यालय परिसर के मामले में कार्यालय प्रमुख इस नीति के तहत आवश्यकतानुसार रूफ टॉप टावर/ग्राउंड बेस्ड मास्ट (टॉवर) स्थापित करने के लिए टेलीकॉम अवसंरचना प्रदाता/सेवा प्रदाताओं को अनापत्ति प्रमाण पत्र जारी करेगा, बशर्ते कि यह स्थापना किसी भी कानून का उल्लंघन नहीं करती है, आवेदन के साथ संलग्न हो। सिंगल विंडो क्लीयरेंस प्राप्त करने के लिए उपायुक्त से संपर्क किया जा सकेगा। मंजूरी देने की प्रक्रिया वही रहेगी।
2. सरकारी भवनों में इन-बिल्डिंग सॉल्यूशन्स (आई.बी.एस.)
- यह सुनिश्चित करके कि सिग्नल को मोटी दीवारों में प्रवेश न करना पड़े, भवनों में मोबाइल नेटवर्क को अच्छी कवरेज और क्षमता प्रदान करने के लिए इमारतों में इन-बिल्डिंग सिस्टम स्थापित किया जा सकता है। अवसंरचना को स्थापित करने के लिए इमारत में व्यापक वायरिंग की आवश्यकता होती है, जो मालिक की सौदर्य संबंधी आवश्यकता के आधार पर आंतरिक या बाहरी हो सकती है। यह समाधान मोबाइल उपयोगकर्ताओं के साथ-साथ मोबाइल ऑपरेटरों के लिए भी फायदेमंद है क्योंकि यह मोबाइल टावर्स का भार कम करता है और मोबाइल उपयोगकर्ताओं को कवरेज देता है। इस संबंध में निम्नलिखित दिशानिर्देशों का पालन किया जाएगा।
- 2.1. इन-बिल्डिंग सॉल्यूशन्स के लिए सरकारी भवनों की पहचान/चयन संबंधित विभाग द्वारा किया जाएगा और आई.बी.एस. स्थापित करने का अनुरोध दूरसंचार सेवा प्रदाता को सूचित किया जा सकता है, जो बदले में उक्त परिसर/भवन में आई.बी.एस. स्थापित करने की संभावना देखने के लिए सर्वेक्षण करेगा।
- 2.2. ऐसी सुविधा स्थापित करने की अनुमति भवन के संबंधित विभाग प्रमुख द्वारा दी जाएगी और ऐसी स्थापनाओं की अनुमति देने के लिए सक्षम आदेश जारी किया जाएगा। भवन में इन-बिल्डिंग सॉल्यूशन्स के लिए बाहरी/आंतरिक वायरिंग की आवश्यकता को ध्यान में रखते हुए, उक्त भवन के लिए विद्युत सेवाओं के लिए रखरखाव एजेंसी द्वारा लाइन योजना को मंजूरी दी जानी चाहिए। सेवा प्रदाता सरकारी कार्यालयों की सुरक्षा संबंधी बातों पर भी ध्यान देगा।
- 2.3. उपरोक्त के अलावा, हरियाणा बिल्डिंग कोड, 2017 में संशोधनों का भी पालन किया जा सकता है, जैसा कि कोड के अध्याय-7 ए: टेलीकॉम अवसंरचना में डाला गया है। संशोधन टी.सी.पी. वेबसाइट (<https://tcp.haryana.gov.in>) पर उपलब्ध है।

Annexure 'A'



Government of Haryana

Revised Communication & Connectivity Infrastructure Policy -2023

CITIZEN RESOURCE INFORMATION DEPARTMENT (CRID)

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1. Preamble

1.1. Haryana has established core IT infrastructure (SWAN and SDC) constituting the backbone for e-governance and delivery of government services directly to the people. Over the last decade technological advancements in communications and connectivity infrastructure has necessitated modifications in the existing Communications and Connectivity Policy – 2017 (CCIP).

1.2. The Indian Telegraph Right of Way, 2016, notified by the Government of India in the Department of Telecommunication Ministry of Communication has been amended vide G.S.R. 407 (E) dated the 21st April 2017, G.S.R. 749 (E) dated the 21st October 2021, G.S.R. 635 (E) dated the 17th August 2022, and G.S.R. 594(E) dated 7th August, 2023.

1.3. The Communication & Connectivity Infrastructure Policy – 2017 (CCIP) needs to be modified in the context of the amendments to the Indian Telegraph Rules and to further simplify the process for granting permission for communications & connectivity infrastructure in Haryana. Through the modified and revised Communications and Connectivity Policy – 2023, the Government intends to facilitate the provision of quality technology and communications infrastructure for connectivity across the State, including remote areas of the State and thereby facilitate accelerated, equitable and inclusive economic growth in the State.

1.4. This Policy seeks to encourage the use of the latest technology advancements in the telecom sector such as Fibre to the Home (FTTH) and innovative business models such as the Open Access Network (OAN) where physical access to the network is separated from the delivery of services. It provides a mechanism for creation of an enabling infrastructure through ducts along roadside so as to allow multiple service providers to use the same infrastructure on sharing basis to optimize RoW availability and prevent frequent digging of RoW by multiple infrastructure providers. "The state would issue a distinct duct policy that will encompass the guidelines promoting the extensive utilization of ducts for Telecommunications Service Providers (TSPs) and Internet Service Providers (ISPs) in Haryana in due course."

2. Eligibility to apply

2.1. Any telecom service provider (TSP) or infrastructure provider (IP) or internet service provider (ISP) duly licensed or registered with the Department of Telecommunications (DoT), Government of India, (hereinafter called as the 'Applicant') is eligible to seek permission under this policy to install, lay or provide Communication and Connectivity Infrastructure in the State irrespective of whether such area falls within the ownership or jurisdiction of the State Government or any Municipality, Gram Panchayat, Statutory Authority or other State agencies involved in provision of infrastructure such as the Haryana State Industrial & Infrastructure Development Corporation (HSIIDC) (hereinafter called as "Appropriate Authority").

2.2. The communication and connectivity Infrastructure to which this Policy shall apply includes: -

- a) Telecommunication Cell Site or Base Station (TCS/BS) or Telecom Tower or Mobile Tower, whether Ground based tower (GBT), ground-based mast/monopole (GBM), roof top tower (RTT), roof top pole (RTP), single pole antenna, microwave antenna, telecom trans-receiver machinery, including accessories and ancillary equipment such as wires and cables, power supply equipment, diesel generator set, cabin or cupboard, pre-fabricated or masonry or otherwise, for housing any or all of the aforesaid items is necessary.
- b) Cell Phone Tower (CPT), Micro Cell Tower (MCT), antenna fixtures, fabricated antenna, tower to install telephone lines and Wi-Fi antenna.
- c) Very Small Aperture Terminal (V-SATs): refers to a technology employed in satellite communications. It facilitates internet connectivity, data transmission, and various communication services through the utilization of a compact dish installed at the user's location, a transceiver (which functions as both a transmitter and a receiver) typically positioned at a central hub or network operations center, and a geostationary satellite situated in orbit."
- d) Duct, underground optical fibre cable, optical fibre cable on utility poles or electric poles as notified under the Indian Telegraph Rules.
- e) Moveable Communication tower/ Cell on-Wheel and any other temporary infrastructure for managing events/festivals/fairs or to give coverage and to restore the connectivity. In such case of disaster, the local administration shall provide all required support to restore the mobile connectivity being an essential service within the shortest possible time.

2.3. The communication and connectivity infrastructure, for the purpose of this CCIP shall not include television antennae or dish antennae installed for domestic purposes by any broadcasting company licensed by the Ministry of Information & Broadcasting, Government of India.

3. Permission on a Non-Exclusive Basis

3.1. Permission for Right of Way (RoW) or Right of Use (RoU) under this Policy and installation of the associated infrastructure shall be provided to an eligible Applicant on a non-exclusive basis. However, if there exists any space constraint for RoW in any specific area, the principle of first come – first served shall apply and the application of any subsequent Applicant shall either be refused or such Applicant may be required to share the infrastructure capacity already laid by the earlier service provider. The question of whether there exists any space constraint shall be the sole prerogative of the land-owning Government department or organization.

4. Validity of Permission

4.1. The permission for Right of Way (RoW) or Right of Use (RoU) shall be granted for a period coterminous with the period of registration or license granted by the DoT. In case such registration or licence is extended by DoT, then the Applicant shall submit the application for renewal for permission along with the letter of grant of extension of registration or license by DoT on the designated online portal to the concerned Deputy Commissioner within a period of 30 from the date of grant of extension of registration or license failing which it shall be assumed that the registration or license has expired and further action may be taken by the concerned Government entity without requiring any further notice.

4.2. Permission(s) granted for moveable communication Towers/Cell on Wheels or any other temporary infrastructure for managing any event/festival/fair shall be co-terminus with the period of that event subject to a maximum of 30 days, extendable by a further period of 15 days once on the specific direction and orders of the Deputy Commissioner.

4.3. Permission(s) granted under this policy will not be transferable and shall not, in any manner, be deemed to convey to the Applicant any ownership or perpetual right in respect of the land or structures used for laying the underground/overhead cables or other installations e.g., any Towers/ Masts etc. other than the right to use therein expressly granted.

5. Submission of Applications – Single Window Clearance

5.1. All applications for seeking new permission/ renewal of existing permission to lay the above ground and underground communication infrastructure, regularization of infrastructure, permission for cable TV operators, mobile tower installation etc. shall be submitted online on the designated portal as may be notified by the Citizen Resource Information Department from time to time.

6. Processing and Timelines for decisions on the Applications

6.1. The process to be followed and timelines to be adhered by the State Government Departments/ Bodies/ Authorities/other Agencies are as follows:

#	Activity	No. of Working days
(i)	Deputy Commissioner will forward the application to the concerned Nodal Officer of the department including nodal officer of forest department (if applicable)	03 days Auto push to selected Nodal Officer. DC to push in case any concerned department is missed by Applicant within set time period
(ii)	The concerned nodal officer of the department/ forest department shall process the application and submit recommendation to the concerned DC.	15 days
(iii)	Deputy Commissioner to Issue of Letter of Intent (LoI) or rejection of application along with reasons thereof	03 days
(iv)	Timeline for Compliance of the LoI conditions by the applicant.	07 days If applicant fails to provide the required additional information within the stipulated time the application shall stand rejected
(v)	Execution of Agreements and issuance of formal permission by the DC.	05 days If applicant fails to provide the required additional information within the stipulated time the application shall stand rejected
(vi)	Any additional information required by the concerned nodal officer of the department from the applicant while processing the application	10 days If applicant fails to provide the required additional information within the stipulated time the application shall stand rejected

6.2. The permission shall be deemed to have been granted if the nodal officer fails to either grant permission or reject the application for permission within a maximum period of 45 days from the date of submission of the application. For the purpose a Standard Operation Procedure for deemed approvals shall be issued separately by Government.

6.3. All Government Departments/ Statutory Authorities/ State Agencies/ Municipalities etc. are expected to issue their respective Orders in this behalf prescribing the appropriate delegation to subordinate officers to ensure adherence to the prescribed timelines without diluting any provision of this Policy.

7. Timelines to complete the work

7.1. The Applicant shall be required to submit the time frame within which it plans to execute the communication and connectivity infrastructure work. The plan may provide a phase-wise completion schedule with specific details thereof.

7.2. During the execution of related infrastructure works, the Applicant shall ensure that no inconvenience is caused to the general public.

7.3. The Applicant shall keep the Nodal Officer of the Department/ Statutory Authority/ Government Agency duly informed about the progress on fortnightly basis online on the designated portal.

7.4. Wherever it is felt that the Applicant is delaying the execution of the infrastructure work, the competent authority may revoke the permission granted after providing an opportunity of being heard to the Applicant or its authorized representative.

8. Compliance of Technical Standards and Safety conditions

8.1. The Applicant shall execute the communication and connectivity infrastructure works strictly as per the technical standards and parameters as specified in **Appendix B** of this policy.

8.2. Notwithstanding the details specified in **Appendix B**, the Applicant shall, during execution of its works and maintenance thereof and thereafter at all times, adhere to all the safety standards applicable as per relevant guidelines of the Government of India/State Government as amended time to time.

8.3. Mobile communication being a critical service, the security of the infrastructure must be ensured by the Applicant. The Applicant is advised to deploy CCTV cameras as well as depute security guards to protect their telecom infrastructure.

9. Removal of Infrastructure (Communication Infrastructure laid/ installed without permission)

9.1. If the infrastructure/service provider neither applies for permission nor removes the communication structure, the infrastructure provider/cellular operator would be called upon to show cause as to why action should not be taken against them as per Law. If the infrastructure provider/ operator/ service provider fails to show cause or take corrective measures, the competent authority will proceed to get the unauthorized communication structure removed at the expense of such infrastructure/ service providers/ operators after having exhausted all the available opportunities to affect the show causes besides taking action as per law.

10. Indemnity Bond

10.1. The Applicant/Infrastructure provider/licensee/Operator shall indemnify the State Government and any of its agencies against any claim or loss of life or property in the process of execution or at all times thereafter during the period of operation & maintenance. The Applicant shall submit an undertaking in the form of an Indemnity Bond online at the time of submission of application for permission.

11. Telecom Infrastructure as an essential service

11.1. Telecom installation is a critical infrastructure in communications and shall be considered as essential service. All benefits as applicable to the infrastructure industries vide notification no. 81 dated 27.03.2012 of Government of India shall be extended as per updated harmonized master list of infrastructure sub sectors as under.

Sr. No	Category	Infrastructure Sub-sectors
1	Transport	Road and bridges, Ports, Inland Waterways, Airports, Railway Track, tunnels, viaducts, bridges, Urban Public Transport (except rolling stock in case of urban road transport)
2	Energy	Electricity Generation, Electricity Transmission, Electricity Distribution Oil pipelines, Oil/Gas/Liquefied Natural Gas (LNG) storage facility Gas pipelines
3	Water & Sanitation	Solid Waste Management, Water supply pipelines, Water treatment plants Sewage collection, treatment and disposal system, Irrigation (dams, channels, embankments, etc.), Storm Water Drainage System, Slurry Pipelines

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HARYANA GOVT. GAZ. (EXTRA.), NOV. 30, 2023 (AGHN. 9, 1945 SAKA)

4	Communication	Telecommunication (Fixed network), Telecommunication towers Telecommunication & Telecom Services
5	Social and Commercial Infrastructure	Education Institutions (capital stock), Hospitals (capital stock), Three-star or higher category classified hotels located outside cities with population of more than 1 million, Common infrastructure for industrial parks, Special Economic Zones, tourism facilities and agriculture markets, Fertilizer (Capital Investment), Post-harvest storage infrastructure for agriculture and horticultural produce including cold storage, Terminal markets, Soil-testing laboratories Cold chain, Hotels with project cost of more than Rs.200 crores each in any place in India and of any star rating; Convention Centres with project cost of more than Rs. 300 crores each.

11.2. Licensee, whose existing underground telegraph infrastructure is damaged, may temporarily establish the overground telegraph infrastructure to restore service, as an interim measure after informing the Deputy Commissioner concerned and receiving an acknowledgement thereof. The interim measure shall be for a period not longer than thirty days from the date of receipt of acknowledgement.

12. No Coercive Action

12.1. As mobile communications is an essential infrastructure, the sealing of the mobile tower/ disconnection of electricity will not be resorted to without the consent of the TERM Cell of DoT in respect of any complaint related to electromagnetic radiation. The District Level Telecom Committee (DLTC) shall take decision only after an assessment on the permissible limits of electro-magnetic radiation made by the TERM Cell of DoT. The operation of the Mobile Tower shall not be hindered without giving the Applicant an opportunity to file an appeal to the State Level Telecom Committee (SLTC) if the decision of the DLTC goes against the Applicant. This shall, however, not apply to complaints regarding structural safety of the communications infrastructure especially if there is a threat to life or property on account of structural safety of the installation. In such a case, the DLTC may take suitable action as it deems fit on receipt of a report on structural safety from the Executive Engineer, PWD (Buildings and Roads).

13. Advance intimation of putting up mobile Jammers

13.1. Seven days advance intimation shall be given by any State authority including Jail Authorities or the respective Education Boards/universities or the Haryana State Public Service Commission or Haryana Staff Selection Commission regarding the installation of mobile jammers in any premises by way of a general notice on the designated portal of the State Government.

14. Removal or Alteration of location of communications and connectivity infrastructure

14.1. Where permission has been granted for the installation of any overground or underground communications and connectivity infrastructure in or upon any property vested in or under the control or management of the State Government or any local body or any organization owned and controlled by the State Government, and such Government or local body or Government organisation, having regard to circumstances which have arisen, considers it expedient that such communications and connectivity infrastructure should be removed or that its position should be altered, the State Government or local body or Government organisation may require the concerned telecom service provider or infrastructure provider (IP) or internet service provider (ISP) to remove it or alter its position, as the case may be, and the concerned provider shall do the same forthwith and within a period not exceeding thirty days.

15. Other terms and conditions

15.1. This policy shall take effect from the date of its notification and shall be applicable for all applications made on or after such date.

15.2. The Applicant shall ensure that each of the sites of the infrastructure systems, such as GBMs/ Towers or any other structure, for which permissions have been granted, are easily approachable for maintenance and operation.

15.3. This CCIP Policy shall prevail over rules/ byelaws/ policies/ guidelines issued on the subject by the respective departments/ agencies. All departments and other Government agencies shall align their existing legal or procedural framework accordingly to ensure conformity to the provisions of this policy wherever required.

16. Guidelines for Infrastructure installation

16.1. The guidelines for the installation of mobile/telecommunication towers in Government/ PSU land and buildings and the installations of in-building solutions (IBS) in Government Buildings are mentioned at Appendix 'C'

16.2. For the establishment of communication infrastructure over private property (not under the ownership, management or control of the Central Government or State Government or local authority or any organization owned or controlled by the Central or State Government), the provisions of section 10 of the Indian Telegraph Act, 1885, shall be applicable. In case of overhead communication and connectivity infrastructure, permission for installation of such infrastructure shall be obtained under this Policy, only the administrative charges shall be payable and no annual charges shall be payable or due in such cases.

17. State Nodal Officer for Dispute Resolution

17.1. In line with the requirement of the Indian Telegraph Rules 2016, the State Government has designated the Secretary/Special Secretary to Government of Haryana, Citizen Resource Information Department, as the State Nodal Officer for Dispute Resolution.

18. Public Grievances Redressal

18.1. To address the Public Grievances relating to installation of towers and issues related to telecom infrastructure, State Level Telecom Committee (SLTC) and District Level Telecom Committee (DLTC) have been notified by Government of Haryana vide No. 2/368/Vol-II/2785 dated 08.10. 2015. The notification highlights the composition and roles & responsibilities of SLTC and DLTC. The notification can be accessed on the website (<https://haryanait.gov.in/>)

19. Documents to be attached with the Application

19.1. The complete list of documents to be attached with the application along with the checklist is available on the designated portal (<https://investharyana.in/>)

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HARYANA GOVT. GAZ. (EXTRA.), NOV. 30, 2023 (AGHN. 9, 1945 SAKA)

Appendix A - Schedule of Charges

1. Reference has been made in this Schedule to different parts of the state situated in different zones. The areas forming part of each zone are given below for the purposes of clarity. The description of said zones may change over time, as notified by the Town & Country Planning Department of the state of Haryana.

Hyper Potential Zone	High Potential Zone	Medium Potential	Low Potential	Other Area
Urban Areas in and around Gurugram city including the Urban Areas declared by the Government for Gurgaon-Manesar Urban Complex Development Plan and the area within Municipal Corporations of Gurugram and Manesar	Ambala, Faridabad, Ballabgarh Complex, Panchkula, Kalka, Pinjore, Sonapat Kundli Urban Complex, Panipat.	Karnal, Kurukshetra, Ambala City, Ambala Cantt, Yamuna Nagar, Bahadurgarh, Jagadhari, Hisar, Rohtak, Ganaur, Palwal, Hodal, Rewari, Dharuhera Bawal.	All other Urban areas in the State.	Rest of the state areas including all rural areas.

2. Application fee and other charges:

2.1 Processing Fee:

(A) One-time Administrative charges (Non-Refundable)						
Areas of the State						
Sr. No.	Purpose	Hyper Potential Zone	High Potential Zone	Medium Potential Zone	Low Potential Zone	Other Area including the rural areas
1	Laying of Underground communication and connectivity Infrastructure (per meter)	The charges will be applicable as per the Ministry of Communications, Department of Telecommunications, New Delhi gazette notification number G.S.R. 635(E), dated 17 th August, 2022 as mentioned in clause no. 10 "The Schedule" & G.S.R. 594(E), dated 7 th August, 2023 as mentioned in clause no. 5 "The Schedule"				
2	Setting-up of overhead communication and connectivity Infrastructure					

2.2 Right of Use/Right of Way charges: -

The charges for grant of license for the communication infrastructure shall be payable at the rates given in table B below. These charges shall be payable annually for a period of twenty years or the period of license, whichever is earlier. The applicant would be required to pay such charges afresh on completion of the period of initial license/or on completion of a period of twenty years, whichever is earlier, at the rates applicable at such time. The applicant if, desire can deposit one-time charges as per the table below to twenty times of such full annual charges.

B Annual Charges for the Right of Way/Right of use (in Rs.)						
Area of state						
Sr. No	Purpose	Hyper Potential Zone	High Potential Zone	Medium Potential Zone	Low Potential Zone	Other Area including the urban areas
1	For every a manhole for underground communication infrastructure with spacing of at least 100 m. centre to centre	Annual rent of 5% of the collector rates with size of 1m x 1m at a depth of 1.5 m. The manhole may be established at any distance with the general condition that a manhole shall normally not be established at a distance of less than 100 m centre-to-centre spacing.				
2	For every pole erected/existing to lay overhead communication cables	Rs 1,000/- per annum for new pole The charges will be applicable as per the Ministry of Communications, Department of Telecommunications, New Delhi gazette notification number G.S.R. 635(E), dated 17 th August, 2022 as mentioned in clause no. 10 "The Schedule"				

B Annual Charges for the Right of Way/Right of use (in Rs.)						
Area of state						
Sr. No	Purpose	Hyper Potential Zone	High Potential Zone	Medium Potential Zone	Low Potential Zone	Other Area including the urban areas
3	Erection of Ground Based Mast/Roof top Mast (per site)	Rs 10,000/- per annum				Rs 5,000/- per annum
		Charges shall continue to be imposed on all government, local bodies and Govt agencies land.				
4	Erection of mobile/ communication tower (per site)	15,000/-				5,000/-
		Charges shall continue to be imposed on all government, local bodies and Govt agencies land.				
5	Moveable communication towers mounted on vehicles (per such tower for month)	i. A uniform fee of Rs. 5000/- shall be imposed on all government, local bodies and Govt agencies land. ii. If the moveable infrastructure is setup on the instructions of the State government, no fees/ charges shall be applicable for the period for which directions are valid.				

2.2.1 The term "Street furniture" also mentioned in the India Telegraph Right of Way (Amendment) Rules, 2022 includes "post/pole used for electricity, streetlight, traffic light, traffic sign, bus stop, tram stop, taxi stand, public lavatory, memorial, public sculpture, utility pole or any other structure or any other structure or contrivance of such nature established over the property of an appropriate authority."

2.2.2 In case of each Wi-Fi antenna or Micro Cell unit/antenna with utility box attached to Cell/antenna are installed on any land or building including bus shelters, street light pole and public places, annual charges of Rs.1,000/- shall be paid by the Applicant to the Appropriate Authority.

2.2.3 In the case of lands and buildings belonging to Central Government or statutory or non-statutory bodies/institutions of the Central Government, rates of annual charges as may be determined by the Central Government but in no case shall it be over Rs 1000/-, shall be deposited by the Applicant with the concerned Central Government department or statutory or non-statutory bodies/institutions.

2.2.4 Restoration charges in the shape of bank guarantee for laying underground OFC to the Appropriate Authority shall be submitted as mentioned in para 2.3 of **Appendix A**.

2.2.5 No fees and charges shall be applicable from the Government Departments for establishing a Telecommunication system including towers/poles for their own use.

2.2.6 No fee or compensation for the establishment of temporary over ground telegraph infrastructure shall be payable for a period of thirty days or the extended period of forty-five days as may be permitted by the Deputy Commissioner.

2.2.7 The Appropriate Authority shall not charge any other amount except the application fee and other charges specified as above.

2.3 Performance Bank Guarantee (PBG):

The applicant shall furnish a refundable Performance Bank Guarantee (PBG) towards security for restoration of the sites dug/ used in the process of execution of works. The PBG shall be valid for a period of three months over and above the completion period and would have to be renewed accordingly in the event of grant of extension of execution period. The competent authority shall discharge the PBG on satisfactory restoration of the area. The PBG shall be furnished at the following rate:

Performance Bank Guarantee against restoration work (Rs. per route meter)						
#	Performance Bank Guarantee	Cement Concrete Road/Pavements	Cement Concrete Paver Blocks	Metalled Roads/Pavements	Unpaved (Kutchha) Roads/Rasta	Other
1	Micro Trenching Method	50/-		30/-	NA	20/-
2	Horizontal Directional Drilling Method/Horizontal Boring Method	100/-				
3	Open Digging Method	Not Allowed			500/-	

2.3.1 The amount for performance Bank Guarantee against restoration shall be reviewed every three years by CRID.

2.3.2 In case of time-over runs for completion of the works, the Performance Bank Guarantee shall be renewed/ got extended by the Applicant corresponding to the revised completion period + 3 months. The Applicant shall obtain formal permission for time-extension from the competent authority.

2.3.3 The Applicant shall report satisfactory completion of restoration of related work sites, which shall be visited/ ascertained by a representative of the Government Department/ Agency within a period of 15 days of such report. Thereafter, the Performance Bank Guarantee shall be discharged to the Applicant within 15 days from the date of inspection thereof or 30 days of submission of the request subject to such restoration works having been carried out to the satisfaction of the said authority.

2.3.4 The Applicant may provide the PBG, as applicable for a stretch over which the work is proposed to be undertaken and roll the same over to each of the subsequent stretches, subject to the validity of such PBG for the period of execution + 3 months.

2.3.5 In case the work contemplated by the Applicant is not completed to the satisfaction of the concerned Government Department/ Statutory Authority/ State Agency granting the permission, the Competent Authority may extend the completion period as deemed appropriate, along with an extension in Bank Guarantee. Where the Applicant fails to meet his performance obligations in this behalf within the agreed timeframe, the Competent Authority may encash the Performance Bank Guarantee and undertake restoration of the site on its own at the risk and cost of the Applicant.

2.3.6 In case of self-restoration, if the concerned agency/ department is informed about the work completion, then the PBG (Bank Guarantee) deposited with 3 months validity, shall be released within 30 days. If there is no confirmation from the agency/ department, the PBG shall be considered as deemed released.

Appendix B - Terms and Conditions for Tower Installation**1. Location of Ground Based Masts (GBM) / Communication / Mobile Towers**

It is important that the GBM/ Communication/ Mobile towers installed conforms to the radiation and safety norms prescribed by the Department of Telecommunications (DoT), Government of India (GoI) or Telecom Regulatory Authority of India (TRAI) or any other competent authority in this behalf at all times. Further, the location thereof shall be governed by radio frequency system adopted by the applicant and shall be allowed subject to the following conditions namely: -

1.1 Applicant should strictly follow norms and mechanism laid by DoT GoI and TERM Cell modified time to time and getting clearances from SACFA wherever applicable.

1.2 The Applicant shall obtain the permission of the competent authority in the Forest or Wildlife Department for erection of any communication and connectivity Infrastructure facility (mobile /Communication towers/ ground-based masts etc.) within the areas notified as Reserved Forests, Protected Forests, Eco-Sensitive Zones and the areas forming part of any National Park/ Wildlife sanctuary.

2. Technical parameters to be followed by the Applicant

Following technical parameters are required to be adhered to by the Infrastructure/ Service Providers while laying the cables (over-ground and underground), erection and installation of Poles/ Dish Antennas / Ground Based Masts/ Mobile & Communication Towers:

2.1. Laying of underground cables: -

2.1.1. The Applicant shall undertake laying of underground communication infrastructure works in a manner to cause least public inconvenience. He would be expected to suitably cordon off the area to ensure public safety and encouraged to execute the works during off-peak times so as to cause minimum inconvenience to the public traffic. The Applicant shall restore the dug-up area/ sites to their original condition simultaneously, clear the area of any unused earth/ debris, and dispose-off such debris/ earth at the sites away from the work site as permitted by the competent authority and to the satisfaction of the concerned authority.

2.1.2. The applicant shall carry out Ground Penetration Probing Radar survey for detection of existing utilities/ services along the route where the cable is proposed to be laid. The data collected in respect of existing utility services through this survey would be unconditionally shared with HARSAC and the concerned Government Department/ Statutory Authority/ State Agency free of any charge.

2.1.3. As far as possible, the Applicant should carry out the work by using Micro Trenching/ Horizontal Directional Digging (HDD) techniques or Horizontal boring methods to minimize the damage and to cause minimum inconvenience to public.

2.1.4. The cable shall ordinarily be laid at the edge of the Right of Way or as permitted/ approved by the competent authority. In case of restricted width of the Right of Way, which may be adequate only to accommodate the carriageways, central verge, shoulders, slopes of embankment and drains, the cables shall be laid beyond the toe-line of the embankments and clear of the drain. Wherever it is found that it is not feasible to lay the cable without adversely impacting the existing utilities/ services, the permission may be declined.

2.1.5. The top of the casing/ conduit pipe containing the cables shall be at least 1.5 meters below the top surface subject to at least 0.3 m below the drain inverts.

2.1.6. Pits of 1 x 1 mtrs and 1.5 mtrs deep, shall be made at least at a distance of 100 mtrs, centre-to-centre, for laying cables. However, in case of special site conditions, variable depth/ dimensions may be permitted depending on the site conditions.

2.1.7. Route markers shall be fixed, preferably in steel or concrete, along the route at an interval of 300 mtrs. with clear marking of the ownership and depth of the cable laid.

2.2. Erection of poles for overhead cables: -

2.2.1. Erection of poles shall be allowed for laying overhead OFC/Communication cables.

2.2.2. Wherever, it is not feasible to avoid laying of overhead cables, the applicant shall take all precautionary measures to maintain the ecosystem and aesthetics of that area.

2.2.3. The height of the pole shall be such that it does not interfere with the electric cables/ distribution transmission system and meet all DoT guidelines.

2.2.4. Subject to availability, a maximum 1mtr x 1mtr space shall be made available for erection of the pole at a minimum distance of 300 mm from the edge of the walkway of road (road berm) as the case may be and should be installed in cement-concrete foundation.

2.2.5. The sag of cable should be such that it does not interfere with the movement of vehicles at any crossing or movement of public transport/ traffic.

2.3. Dish Antennas: -

2.3.1. No person (other than Dish Antenna installed under DTH) shall install or operate cable head-end, dish antenna, dish or any other mode for originating and communicating cable services and cable modem services to subscribers unless he has obtained permission in this regard from the concerned authority of the State Government Department/Statutory Authority/State Agency.

2.4. Ground based Masts: -

2.4.1. The height of Ground Based Mast shall be approved/ certified by SACFA and shall be subject to the norms and mechanisms laid down by DoT GoI from time to time.

2.5. Mobile/ Communication towers: -

2.5.1. The height of the Mobile/communication Tower shall be approved/ certified by SACFA and shall be subject to the norms and mechanism laid down by DoT GoI from time to time.

2.5.2. EMF Radiation: The EMF radiation from active equipment installed on the mobile communication towers shall be subject to the norms & mechanism lay down by DoT GoI from time to time. TERM cell of the Department of Telecommunication, Govt. of India is the competent agency to tender advice, monitoring and ensuring the control on EMF radiation related matters.

2.5.3. The TERM cell can audit the BTS for EMF radiation at any time as per the DOT Guidelines.

3. Other terms and conditions

Following terms and conditions are also to be adhered by the Applicant while laying the cables (over-ground and underground), erection of Poles / Dish Antennas / Ground Based Masts/ Mobile/ Communication Towers:

3.1. The terms and conditions/ guidelines notified by the Department of Telecommunications, Government of India in respect of any conditions applicable to the infrastructure providers or licensees, as amended from time to time, shall be applicable and will be the binding in all cases.

3.2. The permission to lay underground/ over-head communication/ connectivity infrastructure will not be granted, where it causes disruption of public services and facilities, obstruction/ hindrance to the pedestrian movement or vehicular traffic. The principle of public convenience and safety shall over-ride all other considerations. However, the Competent authority may grant permission in cases of extreme criticality only if the Applicant offers to suitably adjust and/ or realign such services at his own cost without any adverse impact on the public services to the satisfaction of the competent authority.

3.3. Distance from nearby building and height of antennas should be governed as per latest DoT Guidelines amended for time to time.

3.4. The Applicant to whom permission for installation of GBM/ Mobile/ communication towers has been granted, shall be responsible to get the certification from Telecom Enforcement Resource and Monitoring (TERM) cell on all the technical parameters including technical safety and radiation etc.

3.5. For all the existing as well as new Base Transceivers Stations (BTS), the "Applicant" must submit self-certificate periodically in the format as prescribed by Telecommunication Engineering Centres (TEC) Department of Telecommunications, Government of India in order to ensure that all general public area around the site is within the safe Electromagnetic Radiation (EMR). Non-compliance with the radiation emission standards shall attract penalties as prescribed by the Department of Telecommunications, Government of India from time to time. Any violation will attract heavy penalties on applicant service provider (s) and may lead to shut down of BTS in case violation persists after obtaining the consent of the respective TERM cell of DoT in respect of the EMF radiations related issues.

3.6. The Applicant, to whom permission has been granted for setting up of GBM/ Mobile/ communication towers, shall be solely responsible for any damage to the building, adjoining buildings and for the public safety.

3.7. Lightning arresters provided at the top of the GBM/mobile/communication Tower, shall be of adequate height so that all protruding antennas hoisted on the mast are protected within its conical safety zone.

3.8. Aviation warning lights installed at the top of the GBM/Mobile/Communication Towers shall be as per International Civil Aviation Organisation's guideline and should be checked regularly for good operating conditions.

3.9. The earth resistance of the GBM/ Mobile/ Communication towers should be maintained within the prescribed range and should be checked periodically.

3.10. The Applicant to whom the permission has been granted for setting up of communication infrastructure other than the GBM/Mobile/Communication Tower shall also be responsible to get the required checks of such communication infrastructure from any Government approved agency ensuring structural safety for the period of installation and will submit the report to the competent authority; Fresh copy of structural stability certificate would be required to be submitted at the time of renewal of site contract for mobile tower.

- 3.11. The optic fiber cable/ communication cables shall not be brought into use by the Applicant unless a completion certificate is obtained to the effect that the Telecom cables/ ducts/ manholes have been laid in accordance with the approved specifications and drawings and the pits have been filled-up to the satisfaction of the concerned Authority.
- 3.12. In case any shifting or change in alignment of the already laid optic fibre cable/ other communication cables/ ground-based masts/ mobile/ communication towers are necessitated due to widening of roads/ construction of flyovers or public buildings, the Applicant shall be bound to do the same at his own cost within the period specified by the respective authority. If the Applicant fails to comply with this condition to the satisfaction of the Authority, the same shall be got executed by the Authority at the risk and cost of the Applicant. The charges so incurred on this account shall be recoverable from the Applicant.
- 3.13. In order to avoid repeated digging on the same routes, the Applicant may voluntarily lay extra ducts/ Conduits with redundant capacity so as to take care of any future needs. However, the creation of excess capacity shall not be a precondition for giving right of way permission.
- 3.14. The Applicant shall ensure safety and security of all underground installations/ utilities/ facilities and shall be solely responsible for compensation/ indemnification of concerned authority for damage caused/ claims or replacements sought for at the cost and risk of Applicant to the concerned authority.
- 3.15. The extent of the digging trenches should be strictly regulated so that the cables are laid, and trenches are filled up before the close of the work for that day. Filling should be to the satisfaction of the concerned agency designated by the department/statutory body.
- 3.16. The applicant shall not undertake any work of shifting or alterations to the said cables /communication cables without the prior permission of the concerned authorities in writing. However, for any repair applicant shall intimate the concerned authority/DC. The Applicant shall be liable to give a notice of 15 days with route/ location details prior to digging for fresh/ maintenance/ repair works.
- 3.17. The Applicant shall be advised to obtain insurance cover from an IRDA approved insurance company against damages to the existing cables/ underground installations etc. during digging.
- 3.18. The applicant shall make his own arrangement for crossing of cross drainage structures, etc. below the riverbed. In case, this is not feasible, the cables/ ducts may be carried outside the railings/parapets and supported on brackets fixed to the outside of the bridge super-structure. The fixing and supporting arrangement with all details shall be got approved in advance from the concerned Authority granting such permission. Additional cost on account of fixing and supporting arrangement, as assessed by the Authority, shall be payable by the Applicant. If the Applicant fails to comply with this condition to the satisfaction of the Authority, the same shall be got executed by the Authority at the risk and cost of the Applicant and the cost so incurred on this account shall be recoverable from the applicant.
- 3.19. In case of any damage to the essential services i.e., water supply, sewerage system and telecommunication lines, electricity supply etc, it will be the responsibility of the company to get the services restored to their original and satisfactory condition at its own cost;
- 3.20. Concerned Authority / Department shall not be responsible for any damage to Optic Fibre cable and resultant losses, if any, during performance of official duties by any employee of concerned Authority / Department. To avoid damage to the existing OFC authorities to intimate the applicant / TSP before carrying out any maintenance/digging work in the route of existing OFC.
- 3.21. The Applicant shall have to provide barricading, danger lighting and other necessary caution boards, danger lights while executing the works.
- 3.22. If any traffic diversion works are found necessary during the working period, such diversion shall be provided by the Applicant at his cost.
- 3.23. The concerned authority will be competent to effect a modification/ alterations in the site plan/ route, if necessary, in the interest of public safety;
- 3.24. The structures/cables shall not be sub-let without the permission of the Concerned Authority.
- 3.25. The applicant shall have to abide by all the terms & conditions laid in this Policy for provision of Infrastructure for communication & connectivity in Haryana.
- 3.26. Any dispute arising between the signatories to an agreement under this policy shall be settled /resolved in accordance with the procedures outlined in the Agreement i.e., all the disputes will be settled at Chandigarh. In case of breach of any of the clauses of the Agreement, the competent authority will be entitled to terminate the contract after giving a show cause notice of 15 days. An officer of the rank of Administrative Secretary to be nominated by the Government of Haryana will act as Arbitrator to whom the dispute will be referred, and the decision of the Arbitrator will be final and binding on both parties.

Appendix C- Guidelines for Tower installation**1. In the premises of Government Offices/ Land**

The below mentioned guidelines govern the matters relating to the installation of mobile/telecommunication towers in Government/PSU land and buildings by Telecom Infrastructure Providers in private sector only.

1.1. All applications for seeking permission of any competent authority to the installation of mobile/telecommunication towers in Government/PSU land and buildings shall be submitted online by the Applicant, along with the prior written consent from the competent authority having legitimate right over the land, all other particulars and documents specified in the Single window portal, to the concerned Deputy Commissioner/ HOD of Institution concerned under whose jurisdiction the area/building falls. The procedure for granting the clearance will remain the same as specified above in this policy.

1.2. Annual user charges in respect of land area and a building used for erection of Poles/ Ground Based Masts/ Mobile/ Communication Towers shall be determined as per clause no. 2.2 of **Appendix A** of this document.

1.3. The tower being constructed at Government land/Building is to be shared with other Telecom Infrastructure Providers/Service Providers in the future as per technical feasibility. Telecom Infrastructure Providers/Service Providers should seek permission from the concerned authority before sharing infrastructure.

1.4. For grant of permissions for the Right of Way (RoW)/ Right of Use (RoU) and associated infrastructure, Every Applicant shall be required to pay (i) one-time administrative charges (non-refundable), (ii) annual charges for right of use, and (iii) furnish the Performance Bank Guarantee (PBG) as a refundable security for restoration of sites as per the details specified in **Appendix A** of this policy. M/s Bharat Broadband Network Limited (BBNL) is an exception to this clause.

1.5. One-time Administrative charges & annual charges shall be payable to the department who own the land and buildings as per the fee and charges defined under clause no 2.2 of **Appendix A**.

1.6. Permit for installation of Ground Based Mast (Tower)/Roof Top tower on the land/buildings belonging to the State Government offices/PSU will be issued by Concerned Deputy Commissioners in accordance as per the provisions of this policy. The guidelines in the matter issued by Government of India/Government of Haryana from time to time shall also be applicable.

1.7. Telecom Infrastructure Provider/ Service Providers shall have no right or claim over any Government Building/premises, in the light of this policy for granting permission for installing Ground Based Mast(Tower)/Roof Top Tower. It shall be the discretion of the head of office/District Collector to take appropriate decision for allowing the installation of Ground Based Mast (Tower)/Roof Top Tower on lease rent basis. This permissive sanction do not force any department to grant permission.

1.8. Technical feasibility and structural stability should be taken into account by the head of office before leasing out the building roof tops. Future expansion/extension of buildings/premises should be kept in mind.

1.9. All such installations should be complying to DoT, GoI norms and related instructions issued by GoI and State Govt. time to time.

1.10. Head of Office shall enter into an agreement with Telecom Infrastructure Provider/ Service Providers before leasing out land or roof top space of the building. Validity of permission for RoW or RoU for laying the communication infrastructure and associated installations may be granted on the terms mentioned under Clause 4 of this document.

1.11. Damage cause to the building/assets/land if any, shall be rectified by the Telecom Infrastructure Provider/ Service Providers to bring back to the original condition and to the satisfaction of the authorities concerned. The Telecom Infrastructure Provider/ Service Providers will be solely responsible for any damage/losses to the property/people due to any accidents occurring due to the Tower.

1.12. Leasing of premises or buildings to Telecom Infrastructure Provider/ Service Providers should not be detrimental to the daily routine activities of the office or officers concerned.

1.13. Head of office in case of office premises shall issue No Objection Certificate to Telecom Infrastructure Provider/ Service Providers for installing Roof Top Tower/Ground Based Mast (Tower) as required under this policy provided that such installation does not violate any law is attached with the application made to the Deputy Commissioner for obtaining Single Window Clearance. The procedure for granting the clearance will remain the same.

2. In-building solutions (IBS) in Government Buildings

The in-building systems may be set-up in buildings to obtain good coverage and capacity to the mobile network inside the building by ensuring that the signals don't have to penetrate thick walls. The infrastructure required to be installed requires extensive wiring in building which could be internal or external based on the aesthetical requirement

of the owner. This solution is beneficial to the mobile users as well as mobile operators as it reduces the load of the mobile towers and gives coverage to the mobile users. In this regard, following guidelines shall be followed.

2.1. Identification/ selection of Government buildings for in-building solution would be done by the concerned department and request for installing IBS can be communicated to the Telecom Service Provider who in-turn shall conduct a survey to see the possibility of installing IBS in the said premises/building.

2.2. The permission for setting such a facility would be given by the concerned Head of department of the building and issue enabling order to allow such installations. In view of requirement of exterior/ interior wiring for in- building solution, the line plan should be got approved by the maintenance agency for electrical services for the said building. The service provider would also look into the security considerations of the Government offices.

2.3. In addition to above, the amendments in the Haryana Building Code, 2017, as inserted in Chapter-7A: Telecom Infrastructure of the code, may also be followed. The amendments are available on the TCP website (<https://tcp.haryana.gov.in/>).

10729—C.S.—H.G.P. Pkl.

हरियाणा सरकार
शहरी स्थानीय निकाय विभाग
अधिसूचना

दिनांक 15 जुलाई, 2022

संख्या. 9/24/2022-4C-II हरियाणा नगर निगम अधिनियम, 1994 (1994 का 16) की धारा 392 छ के खण्ड (16) तथा हरियाणा नगरपालिका अधिनियम, 1973 (1973 का 24) की धारा 70 की उप-धारा (1) के खण्ड (xv) के साथ पठित धारा 200 के खण्ड (त) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा हरियाणा सरकार, शहरी स्थानीय निकाय विभाग, अधिसूचना संख्या 9/24/2022/4C-II, दिनांक 04 अप्रैल, 2022, के प्रतिनिर्देश से, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा नगर निगम विज्ञापन (संशोधन) उप-विधियां, 2018 को आगे संशोधित करने के लिए, निम्नलिखित उप-विधियां बनाते हैं, अर्थात्:—

उपविधियां

संक्षिप्त नाम, प्रारम्भ तथा लागूकरण।

- 1 (1) ये उप-विधियां हरियाणा नगरपालिका विज्ञापन उप-विधियां, 2022, कही जा सकती हैं।
(2) ये राजपत्र में इनके प्रकाशन की तिथि से लागू होंगी।
(3) ये हरियाणा राज्य में सभी, नगरपालिकाओं पर लागू होंगी।

परिभाषाएं।

- 2 (1) इन उप-विधियों में, जब तक सन्दर्भ से अन्यथा अपेक्षित न हो, —
- (i) **“अधिनियम”** से अभिप्राय है, हरियाणा नगरपालिका अधिनियम, 1973 (1973 का 24) तथा मामले में हरियाणा नगर निगम अधिनियम, 1994 (1994 का 16); जैसी भी स्थिति हो;
- (ii) **“अभिस्वीकृति ओ.एम.डी”** से अभिप्राय है, बाहरी मीडिया यन्त्र, जो ऐसी संरचना के प्रबन्ध या रख-रखाव के बदले में सड़क के मध्य अथवा राउण्डअबाउट पर विज्ञापन का प्रदर्शन करने के लिए संस्था को अभिस्वीकृति देता है;
- (iii) **“विज्ञापन”** से अभिप्राय है, बहिष्कृत मीडिया के अधधीन विनियमित क्षेत्र में तथा/या सार्वजनिक स्थान या सार्वजनिक गली से दृष्टिगोचर मीडिया यन्त्र पर प्रदर्शित तथा भूमि के किसी स्थान, भवन, आकाशी क्षेत्र, जल से जनसाधारण को दृष्टिगोचर कोई शब्द, या उसका संकेत—चिह्न, अक्षर, लोगो, प्रतीक, संकेत, अंक, चित्र, झाईंग या अन्य सचित्र प्रदर्शन या प्रकाश या ध्वनि द्वारा कोई प्रदर्शन;
- (iv) **“विज्ञापन”** से अभिप्राय है, किसी विज्ञापन को प्रदर्शित करने का कार्य या प्रक्रिया;
- (v) **“सूचना पट्ट/होर्डिंग”** से अभिप्राय है, किसी विज्ञापन पट्ट के रूप में विज्ञापन के लिए स्थान सहित बाहरी मीडिया यन्त्र तथा जहां ऐसा पट्ट किसी संरचना या तो भूमि या भवन पर इसकी नींव के साथ तैयार किया गया है;
- (vi) **“भवन लाइन”** से अभिप्राय है, लाइन, जिस तक किसी भवन की कुरसी विधिचत रूप से उस दिशा में बढ़ाई जा सकती है, जो गली या गली के विस्तार या आगामी निर्माण के लिए आबंटित (ईयरमार्क) या आरक्षित भूमि की पट्टी के साथ लगती है तथा ऐसी लाइन, अधिकारिता या शक्ति रखने वाले राज्य सरकार प्राधिकरण द्वारा अनुमोदित योजना या समन्वय योजना या स्कीम में वर्णित है;
- (vii) **“वाहन मार्ग”** से अभिप्राय है, पक्के भाग में आने वाली सड़क की चौड़ाई;
- (viii) **“वाणिज्यिक भवन”** से अभिप्राय है, कारबार, व्यापार या वाणिज्य के लिए पूर्णतः या भागतः प्रयुक्त या निर्मित या प्रयुक्त किए जाने के लिए अभिगृहित या प्रयुक्त किए जाने के लिए आशयित कोई भवन;
- (ix) **“प्रदर्शन”** से अभिप्राय है, स्थान, जिस पर विज्ञापन लगाया गया है, पर ध्यान दिए बिना जनसाधारण को दृष्टिगोचर कोई विज्ञापन;
- (x) **“इलैक्ट्रॉनिक होर्डिंग”** से अभिप्राय है, कम्प्यूटर प्रोग्राम तथा साफ्टवेयर या किसी अन्य साधन से लगातार विषय प्रदर्शन करने, प्रदर्शन तथा सूचनात्मक संदेश देने के लिए एल.ई.डी (लाईट ऐमीटिंग डायोड) या एल.सी.डी (लीकवीड क्रीस्टल डीस्पले) या किसी अन्य इलैक्ट्रॉनिक स्रोत से प्रदर्शन करने वाला कोई बाहरी मीडिया यन्त्र;
- (xi) **“संस्था”** से अभिप्राय है, कोई आवेदक, जो पंजीकृत संगठन, फर्म, सीमित दायित्व भागीदारी, भागीदारी या कम्पनी अधिनियम, 2013 (2013 का केन्द्रीय अधिनियम 18) के अधीन निगमित कम्पनी हो सकती है, जो नगरपालिका क्षेत्र के भीतर विज्ञापन का प्रदर्शित करने का इरादा रखती है;
- (xii) **“अग्रभाग”** से अभिप्राय है, भवन का अग्र/बाहरी भाग;
- (xiii) **“गॅत्री”** से अभिप्राय है, सड़क के आर-पार निर्मित संरचना तथा सामान्यतः सड़क के दोनों ओर खंभों के सिरों को जोड़ने वाले बीम (शहतीर) के आकार के खंड सहित सड़क के दोनों तरफ स्थिर धातु खंड के खंभों से निर्मित;
- (xiv) **“गॅत्री विज्ञापन”** से अभिप्राय है, यातायात के परिचालन की दिशा के विपरीत अग्रभाग पर किसी विज्ञापन का प्रदर्शन करने वाली गॅत्री;
- (xv) **“ग्राउन्ड ओ.एम.डी”** से अभिप्राय होगा, किसी भवन, अस्थाई संरचना पर निर्मित या चित्रित, भूमि पर लगी/जड़ित स्कीन या घेरे से असंलग्न तथा जनसाधारण को दृष्टिगोचर, कोई बाहरी मीडिया यन्त्र;
- (xvi) **“भारतीय सड़क कांग्रेस (आई.आर.सी)”** से अभिप्राय है, भारतीय सड़क कांग्रेस द्वारा, समय-समय पर बनाई गई लागू संहिता, विनियम तथा जारी किए गए निर्देश;
- (xvii) **“हितबद्ध पक्षकार”** से अभिप्राय है, कोई व्यक्ति या कोई पंजीकृत संगठन, फर्म, भागीदारी या कोई कम्पनी, जिसने इन उप-विधियों के अनुसार ओ.एम.डी के प्रदर्शन के लिए किसी आवेदन के सम्बन्ध में कोई टिप्पणी या कोई आक्षेप या कोई शिकायत प्रस्तुत की है या प्रतिवेदन किया है;
- (xviii) **“चौराहा”** से अभिप्राय है, उसी स्तर का जंक्शन, जहां दो या उससे अधिक सड़कें या तो मिलती हैं या पारगमन (क्रॉसिंग) करती हैं;
- (xix) **“शामियाना ओ.एम.डी”** से अभिप्राय है, किसी शामियाना छतरी या किसी भवन से प्रक्षेपित तथा समर्थित और भवन दीवार, भवन लाइन से आगे विस्तारित अन्य कवरड संरचना से संलग्न या लटका हुआ कोई बाहरी मीडिया यन्त्र;
- (xx) **“बहुविध ओएमडी”** में शामिल है, किसी एकल ओएमडी संरचना पर या एकल परिसर में बहुविध ओएमडी संरचना पर एक से अधिक विज्ञापनों वाली ओएमडी;
- (xxi) **“भारतीय राष्ट्रीय भवन संहिता या (एन.बी.सी)”** से अभिप्राय है, समय-समय पर यथा संशोधित भारतीय राष्ट्रीय भवन संहिता तथा उसके अधीन बनाए गए विनियम;

- (xxii) "ऑनलाइन विज्ञापन पोर्टल" से अभिप्राय है, इन उप-विधियों के लिए राज्य में सभी नगरपालिकाओं के लिए शहरी स्थानीय निकाय विभाग द्वारा विकसित ऑनलाइन पोर्टल;
- (xxiii) "ओ.एम.डी" से अभिप्राय है, उप-विधि 3 में यथा उपवर्णित बाहरी मीडिया यन्त्र;
- (xxiv) "स्वामी" से अभिप्राय है, सम्पत्ति का स्वामी तथा इसमें हरियाणा कक्ष-समूह स्वामित्व अधिनियम, 1983 (1983 का 10) के अधीन स्वामियों का संगठन भी शामिल है;
- (xxv) "अनुज्ञा प्रभार" से अभिप्राय है, सरकार द्वारा, समय-समय पर, विनिर्दिष्ट प्रभार, जो नगरपालिकाओं द्वारा हरियाणा नगर-निगम अधिनियम 1994 (1994 का 16) की धारा 122 तथा हरियाणा नगरपालिका अधिनियम, 1973 (1973 का 24) की धारा 70, जैसी भी स्थिति हो, के अधीन अनुज्ञा प्रदान करने के लिए उद्ग्रहीत किए जाने हैं;
- (xxvi) "सम्पत्ति" से अभिप्राय है, नगरपालिका क्षेत्र की सीमाओं में कोई भूमि या भवन या उसका कोई भाग;
- (xxvii) "सार्वजनिक स्थान" से अभिप्राय है, हरियाणा नगर निगम अधिनियम, 1994 (1994 का 16) की धारा 122 में प्रभाषित स्थान;
- (xxviii) "सार्वजनिक दृष्टि" से अभिप्राय है, ऐसा क्षेत्र, जिसे सहज ही देखा जा सकता है तथा ऐसे किसी क्षेत्र के भीतर व्यक्ति/वस्तु/प्रदर्शन को सार्वजनिक स्थान से देखने पर दृष्टि से पहचाना जा सकता है;
- (xxix) "आरक्षित मूल्य" से अभिप्राय है, नगरपालिका द्वारा निर्दिष्ट किया गया प्रत्येक साइट की नीलामी के प्रयोजन के लिए ओ.एम.डी का न्यूनतम मूल्य, जो समय-समय पर सरकार द्वारा दिशानिर्देशों द्वारा जारी किया जाएगा;
- (xxx) "पंजीकरण प्रभार" से अभिप्राय है, सरकार द्वारा, समय-समय पर, विनिर्दिष्ट किए जाने वाले प्रभार जो ऑनलाइन विज्ञापन पोर्टल पर पंजीकरण करने के लिए किसी संस्था द्वारा भुगतान किए जाने है, जो अप्रतिदेय होगा;
- (xxxi) "पंजीकृत संस्था" से अभिप्राय है, उप-विधि 15 के अधीन ऑनलाइन विज्ञापन पोर्टल पर पंजीकृत कोई संस्था;
- (xxxii) "सूचीबद्ध स्वामी" से अभिप्राय है, अनुसूची-I में विनिर्दिष्ट अनुज्ञेय सीमाओं से बाहर स्वतः-विज्ञापन के लिए ऑनलाइन विज्ञापन पोर्टल पर सूचीबद्ध या/तथा नीलामी में तृतीय पक्षकार के विज्ञापन के लिए पोर्टल पर उसे सूचीबद्ध करने हेतु नगरपालिकाओं को अपनी सम्पत्ति का प्रस्ताव करने वाला सम्पत्ति का स्वामी;
- (xxxiii) "विनियमित क्षेत्र" से अभिप्राय है, नगरपालिका की अधिकारिता में आकाशी क्षेत्र सहित भौगोलिक क्षेत्र;
- (xxxiv) "रास्ता अधिकार (आर.ओ.डब्ल्यू)" से अभिप्राय है,
 (क) किसी राष्ट्रीय राजमार्ग की दशा में, राष्ट्रीय राजमार्ग का रखरखाव करने वाले प्राधिकरण के स्वामित्वाधीन भूमि की सीमा;
 (ख) किसी राष्ट्रीय राजमार्ग से भिन्न सड़क की और मुख्य परिवहन मार्ग से ठीक सटी सर्विस लेन की दशा में, सर्विस लेन तथा मुख्य परिवहन मार्ग की परिवहन मार्ग की सीमा;
 (ग) किसी राष्ट्रीय राजमार्ग से भिन्न और मुख्य परिवहन-मार्ग से ठीक सटी कोई सर्विस लेन नहीं होने की दशा में, मुख्य परिवहन मार्ग की परिवहन मार्ग सीमा;
- (xxxv) "सड़क यातायात चिह्न" से अभिप्राय है, सड़क के उपभोक्ताओं के लिए सार्वजनिक सूचना हेतु कोई संकेत तथा इसमें विधि या भारतीय सड़क कांग्रेस (आई आर सी) द्वारा यथा परिकल्पित यातायात संकेत भी शामिल है;
- (xxxvi) "संवीक्षा फीस" से अभिप्राय है, सरकार द्वारा, समय-समय पर, विनिर्दिष्ट की जाने वाली फीस, जो आवेदन की संवीक्षा के लिए आवेदन से संलग्न उद्ग्रहित की जानी है, जो अप्रतिदेय होगी;
- (xxxvii) "स्वतः विज्ञापन" से अभिप्राय है, सूचीबद्ध स्वामी द्वारा अपने व्यवसाय से सम्बन्धित तथा उप-विधि 5 के अनुसार प्रदर्शित विज्ञापन;
- (xxxviii) "सर्विस लेन" से अभिप्राय है, मुख्य परिवहन मार्ग के साथ-साथ तथा वाहनों के संचालन के लिए प्रयुक्त कोई सड़क;
- (xxxix) "मार्ग फर्नीचर विज्ञापन" से अभिप्राय है, किसी सार्वजनिक सुविधा या संरचना पर प्रदर्शित कोई विज्ञापन, जो विज्ञापन के लिए मुख्यतः आशयित नहीं है तथा इसमें या तो प्रत्यक्षतः चिपकाया हुआ/जोड़ा हुआ या पैनल (पट्ट) के रूप में विज्ञापन सहित ऐसे मार्ग फर्नीचर की कार्यात्मक आवश्यकता को पूरी करने के लिए उपयुक्त आकार तथा आकृति का बैठने वाले के लिए बैंच, पौधा बाक्स, पट्टी, कूड़ा-कचरा धानी, खम्बे से बंधी कूड़ा-कचरा धानी, सार्वजनिक परिवहन आश्रय, पट्टी क्लक, उपनगरीय नाम यन्त्र तथा मार्ग नाम, पेयजल स्रोत इत्यादि भी शामिल है;
- (xl) "संरचनात्मक इंजीनियर" से अभिप्राय है, ऐसा व्यक्ति, जो किसी मान्यताप्राप्त विश्वविद्यालय से सिविल इंजीनियरिंग में स्नातक है और संरचनात्मक डिजाईन संरचना तथा सम्बन्धित क्षेत्र के कार्य में कम से कम दस वर्ष के अनुभव सहित भारतीय इंजीनियर संस्था के सिविल इंजीनियरिंग डिवीजन का कारपोरेट सदस्य है, या किसी मान्यता प्राप्त विश्वविद्यालय से सिविल इंजीनियरिंग में स्नातकोत्तर है और संरचनात्मक डिजाईन संरचना तथा सम्बन्धित क्षेत्र के कार्य में कम से कम तीन वर्ष के अनुभव सहित भारतीय इंजीनियर संस्था का सिविल इंजीनियरिंग डिवीजन का कॉरपोरेट सदस्य है;
- (xli) "संरचनात्मक स्थिरता प्रमाण-पत्र" से अभिप्राय है, संरचनात्मक इंजीनियर द्वारा जारी कोई प्रमाणपत्र;
- (xlii) "तृतीय पक्षकार विज्ञापन चिह्न" से अभिप्राय है, स्वतः-विज्ञापन से भिन्न कोई ओ.एम.डी;
- (xliii) "अस्थायी विज्ञापन" से अभिप्राय है, मनोरंजन कार्यक्रमों, उत्सवों, मेला, व्यापार मेला, सम्मेलन, सड़क प्रदर्शन, जो अधिकतम तीस दिन की अवधि से अधिक का न हो, सहित किसी आगामी कार्यक्रम की अवधि से ठीक पूर्व तथा के लिए प्रदर्शित स्वतः विज्ञापन से भिन्न कोई ओ.एम.डी;
- (xliv) "ट्रेलर विज्ञापन" से अभिप्राय है, किसी ट्रेलर, साईकिल या वाहन पर बंधा हुआ कोई ओ.एम.डी, जो विज्ञापन के एकमात्र प्रयोजन से स्थिर या गतिशील है;
- (xlv) "अप्राधिकृत प्रभार" से अभिप्राय है, ओ.एम.डी के अप्राधिकृत प्रदर्शन तथा इन उप-विधियों के किसी भी उपबन्ध के उल्लंघन के लिए नगरपालिका द्वारा उद्ग्रहीत प्रभार;
- (xlvi) "यूनिपोल" से अभिप्राय है, किसी विज्ञापन पैनल के रूप में विज्ञापन के लिए बड़ी जगह वाली ओ.एम.डी और जहां ऐसे पैनल भूमि पर इसके आधार सहित किसी एकल स्तम्भ पर आरूढ़ है;
- (xlvii) "शहरी डिजाइन" से अभिप्राय है, भौतिक घटक सहित भवन, सड़क के बीच तथा आसपास शहरी जगह

की विशेष तथा सौन्दर्यपरक विशेषता को प्रकट करने तथा प्रबन्ध करने वाली कार्यवाही, जो भवन दिखावट तथा अन्य संरचना का मार्गस्केप तथा संयुक्त दृश्य प्रभाव को संघटित करता है;

(xlvi) "दीवार आच्छादन" से अभिप्राय है, किसी भवन या रंग बिरंगी रंगी हुई दीवार या एल्यूमिनियम मिश्रित पैनल, जिसके अग्रभाग का प्रयोग वास्तु आकृति के रूप में किया गया है या भवन की दीवार के रूप में प्रयुक्त सहित किसी अन्य सामग्री से कवरेज दीवार के बाहरी हिस्से पर चिपकाया गया विज्ञापन।

(2) इन उप-विधियों में प्रयुक्त किन्तु अपरिभाषित शब्दों तथा अभिव्यक्तियों के वहीं अर्थ होंगे, जो इन्हे क्रमशः हरियाणा नगरपालिका अधिनियम, 1973 (1973 का 24) तथा हरियाणा नगर निगम अधिनियम, 1994 (1994 का 16) में दिए गए हैं।

ओएमडी के साधारण ब्योरे।

3 (1) उपविधियां, नगरपालिका की सीमाओं के भीतर प्रदर्शित की जाने वाली ओएमडी की विभिन्न किस्मों की अनुमति देगी। ओएमडी के वर्गीकरण अनुबन्ध 5 में परिभाषित हैं।

(2) ओएमडी के प्रदर्शन की अनुमति की अवधि की वैधता निम्नानुसार अनुमत की जाएगी, अर्थात:-

- किस्म क: तीन वर्ष: सम्बद्ध सरकारी संस्था तथा पंजीकृत संस्था के मध्य या पांच वर्ष तक, यदि सरकारी संस्था इस प्रकार अनुरोध करती है;
- किस्म ख तथा किस्म ग: तीन वर्ष (अग्रिम त्रैमासिक भुगतान सहित)
- किस्म घ: अनुसूची I के खण्ड 12 में यथा विनिर्दिष्ट;
- किस्म ङ: मामले से मामले के आधार पर यथा विनिर्दिष्ट;
- किस्म च: स्वतः-विज्ञापन: विज्ञापन के लिए कोई निर्बन्धन नहीं, यदि अनुसूची I में निर्दिष्ट अनुज्ञेय सीमाओं में है;
- किस्म छ: मामले से मामले के आधार पर यथा विनिर्दिष्ट, तीन वर्ष (अग्रिम त्रैमासिक भुगतान सहित);
- किस्म ज: तीन वर्ष (अग्रिम त्रैमासिक भुगतान सहित);
- किस्म झ: तीन वर्ष (अग्रिम त्रैमासिक भुगतान सहित);

(3) यथाविनिर्दिष्ट किस्म तथा समय अवधि की ओएमडी के लिए सभी अनुमोदन की गणना उस मास के उतरवर्ती मास के प्रथम दिन से की जाएगी, जिसमें उस मास, जिसमें सीमा अवधि समाप्त होती है, के अंतिम दिन तक के लिए अनुमोदन प्रदान किया जाता है।

(4) सभी वर्तमान अनुमत ओएमडी को अधिसूचना की तिथि से चौदह दिन के भीतर इन उप-विधियों की अनुपालना करनी होगी तथा कोई भी माफ़ी अवधि नहीं दी जाएगी। अनुपालना नहीं करने वाली सभी ओएमडी को अवैध समझा जाएगा तथा नगरपालिका उप-विधि-22 के अनुसार उचित कार्रवाई करेगी।

निषिद्ध तथा निर्बन्धन

4 (1) अभिव्यक्त या विवक्षित किसी अन्य निषेध के अतिरिक्त, कोई भी व्यक्ति, किसी ओ.एम.डी या विज्ञापन का निम्नलिखित पर/में निर्माण, अनुरक्षण या प्रदर्शन नहीं करेगा,-

- राष्ट्रीय पार्क, जिला वन तथा प्राकृतिक जल निकाय;
- अनुसूची-1 में विनिर्दिष्ट शर्तों को पूरा करने के अध्यक्षीन, आवासीय सैक्टर;
- अनुसूची-1 में विनिर्दिष्ट शर्तों को पूरा करने के अध्यक्षीन, राष्ट्रीय राजमार्ग या राज्य राजमार्ग;
- कोई दीवार पोस्टर तथा दीवार चित्र;
- पुरातत्वीय, वास्तुशिल्पीय, सौन्दर्यप्रद, ऐतिहासिक या घोरोहर महत्व वाले भवन या संरचना;
- पूजा या धार्मिक महत्व के स्थान;
- अस्पताल तथा नर्सिंग होम;
- शैक्षणिक संस्थाएं, पुस्तकालय;
- श्मशान घाट, कब्रिस्तान;
- संकटापन्न क्षेत्रीय ईको सिस्टम के रूप में वर्गीकृत क्षेत्र;
- नगरपालिकाओं द्वारा, समय-समय पर, अधिसूचित कोई भी गैर-विज्ञापन क्षेत्र; तथा
- यातायात संकेत तथा सड़क चिह्न।

(2) कोई भी व्यक्ति किसी प्रदर्शन, यन्त्र या संरचना, जो नगरपालिका द्वारा बनवाई गई है, को विकृत नहीं करेगा या विकृत नहीं करवाएगा तथा उससे सम्बन्धित कोई भी उल्लंघन, हरियाणा सम्पत्ति विरूपण निवारण अधिनियम, 1989 (1990 का 11) के अधीन दण्डनीय होगा।

(3) किसी अन्य निषेध, अभिव्यक्त या विवक्षित के अतिरिक्त, नगरपालिका निम्नलिखित दर्शाई या मुखाकृति विज्ञापनों या ओ.एम.डी को संशोधित करने या हटाने के लिए आवश्यक कार्यवाही करेगी:

- नग्नता;
- जाति, समुदाय, वंश या जातीय मतभेदों को प्रसारित करने;
- स्वापक, शराब, सिगरेट या तम्बाकू वस्तुओं को बढ़ावा देने;
- महिला या बच्चों के शोषण का प्रचार करने;
- पशुओं के प्रति क्रूरता को चित्रित करने;
- घटिया दृष्टिकोण से किसी राष्ट्र या संस्था का चित्रण करने;
- किसी ब्राण्ड या व्यक्ति की जाति निन्दा करने;
- किसी विधि द्वारा प्रतिबंधित;
- हिंसा की महिमा करने;
- लॉटरी टिकटों, जुआ प्रवेशों तथा स्लॉट मशीनों को बढ़ावा देने;
- किसी भी मनोविकृतिकारी, लेजर या चलित प्रदर्शनी;
- विनाशकारी यन्त्रों तथा विस्फोटकों का चित्रण करने वाली वस्तुओं का प्रदर्शन करने;
- आयुध अधिनियम, 1959 (1959 का केन्द्रीय अधिनियम 54) के अधीन आने वाले हथियारों को बढ़ावा देने;
- मानहानि कारक, व्यापार अपमानजनक, गैरकानूनी रूप से धमकी भरा या गैरकानूनी रूप से परेशान करने;
- स्त्री अशिष्ट रूपण (प्रतिषेध) अधिनियम, 1986 (1986 का केन्द्रीय अधिनियम 60) के अर्थ के भीतर महिला की अश्लीलता या अश्लील साहित्य या अशोभनीय प्रतिरूपण;
- ऐसी वस्तुओं, मालों या सेवाओं के वर्णन से प्रत्यक्षतः या अप्रत्यक्षतः जुड़ा हुआ होना या शामिल होने, जो तत्समय लागू किसी विधि के अधीन निषिद्ध है, इसमें शामिल हैं किन्तु औषधि और प्रसाधन सामग्री अधिनियम, 1940 (1940 का केन्द्रीय अधिनियम 23), औषधि और चमत्कारिक उपचार (आक्षेपणीय विज्ञापन) अधिनियम, 1954 (1954 का केन्द्रीय अधिनियम 21), भारतीय दंड संहिता, 1860 (1860 का केन्द्रीय

अधिनियम 41) में परिसीमित नहीं हैं, तथा

(xvii) नगरपालिका द्वारा, समय-समय पर, अनुचित विचारी गई तथा इस प्रकार अधिसूचित की गई कोई अन्य वस्तु।

स्वतः विज्ञापन के लिए सामान्य अनुदेश।

5 (1) अनुसूची 1 में कथित स्वतः-विज्ञापन की विशिष्टियों के अनुसार स्वतः विज्ञापन के लिए केवल सम्पत्ति के स्वामी को अनुमत किया जाएगा।

(2) सम्पत्ति के स्वामी को केवल उसकी सम्पत्ति पर स्वतः विज्ञापन के प्रदर्शन के लिए नगरपालिका से पंजीकरण तथा अनुमति की अपेक्षा में छूट प्राप्त होंगी, यदि विज्ञापन अनुसूची 1 में विनिर्दिष्ट अनुज्ञेय छूट सीमा में है।

(3) सम्पत्ति के स्वामी, अपनी सम्पत्ति पर स्वतः विज्ञापन का प्रदर्शन करने की अनुमति के लिए सम्बन्धित नगरपालिका का चयन करते हुए ऑनलाइन विज्ञापन पोर्टल पर आवेदन करेगा, यदि वह अनुसूची 1 में विनिर्दिष्ट छूट प्राप्त अनुज्ञेय सीमा से बाहर विज्ञापन का प्रदर्शन करने का इरादा करता है।

स्वतः विज्ञापन (छूट प्राप्त सीमा से बाहर) के लिए आवेदन करने की प्रक्रिया तथा नगरपालिका द्वारा मूल्यांकन।

6 (1) सम्पत्ति का स्वामी, अपनी सम्पत्ति पर (छूट प्राप्त सीमा से बाहर) स्वतः विज्ञापन का प्रदर्शन करने का इरादा करता है, तो वह निम्नलिखित सूचना/दस्तावेजों से युक्त सम्बन्धित नगरपालिका को ऑनलाइन विज्ञापन पोर्टल पर अनुबन्ध 3 के अनुसार आवेदन प्रस्तुत करेगा:-

- (i) सम्पत्ति के स्वामित्व का सबूत;
- (ii) संवीक्षा फीस;
- (iii) पंजीकृत स्वामी के स्वामित्वाधीन सम्पत्ति या सम्पत्ति, जिस पर ओ.एम.डी प्रदर्शित की जानी आशयित है, पर भुगतानयोग्य कर के सम्बन्ध में सम्पत्ति कर के भुगतान के सबूत के रूप में नवीनतम रसीद;
- (iv) ओ.एम.डी की अवस्थिति योजना दर्शाते हुए, प्रस्तावित अवस्थिति (जी.पी.एस. समन्वय सहित) इंगित करते हुए तथा किसी अन्य संरचना, भवन या प्रस्तावित ओ.एम.डी से पच्चीस मीटर के घेरे के भीतर स्थित ओ.एम.डी के सम्बन्ध में दूरी बताते हुए, रंगीन ड्राईंग;
- (v) ओ.एम.डी तथा अवस्थितियों का परिमाण दर्शाने वाली सम्पूर्ण विशिष्टियां;
- (vi) अत्यधिक हवा परिस्थिति, भूकम्प, मृदा सहन क्षमता को सहन करने के योग्य इसकी नीवों के सुरक्षा पहलू को प्रमाणित करवाते हुए किसी संरचनात्मक इंजीनियर द्वारा ओ.एम.डी के डिजाईन तथा संरचनात्मक ब्योरे तथा समय-समय पर बनाए गए सम्बन्धित भारतीय संरचनात्मक डिजाईन मानकों, पॉलिसी तथा मार्गदर्शनों की अनुपालना की जायेगी। संरचनात्मक ब्योरों में किसी अन्य विधि के अनुपालन के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाईन परिकलन के सभी घटकों का आकार शामिल होगा, जिसमें उस सीमा तक कि ऐसी विधि लागू है किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है, जिसमें भारतीय सड़क कांग्रेस (आई.आर.सी), भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का केन्द्रीय अधिनियम 29) भी शामिल है;
- (vii) यदि कोई प्रस्तावित ओ.एम.डी, किसी भवन के अग्रभाग से सलंगन की जानी है, तथा पर प्रदर्शित की जानी है, तो भवन के एलीवेशन तथा मापन और प्रस्तावित ओ.एम.डी. के विस्तृत मापन तथा स्थिति और 1:1000 या नगरपालिका द्वारा यथा विनिर्दिष्ट स्केल में दर्शाते हुए भवन पर विद्यमान प्रत्येक ओ.एम.डी. की स्थिति दर्शाते हुए वास्तु ड्राईंग;
- (viii) इस आशय का वचन-पत्र कि विज्ञापन प्रदर्शित करने के लिए आवेदन, किसी भी न्यायालय के आदेश के उल्लंघन में नहीं है।

(2) नगरपालिका प्राप्त आवेदन का मूल्यांकन करेगी तथा निम्नलिखित सुनिश्चित करेगी,-

- (i) कि आवेदन इन उप-विधियों में कथित पैरामीटरों के अनुपालन में है;
- (ii) कि आवेदन किसी न्यायालय के किसी आदेश के उल्लंघन में नहीं है;
- (iii) कि आवेदन के संबंध में किसी हितबद्ध पक्षकार से प्राप्त लिखित प्रतिवेदन, आपत्ति तथा टिप्पणी पर विधिवत रूप से विचार किया गया।

(3) नगरपालिका अपने स्वविवेक से तथा लिपिबद्ध किए जाने वाले कारणों से, किसी आवेदन को स्वीकार करने या अस्वीकार करने के लिए अपने अधिकार आरक्षित रखेगी।

(4) नगरपालिका, संवीक्षा तथा सम्यक् प्रक्रिया अपनाने के बाद, आवेदन को प्रस्तुत करने की तिथि से तीस दिन के भीतर इसका निर्णय करेगी। अनुमोदन के मामले में, नगरपालिका स्वामी से लागू अनुज्ञा प्रभार (अग्रिम त्रैमासिक भुगतान की राशि) की मांग करेगा। स्वामी ऑनलाइन विज्ञापन पोर्टल पर नगरपालिका द्वारा दर्शाए गए अनुज्ञा प्रभार का भुगतान करने तथा अपेक्षित दस्तावेज देने के लिए दायी होगा। भुगतान प्राप्त करने पर, अनुमोदन पत्र जारी किया जाएगा। अस्वीकृति के मामले में, स्वामी को अस्वीकृत पत्र जारी किया जाएगा। अनुमोदन तथा अस्वीकृति पत्र के लिए फारमेट अनुबन्ध 4 के अनुसार होगा।

स्वतः विज्ञापन के लिए अनुमति प्रभार (छूट सीमा से बाहर)

7 (1) अनुसूची 1 में विनिर्दिष्ट अनुज्ञेय सीमा के भीतर स्वतः विज्ञापन पर कोई भी अनुज्ञा प्रभार लागू नहीं है।

(2) हरियाणा नगरपालिका अधिनियम, 1973 (1973 का 24) की धारा 70 तथा हरियाणा नगर निगम अधिनियम, 1994 (1994 का 16) की धारा 122 के अनुसार अनुज्ञा प्रभार सूचीबद्ध स्वामी द्वारा स्वतः विज्ञापन के लिए ऐसी दर पर, जो राज्य सरकार, समय-समय पर आदेश द्वारा विनिर्दिष्ट करे, अग्रिम में भुगतानयोग्य होंगे। अपेक्षित अनुज्ञा प्रभारों का भुगतान अनुमोदन के समय पर अग्रिम में त्रैमासिक किया जाएगा और बाद में प्रत्येक तिमाही की शुरुआत से पहले किया जाएगा।

(3) नगरपालिका द्वारा आरोप्य कारणों से विज्ञापन को हटाने के मामले में, स्वतः विज्ञापन के अधीन छूट प्राप्त सीमा से अधिक पहले किए गए अग्रिम त्रैमासिक भुगतान पर स्वामी को यथानुपात राशि वापस की जाएगी।

(4) यदि सूचीबद्ध स्वामी, प्रदान की गई अनुमति को वापस मांगता है, तो नागपालिका द्वारा किए अग्रिम भुगतान पर संदत अनुज्ञा प्रभार वापसी नहीं किया जाएगा।

(5) अनुज्ञा प्रभार के अतिरिक्त, सूचीबद्ध स्वामी, अनुमोदित अवधि के लिए मान्य, नगरपालिका को भुगतानयोग्य त्रैमासिक अनुज्ञा प्रभार के बराबर राशि की बैंक गारंटी अग्रिम में जमा करेगा।

(6) अनुज्ञा प्रभार, इन उप-विधियों के अधीन विद्यमान ओ एम डी पर भी लागू होंगे।

(7) लागू संवीक्षा फीस तथा प्रभार से भिन्न, सूचीबद्ध स्वामी अन्य प्राधिकरणों को भुगतान किए जाने वाले अपेक्षित अन्य करों, प्रभारों इत्यादि का भुगतान करने के लिए भी दायी होगा।

छूट प्राप्त स्वतः विज्ञापन।

8 (1) नीचे उप-खण्ड (i) से (xiii) में कथित प्रयोजनों के लिए ओ.एम.डी, अनुसूची 1 के अनुसार सभी शर्तों के सम्बन्ध में इन उप-विधियों के उपबन्धों का पालन करेंगी; किन्तु ऐसी ओ.एम.डी निम्नलिखित मामलों में किसी अनुज्ञा प्रभार के भुगतान या आवेदन करने से छूट प्राप्त होंगी, अर्थात्-

- (i) संसद, विधान सभा, परिषद्/समिति के निर्वाचन या ऐसे निर्वाचन के सम्बन्ध में उम्मीदवारी से सम्बन्धित

सार्वजनिक बैठक, (परिषद्/समिति द्वारा परिलक्षित/आवंटित (ईयरमार्क) केवल प्राधिकृत स्थानों पर लगाया जा सकता है);

- (ii) किसी भवन की खिड़की के भीतर प्रदर्शित किया गया है, यदि विज्ञापन उस भवन में चलाए जा रहे व्यापार, व्यवसाय या कारबार से सम्बन्धित है (भवन के कुल अग्रभाग क्षेत्र की केवल 2 प्रतिशत की सीमा तक);
- (iii) भूमि या भवन, जिस पर ऐसा विज्ञापन प्रदर्शित किया जाता है, के भीतर व्यापार, व्यवसाय या कारबार या ऐसी भूमि या भवन या उसके किसी भाग का विक्रय या किराए पर देने या उस पर या उसमें विश्लेषण, मनोरजन या बैठक बुलाने से सम्बन्धित है (भवन के कुल अग्रभाग क्षेत्र की केवल 2 प्रतिशत की सीमा तक);
- (iv) भूमि या भवन, जिसके निकट या जिस पर विज्ञापन प्रदर्शित किया जाता है, के नाम से, ऐसी भूमि या भवन की पंजीकृत संस्था या अधिभोगी के नाम से सम्बन्धित है;
- (v) रेलवे प्रशासन के कारबार से सम्बन्धित है तथा रेलवे प्रशासन के किसी रेलवे स्टेशन के भीतर या किसी दीवार या अन्य सम्पत्ति पर प्रदर्शित किया जाता है;
- (vi) बोर्ड/अन्य निगमों को छोड़कर, राज्य सरकार या केन्द्रीय सरकार के किसी विभाग या नगरपालिका की किसी गतिविधि से सम्बन्धित है;
- (vii) किसी सम्पत्ति, जहां कोई भवन, स्वीमिंग पूल, टेनिस कोर्ट, खंडजा, बाड़ा या बाग का भू-दृश्य या कोई अन्य संरचना निर्मित, परिनिर्मित, कार्यान्वित या परिवर्तित किए जाने के अनुक्रम में तथा जिस पर सम्बन्धित गतिविधि वर्णित की जाती है तथा ऐसी गतिविधि से सम्बन्धित किसी वास्तुकार, ठेकेदार अथवा परामर्शदाता का नाम प्रदर्शित किया जाता है तथा अन्तर्वलित उद्योग की शाखा या व्यवसाय विनिर्दिष्ट किया जाता है;
- (viii) स्थिर कियोस्क या ठेलों पर फेरी वालों के लिए मीडिया यन्त्र;
- (ix) किसी भवन के दरवाजे/खिड़की में प्रदर्शन, यदि विज्ञापन उस भवन में चलाए जा रहे व्यापार, व्यवसाय या कारबार से सम्बन्धित है तथा इसमें तृतीय पक्षकार विज्ञापन का प्रदर्शन करने के लिए शापिंग माल के भीतर सार्वजनिक स्थान तथा अन्य समरूप भवन शामिल नहीं है;
- (x) भूमि या भवन, जिस पर या जिसमें विज्ञापन प्रदर्शित किया जाता है, के नाम से ऐसी भूमि या भवन के स्वामी या अधिभोगी के नाम से सम्बन्धित;
- (xi) समाचार पत्र विज्ञापन;
- (xii) रेडियो तथा टेलीविजन प्रसारण;
- (xiii) सार्वजनिक कला;

(2) उपखण्ड (i) से (xiii) में कथित प्रयोजनों के संदर्भ में, यदि कोई अप्राधिकृत ओएमडी की संस्थापित पाई जाती है या उपविधि के किन्ही उपबधों का उल्लंघन होता है, तो उल्लंघनकर्ता उपविधि 27 (2) में यथाउपबन्धित शास्त्रि के भुगतान हेतु दायी होगा।

तृतीय पक्षकार विज्ञापनों के लिए सामान्य निर्देश।

9 (1) नगरपालिका सीमाओं के भीतर तृतीय पक्षकार विज्ञापन सरकारी/नगरपालिका/निजी संपत्तियों के लिए ई-नीलामी द्वारा या निजी संपत्ति के मामले में समय-समय पर सरकार द्वारा निर्दिष्ट अनुज्ञा फीस का भुगतान करके अनुमत किया जाएगा।

(2) सूचीबद्ध स्थलों पर तृतीय पक्षकार विज्ञापन के प्रदर्शन के लिए ई-नीलामी पोर्टल पर बोली प्रक्रिया में भाग लेने के लिए केवल पंजीकृत संस्था को अनुमति दी जाएगी।

(3) सम्पत्ति की किस्म, जो पोर्टल पर सूचीबद्ध की जा सकती है, में शामिल होगी:-

- (i) निजी/व्यक्तिगत स्वामियों के स्वामित्वाधीन सम्पत्तियां;
- (ii) नगरपालिकाओं के स्वामित्वाधीन सम्पत्तियां;
- (iii) अन्य सरकारी संस्था जैसे कि विभाग/प्राधिकरण/बोर्ड/निगम इत्यादि के स्वामित्वाधीन सम्पत्तियां (जिसमें अन्य सरकारी संस्था जैसे कि विभाग/ प्राधिकरण/ बोर्ड/ निगम इत्यादि द्वारा निर्माण परिचालन अन्तरण (बी.ओ.टी)/डिजाईन निर्माण वित्त परिचालन अन्तरण (डी.बी.एफ.ओ.टी)/लोक निजी भागीदारी (पी.पी.पी) पर किसी परियोजना के अधीन पहचाने गए ओएमडी स्थल शामिल हैं)।

(4) सभी बोलियाँ आरक्षित मूल्य के आधार पर की जाएंगी और उच्चतम बोलीदाता को स्थल आंबटित किया जाएगा। सभी भुगतान, प्राप्त मूल्य (आई.एन.आर/वर्गमीटर/मास) आधार पर संविदा के समापन तक प्रत्येक तिमाही के शुरू होने से पहले अग्रिम त्रैमासिक (3 मास) के भुगतान के रूप में अवार्डिड पंजीकृत संस्था द्वारा ऑनलाइन किए जाएंगे।

तृतीय पक्षकार विज्ञापनों के तहत ई-नीलामी के लिए निजी संपत्तियों को सूचीबद्ध करने के लिए आवेदन

10 (1) निजी संपत्ति के मालिक के पास अपनी संपत्ति को ई-नीलामी के लिए ऑनलाइन विज्ञापन पोर्टल पर सूचीबद्ध करने या समय-समय पर सरकार द्वारा निर्दिष्ट अनुज्ञा फीस के भुगतान पर अपनी संपत्ति पर विज्ञापन अधिकारों के लिए सीधे अनुमति लेने का विकल्प है।

(2) निजी सम्पत्ती के स्वामी, जो स्वतः विज्ञापनों से अन्यथा अपनी सम्पत्ति पर ई-नीलामी के माध्यम से विज्ञापन के प्रदर्शन के लिए इरादा रखता है, सरकार द्वारा यथा विनिर्दिष्ट संवीक्षा फीस सहित **अनुबन्ध 6** पर यथा विनिर्दिष्ट आवेदन प्रस्तुत करके पोर्टल पर अपनी सम्पत्ति सूचीबद्ध कराएगा। ऐसे स्थलों से संगृहीत अनुज्ञा प्रभार सम्बन्धित नगरपालिका तथा स्वामी के बीच **40:60** के अनुपात में बांटी जाएगी।

(3) निजी संपत्ति का मालिक, जो विज्ञापन अधिकारों की मांग के माध्यम से अपनी संपत्ति पर विज्ञापन प्रदर्शित करने का इरादा रखता है, पोर्टल पर संबंधित नगरपालिका को **अनुबन्ध 3** में निर्दिष्ट एक आवेदन के साथ संवीक्षा शुल्क प्रस्तुत करेगा।

(4) स्वामी निम्नलिखित दस्तावेजों के साथ उपरोक्त निर्दिष्ट उद्देश्य के लिए नगर पालिका को आवेदन प्रस्तुत करेगा अर्थात्:-

- (i) सम्पत्ति के स्वामित्व का सबूत;
- (ii) संवीक्षा फीस;
- (iii) स्वामी के स्वामित्वाधीन किसी सम्पत्ति या ऐसी सम्पत्ति, जिस पर ओएमडी प्रदर्शित की जानी आशयित है, पर भुगतानयोग्य कर के सम्बन्ध में सम्पत्ति कर के भुगतान के सबूत के रूप में नवीनतम रसीद;
- (iv) ओ.एम.डी की प्रस्तावित स्थिति (जी.पी.एस/निर्देशांक समन्वित) तथा किसी अन्य संरचना, भवन या प्रस्तावित ओ.एम.डी से पच्चीस सौ मीटर के घेरे के भीतर स्थित ओ.एम.डी के सम्बन्ध में दूरी बताते हुए, अवस्थिति योजना दर्शाते हुए रंगीन ड्राईंग;
- (v) ओ.एम.डी तथा अवस्थितियों का परिमाण दर्शाने वाली सम्पूर्ण विशिष्टियां;

- (vi) अत्यधिक वायु स्थिति, भूकम्प, मृदा सहन क्षमता को सहन करने के योग्य बनाने वाली इसकी नीवों के सुरक्षा पहलू को प्रमाणित करते हुए, तथा समय-समय पर बनाए गए सुसंगत भारतीय संरचनात्मक डिजाईन मानकों, पॉलिसी तथा मार्गदर्शनों की अनुपालन करते हुए, किसी संरचनात्मक इंजीनियर द्वारा ओ.एम.डी के डिजाईन तथा संरचनात्मक ब्यौरे की जांचेगी। संरचनात्मक ब्यौरों में किसी अन्य विधि के अनुपालन के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाईन परिकलन के सभी घटकों का आकार शामिल होगा, जिस पर उस सीमा तक ऐसी विधि लागू है, किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है, जिसमें भारतीय सड़क कांग्रेस (आई.आर.सी), भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का केन्द्रीय अधिनियम 29) शामिल है। (केवल यदि ओ.एम.डी संरचनाएं पहले ही विद्यमान हैं या अन्य अवार्डिड पंजीकृत संस्था को ओ.एम.डी संरचना परिनिर्मित करनी/रखनी है तथा समय अवधि की समाप्ति पर हटानी है);
- (vii) यदि कोई प्रस्तावित ओ.एम.डी. किसी भवन के अग्रभाग से सलग्न की जाती है, या प्रदर्शित की जाती है, तो भवन के एलीवेशन तथा मापन और प्रस्तावित ओ.एम.डी. के विस्तृत मापन तथा स्थिति वर्तमान प्रत्येक ओ.एम.डी. की स्थिति 1:1000 या नगरपालिका द्वारा विनिर्दिष्ट स्केल में दर्शाते हुए वास्तु ड्राइंग;
- (viii) नगरपालिका द्वारा परिभाषित, आरक्षित मूल्य सम्बन्धित नगरपालिका द्वारा यथा परिभाषित समय अवधि, तथा नगरपालिका तथा स्वामी के बीच बंटने वाली अनुमति फीस पोर्टल के माध्यम से ई-नीलामी (विनिर्दिष्ट फार्मेट के अनुसार) के निबन्धनों तथा शर्तों से सहमत होने की वचनबद्धता या पोर्टल के माध्यम से उसकी सम्पत्ति पर विज्ञापन अधिकारों के क्रियान्वयन, लागू अनुज्ञा प्रभारों के भुगतान, विज्ञापन स्थल/आकार के किसी दुरुपयोग/अवैध उपयोग, केवल पंजीकृत संस्था को विज्ञापन की अनुमति देने, नगरपालिका और पंजीकृत संस्था के बीच किसी विवाद से नगरपालिका को हुई क्षतिपूर्ति, भुगतान में चूक के मामले में नगरपालिका के आदेश से बाध्य होने के लिए निबन्धनों तथा शर्तों और किन्हीं अन्य निबन्धनों तथा शर्तों से सहमत होने की वचनबद्धता।
- (ix) इस आशय का वचन-पत्र कि विज्ञापन प्रदर्शित करने के लिए आवेदन किस भी न्यायालय के आदेश के उल्लंघन में नहीं है;
- (x) स्वामी विज्ञापन की किस्म/प्रवर्ग की सूची तथा आवेदन के अनुबन्ध के रूप में आरक्षण विषय-वस्तु (यदि कोई हो), जो स्वामी अपनी सम्पत्ति का प्रदर्शन नहीं करना चाहता, सूचित करेगा।
- (5) सम्बन्धित नगरपालिका प्राप्त आवेदन का मूल्यांकन करेगी तथा सुनिश्चित करेगी:-
- कि आवेदन इन उप-विधियों में कथित पैरामीटरों के अनुपालन में है;
 - कि आवेदन किसी न्यायालय के किसी आदेश के उल्लंघन में नहीं है;
 - कि आवेदन पर किसी हितबद्ध पक्षकार से प्राप्त लिखित प्रतिवेदन, आपत्ति तथा टिप्पणी पर विधिवत रूप से विचार किया गया है;
- (6) नगरपालिका अपने स्वविवेक से तथा लिपिबद्ध किए जाने वाले कारणों से, किसी आवेदन को स्वीकार करने या अस्वीकार करने के लिए अपने अधिकार आरक्षित रखेगी।
- (7) नगरपालिका संवीक्षा पर तथा सम्यक प्रक्रिया का पालन करने के बाद आवेदन की तिथि से तीस दिन के भीतर अनुमोदन के संबंध में अपना निर्णय प्रस्तुत करेगी तथा आरक्षित मूल्य के दस प्रतिशत के समकक्ष ई.एम.डी राशि की भी साथ में मांग करेगी। पोर्टल पर इस अग्रिम जमा धनराशि की प्रस्तुति पर स्थल को तुरन्त नीलामी के लिए प्रस्तुत किया जाएगा। केवल सफल बोली प्रक्रिया के बाद, सफल होने वाली संस्था का चयन तथा सफल होने वाली संस्था को निर्णित अवधि के लिए विज्ञापन अधिकारों का अन्तरण करने के बाद, आवेदन को अग्रिम जमा धनराशि वापस की जाएगी। यदि सफल बोली के बाद, स्वामी द्वारा उनके आरक्षण के कारण सफल संस्था को अधिकार अन्तरित नहीं किए जाते हैं, तो ई.एम.डी राशि को जब्त कर लिया जाएगा तथा वापस नहीं की जाएगी।
- (8) ऐसे मामले में जहां स्वामी सरकार द्वारा समय-समय पर निर्दिष्ट/अनुज्ञा प्रभार के भुगतान पर अपनी संपत्ति पर विज्ञापन की मांग कर रहा है, नगरपालिका/संवीक्षा पर तथा सम्यक प्रक्रिया का पालन करने के बाद, आवेदन की तिथि से तीस दिनों के भीतर अपने अनुमोदन के निर्णय को सूचित करेगी और साथ ही स्वामी को आशय पत्र जारी करेगी। स्वामी को तीस दिन के भीतर आशय पत्र की अनुपालना सभी फीस/प्रभार, अन्य दस्तावेज/मांगी गई जानकारी को जमा करके करनी होगी, जिसमें विफल रहने पर आशय पत्र को वापस लिया जाने के साथ आवेदन के लिए संवीक्षा फीस जब्त मानी जाएगी और स्वामी को नया आवेदन करने की आवश्यकता होगी। अनुपालन के बाद, नगरपालिका एक अनुमोदन पत्र जारी करेगी। अस्वीकृति के मामले में, स्वामी को अस्वीकृति पत्र जारी किया जाएगा। अनुमोदन और अस्वीकृति पत्र के लिए फार्मेट **अनुबंध 4** के अनुसार होगा।
- (9) नगरपालिका निजी संपत्ति के स्वामी को अपनी संपत्ति पर विज्ञापन अधिकारी निम्नलिखित के अधीन प्रदान करेगी:
- स्वामी लागू अनुज्ञा प्रभार जमा करेगा;
 - स्वामी केवल पंजीकृत संस्था को ही उसकी अनुमत साइट पर विज्ञापन प्रदर्शित करने की अनुमति देगा;
 - स्वामी नगरपालिका द्वारा दिए गए तरीके के अनुसार बड़ी हुई अनुमति शुल्क का भुगतान करने के लिए उत्तरदायी होगा;
 - स्वामी को इन उप-विधियों के अधीन किसी निबन्धन तथा शर्तों के अनुसार किसी विज्ञापन स्थल/आकार के किसी भी दुरुपयोग/अवैध उपयोग भुगतान या किसी अन्य शास्ति की किसी चूक के लिए उत्तरदायी उद्गृहित ठहराया जाएगा और भू-राजस्व को बकाया के रूप में वसूल किया जाएगा;
 - स्वामी विज्ञापन प्रदर्शित करने के प्रयोजन के लिए पंजीकृत संस्था द्वारा साइट के उपयोग के लिए पंजीकृत संस्था के साथ समझौता करेगा;
 - स्वामी और पंजीकृत संस्था के बीच विवाद के कारण होने वाली किसी भी देयता से नगरपालिका को क्षतिपूर्ति करते हुए स्वामी क्षतिपूर्ति बांड प्रस्तुत करेगा।
- (10) यदि नगरपालिका, एक ही समय अवधि में ओ.एम.डी के समान वर्गीकरण के अधीन विभिन्न स्वामियों से उनकी सम्पत्तियों की सूचीबद्ध करने हेतु बहुविध आवेदन प्राप्त करती है, जहां सभी आवेदनों को उप-विधियों में कथित पैरामीटरों के कारण सूचीबद्ध नहीं किया जा सकता है, तो उच्चतम मूल्य पर नीलामी की गई सम्पत्ति, नगरपालिका द्वारा चयनित की जाएगी तथा अन्य सम्पत्तियां, जो चयनित सम्पत्ति के उल्लंघन में होंगी, अस्वीकृत कर दिये जाएंगी तथा पोर्टल से हटा दी जाएंगी।
- (11) ऐसे मामले में, जहां नगरपालिका को एक ही समय अवधि में ओ.एम.डी की समान वर्गीकरण के अधीन विभिन्न

स्वामियों से उनकी संपत्तियों पर विज्ञापन अधिकार प्राप्त करने के लिए बहुविध आवेदन प्राप्त होते हैं, जहां उप-विधियों में कथित मापदंडों के कारण सभी आवेदन सूचीबद्ध नहीं किए जा सकते हैं, तो नगरपालिका "पहले आओ पहले पाओ" के आधार पर अनुमति प्रदान करेगी और अन्य आवेदन, जो चयनित संपत्ति के उल्लंघन में होंगे, अस्वीकृत कर दिये जाएंगे।

ई-नीलामी के लिए नगरपालिका की संपत्तियों की पहचान करना।

11 (1) नगरपालिका, समय-समय पर, अनुसूची I के अनुसार अनुज्ञेय ओएमडी अनुमत करने के लिए अपनी अधिकारिता के भीतर स्थानों तथा संपत्तियों की पहचान करेगी तथा ऑनलाइन पोर्टल पर उपलब्ध ऑनलाइन शहर के नक्शे पर सभी ऐसी ओएमडी का पता लगाएगी/आवंटित करेगी, जिसके द्वारा उन्हें समय पर नीलाम किया जाएगा।

(2) नगरपालिका संपत्तियों में किसी प्रकार की सड़कों का आर.ओ.डब्ल्यू (जिसमें प्राधिकरण, बोर्ड, निगम, विभाग या किसी सरकारी संस्था के स्वामित्वाधीन सड़कें भी शामिल हैं) तथा इन उपविधियों में यथा परिभाषित सार्वजनिक स्थल शामिल होंगे।

(3) नगरपालिका, पोर्टल पर किसी सार्वजनिक स्थान या सार्वजनिक उपयोगिता (हरित स्थान, पार्क, जल निकास इत्यादि) की पहचान करेगी तथा सूचीबद्ध करेगी, जिसे ओएमडी की अभिस्वीकृति के बदले में अनुरक्षित किया जा सकता है, जहां कम्पनियां, कम्पनी अधिनियम, 2013 (2013 का केन्द्रीय अधिनियम 13) के अधीन अपनी कारपोरेट सामाजिक जिम्मेवारी निधि का प्रयोग कर सकती है। जैसा कि ओ.एम.डी की अभिस्वीकृति में वित्तीय संव्यवहार शामिल नहीं है तथा इसका कार्यक्षेत्र सार्वजनिक स्थल/उपयोगिता के अनुरक्षण तक सीमित है, इसलिए, इसे केवल किसी करार के आधार पर हितबद्ध संस्था को आवंटित किया जाएगा तथा इसे नीलामी प्रक्रिया में शामिल नहीं किया जाएगा।

ई-नीलामी के लिए अपनी संपत्तियों को रखने के लिए अन्य सरकारी संस्थाओं के लिए आवेदन (जिसमें किसी सरकार संस्था, पी.पी.पी परियोजना के अधीन परिलक्षित ओएमडी शामिल हैं)।

12 (1) यदि अन्य सरकारी विभाग/ प्राधिकरण/ बोर्ड/ निगम इत्यादि (जिसे, इसमें, इसके बाद "राज्य सरकारी संस्था" के रूप में निर्दिष्ट किया गया है) निर्माण परिचालन अन्तरण (बी.ओ.टी)/ डिजाइन निर्माण वित्त परिचालन अन्तरण (डी.बी.एफ.ओ.टी)/लोक प्राईवेट भागीदारी (पी.पी.पी) पद्धति पर किसी सार्वजनिक अवसंरचना परियोजना के अधीन अपनी संपत्तियों या किसी परिलक्षित ओएमडी स्थल पर तृतीय पक्षकार विज्ञापन प्रदर्शित करना चाहता है, तो वह सम्बन्धित नगरपालिका को अनुबंध 7 में यथा विनिर्दिष्ट आवेदन प्रस्तुत करके पोर्टल पर अपनी संपत्तियों को सूचीबद्ध करेगा।

(2) ऐसे स्थलों से संगृहीत अनुज्ञा प्रभार, सम्बन्धित नगरपालिका और राज्य की सरकारी संस्था के बीच में क्रमशः 40:60 के अनुपात में बांटी जाएगी। राज्य सरकार संस्था, निर्बाध कार्यान्वयन सुनिश्चित करने के लिए यथा आवश्यक किसी समन्वय हेतु तथा पोर्टल पर आवेदन करते हुए नोडल अधिकारी नियुक्त करेगी।

(3) नोडल अधिकारी, ऑनलाइन विज्ञापन पोर्टल पर अपनी संपत्ति (संपत्तियों) को सूचीबद्ध करवाने के लिए दस्तावेजों के निम्नलिखित सूची सहित ऐसे ओएमडी स्थलों के लिए आवेदन प्रस्तुत करेगा जिसमें किसी भवन संचालन अन्तरण (बी.ओ.टी)/ डिजाइन भवन वित्त संचालन अन्तरण (डी.बी.एफ.ओ.टी)/सार्वजनिक निजी भागीदारी (पी.पी.पी.) परियोजना जैसे कि स्ट्रीट लाईट, सार्वजनिक शौचालय, वृक्ष रक्षक, स्ट्रीट फर्नीचर, जल वितरक, सार्वजनिक परिवहन परियोजना, सार्वजनिक अवसंरचना परियोजना, सार्वजनिक सूचना कियोस्क इत्यादि, के अधीन परिलक्षित ओ.एम.डी स्थल शामिल है, अर्थात्:-

- (i) संपत्ति के स्वामित्व का सबूत।
- (ii) ओ.एम.डी की प्रस्तावित अवस्थिति (जी.पी.एस निर्देशक समन्वित) तथा किसी अन्य संरचना, भवन या प्रस्तावित ओ.एम.डी से पच्चीस सौ मीटर के घेरे के भीतर स्थित ओ.एम.डी के सम्बन्ध में दूरी बताते हुए, अवस्थिति योजना दर्शाते हुए रंगीन ड्राईंग;
- (iii) ओ.एम.डी तथा अवस्थितियों का परिमाण दर्शाने वाली सम्पूर्ण विशिष्टियां;
- (iv) अत्यधिक हवा स्थिति, भूकम्प, मृदा सहन क्षमता को सहन करने के योग्य बनाने वाले इसके आधारों के सुरक्षा पहलू को प्रमाणित करते हुए किसी संरचनात्मक इंजीनियर द्वारा विधिवत हस्ताक्षरित ओ.एम.डी के डिजाइन तथा संरचनात्मक ब्योरे तथा समय-समय पर बनाए गए सम्बन्धित भारतीय संरचनात्मक डिजाइन मानकों, पॉलिरी तथा मार्गदर्शनों की अनुपालन की जायेगी। संरचनात्मक ब्योरों में किसी अन्य विधि के अनुपालन के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाइन परिकलन के सभी घटकों का आकार शामिल होगा, जिसमें उस सीमा तक कि ऐसी विधि लागू है किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है जिसमें भारतीय सड़क कांग्रेस (आई.आर.सी), भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का केन्द्रीय अधिनियम 29) शामिल है; (केवल यदि ओ एम डी संरचना पहले ही अस्तित्व में है या अन्य अवार्डिड पंजीकृत संस्था ओ.एम.डी संरचना निर्मित करता है तथा समय अवधि की समाप्ति पर हटा लेता है);
- (v) यदि कोई प्रस्तावित ओ.एम.डी. किसी भवन के अग्रभाग से सलग्न की जाती है, तथा प्रदर्शित की जानी है, तो 1:1000 के स्केल या नगरपालिका द्वारा यथा विनिर्दिष्ट स्केल में भवन के एलीवेशन तथा मापन और प्रस्तावित ओ.एम.डी. के विस्तृत मापन तथा स्थिति और भवन में वर्तमान प्रत्येक ओ.एम.डी. के स्थिति दर्शाते हुए वास्तु ड्राईंग;
- (vi) ई-नीलामी (विनिर्दिष्ट फारमेट के अनुसार) अर्थात् नगरपालिका द्वारा निश्चित पोर्टल, आरक्षित मूल्य, समय अवधि, तथा सम्बन्धित नगरपालिका राज्य सरकारी संस्था के बीच क्रमशः 40:60 के अनुपात में बांटी गई अनुमति फीस के निबन्धनों तथा शर्तों की सहमति के लिए वचनबद्धता;
- (vii) इस आशय का वचन-पत्र कि विज्ञापन प्रदर्शित करने के लिए आवेदन किस भी न्यायालय के आदेश के उल्लंघन में नहीं है;

(4) सम्बन्धित नगरपालिका प्राप्त आवेदन का मूल्यांकन करेगा तथा सुनिश्चित करेगी;

- (i) कि आवेदन इन उप-विधियों में कथित पैरामीटरों के अनुपालन में है;
- (ii) कि आवेदन किसी न्यायालय के किसी आदेश के उल्लंघन में नहीं है;
- (iii) कि आवेदन पर किसी हितबद्ध पक्षकार से प्राप्त लिखित प्रतिवेदन, आपत्ति तथा टिप्पणी पर विधिवत विचार किया गया है।

(5) नगरपालिका अपने स्वविवेक से तथा लिपिबद्ध किये जाने वाले कारणों से, किसी आवेदन को स्वीकार करने या अस्वीकार करने के लिए अपने अधिकार आरक्षित रखेगी।

(6) नगरपालिका संवीक्षा पर तथा सम्यक् का पालन करने के बाद आवेदन की तिथि से तीस दिन के भीतर अनुमोदन पर अपना निर्णय सूचित करेगी तथा तदनुसार अगले तीन दिनों में नगरपालिका नीलामी करने के लिए ऑनलाइन पोर्टल पर संपत्ति सूचीबद्ध करेगी।

(7) यदि, नगरपालिका इसी समय अवधि के दौरान समरूप वर्गीकरण की ओ.एम.डी का प्रदर्शन करने के लिए विभिन्न राज्य एजेंसियों की संपत्ति को सूचीबद्ध करने हेतु उनसे बहुविध आवेदन प्राप्त करती है तथा सभी आवेदनों को उपविधियों में कथित पैरामीटरों के कारण सूचीबद्ध नहीं किया जा सकता, तो उच्चतर मूल्य पर नीलामी वाली संपत्ति को

नगरपालिका द्वारा चयनित किया जाएगा तथा अन्य सम्पत्ति, जो चयनित सम्पत्ति के उल्लंघन में होगी, अस्वीकृत कर दी जाएगी तथा पोर्टल से हटा दी जाएगी।

ई-नीलामी की सम्पत्तियों के सामान्य शर्तों के लिए

13 (1) अनुमोदित सूचीबद्ध ओएमडी स्थल वैध रजिस्ट्रेशन सहित केवल पंजीकृत संस्था को नीलाम की जाएगी। अवारिडिड पंजीकृत संस्था के पास सम्पूर्ण विज्ञापन अवधि के लिए वैध पंजीकरण होगा। सभी पंजीकृत संस्था केवल समाप्ति तिथि से पहले न्यूनतम छह मास की वैधता के भीतर नीलामी में भाग ले सकती है।

(2) सभी ऐसी सूचीबद्ध सम्पत्तियां या ऐसी नीलाम की गई सम्पत्तियां ऑनलाइन विज्ञापन पोर्टल पर प्रबन्धित/मानीटर की जाएंगी। सम्पत्तियों का रख-रखाव करना सम्पत्ति के सम्बन्धित स्वामी की जिम्मेवारी होगी, जहां स्थल अभी तक नीलाम नहीं किया गया है तथा जहां स्थल नीलाम किए गए हैं, वहां अनुरक्षण की जिम्मेवारी अवारिडिड पंजीकृत संस्था की होगी।

(3) प्रत्येक ओ.एम.डी नीलामी की तिथियां, सभी पंजीकृत संस्थाओं को प्रत्येक नीलामी में उनकी सक्रिय भागीदारी के लिए नियमित रूप से इलैक्ट्रॉनिकस रूप से परिचालित की जाएंगी।

(4) इसके लिए न्यूनतम आरक्षित कीमत, समय-समय पर सरकार द्वारा जारी किए गए दिशा निर्देशों के अनुसार नगरपालिका द्वारा विनिर्दिष्ट किया जाएगा।

(5) विज्ञापनों के प्रदर्शन की अवधि **उप-विधि 3 (4)** के अनुसार होगी और संविदा करार के निबन्धनों और शर्तों की चूक होने की स्थिति में सात दिन का नोटिस देने के बाद किसी भी समय समाप्त की जा सकती है।

(6) नगरपालिका को राज्य सरकार के सामाजिक संदेश या नीतियों, स्कीमों या प्रोग्रामों को उन्नत करने के लिए राज्य सरकार या किसी वैधानिक प्राधिकरण, बोर्ड, नगरपालिका या राज्य सरकार के स्वामित्वाधीन और नियन्त्रणाधीन अन्य संस्था को होर्डिंग/ विज्ञापनों को प्रदर्शित करना या प्रदर्शित करने की अनुमति देने के सम्पूर्ण तथा निर्बाध अधिकार होगा। अवारिडिड पंजीकृत संस्था, इस खण्ड के अधीन सरकार के सामाजिक/सन्देश के लिए कुल विज्ञापन स्थान के पन्द्रह प्रतिशत आरक्षित करेगी और इन सरकारी विज्ञापनों के लिए नगरपालिका द्वारा कोई भी फीस भुगतानयोग्य नहीं होगी। ऐसे विज्ञापन के अवस्थान अवारिडिड संस्था तथा सरकार के बीच परस्पर सम्मत होगा।

(7) अवारिडिड पंजीकृत संस्था को जब तक सम्पत्ति के स्वामी द्वारा संरचना मुहैया नहीं कराए जाने तक उसको अपनी लागत पर उसकी विशिष्टियों के अनुसार आर्बिट्रि ओ.एम.डी के लिए संरचना निर्मित करनी होगी। अवारिडिड संस्था, ओ.एम.डी की अवधि के लिए संरचना के रख-रखाव के लिए दायी होगी तथा संविदा की अवधि के समापन या अवसान के बाद संरचना को हटाने के लिए भी दायी होगी (यदि संरचना सम्पत्ति के स्वामी द्वारा मुहैया नहीं कराई गई)। ओएमडी संरचना निर्मित करने से पूर्व, पंजीकृत संस्था को अत्यधिक हवा स्थिति, भूकम्प, मृदा सहन क्षमता को सहन करने के योग्य बनाने वाली इसके नीवों के सुरक्षा पहलू को प्रमाणित करते हुए किसी संरचनात्मक इंजीनियर द्वारा हस्ताक्षरित ओ.एम.डी के डिजाइन तथा संरचनात्मक ब्योरे प्रस्तुत करेगी तथा समय-समय पर बनाए गए सम्बन्धित भारतीय संरचनात्मक डिजाइन मानकों, पॉलिस्सी तथा मार्गदर्शनों की अनुपालन की जायेगी। संरचनात्मक ब्योरों में किसी अन्य विधि के अनुपालन के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाइन परिकलन के सभी घटकों का आकार शामिल होगा, जिसमें उस सीमा तक ऐसी विधि लागू है, किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है, जिसमें भारतीय सड़क कांग्रेस (आई.आर.सी), भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का केन्द्रीय अधिनियम 29) भी शामिल है।

(8) अवारिडिड पंजीकृत संस्था के लिए भुगतान अनुसूची, संविदा अवधि के लिए आई.एन.आर./ वर्गमीटर /प्रतिमास के अधिनिर्णीत मूल्य पर त्रैमासिक अग्रिम भुगतान के आधार पर होगी। इसके अतिरिक्त अवारिडिड संस्था, अधिनिर्णीत अवधि के लिए वैध त्रैमासिक राशि के बराबर बैंक गारंटी प्रस्तुत करने के लिए दायी होगा।

(9) यदि अनुसूचित नीलामी के दौरान ओ.एम.डी स्थल के लिए कोई बोली प्राप्त नहीं होती है, तो ई-नीलामी पोर्टल पर दस प्रतिशत तक आरक्षित मूल्य कम किया जाएगा, तथा तीस दिन के बाद कथित स्थल को पुनः नीलाम किया जाएगा। यदि दूसरी बार कोई बोली प्राप्त नहीं होती है, तो आरक्षित मूल्य और दस प्रतिशत तक घटाया जाएगा तथा स्थल तीस दिन के बाद नीलाम किया जाएगा। यह प्रक्रिया स्थल की नीलामी होने तक बार-बार दोहराई जाएगी।

(10) नगरपालिका के माने जाने वाले कारणों के कारण नगरपालिका द्वारा विज्ञापन को हटाने के मामले में त्रैमासिक अग्रिम भुगतान, यथानुपात राशि में अवारिडिड पंजीकृत संस्था को वापस किया जाएगा।

(11) नगरपालिका द्वारा कोई भुगतान वापस नहीं किया जाएगा, यदि पंजीकृत संस्था, अधिनिर्णीत संविदा की वापसी की मांग करती है।

(12) यदि पंजीकृत संस्था द्वारा अपनी अनुमत अवधि के लिए अधिनिर्णीत स्थल पर विज्ञापन संरचना निर्मित की गई है, तो वही इसकी अवधि की समाप्ति पर संरचना भी हटाएगी। यदि, कथित संस्था अवधि के समापन के बाद संरचना नहीं हटाना चाहती तथा कथित संरचना प्रयोग योग्य स्थिति में है, तो विज्ञापन संरचना का सम्बन्धित नगरपालिका द्वारा इसके रद्दीमाल मूल्य की दर पर मूल्यांकन कराया जाएगा। यह मूल्यांकित मूल्य संविदा की समाप्ति की तिथि के बाद तीस दिन के भीतर सम्बन्धित अवारिडिड संस्था के लेखे में अन्तरित किया जाएगा।

अभिकरण के रजिस्ट्रेशन के लिए आवेदन।

14 (1) किसी भी नगरपालिका (नगरपालिकाओं) में ओ.एम.डी के प्रदर्शन के लिए ई-नीलामी पोर्टल पर बोली के लिए विचार करने वाली संस्था, **अनुबन्ध 1** के अनुसार ऑनलाइन प्रक्रिया के माध्यम से ऑनलाइन विज्ञापन पोर्टल पर रजिस्ट्रर करेगा।

(2) सभी पंजीकृत संस्था, राज्य अर्थात् सभी नगरपालिकाओं में ओएमडी ई-नीलामी में भाग लेने के लिए पात्र होंगी। प्रत्येक पंजीकृत संस्था की वैधता रजिस्ट्रेशन की तिथि से पांच वर्ष होगी। रजिस्ट्रेशन का नवीकरण समाप्ति की तिथि से पूर्व पोर्टल पर करवाना होगा, जिसमें असफल होने पर, रजिस्ट्रेशन समाप्त कर दिया जाएगा, तथा संस्था को नए रजिस्ट्रेशन के लिए नए सिरे से आवेदन करना होगा।

(3) पंजीकृत संस्था, मुख्य प्रशासक, हरियाणा शहरी अवसंचरणात्मक विकास बोर्ड को रजिस्ट्रेशन प्रभार जमा करवाएगी।

रजिस्ट्रेशन के लिए प्रक्रिया

15 (1) उप-विधियों के अधीन तृतीय पक्षकार विज्ञापन या ई-नीलामी के लिए आवेदन करने का इरादा करने वाली संस्था ऑनलाइन विज्ञापन पोर्टल पर रजिस्ट्र करेगी। सभी अनुमोदित पंजीकृत संस्था, सभी नगरपालिकाओं में विज्ञापन स्थलों के लिए आवेदन करने हेतु पात्र होंगी। संस्था निम्नलिखित सूचना तथा दस्तावेज प्रस्तुत करेगी, अर्थात्:-

- कम्पनी अधिनियम, 2013 (2013 का केन्द्रीय अधिनियम 18) या समिति दायित्व भागीदारी अधिनियम, 2008, (2009 का केन्द्रीय अधिनियम 6) में रजिस्ट्रेशन के ब्योरों सहित संस्था का नाम;
- कम्पनी का संगम ज्ञापन तथा संगम अनुच्छेद;
- कम्पनी के कारबार की किस्म;
- अन्तिम तीन वर्ष या ऐसी समय अवधि, जिसके दौरान संस्था द्वारा विज्ञापन कारबार किया गया है, जो भी

पहले हो (यदि कोई हो) के विज्ञापन कारबार में संस्था का अनुभव, ब्यौरे;

- (v) संस्था के निदेशक की पहचान संख्या (डी.आई.एन) सहित निदेशकों के नाम;
 - (vi) संस्था के प्रत्येक निदेशक के कार्य अनुभव के ब्यौरे;
 - (vii) किसी भी निदेशक के ब्यौरे, जिसकी तरफ किसी नगरपालिका के किन्ही बकायों के भुगतान देय थे, जब वह किसी अन्य संस्था में निदेशक रहा हो;
 - (viii) संस्था के प्राधिकृत हस्ताक्षरकर्ता के लिए निदेशक बोर्ड (संकल्प पारित करके) द्वारा प्राधिकार-पत्र;
 - (ix) अन्तिम पांच वर्ष में या ऐसी समय अवधि, जिसके दौरान संस्था द्वारा किसी नगरपालिका में विज्ञापन कारबार किया गया है, जो भी पहले हो, में प्राप्त विज्ञापन अधिकारों/अनुमतिया के ब्यौरे;
 - (x) वचन/बद्धता की संस्था, इसके निदेशकों, स्वामियों या प्रोत्साहकों की तरफ किसी नगरपालिका के किन्ही देयों का भुगतान बकाया नहीं है।
टिप्पण: केवल पंजीकृत संस्था को ही सभी नगरपालिकाओं में विज्ञापन स्थलों की नीलामी में भाग लेने के लिए अनुमत किया गया है।
 - (xi) कोई अन्य सूचना या दस्तावेज, जो नगरपालिका को अपेक्षित हो।
- (2) नगरपालिका, किसी संस्था को रजिस्टर से इन्कार करेगी जहां—
- (i) किसी संस्था, इसके किसी निदेशक, स्वामी या प्रोत्साहक को किसी नगरपालिका द्वारा या राज्य सरकार द्वारा या राज्य सरकार के स्वामित्वाधीन तथा नियन्त्रणाधीन किसी संस्था द्वारा विवर्जित किया गया है;
 - (ii) किसी संस्था, इसके निदेशक, स्वामी या प्रोत्साहक की तरफ नगरपालिका के किन्ही देयों के भुगतान बकाया हैं;
 - (iii) किसी संस्था के निदेशक या किसी कम्पनी के निदेशक को किसी नगरपालिका द्वारा या राज्य सरकार द्वारा या राज्य सरकार द्वारा स्वामित्वाधीन तथा नियन्त्रणाधीन किसी संस्था द्वारा विवर्जित किया गया है;
 - (iv) किसी संस्था के प्राधिकृत हस्ताक्षरकर्ता को किसी नगरपालिका के किन्ही देयों के भुगतान के बकाया में किसी कम्पनी के पहले प्राधिकृत हस्ताक्षरकर्ता रहा है।
- (3) सूचना/दस्तावेजों सहित आवेदन की संवीक्षा पर, नगरपालिका सम्पूर्ण आवेदन की प्रस्तुति की तिथि से तीस दिन के भीतर, इस उप-विधि के प्रयोजन के लिए संस्था या कम्पनी को रजिस्टर करेगी तथा अनुबन्ध 2 के अनुसार अन्वय पहचान संख्या तथा रजिस्ट्रेशन पत्र जारी करेगी।
- (4) यदि आवेदन अस्वीकृत किया जाता है, तो रजिस्ट्रेशन फीस संस्था को वापस नहीं की जाएगी, जिसका अनुरोध अस्वीकृत किया गया है।

अन्य विधियों का प्रभाव।

16 (1) उस प्रभाव की किसी बात का यह अर्थ नहीं लगाया जाएगा कि इन उपविधियों के अनुसार प्रदान किए गए किसी अनुमोदन से अभिप्राय है कि,—

- (i) कोई व्यक्ति, तत्समय लागू किसी अन्य विधि के किसी उपबन्ध से छूट प्राप्त है;
- (ii) कोई व्यक्ति, हरियाणा सम्पत्ति विरूपण निवारण अधिनियम, 1989 (1990 का 11) के उपबन्धों, अपेक्षाओं तथा लागूकरण से छूट प्राप्त है;
- (iii) किसी ओ.एम.डी की पंजीकृत संस्था या स्वामी इसकी बाध्यताओं से यह सुनिश्चित करने के लिए छूट प्राप्त है कि ऐसा चिह्न बड़े स्तर पर जनता की सुरक्षा, रक्षा के लिए या जनता की शालीनता तथा नैतिकता के बचाव के लिए किसी लागू अन्य विधि के अनुसार डिजाईन, निर्मित, सम्पन्न, प्रदर्शित तथा अनुरक्षित किया गया है।

अनुमोदनों की वापसी तथा संशोधन।

17 (1) नगरपालिका प्रदान किए गए अनुमोदन को वापस ले सकती है, या ऐसे अनुमोदन के सम्बन्ध में किसी शर्त को संशोधित कर सकती है या कोई अतिरिक्त शर्तें अधिरोपित कर सकती है, यदि नगरपालिका या सामान्य आदेश द्वारा इस प्रकार प्राधिकृत किसी अधिकारी की राय में, ओ.एम.डी, जिसके लिए अनुमोदन प्रदान किया गया है,—

- (i) ऐसे अनुमोदन के समय पर विद्यमान सड़क, किसी लोक उपयोगिता की व्यवस्था, अड़ोस-पड़ोस के पर्यावरण या सुखसाधन की प्रकृति, सड़क दृश्य या शहरी डिजाईन में किसी परिवर्तन के परिणाम के रूप में क्षेत्र, जिसमें वह स्थित है, किसी भी कारण से हानिकारक है, या हो गई है;
- (ii) किसी व्यक्ति या सम्पत्ति के लिए खतरा बनती है या खतरा बन गई है ;
- (iii) किसी आलोचनात्मक तथा सौन्दर्यपरक रूप से किसी महत्वपूर्ण प्राकृतिक विशेषता, वास्तुशिल्पीय विशेषता या नागरिक, वास्तुशिल्पीय, ऐतिहासिक या हैरिटेज महत्व को अस्पष्ट करती है;
- (iv) इन उप-विधियों या तत्समय लागू किसी अन्य विधि के अनुसार निषिद्ध है या हो गई है;
- (v) या तो किसी दुर्घटना या किसी अन्य कारण से पूर्णतया गिर गई है या उसका कोई भाग गिर गया है;
- (vi) नगरपालिका के निर्देशन को छोड़कर उसमें कोई परिवर्तन किया गया है;
- (vii) भवन या संरचना या सम्पत्ति को गिराया जाना या नष्ट किया जाना प्रस्तावित किया गया है;
- (viii) लोक हित, सुरक्षा, सौन्दर्य इत्यादि में नगरपालिका, द्वारा, जो विनिश्चित किया जाए, लेखबद्ध किये जाने वाले कारणों से हटाया जाना अपेक्षित हैं।

(2) कोई निर्णय लेने से पूर्व, नगरपालिका पंजीकृत संस्था या स्वामी को नगरपालिका का आशय उसे सूचित करते हुए नोटिस जारी करेगी तथा पंजीकृत संस्था या स्वामी को नोटिस की तिथि के सात दिन के भीतर नोटिस के उत्तर में लिखित प्रतिवेदन करने का अधिकार होगा।

(3) नगरपालिका द्वारा पूर्णतः या भागतः अनुमोदन की वापसी की दशा में, पंजीकृत संस्था या स्वामी को अपने जोखिम तथा लागत पर ओ.एम.डी को सात दिन के भीतर हटाना होगा या ऐसा परिवर्तन कर सकता है जैसा नगरपालिका द्वारा निर्देशित किया जाए। यदि अनुज्ञा फीस का कोई प्रतिदाय अनुमोदन की वापसी के कारण देय है, तो अनुज्ञा फीस की यथानुपात राशि तीस दिन के भीतर पंजीकृत संस्था या स्वामी को वापस कर दी जाएगी।

(4) नगरपालिका द्वारा, साधारण या नगरपालिका द्वारा विशेष आदेश द्वारा इस प्रकार प्राधिकृत कोई अधिकारी, किसी पंजीकृत संस्था से प्रतिवेदन की प्राप्ति पर अपने निर्णय के लिए लिखित में कारण देगा।

ऑनलाइन विज्ञापन पोर्टल

18 (1) राज्य ओ.एम.डी के प्रदर्शन तथा मॉनीटरिंग के लिए संस्था/स्वामियों को रजिस्टर करने के लिए तथा अनुमोदन प्रदान करने के लिए नगरपालिका हेतु पारदर्शी प्रणाली अपनाएगा।

(2) राज्य, स्वतः विज्ञापन के लिए स्वामी के अनुमोदन द्वारा तथा तृतीय पक्षकार विज्ञापन के लिए नीलामी द्वारा विज्ञापन अधिकार देने हेतु ऑनलाइन विज्ञापन पोर्टल का विकास करेगा। नीलामी या स्वतः-विज्ञापन के प्रयोजन के लिए पोर्टल पर सूचीबद्ध सभी सम्पत्तियों का भौगोलिक सूचना प्रणाली (जी.आई.एस) आधारित शहर नक्शा तैयार करेगा।

(3) सभी ओ.एम.डी अपने भौगोलिक सूचना प्रणाली (जी.पी.एस) समन्वय सहित, सर्वसाधारण की जानकारी के लिए

ऑनलाइन पोर्टल पर चिह्नित की जाएगी।

(4) ऑनलाइन विज्ञापन पोर्टल विशेषता निम्न अनुसार होगी,—

- (i) विज्ञापनों से सम्बन्धित उप-विधियां तथा अधिसूचनाएं पोर्टल पर जानकारी के लिए उपलब्ध कराई जाएंगी;
- (ii) संस्थाओं के ऑनलाइन रजिस्ट्रेशन को समर्थ बनाया जाएगा तथा पंजीकृत संस्था या स्वामी (केवल स्वतः-विज्ञापन के लिए) को एकमात्र पहचान संख्या दी जाएगी, जो नगरपालिका के साथ सभी आगामी पत्राचार के लिए सुरक्षित पासवर्ड होगी;
- (iii) सभी ओ.एम.डी, शहर के भौगोलिक सूचना प्रणाली (जी.आई.एस) नक्शे पर भौगोलिक स्थिति निर्धारण प्रणाली (जी.पी.एस) से जोड़ी जाएगी तथा पोर्टल पर उपलब्ध कराई जाएगी;
- (iv) स्वतः विज्ञापन हेतु बाहरी मीडिया की स्थापना के लिए आवेदन पोर्टल के माध्यम से नगरपालिका को प्रस्तुत किया जाएगा;
- (v) तृतीय पक्षकार विज्ञापन के लिए नीलामी हेतु सम्पत्ति सूचीबद्ध कराने के लिए आवेदन पोर्टल के माध्यम से नगरपालिका को प्रस्तुत किया जाएगा;
- (vi) प्रत्येक ओ.एम.डी स्थल के पास आबंटित अनन्य कोड होगा, जो विज्ञापन के प्रदर्शन तथा किसी अन्य सूचना, जो नगरपालिका की रूप में संहिताबद्ध की जानी अपेक्षित है, के लिए उसके स्वामित्व, अवस्थिति (भौगोलिक स्थिति निर्धारण प्रणाली (जी.पी.एस) समन्वय), मीडिया किस्म, आकार (प्रदर्शन का क्षेत्र), भुगतानयोग्य विज्ञापन/अनुज्ञा फीस, करार की वैधता को बताएगा;
- (vii) सभी ओ.एम.डी का अनुमोदन पंजीकृत संस्था या स्वामी (केवल स्वतः-विज्ञापन के लिए) को इलेक्ट्रॉनिक रूप से ही दिया जाएगा।

ओ.एम.डी के लिए सामान्य आवश्यकताएं।

19 (1) अनुमोदन के बाद, ओ.एम.डी नगरपालिका के पूर्वलिखित अनुमोदन के बिना परिवर्तित, हटाई, पुनर्निमित्त या अपग्रेडिड (विज्ञापन की विषय-वस्तु के सम्बन्ध के सिवाए) नहीं की जाएगी।

(2) किसी ओ.एम.डी के संचालन के लिए प्रत्येक विद्युत केबल तथा विद्युत कंडक्टर से युक्त कॉनडिट इस प्रकार रखा तथा संलग्न किया जाएगा कि यह जनसाधारण को सौन्दर्यपरक रूप से देखने में अप्रिय नहीं हो।

(3) कोई भी ओ.एम.डी पंजीकृत संस्था के नाम से सम्बन्धित अनुज्ञापित धारक विद्युत वितरण कम्पनी की पूर्व लिखित अनुमति के बिना किसी विद्युत आपूर्ति के लिए उप-मीटर से नहीं जोड़ी जाएगी तथा ऐसी अनुमति अनुज्ञापित धारक विद्युत वितरण कम्पनी के प्राधिकृत कर्मचारी द्वारा अनुरोध करने पर सम्बन्धित ओ.एम.डी के पंजीकृत संस्था द्वारा उनको प्रस्तुत की जाएगी।

(4) सभी ओ.एम.डी में विद्युत कनेक्शन तथा घटक सम्बन्धित भारतीय मानक ब्यूरो (बी.आई.एस.) भारतीय विद्युत नियमों के अनुसार होंगे तथा यह सुनिश्चित करने के लिए इस प्रकार डिजाइन की जाएगी, वहां व्यक्तिगत या लोक सुरक्षा या मोटर या गैर-मोटर यातायात के संचलन में कोई जोखिम न हो।

(5) जेनरेटर, जो पेट्रोलियम ईंधन या किसी बायो-ईंधन से चलाए जा रहे हैं या शोर, वायु या जल प्रदूषण करते हैं, किसी ओ.एम.डी के प्रकाश के लिए विद्युत उपलब्ध करवाने हेतु अनुज्ञात नहीं किए जाएंगे। तथापि, अभिकरण सौर फोटोवोल्टेक पट्टी लगाते हुए अपनी अधिकारिता के अधीन ओ.एम.डी प्रदीप्त कर सकती है।

(6) ओ.एम.डी का पंजीकृत संस्था या स्वामी (केवल स्वतः-विज्ञापन के लिए) सुनिश्चित करेगी कि मीडिया सहित प्रदर्शन के लिए किसी प्रकार की सामग्री का निपटारा, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का केन्द्रीय अधिनियम 29) या उसके अधीन बनाए गए नियमों तथा लागू किसी अन्य विधियों/नियमों/उप-विधियों के अनुसार किया जाएगा।

20 ओ.एम.डी अनुबन्ध 5 के अनुसार तथा अनुसूची 1 में विनिर्दिष्ट विशिष्टताओं तथा शर्तों सहित वर्गीकृत की जाएगी।

बाहरी मीडिया यन्त्र (ओ.एम.डी) का फार्मेट।

निरिक्षण।

21 नगरपालिका या साधारण या विशेष आदेशों द्वारा प्राधिकृत किसी अधिकारी को किसी भी समय किसी ओ.एम.डी का निरीक्षण पंजीकृत संस्था या सूचीबद्ध स्वामी को सूचना देकर करने की शक्ति होगी।

ओ.एम.डी का रखरखाव और अप्राधिकृत बाहरी विज्ञापन को हटाना।

22 (1) इन उप-विधियों के उपबन्धों के अधधीन,—

- (i) पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) यन्त्र तथा आस-पड़ोस के क्षेत्र के अनुरक्षण के लिये जिम्मेवार होगा ताकि यह ऐसे स्तर तक घृणित न बने या विकृत न हो जो इन उप-विधियों के किसी उपबन्ध के विरोध में हो;
- (ii) पंजीकृत संस्थाया सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) की स्वयं की सन्तुष्टि के दृष्टिगत ओ.एम.डी का निरीक्षण तीन मास में कम से कम एक बार करेगा कि यह उचित रूप से अनुरक्षित किया गया है तथा ऐसे निरीक्षण पर परिणामिक कोई आवश्यक अनुरक्षण तुरन्त करेगा; तथा
- (iii) पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) की गई किसी जाँच, किए गए अनुरक्षण का लिखित रिकार्ड रखेगा तथा उसका रिकार्ड सुरक्षित रखेगा तथा नगरपालिका के किसी प्राधिकृत अधिकारी द्वारा मांग करने पर परिशीलन (पढने) के लिए उसे उपलब्ध कराएगा।

(2) पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) सुनिश्चित करेगा कि नगरपालिका द्वारा यथा अपेक्षित नगरपालिका के अनुमोदन के ब्योरे तथा ओ.एम.डी के ब्योरे मुहैया कराने के लिए नगरपालिका के उत्कीर्ण लोगो सहित एक धातु प्लेट (कम से कम एक फुट X एक फुट के आकार की) सभी समयों पर अच्छी स्थिति में प्रदर्शित तथा अनुरक्षित की जायेगी। ऐसा करने में असफल होने के परिणाम पर ऐसा असफलता अनुपालना प्रभार देय होगा जो नगरपालिका विनिर्दिष्ट करे।

(3) यदि, नगरपालिका की राय में कोई ओ.एम.डी खतरनाक या असुरक्षित है या मरम्मत न होने की स्थिति में गिरने की सम्भावना है या इन उप-विधियों की किसी अपेक्षा के प्रतिकूल है, तो नगरपालिका, पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) को विनिर्दिष्ट अवधि के भीतर ओ.एम.डी को हटाने/ रख-रखाव करने के लिए नोटिस की तामील करेगी तथा पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) के लिए उसका अनुपालन करना या उचित कार्यवाही करना अपेक्षित होगा।

(4) यदि नगरपालिका की राय है कि ओ.एम.डी किसी व्यक्ति या सम्पत्ति के लिये सन्निकट खतरा संधरित करती है, तो नोटिस की तामील किये बिना या यदि ऐसा नोटिस तामील किया गया है किन्तु उसमें विनिर्दिष्ट अवधि के भीतर अनुपालन नहीं किया गया है, ओ.एम.डी को हटाएगा/अनुरक्षित करेगा।

(5) किसी ओ.एम.डी को हटाने तथा संचयन के लिये उपगत लागत, तथा उप-विधि 22(4) में यथा अपेक्षित नगरपालिका द्वारा उपगत कोई अन्य लागत पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) से वसूल करेगा। नगरपालिका द्वारा ओ.एम.डी पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) के जोखिम पर

हटाई जाएगी।

(6) यदि कोई ओ.एम.डी उप-विधि 22(4) के निबन्धों के अनुसार हटाई गई है, तो नगरपालिका ओ.एम.डी को इस प्रकार हटाए जाने के बारे में पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) को शीघ्रता से सूचित करेगा।

(7) कोई ओ.एम.डी जो इन उप-विधियों के निबन्धनों के अनुसार हटाई गई है या संचित की गई है, ऐसी प्रभार, जो नगरपालिका विनिर्दिष्ट करें, के भुगतान के अध्यक्षीन उसे उसके पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) को निर्मुक्त करेगा।

(8) प्राधिकृत ओ.एम.डी की सम्पूर्ण सूची, व्यापक तौर पर जनसाधारण तथा विभिन्न अभिकरणों जैसे कि कम्पनियों, अभिकरणों द्वारा संवीक्षा के लिए स्वामित्व के प्रदर्शन के बिना प्रदर्शित की जाएगी, ब्रांडों की पहचान तथा सुनिश्चित करने हेतु कि उन द्वारा जारी किए जा रहे विज्ञापन केवल प्राधिकृत ओ.एम.डी पर लगाए जा रहे हैं। उपरोक्त अपेक्षा के अनुपालन में असफलता हरियाणा सम्पत्ति विरूपण निवारण अधिनियम, 1989 (1990 का 11) के अधीन दण्डनीय होगी तथा अप्राधिकृत ओ.एम.डी को हटाने की कार्रवाई करने तथा व्यक्ति/स्वामी को दण्डित करेगी।

(9) कोई अप्राधिकृत बाहरी विज्ञापन, नगरपालिका द्वारा शीघ्रता से हटाया जाएगा तथा उसका जैसा है जहां है के आधार पर तुरन्त निपटान किया जाएगा।

(10) नगरपालिका, हरियाणा सम्पत्ति विरूपण अधिनियम, 1989 (1990 का 11) के उपबन्धों के अनुसार अप्राधिकृत ओ.एम.डी स्थापित करने के लिए संबंधित व्यक्ति/स्वामी को नोटिस जारी करेगी तथा अप्राधिकृत ओ.एम.डी को हटाने के लिए तथा व्यक्ति/स्वामी को दण्डित करने के लिए कार्रवाई करेगी।

प्रलेखन।

23 पंजीकृत संस्था तथा सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) की सम्पत्ति जिस पर ओ.एम.डी निर्मित, संलग्न या प्रदर्शित की गई है, इन उप-विधियों के निबन्धनों के अनुसार ऐसे साधन के अनुमोदन के लिए आवेदन से सम्बन्धित सभी प्रलेखन की प्रमाणित प्रतियां जब तक रखेगा तब तक वह साधन निर्मित या प्रदर्शित नहीं किया जाता है, तथा किसी प्राधिकृत अधिकारी द्वारा मांग करने पर ऐसे प्रलेखन प्रस्तुत किए जाएंगे।

इच्छुक पक्षकार के अभ्यावेदन पर विचार।

24 (1) यदि किसी भी इच्छुक पार्टी से किसी आवेदन के संबंध में कोई लिखित टिप्पणी, प्रतिवेदन या आक्षेप प्राप्त हुई है, तो नगरपालिका आवेदन पर निर्णय लेने से पहले ऐसी टिप्पणियों, प्रतिवेदन या आक्षेपों पर विचार करेगी।

(2) पंजीकृत संस्था तथा सूचीबद्ध स्वामी ओ.एम.डी पर कोई टिप्पणी, प्रतिवेदन या आक्षेप प्राप्त करने के चौदह दिनों के भीतर, विचारण के लिए नगरपालिका को लिखित उत्तर प्रस्तुत करेगा।

(3) यदि कोई उत्तर चौदह दिन की अवधि के भीतर प्राप्त नहीं होता है, तो नगरपालिका टिप्पणियों, प्रतिवेदनों या आक्षेपों पर निर्णय टिप्पणी, प्रतिवेदनों या आक्षेपों की प्राप्ति के इक्कीस दिनों के भीतर करेगी।

नोटिस की तामील।

25 (1) कोई नोटिस जो इन उप-विधियों के निबन्धनों के अनुसार या प्रयोजनों के लिए तामील, परिदन्त या दिया जाना अपेक्षित है या दिया जा सकता है, तो निम्नलिखित रीति में से किसी एक में तामील किया जाएगा;—

(i) सम्बन्धित व्यक्ति/पंजीकृत संस्था के अन्तिम ज्ञात पते पर पंजीकृत डाक द्वारा या डाक प्रमाण-पत्र के अधीन नोटिस की प्रति भेजते हुए तथा जब तक प्रतिकूल साबित न किया गया हो, यह समझा गया है कि तामील सातवें दिन के आगामी दिन को हो गई है, जिसको दस्तावेज भेजे गए थे;

(ii) व्यक्ति को नोटिस की प्रति फ़ैक्स करते हुए, यदि व्यक्ति ने नगरपालिका को फ़ैक्स नम्बर लिखित में दिए हैं;

(iii) रजिस्टर्ड ई-मेल आई डी पर ई-मेल द्वारा नोटिस अग्रेषण करते हुए; तथा

(iv) रजिस्टर्ड अभिकरण के स्वामी या उसके किसी प्राधिकृत प्रतिनिधि को नोटिस की प्रति दस्ती देते हुए।

अपील।

26 कोई व्यक्ति, जिसके अधिकार इन उप-विधियों के निबन्धनों के अनुसार या के प्रयोजनों के लिये नगरपालिका या उस द्वारा प्राधिकृत किसी अधिकारी के निर्णय द्वारा प्रभावित हुए हैं, तो वह उस निर्णय के विरुद्ध अपील निगम के मामले में मण्डल आयुक्त तथा परिषद्/समिति के मामले में उपायुक्त को कर सकता है।

दंड।

27 (1) इन उपविधियों के अधीन किए गए अपराध, संबंधित अधिनियम के उपबंधों के अधीन, जैसी भी स्थिति हो, दण्डनीय होगा।

(2) जो कोई भी इन उप-विधियों के किसी उपबंध का उल्लंघन करता है, तो वह किसी अन्य कार्यवाही पर प्रतिकूल प्रभाव डाले बिना कि नगरपालिका द्वारा ऐसी उल्लंघन को हटाने के लिए की जा सकती है तथा ऐसे उल्लंघन की अवधि या त्रैमासिक, जो भी अधिक हो, ऐसे उल्लंघन के प्रारम्भ की तिथि से लागू अनुज्ञा फीस के तीन गुणा की समकक्ष दर पर ऐसे उल्लंघन के लिए अनधिकृत प्रभार का भुगतान करने हेतु दायी होगा।

(3) किसी पंजीकृत संस्था या सम्पत्ति का स्वामी द्वारा अप्राधिकृत मीडिया प्रदर्शित करने की दशा में, या सम्पत्ति का स्वामी, जिस पर अप्राधिकृत मीडिया प्रदर्शित किया गया है, तथा अभिकरण या सम्पत्ति का स्वामी उपविधि 27(1) में यथा विनिर्दिष्ट ऐसे उल्लंघन के लिए प्रभार के भुगतान के लिए संयुक्त रूप से तथा अलग-अलग रूप से दायी होंगे।

(4) किसी पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) जो अप्राधिकृत मीडिया प्रदर्शित करता है नगरपालिका द्वारा अपंजीकृत या असूचीबद्ध किए जाने के लिए भी दायी होगा:

परन्तु अपंजीकृत या असूचीबद्ध करने के लिए कोई कार्रवाई नगरपालिका या नगरपालिका द्वारा निमित्त किसी प्राधिकृत अधिकारी द्वारा, पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) को केवल सूनवाई का अवसर देने के बाद की जाएगी:

परन्तु यह और कि यदि पंजीकृत संस्था ऐसे उल्लंघन के लिए शुल्क का भुगतान करती है, ऐसे उल्लंघन की सूचना की तिथि से पांच दिन की अवधि के भीतर अप्राधिकृत मीडिया हटा लेता है और भविष्य में उप-विधियों के उपबंधों का अनुपालन करने का वचन देती है, तो नगरपालिका सद्भावपूर्वक, पंजीकृत संस्था को अवसर प्रदान कर सकती है:

परन्तु यह और कि उपरोक्त अवसर केवल एक उल्लंघन के लिया दिया जाएगा तथा तीन वर्ष की अवधि के भीतर किसी पश्चात्तर्वती उल्लंघन के लिए नहीं दिया जाएगा।

(5) यदि किसी संस्था का स्वामी, प्रोत्साहक या निदेशक, जिसे अपंजीकृत किया गया है, किसी अन्य पंजीकृत संस्था का स्वामी, प्रोत्साहक या निदेशक है, तो ऐसे अन्य पंजीकृत संस्था के विरुद्ध भी विपंजीकरण की कार्रवाई की जाएगी:

परन्तु विपंजीकरण के लिए कोई कार्रवाई नगरपालिका या नगरपालिका द्वारा इस निमित्त किसी प्राधिकृत अधिकारी द्वारा पंजीकृत संस्था को केवल सूनवाई का अवसर देने के बाद की जाएगी।

(6) उपरोक्त उपविधि 27(3) या (4) के अधीन पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) के विपंजीकरण के निर्णय के परिणामिक ऐसा पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) की किसी ओ.एम.डी के लिए नगरपालिका द्वारा दिया गया कोई अनुमोदन किसी ओर नोटिस के बिना तुरन्त वापस लिया गया समझा जाएगा।

(7) किसी पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः विज्ञापन हेतु) उपरोक्त **उपविधि 27(3) या (4)** के अधीन एक बार अपंजीकृत को या असूचीबद्ध किया जाता है, तो विपंजीकरण की तिथि से तीन वर्ष की अवधि के लिए रजिस्टर या सूचीबद्ध करने के लिए अनुमत नहीं किया जाएगा।

(8) **पन्द्रह दिन** से आगे उल्लंघन जारी रहने के मामले में, सम्पत्ति, जिस पर ऐसा उल्लंघन होता है, एक वर्ष की अवधि कि एक विज्ञापन के प्रदर्शन के लिए बहिष्कृत कर दी जाएगी।

(9) नगरपालिका द्वारा प्राधिकृत अधिकारी को सम्पत्ति, जिस पर या में अप्राधिकृत मीडिया प्रदर्शित किया गया है, में प्रवेश करने तथा ऐसे अप्राधिकृत मीडिया को हटाने की शक्ति होगी।

बीमा।

28 (1) ओ.एम.डी के पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) व्यक्तियों की आकस्मिक मृत्यु, शारीरिक हानि या सम्पत्ति के आकस्मिक नुकसान के सम्बन्ध में तृतीय पक्षकार के लिए उनके सम्बन्धित अधिकारों, हितों तथा दायित्वों के लिए लोक दायित्व बीमा पालिसी पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) के संयुक्त नाम से मुहैया कराएगा तथा पूर्णयता प्रवृत्त तथा प्रभावशाली रखेगा।

(2) पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) नगरपालिका को बीमा लोक दायित्व बीमा पालिसी के सबूत प्रस्तुत करेगा।

क्षतिपूर्ति।

29 (1) पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) सभी कार्रवाई, कार्यवाहियों, दावों, मांगों, लागतों, हानियों, नुकसानों तथा खर्चों, जो नगरपालिका के विरुद्ध लाये गये हैं, या पर किए गये हैं, जो ओ.एम.डी को लगाने या अस्तित्व के परिणाम के रूप में उत्पन्न हुये हैं, के लिए नगरपालिका को क्षतिपूर्ति करनी अपेक्षित होगी।

(2) पंजीकृत संस्था या सूचीबद्ध स्वामी (केवल स्वतः-विज्ञापन के लिए) विज्ञापन के प्रदर्शन से उत्पन्न या सम्बन्धित किसी व्यक्ति या सम्पत्ति द्वारा की गई किसी हानि या वहन किए गये नुकसान के लिए हमेशा जिम्मेवार होगा तथा परिणामी दावा स्वामी द्वारा उठाया जायेगा, जो नगरपालिका द्वारा नियोजित/नियुक्त उसके कर्मचारियों या किसी अभिकरण की क्षतिपूर्ति भी करेगी तथा सुरक्षित भी रखेगी।

निरसन और व्यावृत्ति।

30 (1) हरियाणा नगर निगम विज्ञापन उपविधियों, 2018 तथा हरियाणा नगरपालिका उप-विधियां, 2019 इसके द्वारा, निरसित की जाती हैं।

(2) ऐसे निरसन के होते हुए भी, उक्त उपविधियों के अधीन की गई कोई बात या की गई कोई कार्रवाई, इन उप-विधियों के अधीन की गई बात या की गई कार्रवाई समझी जाएंगी और इस प्रकार निरस्त की गई उपविधियों के अधीन पहले से दी गई अनुमतियां संविदा अनुबंध अवधि की समाप्ति तक जारी रहेंगी।

अनुबन्ध 1
पंजीकरण प्ररूप
{देखिए उप-विधि 14}

नगरपालिका.....

बाहरी विज्ञापन के प्रदर्शन के लिए विज्ञापन अभिकरण का पंजीकरण

1. संस्था का नाम (कम्पनी अधिनियम, 2013 (2013 का केन्द्रीय अधिनियम 18) या सीमित दायित्व भागीदारी अधिनियम, 2008 (2009 का केन्द्रीय अधिनियम 6) में पंजीकरण ब्यौरों सहित कम्पनी/ फर्म/ अभिकरण) :
2. अभिकरण की किस्म.....
3. व्यापार कर किस्म.....
4. पैन संख्या.....
5. जी.एस.टी संख्या.....
6. पंजीकृत पता :
7. टैलीफोन सम्पर्क : कारबार : फ़ैक्स :
- ईमेल पता :
8. निदेशकों/स्वत्वधारियों /भागीदारों के ब्योरे :

क्रम संख्या	नाम	डिन संख्या	मोबाईल संख्या	ईमेल पता
(i)				
(ii)				

9. संस्था के संगम ज्ञापन तथा संगम अनुच्छेद;
10. पिछले तीन वर्षों, के लिए विज्ञापन कारबार में संस्था का अनुभव, ब्योरे या ऐसी समय अवधि के लिए संस्था विज्ञापन कारबार में कार्यरत रही हो, जो भी पहले (यदि कोई हो);
11. अभिकरण के प्रत्येक निदेशक या स्वत्वधारियों या भागीदारों के कार्य अनुभव के ब्योरे;
12. पिछले पांच वर्षों में देश में गैर-काली सूची में डालने का शपथ पत्र
13. पिछले तीन वर्षों का तुलन-पत्र, यदि उपलब्ध हों;
14. मुख्तारनामा या बोर्ड संकल्प के माध्यम से प्राधिकरण पत्र (जैसी भी स्थिति हो)
15. वचन देना कि संस्था की तरफ, हरियाणा की किसी नगरपालिका में उसके विरुद्ध कोई भी राशि लम्बित नहीं है, (राशि जैसे विकास शुल्क, संपत्ति कर, कारबार अनुराशि, जल शुल्क, सीवरेज उपकर आदि)
16. पंजीकरण राशि (अप्रतिदेय):
17. आवेदक संस्था को पिछले पांच वर्षों में किसी सरकारी हस्ती द्वारा काली सूची में नहीं डाला गया है।
 हां
 नहीं
18. आवेदक फर्म/कम्पनी या उसका कोई भी देय लम्बित नहीं है
क. यदि हां तो कृप्या कुल लम्बित देय विनिर्दिष्ट करें हां नहीं
19. आवेदक संस्था के पास विज्ञापन अधिकारी के लिए कोई भी न्यायालय मामला लम्बित नहीं है। हां नहीं

मैं/हम, इसके द्वारा, नगरपालिका द्वारा बनाई गई विज्ञापन उप-विधि/ पालिसी के निबन्धनों तथा शर्तों तथा मार्गदर्शनों का पालन करूंगा/करेंगे। उपरोक्त सूचीबद्ध सूचना भी सत्य तथा प्रमाणिक है तथा इसके सम्बन्ध में प्रतिकूल निष्कर्ष के मामले में, पंजीकरण रद्द हो जाएगा।

हां सहमत

प्रस्तुत

(इन उप-नियमों के अधीन सभी प्रकार के भुगतान केवल विज्ञापन पोर्टल के माध्यम से ऑनलाइन किए जाएंगे)

अनुबन्ध 2
संस्था के पंजीकरण के लिए अनुमोदन प्ररूप
{देखिए खण्ड 15(3)}

विशिष्ट पंजीकरण संख्या
जारी करने की दिनांक
वैधता की दिनांक.....

सेवा में

प्राधिकृत हस्ताक्षरकर्ता का नाम.....
संख्या का नाम
संस्था का पता

कृपया अपने आवेदन संख्या का संदर्भ लें। आउटडोर मीडिया डिस्प्ले के लिए राज्य स्तरीय पंजीकरण के लिए दिनांक। यह पंजीकरण इकाई को हरियाणा राज्य में सभी ई-नीलामी साइटों में भाग लेने में सक्षम बनाता है और पुरस्कार देने पर, ऑनलाइन पोर्टल के माध्यम से साइट/अनुबंध विशिष्ट नियमों और शर्तों के अनुसार आउटडोर विज्ञापन के प्रदर्शन के लिए आउटडोर मीडिया डिवाइस की स्थापना की अनुमति देता है।

प्रिय श्री मान/श्रीमती जी,

यह शहरी स्थानीय निकाय निदेशालय के साथ पंजीकरण के संबंध में आपके आवेदन के संदर्भ में है, जो इकाई को हरियाणा राज्य में सभी ई-नीलामी साइटों में भाग लेने में सक्षम बनाता है और पुरस्कार देने पर, साइट के अनुसार बाहरी विज्ञापन के प्रदर्शन के लिए आउटडोर मीडिया डिवाइस की स्थापना की अनुबंध विशिष्ट नियम और शर्तें ऑनलाईन पोर्टल के माध्यम से अनुमति देता है।

यह सूचित किया जाता है कि आपके आवेदन के विचारण में निम्नलिखित निर्णय लिया गया है :

- पंजीकरण के लिए आपका आवेदन स्वीकृत कर लिया गया है तथा आपको एकमात्र पहचान संख्या आवंटित की गई है। कृपया इसका उपयोग शहरी स्थानीय निकाय निदेशालय, हरियाणा और राज्य में सभी संबंधित नगरपालिकाओं के साथ भविष्य के सभी पत्राचार के लिए करें क्योंकि समिति यह रजिस्ट्रेशन होगा इस पत्र के जारी होने के तिथि से पांच वर्ष तक राज्य की सभी नगरपालिकाओं के लिए वैध होगा।
- नए मीडिया/नवीकरण के लिए आपका आवेदन निम्नलिखित के कारण अस्वीकृत किया गया है:
 - अधूरा आवेदन
 - दी गई गलत सूचना
 - नगर निगम में लम्बित देय
 - काली सूची में डाली गई स्थिति सत्यापित नहीं है
 - अन्य

स्वीकृत/अस्वीकृत

कृत: शहरी स्थानीय निकाय निदेशालय, हरियाणा

- टिप्पण : आवेदन की अस्वीकृति के मामले में, आप उपरोक्त वर्णित शर्तों की सन्तुष्टि होने पर नया आवेदन कर सकते हैं।
- टिप्पण : यह केवल प्ररूपी फार्मेट है तथा यह विभाग द्वारा, समय-समय पर, रूपान्तरण/संशोधन के अधधीन है।

अनुबन्ध 3

स्वतः-विज्ञापन ओ.एम.डी या तृतीय पक्ष विज्ञापन अधिकार सीधे अनुमति के अनुमोदन के लिए आवेदन पत्र {देखिए खण्ड 6(1) 10(3)}

- तृतीय पक्ष विज्ञापन अधिकार सीधे अनुमति या केवल छूट की सीमा से परे स्वतः-विज्ञापन उद्देश्य के लिए पहचानी गई साइट का विवरण
 - कम्पनी अधिनियम, 2013 (2013 का केन्द्रीय अधिनियम 18) या सीमित दायित्व भागीदारी अधिनियम, 2008 (2009 का केन्द्रीय अधिनियम 6) में रजिस्ट्रेशन ब्योरों सहित अभिकरण (व्यक्ति/कंपनी/फर्म/एजसी) का नाम:.....
 - संख्या का प्रकार :
 - व्यवसाय का प्रकार :
 - व्यवसाय का पंजीकृत पता :.....
 - पत्राचार फोन संख्या :
 - पत्राचार ईमेल आईडी :
 - पैन संख्या :.....
 - जी.एस.टी संख्या :
 - स्थल की संपत्ति आईडी :
 - ओ.एम.डी पर प्रस्तावित पाठ :.....
 - नगरपालिका का नाम जहां स्थल स्थित है:
 - स्थल का पूरा पता :
 - प्रस्तावित होर्डिंग का आयाम :.....
 - ओ.एम.डी के प्रकार का विवरण दें (देखिए अनुबंध 5) :
 - अनुमति का अनुरोध/आवश्यकता (वर्षों में) :

अपलोड करने का लिए दस्तावेज :

- साइट के स्वामित्व दस्तावेज
- पंजीकृत स्वामी या स्वामित्वाधीन किसी सम्पत्ति या सम्पत्ति, जिस पर ओ.एम.डी. प्रदर्शित करनी आशयित है, के लिए भुगतानयोग्य कर के संबंध में सम्पत्ति कर के सबूत के रूप में अंतिम रसीद।
- इस आशय का एक वचन पत्र देना कि विज्ञापन प्रदर्शित करने का आवेदन किसी न्यायालय के आदेश का उल्लंघन नहीं है।
- अत्यधिक वायु स्थिति, भुम्प, मृदा सहन क्षमता को सहन करने के योग्य बनाने वाली इसकी नीवों के सुरक्षा पहलु को प्रमाणित करते हुए और समय-समय पर बनाए गए सुसंगत भारतीय संरचनात्मक डिजाईन मानकों, पॉलासी तथा मार्गदर्शनों की अनुपालना करते हुए किसी संरचनात्मक इंजीनियर द्वारा विधिवत हस्ताक्षरित ओ.एम.डी के डिजाईन तथा संरचनात्मक ब्योरों। संरचनात्मक ब्योरों में किसी अन्य विधि के अनुपालन के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाईन परिकलन के सभी घटकों का आकार शामिल होगा, जिस पर उस सीमा तक ऐसी विधि लागू है, किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है, जिसमें भारतीय सड़क काग्रेस (आई.आर.सी.) भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण संरक्षण अधिनियम 1986 (1986 का केन्द्रीय अधिनियम 29) शामिल है।
- ओ.एम.डी की प्रस्तावित अवस्थिति (जी.पी.एस. निदेशांक समन्वित) तथा किसी अन्य संरचना, भवन या प्रस्तावित ओ.एम.डी से पच्चीस मीटर के घेरे में स्थित ओ.एम.डी के संबंध में दूरी बताते हुए, अवस्थिति योजना दर्शाते हुए रंगीन ड्राईंग।
- यदि प्रस्तावित ओ.एम.डी को किसी भवन के अग्रभाग से संलग्न की जाती है, या प्रदर्शित की जाती है, तो 1:1000 या नगरपालिका द्वारा यथा विनिर्दिष्ट स्केल में प्रस्तावित ओ.एम.डी का भवन एलीवेशन तथा मापन और अवस्थिति के विस्तृत मापन तथा किसी भवन पर प्रत्येक वर्तमान ओ.एम.डी कर अवस्थिति दर्शाते हुए वास्तु ड्राईंग।

वचनबद्धता : मैं/हम, नगरपालिका द्वारा बनाई गई नीति के सभी उपबंधों का पालन करेंगे।

टिप्पणः— केवल ऑनलाइन अप्रत्यर्पाणीय संवीक्षा फीस का भुगतान करने पर ही आवेदन जमा किया जाएगा। आवेदन की अस्वीकृति की दशा में, आप उपर्युक्त शर्तों को पूरा करने पर नए सिरे से आवेदन कर सकते हैं। यह केवल प्ररूपी फारमैट है तथा यह विभाग द्वारा समय-समय पर रूपान्तरण/संशोधन के अधधीन है। ओ.एम.डी जमा करने पर विशिष्ट आईडी जनरेट होगी।

ख. कार्यालय रिपोर्ट के लिए फार्मेट				
ओ.एम.डी विशिष्ट संख्या :	जिला:	शहर :	वार्ड :	जोन :
.....
सड़क/गली/पता :				
.....				
स्वामित्व दस्तावेज के आधार पर अनुमोदन पत्र पर नाम :		अनुमति की समयावधि (वर्षों में) :		
.....			
जारी करने की तिथि :		समाप्ति की तिथि :		
.....			
अनुभाग I – लगाए गए /मांग गए प्रभार				
लागू अनुज्ञा प्रभार INR प्रति वर्ग मीटर प्रति/तिमाही :				
त्रैमासिक मांग (दिन/ माह/ वर्ष) तक उठाए जाने की मांग:				
अनुभाग II – प्ररूप – वर्गीकरण				
ओ.एम.डी का आयाम :				
भवन के अग्रभाग का क्षेत्र :				
ओएमडी की विशिष्टता :				
ओएमडी क्षेत्र (वर्ग मीटर में) :				
अनुभाग III – संलग्न दस्तावेजों का सत्यापन				
कृपया निम्नलिखित दस्तावेज अपलोड करें :				
<ul style="list-style-type: none"> • निदेशक सूचना • भवन परमिट/संपत्ति कर • पैन संख्या. • जीएसटी संख्या • संरचनात्मक इंजीनियर सम्पत्ति स्वामित्व का प्रमाण पत्र • विज्ञापन स्थलों के स्थान के सहित शहर योजना • जी.पी.एस अवस्थिति सहित ओ.एम.डी का समकक्ष • स्थल की फोटो (स्व-प्रमाणित) • स्थल की रेखाचित्र (स्व-प्रमाणित) • लंबित देय (यदि कोई हो) • वास्तुशिल्पीय ड्राईंग (उत्पापन, माप मापक्रम 1:1000) 				

अनुबन्ध 4

{दिखिये उप-विधि 6(4),10(8)}

तृतीय पक्ष विज्ञापन अधिकार सीधे अनुमति या छूट की सीमा से परे स्वतः-विज्ञापनों के उद्देश्य से <नगरपालिका का नाम> द्वारा जारी आशय पत्र

संख्या.....

दिनांक.....

सेवा में

<स्वामी का नाम>

<कारबार का नाम>

<कारबार का पता>

तृतीय पक्ष विज्ञापन अधिकार सीधे अनुमति या छूट की सीमा से परे स्वतः विज्ञापन के अधीन नए बाहरी मीडिया यन्त्र की स्थापना/बाहरी विज्ञापन के प्रदर्शन के लिए नवीनीकरण हेतु दिनांक को प्रस्तुत की गई आपके ओ.एम.डी विशिष्ट संख्या, के सन्दर्भ में।

प्रिय श्रीमान जी,

नगरपालिका मैं स्वयं/कम्पनी/फर्म/अभिकरण द्वारा बाहरी विज्ञापन के प्रदर्शन के लिए नई ओ.एम.डी की स्थापना/नवीनीकरण के बारे में आपके आवेदन के संदर्भ में है।

यह सूचित किया जाता है कि आपके आवेदन पर विचार करते हुए निम्नलिखित निर्णय लिया गया है:

1. न्यू मीडिया/नवीनीकरण के लिए आपका आवेदन को दिन/ माह/ वर्ष) से ;डीडी/ओएमडी का क्षेत्रफल; वर्ग मीटर में) नगरपालिका का नाम की सीमा के भीतर।

2. आपको एतद्वारा ओ.एम.डी की विशिष्ट आईडी के आधार पर ओ.एम.डी की स्थापना/ स्थापित करने की अनुमति प्रदान की जाती है : प्रति तिमाही के रूप में अनुमति शुल्क पर। यह अनुमोदन पत्र प्रथम त्रैमासिक भुगतान आई.एन.आर प्राप्त होने पर जारी किया जाता है।

क. तिमाही 1..... दिन/माह/वर्ष तक वैध: दिन/माह/वर्ष को देय भुगतान:.....

ख. तिमाही 2 दिन/माह/वर्ष तक वैध दिन/माह/वर्ष को देय भुगतान :

ग. तिमाही 3 दिन/माह/वर्ष तक वैध दिन/माह/वर्ष को देय भुगतान :

घ. तिमाही 4 दिन/माह/वर्ष तक वैध दिन/माह/वर्ष को देय भुगतान :

ड. आदि

महत्वपूर्ण नोट: यदि शुल्क जमा नहीं किया जाता है, तो अनुमति समाप्त कर दी जाएगी।

या

1. न्यू मीडिया/नवीनीकरण के लिए आपका आवेदन निम्नलिखित कारणों से अस्वीकार कर दिया गया है:

क. अधूरा आवेदन

ख. गलत सूचना दी गयी

ग. बकाया देय

घ. काली सूची में डाली गई स्थिति सत्यापित नहीं है

ड. अन्य।

आयुक्त/कार्यकारी अधिकारी/सचिव,

<नगर पालिका का नाम>

टिप्पण: आवेदन की अस्वीकृति के मामले में आप उपरोक्त वर्णित शर्तों को संतुष्टि होने पर नया आवेदन कर सकते हैं।

टिप्पण: यह केवल प्ररूपी फारमैट है तथा समय-समय पर नगरपालिका द्वारा रूपान्तरण/संशोधन के अधधीन है।

अनुबन्ध 5 (देखिये उप-विधि 3)

वर्गीकरण	वर्गीकरण विवरण
क.	प्ररूप वर्गीकरण क : सार्वजनिक परिवहन सेवाओं/गली फर्नीचर तथा सार्वजनिक परिवहन प्रणाली पर ओ.एम.डी
क.1	बस तथा मध्यवर्ती सार्वजनिक परिवहन (आई.पी.टी.) आश्रय
क.2	बस तथा आई.पी.टी मार्ग मार्कर
क.3	फुट ओवर सेतु, संकेत गंत्री, शौचघर ब्लाक तथा मूत्रालय
क.4	साईकल स्टेण्ड/स्टेशन
क.5	पुलिस बूथ, पार्किंग बूथ, टैलीफोन बूथ, पूर्व भुगतान टैक्सी बूथ, बस/रेल बुकिंग सूचना बूथ, पेयजल सुविधा, निर्देशिका/बिलों के भुगतान इत्यादि को सूकर बनाने के लिए कालोनियों के बाहर लोक उपयोगिता कीयोस्क।
क.6	बैठने के बेंच, कूड़ा-करकट धानी।
क.7	मैट्रो/एम.आर.टी.एस
क.8	यातायात रूकावट
क.9	सार्वजनिक परिवहन वाहन
ख.	वर्गीकरण ख : सार्वजनिक भूमि पर वणिज्यिक विज्ञापन संरचना पर ओ.एम.डी
ख.1	सार्वजनिक भूमि पर ओ.एम.डी.
ग.	वर्गीकरण ग : निजी भूमि पर वणिज्यिक विज्ञापन संरचना पर ओ.एम.डी।
ग.1	यूनिपोल, सूचनापट्ट, भवन बोर्ड
ग.2	दीवार आवरण/ दीवार पेंटिंग
ग.3	बहुविध ओ.एम.डी,।
घ.	वर्गीकरण घ. : कार्यक्रम
घ.1	धार्मिक, राजनैतिक तथा सम्मेलन
घ.2	मनोरंजन तथा प्रदर्शन कार्यक्रम
ङ.	वर्गीकरण ङ : भू-दृश्य विज्ञापन
ङ.1	वृक्ष गार्ड
च.	वर्गीकरण च: दुकान संकेत
च.1	स्वतः विज्ञापन
छ.	वर्गीकरण छ : नवाचार विज्ञापन
छ.1	नवाचार विज्ञापन
ज.	वर्गीकरण ज : सिनेमा विज्ञापन
ज.1	स्क्रीन विज्ञापन पर सिनेमा में जिसमें खिसकना (स्लाईड) तथा विज्ञापन फिल्म गतिमान विज्ञापन शामिल हैं
झ.	वर्गीकरण झ : आन्तरिक वणिज्यिक भवन तथा सरकारी भवन
झ.1	आन्तरिक वणिज्यिक भवन तथा सरकारी भवन

समर्थित संरचना चमकीली (चमचमाती) रूकावट के लिए गैर-परावर्तक से परिष्कृत होगी। ओ.एम.डी संरचना को हर सभी समय भली भांति अनुरक्षित किया जाएगा। इसे ऐसे रंग से रंगा जाएगा जो आस-पड़ोस से संगत हो, तथा उसको बढ़ावा दें।

अनुबंध 6

संबंधित नगर पालिका के साथ अनुमति शुल्क साझा करने के साथ नीलामी के लिए निजी स्वामित्व वाली ओएमडी साइटों को जमा करने के लिए आवेदन पत्र

देखिए उप-विधि-10 (2)

क. तीसरे पक्ष के अधिकारों के माध्यम से विज्ञापन प्रदर्शित करने के उद्देश्य से पहचानी गई साइट का विवरण

1. स्वामी का नाम:
2. पत्राचार फोन संख्या:
3. पत्राचार ईमेल आईडी :
4. पैन संख्या :
5. स्थल की संपत्ति आईडी :
6. नगरपालिका का नाम जहां स्थल स्थित है :
7. स्थल का पूरा पता :
8. प्रस्तावित हार्डिंग का आयाम :
9. नीलामी के प्रयोजन के लिए स्वामी द्वारा स्वीकार्य ओ.एम.डी के प्रकार का विवरण दें (देखिए अनुबंध 5) :
10. विज्ञापन प्रदर्शन का कार्यकाल (वर्षों में) :
11. मालिक की साइट (यदि कोई हो) पर ओएमडी आरक्षण/आपत्ति/अनुमति नहीं की सामग्री सूचीबद्ध करें :-

परिवचन :

मैं/हम, एतद्वारा राज्य द्वारा बनाई गई नीति के सभी प्रावधानों का पालन करेंगे। हम समझते हैं कि इस आवेदन के माध्यम से प्रस्तावित साइट को संबंधित/संबंधित नगर पालिका द्वारा आवेदन में निर्दिष्ट अवधि के लिए नीलामी के लिए सूचीबद्ध किया जाएगा। मैं/हम यह भी समझते हैं, पोर्टल और एमएमएस के माध्यम से आवेदक को अधिसूचित ओएमडी साइट के अनुमोदन पर, उक्त साइट की नीलामी उच्चतम बोली लगाने वाले को तभी की जाएगी जब आवेदक द्वारा आरक्षित मूल्य के दस प्रतिशत के बराबर ईएमडी राशि जमा की जाएगी। उपनियमों के खंड 10 (5) के अनुसार। मैं/हम चालू वित्तीय वर्ष में नगरपालिका द्वारा निर्दिष्ट और अधिसूचित अनुपात में नीलाम स्थल के अनुमति शुल्क को साझा करने को समझता/समझती हूँ और सहमत हूँ। ई.एम.डी जमा का खाता वही खाता होगा जहां साझा अनुमति शुल्क नगरपालिका द्वारा जमा किया जाएगा।

ख. अपलोड किए जाने वाले दस्तावेज :

1. साइट के स्वामित्व दस्तावेज
2. पंजीकृत स्वामी या स्वामित्वाधीन किसी सम्पत्ति, या सम्पत्ति, जिस पर ओ.एम.डी. प्रदर्शित करनी आशयित है, के लिए भुगतानयोग्य करके संबंध में सम्पत्ति कर के भुगतान सबूत के रूप में अंतिम रसीद।
3. इस आशय का वचन पत्र देना कि विज्ञापन प्रदर्शित करने का आवेदन किसी न्यायालय के आदेश का उल्लंघन नहीं है।
4. अत्यधिक वायु स्थिति, भुम्प, मृदा सहन क्षमता को सहन करने के योग्य बनाने वाले इसके आधारों के सुरक्षा पहलु को प्रमाणित करते हुए किसी सांचनात्मक इंजीनियर द्वारा विधिवत हस्ताक्षरित ओ.एम.डी के डिजाईन तथा संरचनात्मक ब्यौरों तथा समय-समय पर बनाए गए संबंधित भारतीय संरचनात्मक डिजाईन मानकों, पोलिसी तथा मार्गदर्शनों की अनुपालना की जाएगी। संरचनात्मक ब्यौरे में किसी अन्य विधि के अनुपालन के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाईन परिकलन के सभी घटकों का आकार शामिल होगा, जिसमें उस सीमा तक कि ऐसी विधि लागू है शामिल है किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है जिसमें भारतीय सड़क कांग्रेस (आई.आर.सी.) भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण संरक्षण अधिनियम 1986 (1986 का केन्द्रीय अधिनियम 29) शामिल है।
5. ओ.एम.डी की प्रस्तावित अवस्थिति (जी.पी.एस. निर्देशांक समन्वित) तथा किसी अन्य संरचना, भवन या प्रस्तावित ओ.एम.डी से पच्चीस मीटर के घेरे के स्थित ओ.एम.डी के संबंध में दूरी बताते हुए अवस्थिति योजना दर्शाते हुए रंगीन डाईग।
6. यदि प्रस्तावित ओ.एम.डी को किसी भवन के अग्रभाग से संलग्न किया जाता है, तथा प्रदर्शित की जाती है तो भवन एलीवेशन तथा मापन और प्रस्तावित ओ.एम.डी के विस्तृत मापन तथा स्थिति और 1:1000 की या परिषद/समिति द्वारा यथाविनिर्दिष्ट स्केल में दर्शाते हुए भवन पर प्रत्येक विद्यमान ओ.एम.डी की स्थिति दर्शाते हुए विस्तृत डाईग।

नोट: केवल ऑनलाइन अप्रतिदेय संवीक्षा फीस का भुगतान करने पर ही आवेदन जमा किया जाएगा। आवेदन की अस्वीकृति के मामले में, आप उपर्युक्त शर्तों को पूरा करने पर नए सिरे से आवेदन कर सकते हैं। यह केवल एक विशिष्ट प्रारूप है और विभाग द्वारा समय-समय पर संशोधन/संशोधन के अधीन है। ओ.एम.डी जमा करने पर विशिष्ट आईडी जनरेट होगी।

अनुबंध 7

संबंधित नगर पालिका के साथ अनुमति फीस साझा करने के साथ नीलामी के लिए सरकारी संस्थाओं के स्वामित्व वाली ओ.एम.डी साइटों को प्रस्तुत करने के लिए आवेदन पत्र

(देखिए खण्ड 12 (1))

क. तीसरे पक्ष के अधिकारों के माध्यम से विज्ञापन प्रदर्शित करने के उद्देश्य से पहचानी गई साइट का विवरण

1. सरकारी अभिकरण का नाम :
2. नोडल अधिकारी का नाम और पदनाम :
3. नोडल अधिकारी का पत्राचार फोन नंबर :

4. नोडल अधिकारी का पत्राचार ईमेल आईडी:
5. साइट की संपत्ति आईडी (यदि कोई हो) :
6. नगर पालिका का नाम जहां साइट स्थित है :
7. साइट का पूरा पता :
8. प्रस्तावित होर्डिंग का आयाम :
9. विज्ञापन प्रदर्शन का कार्यकाल (वर्षों में) :
10. आवश्यक अनुमति शुल्क शेरर हस्तांतरण के लिए खाता विवरण:

परिचय :

मैं/हम, एतद्वारा राज्य द्वारा बनाई गई नीति के सभी उपबंधों का पालन करेंगे। हम समझते हैं कि इस आवेदन के माध्यम से प्रस्तावित साइट को संबंधित/संबंधित नगर पालिका द्वारा आवेदन में निर्दिष्ट अवधि के लिए नीलामी के लिए सूचीबद्ध किया जाएगा। मैं/हम यह भी समझते हैं कि नोडल अधिकारी (ईमेल/पोर्टल और एसएमएस के माध्यम से) के माध्यम से सरकारी संस्था को अधिसूचित ओएमडी साइट के अनुमोदन पर, उक्त साइट की नीलामी उच्चतम बोली लगाने वाले को की जाएगी। मैं/हम नीलामी स्थल के अनुमति शुल्क को 40:60 के अनुपात में बांटने को भी समझते हैं और सहमत हैं।

ख. अपलोड किए जाने वाले दस्तावेज:

1. साइट के स्वामित्व दस्तावेज
2. पंजीकृत स्वामी या स्वामित्वाधीन किसी सम्पत्ति, या सम्पत्ति, जिस पर ओ.एम.डी. प्रदर्शित करनी आशयित है, के लिए भुगतानयोग्य कर के संबंध में सम्पत्ति कर भुगतान के सबूत के रूप में अंतिम रसीद।
3. इस आशय का वचन पत्र देना कि विज्ञापन प्रदर्शित करने का आवेदन किसी न्यायालय के आदेश का उल्लंघन नहीं है।
4. अत्यधिक वायु स्थिति, भुम्प, मृदा सहन क्षमता को सहन करने के योग्य बनाने वाले इसके आधारों के सुरक्षा पहलु को प्रमाणित करते हुए किसी सांचनात्मक इंजीनियर द्वारा विधिवत हस्ताक्षरित ओ.एम.डी के डिजाइन तथा संरचनात्मक ब्यौरों तथा समय-समय पर बनाए गए संबंधित भारतीय संरचनात्मक डिजाइन मानकों, पोलिसी तथा मार्गदर्शनों की अनुपालना की जाएगी। संरचनात्मक ब्यौरों में किसी अन्य विधि के अनुपालना के सबूत सहित समर्थित ढांचे, आश्रय तथा डिजाइन परिकलन के सभी घटकों का आकार शामिल होगा, जिसमें उस सीमा तक कि ऐसी विधि लागू है शामिल है किन्तु लागू विधि तथा संहिता/मार्गदर्शन तक सीमित नहीं है जिसमें भारतीय सड़क कांग्रेस (आई.आर.सी.) भारतीय राष्ट्रीय भवन संहिता तथा पर्यावरण संरक्षण अधिनियम 1986 (1986 का केन्द्रीय अधिनियम 29) शामिल है।
5. ओ.एम.डी की प्रस्तावित अवस्थिति (जी.पी.एस. निदेशक समन्वित) तथा किसी अन्य संरचना, भवन या प्रस्तावित ओ.एम.डी से पच्चीस मीटर के घेरे के स्थित ओ.एम.डी के संबंध में दूरी बताते हुए अवस्थिति योजना दर्शाते हुए रंगीन ड्राईंग।
6. यदि प्रस्तावित ओ.एम.डी को किसी भवन के अग्रभाग से संलग्न किया जाता है, तथा प्रदर्शित की जाती है तो भवन एलिवेशन तथा मापन और प्रस्तावित ओ.एम.डी के विस्तृत मापन तथा स्थिति और 1:1000 की या परिषद/समिति द्वारा यथाविनिर्दिष्ट स्केल में दर्शाते हुए भवन पर प्रत्येक विधामन ओ.एम.डी की स्थिति दर्शाते हुए विस्तृत ड्राईंग।

नोट: केवल ऑनलाइन अप्रतिदेय/संवीक्षा फीस का भुगतान करने पर ही आवेदन जमा किया जाएगा। आवेदन की अस्वीकृति के मामले में, आप उपर्युक्त शर्तों को पूरा करने पर नए सिरे से आवेदन कर सकते हैं। यह केवल एक विशिष्ट प्रारूप है और विभाग द्वारा समय-समय पर रूपांतरण/संशोधन के अधीन है। ओएमडी जमा करने पर विशिष्ट आईडी जनरेट होगी।

अनुसूची-1

सामान्य अनुज्ञा मानदण्ड- बाहरी मीडिया साधन

(देखिए उप-विधि-2 (I),(xxix) 3(4), 4(1), 5(1,2,3), 7(1), 8(1), 11(1), तथा 20)

1. यातायात बाधा सम्भाव्य निर्भरता

(1) ओ.एम.डी यातायात बाधा सम्भाव्य निम्नलिखित पर निर्भर है:-

- (i) स्थल अवस्थिति: सड़क से ओ.एम.डी की अवस्थिति जो सड़क के किनारे से पार्श्व तथा देशान्तरीय अपसरण के निबन्धनों के अनुसार मापी गई है। सामान्यतः बाधा को कम करने के लिये साधन सड़क से दूर है;
- (ii) ओ.एम.डी का आकार;
- (iii) ओ.एम.डी का संदीप्ति स्तर; तथा
- (iv) पृष्ठभूमि तथा अन्य ऐसे सम्बन्धित विषय।

(2) विज्ञापन साधन को यातायात बाधा माना जा सकता है:

- (i) यदि यह यातायात नियन्त्रण साधन (अर्थात् यातायात प्रकाश, ठहराव या रास्ता संकेत देना) की प्रभावकारिता में बाधा डालता है।
- (ii) यदि यह सड़क सुरक्षा या यातायात दक्षता में बाधा डालता है;
- (iii) संकटमय समय पर चालक का ध्यान भंग करता है (अर्थात् चौराहे पर निर्णय लेने में)।
- (iv) सड़क बाधा में चालक की नजर को धुंधला करता है (अर्थात् सड़क के कोने या मोड़ पर)।
- (v) 'रुकने', 'ठहराव' या अन्य में यातायात के लिए हिदायतें देता है (अर्थात् रास्ता देना या विलीन होना)।
- (vi) यातायात नियन्त्रण साधन का अनुकरण करना।
- (vii) क्या सड़क या अन्य अवसंरचना, यातायात, पैदलयात्रियों, साइकिल चालकों या अन्य सड़क उपभोक्ताओं के लिए खतरनाक बाधा डालता है।
- (viii) क्या ऐसे क्षेत्र में हैं जहां कहीं अनेक साधन हैं तथा उन साधनों का संचयी प्रभाव सामान्य रूप से खतरनाक है।
- (ix) यदि ऐसे स्थान पर स्थित है जहां सड़क स्थिति के कारण चालक की एकाग्रता की मांग मुख्य है जैसा कि मुख्य चौराहे या विलीन होने तथा अटकने वाले पथ पर।
- (x) यदि यह लागू भवन उप-विधियों संहिता का उल्लंघन करता है।

(3) उपर्युक्त के अतिरिक्त, अतिरिक्त चालक ध्यान तथा निर्णय करना निम्नलिखित में अपेक्षित है:-

- (i) उच्च गति में मोड़ना, विलीन होना या टेढ़े-मेढ़े चलना चौराहे पर जैसे कि "Y" चौराहा या बड़े उच्च गति चक्कर;
- (ii) चौराहे के आस-पड़ोस में, जहां सम्पूर्ण पथ विलीन हो जाता है तथा जहां वाहनों का उच्चतर गति में विलीन होना अपेक्षित है (अर्थात् जहां "जाल पथ" चौराहे से पहुंच मार्ग, या से निकास को सृजित करता है तथा जहां विभाजित मोटर रास्ता दो सड़कों में बन जाता है);
- (iii) सड़क के चौराहे या काट जो पथ की आकृति या ज्यामिति के कारण, चालक एकाग्रता के स्तर में वृद्धि के लिए जरूरी हो सकती है (अर्थात् पांच-रास्ता चौराहे, पीछे से पीछे सपाट मोड़);
- (iv) विभाजित सड़क के बाहरी मोड़ पर जहां विज्ञापन वाहन रास्ते के सामने के यातायात को निर्देशित करता है तथा ज्यामिति, कोण या अन्य घटक इसे आपत्तिजनक बनाते हैं;
- (v) सड़क को विभाजित करने वाले यातायात संकेत, दिशात्मक चिह्न, विनियामक तथा सलाहकारी चिह्न का प्रदर्शन करना जो कि (जब एक मात्र रूप से या संयोजन से माने गये हैं) महत्वपूर्ण रूप से अधिक असदृश या पेचीदा के रूप में मान लिए गये हैं, तो वे सामान्यतः प्रत्याशित होंगे (इन चौराहों पर यह प्रत्याशित होगा कि यातायात नियन्त्रण साधन (साधनों) की अपेक्षित अध्ययनता तथा व्याख्या अवधि सार्थक रूप से लम्बी होगी);
- (vi) सड़क की काट जहां पूर्ववत वाहन टक्कर सामान्य प्रणाली से उच्चतर है;
- (vii) पैदल यात्रियों के लिए क्रॉसिंग सुविधाएं; तथा
- (viii) विद्यालय, अस्पताल, वृद्धआश्रम ।

2. ओ.एम.डी. अवस्थान चयन मानदण्ड

(1) स्थान चयन के मानदण्ड में निम्नलिखित शामिल है :-

- (i) ओ.एम.डी का पार्श्व स्थापना (जो गुमराह वाहन तथा सरकारी यातायात चिह्नों की वास्तविकता की सम्भाव्य बाधा को प्रभावित करता है), तथा
- (ii) निर्दिष्ट यातायात स्थिति तथा सरकारी यातायात चिह्न, सड़क विशेषता तथा अन्य ओ.एम.डी (जो दृश्य दूरी तथा चालक घबराहट को प्रभावित करता है) से संबंधित ओ.एम.डी का देशान्तरीय स्थापन (चालक घबराहट नियन्त्रण)।

(2) पार्श्व स्थापना

- (i) विज्ञापन मध्यम रेखा में अनुमत नहीं है क्योंकि इन क्षेत्रों को महत्वपूर्ण यातायात नियन्त्रण साधनों से अलग रखा गया है।
- (ii) ओ.एम.डी यातायात टापू (आईजलैण्ड) पर अनुमत नहीं होगा।
- (iii) जहां वाहन रास्ते इतने अधिक भटकाऊ है कि उस पर आने वाला यातायात स्थलाकृति या सधन पेड़-पौधे के कारण दृश्य (स्पष्ट) नहीं है।

(3) देशान्तरीय स्थापना (चालक घबराहट नियन्त्रण)

- (i) देशान्तरीय स्थापना ओ.एम.डी तथा यातायात प्रतिकूल बिन्दु, सरकारी यातायात चिह्न तथा अन्य ओ.एम.डी (अर्थात् विज्ञापन सधनता को कम करना) के बीच न्यूनतम दूरी को प्रदर्शित करता है।
- (ii) ओ.एम.डी के स्थापन द्वारा यातायात के बहाव को सुकर बनाने तथा द्वारा हुये किसी यातायात बाधा से बचने के लिए किसी साधन के देशान्तरीय स्थापन को अन्तिम रूप देते समय निम्नलिखित का अनुपालन किया जायेगा, ओ.एम.डी ने स्थापना के लिए दूरी मुख्य वाहन रास्ते या जंकशन (संयोजन), चौराहे, गोल चक्कर इत्यादि से मापी जाएगी।

(4) पार्श्वीय तथा देशान्तरीय-स्थल चयन मापदण्ड

(i) पार्श्वीय मापदण्ड

- (क) पार्श्वीय दूरी मानदण्ड **अनुबन्ध-5** में वर्गीकरण "क" में परिभाषित ओ.एम.डी के सिवाए सभी प्रकार की ओ.एम.डी को लागू हैं;
- (ख) राष्ट्रीय राजमार्गों और राज्य राजमार्गों की दशा में उप-विधि 2 को खण्ड (1) में मद (xxxiv) में परिभाषित अनुसार पार्श्वीय दूरी आर.ओ.डब्ल्यू के किनारे से **10 मीटर मापी** जाएगी; और किसी भी स्थिति में राष्ट्रीय राजमार्ग के आर.ओ.डब्ल्यू के भीतर ओ.एम.डी की अनुमति नहीं दी जाएगी।
- (ग) पंजाब अनुसूचित सड़क तथा अनियमित विकास अधिनियम, 1963 के नियंत्रित क्षेत्र प्रतिबंध के अधीन राज्य सरकार द्वारा घोषित अनुसूचित सड़कों की दशा में पार्श्वीय दूरी को आर.ओ.डब्ल्यू के किनारे से मापा जाएगा जैसा कि उप-विधि 2 के खण्ड (1) में मद (xxxiv) परिभाषित किया गया है। अनुज्ञेय पार्श्व दूरी या तो ऊपर मापी गई सड़क की आर.ओ.डब्ल्यू की चौड़ाई का 1/3 या न्यूनतम दस मीटर, जो भी अधिक हो, होगी।
- (घ) सैक्टर सड़कों, नगरपालिका सड़कों और अनुसूचित सड़कों के अतिरिक्त अन्य सड़कों की दशा में, पार्श्व दूरी को आर.ओ.डब्ल्यू के किनारे से मापा जाएगा जैसा कि उप-विधि 2 के खण्ड (1) में मद (xxxiv) में परिभाषित किया गया है। दूरी आर.ओ.डब्ल्यू की 1/3 या दस मीटर जो भी कम हो, होगी।
- (ङ) पार्श्व दूरी मानदंड इन उप-विधियों के अनुसार नगरपालिका के अनुमोदन के अधीन, टोल प्लाजा के पास स्थित सार्वजनिक शौचालयों, बस स्टॉप, टोल प्लाजा संरचनाओं पर ओ.एम.डी लागू नहीं होगी।
- (च) किसी भी स्थिति में, ओ.एम.डी को आर.ओ.डब्ल्यू के भीतर स्थापित करने की अनुमति नहीं दी जाएगी।
- (छ) यदि नगरपालिका सड़क का आर.ओ.डब्ल्यू बीस मीटर से कम हो तो ओ.एम.डी परिवहन मार्ग के समानतर आर.ओ.डब्ल्यू के किनारे पर स्थापित किया जाएगा और इस आकार 4.6 x 3.05 मीटर तक सीमित है।

(ii) देशान्तरीय मानदण्ड

ओ.एम.डी के देशान्तरीय स्थापना के लिए स्थल चयन मानदण्ड

50 किलोमीटर प्रति घण्टा तक की अधिसूचित गति के लिए सड़क के साथ दो ओ.एम.डी के बीच	गति कारक (सड़क की अधिसूचित गति 50 किलोमीटर प्रति घंटा से अधिक है)	सड़क के साथ दो ओ.एम.डी के बीच न्यूनतम देशान्तरीय सीधी स्पष्ट दूरी (यदि अधिसूचित गति 50 किलोमीटर प्रति घंटा से
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	न्यूनतम देशान्तरीय सीधी स्पष्ट दूरी		अधिक है)
	1	2	3
(i)	100 मीटर	(i). 60 किलोमीटर प्रति घंटा = 1.2 (ii). 80 किलोमीटर प्रति घंटा = 1.5 (iii). 100 किलोमीटर प्रति घंटा = 2.0	(i). 100 x 1.2 = 120 मीटर (ii). 100 x 1.5 = 150 मीटर (iii). 100 x 2.0 = 200 मीटर

उपरोक्त दूरी को, वाहन द्वारा तीन सैकड़ के विचलन समय में गति से पूरी की गई दूरी (विज्ञापन के कारण विचलन), ब्रेक लागू करने के लिए एक सैकड़ का प्रतिक्रिया समय, दूसरी प्रतिक्रिया समय, गति वाहन की ब्रेकिंग दूरी और अतिरिक्त सुरक्षा कारक के आधार पर गणना की गई है।

टिप्पण: देशान्तरीय दूरी मानदण्ड अनुबन्ध 5 में वर्गीकरण "क" में परिभाषित ओ.एम.डी के सिवाए किसी सड़क के साथ ओ.एम.डी या सार्वजनिक भूमि पर ओ.एम.डी को लागू होगी।

- (iii) किसी सड़क संयोजन (जंक्शन), यातायात चौराहे या अन्य कासिंग (चौराहे) के पच्चेतर मीटर के भीतर ओ.एम.डी अनुमत नहीं है। किसी सड़क संयोजन (जंक्शन), यातायात चौराहे या अन्य कासिंग (चौराहे) से निकलने वाले यातायात की दिशा में किसी अन्य सड़क कासिंग के पचास मीटर के भीतर ओ.एम.डी की अनुमति नहीं होगी। दूरी यातायात चौराहे के किनारे से मापी जाएगी न कि सड़क जंक्शन या कांसिंग से।
- (iv) ओ.एम.डी यातायात के विनियमन के लिए निर्मित किसी यातायात संकेत या यातायात चिह्न या किसी अन्य संरचना को बन्द नहीं करेगी।
- (v) गोलचक्कर (राउंडअबाउट) (परिवहन मार्ग सहित) के बाहरी विस्तार (चौड़ाई) से मापे गए 100 मीटर से कम के व्यास के गोल चक्कर पर ओ.एम.डी अनुमत नहीं है।
- (vi) गोलचक्कर (परिवहन मार्ग सहित) के बाहरी विस्तार (चौड़ाई) से मापे गए 100 मीटर तथा से अधिक व्यास के गोल चक्कर पर ओ.एम.डी परिवहन मार्ग के किनारे से **10 मीटर** की स्पष्ट दूरी पर अनुमत हैं।
- (vii) जहां पार्श्व स्थापन अपेक्षाएं तथा चालक घबराहट अपेक्षाएं किसी विशेष निर्बन्धन दूरी, द्वारा मुहैया कराई गई है, तो वृहतर मान्यताओं का प्रयोग किया जाएगा।
- (viii) जब दो (2) ओ.एम.डी इकट्ठे स्थित है, अपने साधारण रूप में भिन्न है, तो चालक ध्यान-भंग सम्भाव्यता दोनों यन्त्रों को साथ-साथ विचारते हुए अवधारित की जाएगी।
- (ix) किसी यूनिपोल ओ.एम.डी या किसी अन्य यूनिपोल ओ.एम.डी से दीवार आवरण ओ.एम.डी के किनारे के बीच अनुज्ञेय दूरी सामने के अग्रभाग से कम से कम 50 मीटर होगी।
- टिप्पण:** प्रत्येक परिसर में एक ओ.एम.डी को स्थापित करने की अनुमति है, भले ही सामने का अग्रभाग पच्चास मीटर से कम हो, लेकिन एकल आधार पर एक से अधिक ओ.एम.डी के मामले में, प्रत्येक अन्य ओ.एम.डी केवल तभी अनुमति देता है जब सामने का अग्रभाग कम से कम पच्चास मीटर हो। एक ही परिसर के भीतर प्रत्येक ओ.एम.डी के बीच की दूरी पच्चास मीटर होगी।
- (x) यदि कोई ओ.एम.डी एक सड़क या सड़क की किस्म से अधिक दृश्य है (जैसे कि मोटर मार्ग या मोटर मार्ग मानक सड़क तथा रैम्प या अन्य सड़क), तो प्रतिबन्ध प्रत्येक सड़क या सड़क से दृश्य ओ.एम.डी को लागू होगा।
- (5) ओ.एम.डी की भौतिक विशेषता
- (i) भौतिक विशेषता पर नियन्त्रण का उपयोग, चालक घबराहट के स्तर को कम करना आशयित है। बाहरी विज्ञापन साधन की भौतिक विशेषताओं का नियन्त्रण निम्नलिखित से सम्बन्धित है:
- (क) आकार तथा आकृति
(ख) रंग
(ग) चित्रावली तथा संदीप्ति
(घ) संचलन तथा चक्रानुक्रम
(ङ) ओ.एम.डी विषय-वस्तु
- (ii) आकार तथा आकृति
(क) ओ.एम.डी ऐसी आकृति का प्रयोग नहीं करेगा जो संभवतः किसी ओ.एम.डी से सरकारी यातायात चिह्न की वास्तविकता के लिए भ्रान्तिपूर्ण होने का परिणाम हो सकता हो।
(ख) भारतीय सड़क कांग्रेस द्वारा आई आर सी: 67-200/सड़क चिह्न के लिए प्रक्रिया की संहिता सरकारी यातायात चिह्न के मूल डिजाईन पैरामीटरों को विहित करती है तथा इसमें मानक संकेत वाक्य/ पृष्ठभूमि रंग संयोजन शामिल है।
- (iii) रंग
(क) ओ.एम.डी ऐसे रंग संयोजन (सम्मिश्रण) का प्रयोग नहीं करेंगे जो संभवतः सरकारी यातायात चिह्न के भ्रान्तिपूर्ण होने का परिणाम हो।
(ख) भारतीय सड़क कांग्रेस द्वारा आई आर सी: 67-2001, सड़क चिह्न की प्रक्रिया की संहिता सरकारी यातायात चिह्न के मूल डिजाईन पैरामीटरों को विहित करती है तथा इसमें मानक संकेत: वाक्य/ अप्रकाश्यता रंग संयोजन शामिल है।
- (iv) चित्रावली तथा संदीप्ति
(क) ओ.एम.डी भड़कीले लाल, नीले या अम्बर बिन्दु प्रकाश स्रोत के बराबर नहीं होगा जो, जब सड़क से देखने पर, आपातकालीन सेवा या वाहन चेतावनी प्रकाश के अन्य विशेष प्रयोजन का आभास दे सकता है।
(ख) ओ.एम.डी से सम्बद्ध सभी प्रकाश केवल ओ.एम.डी तथा इसके ठीक आस-पास को निर्देशित करेंगे।
(ग) बाहरी चित्रावली स्रोतों को यह सुनिश्चित करने के लिए कवच किया जाएगा कि बाहरी "स्थान" प्रकाश स्रोत पास आने वाले मोटरचालक पर निर्दिष्ट न हो।
(घ) ओ.एम.डी की चित्रावली या उसके सम्पूर्ण भाग को छिपाया जाना है।

- (ड) साधन के ऊपरी प्रकाश/ निर्देश को अनुज्ञात नहीं किया जाएगा, किसी बाहरी प्रकाश निर्देश को नीचे का ओर किया जाना है तथा ओ.एम.डी से बाहर प्रकाश को रोकने या प्रकाश को कम करने के लिए ओ.एम.डी पर सीधे रूप से फोकस किया जाना है।
- (च) किसी प्रकाश स्रोत को कवच किया जाएगा ताकि चकाचौंध ओ.एम.डी से बाहर न फैले।
- (छ) गैर-स्थैतिक प्रदीप्त ओ.एम.डी (कोंधवती) अनुमत नहीं हैं।
- (ज) सामान्य अनुरक्षित संदीप्ति को 0.5 दीपाधार तक कम किया जाएगा या **0000 बजे (12 बजे सुबह)** के बाद तथा स्वतः समय यन्त्र द्वारा सूर्योदय के बाद या समय-समय पर नगर निगम द्वारा यथा विनिर्दिष्ट समय के बाद बन्द किया जाएगा।
- (झ) पूर्व परावर्तक सामग्री वाले ओ.एम.डी के चमकीले परावर्तन को कम करने के उद्देश्य से वाहन हैडलाइट बीम की साधारण रेखा से लगभग 5 डिग्री दूर से घुमाया जाएगा।
- (v) संचलन तथा चक्रानुकूल
- (क) गतिमान प्रदर्शन जो बाहरी उद्दीपन, प्रवर्तक आवर्ती या परिवर्तनशील संदेश ओ.एम.डी पर मोटर चालक प्रतिक्रिया समयों पर सांख्यिकीय रूप से सार्थक विभ्रान्तीय प्रभाव डालते हैं। केवल मार्किट स्थल, पार्किंग स्थानों तथा अन्य सार्वजनिक स्थानों में अनुज्ञेय है जहां कहीं केवल पैदल चलने वालों का आवागमन है। किसी भी मामले में ऐसे विज्ञापन यातायात (केवल सरकारी परिवहन वाहनों (अर्थात् राज्य सरकार बसों) पर चिपकाए गए विज्ञापनों के सिवाए) के लिए अनुमत नहीं किए जाएंगे।
- (ख) ट्रेलर आधारित विज्ञापन की अनुमति इस शर्त के अधीन है कि ट्रेलर चयनित स्थानों/स्थानों पर और निर्धारित समय अवधि में विज्ञापन प्रदर्शित करेगा। इसके अतिरिक्त, ट्रेलर को एक स्थान से दूसरे स्थान तक ले जाते समय, विज्ञापन को ठीक से कवर किया जाना चाहिए।
- (ग) यात्री वाहनों पर ओ.एम.डी की अनुमति नहीं होगी।
- (घ) यह अनुमति मानदण्ड यातायात प्रबन्धन/सूचना के लिए सड़क प्राधिकरणों द्वारा प्रयुक्त परिवर्तनशील संदेश प्रदर्शन को लागू करने के लिए आशयित नहीं है। बस अड्डे या समरूप स्थानों पर स्थित परिवर्तनशील संदेश प्रदर्शन जहां संदेश पैदल यात्रियों (मोटरचालकों के लिए नहीं) पर निर्दिष्ट है, तथा के लिए आशयित शामिल नहीं है।
- (vi) विज्ञापन साधन विषय-वस्तु
नगरपालिका सामान्यतः न्यूनतम विज्ञापन मानक लागू करने के लिए विज्ञापन उद्योग में स्वतः विनियामक नियन्त्रण पर विश्वास रखेगा। इस प्रस्ताव के होते हुए भी, नगरपालिका ओ.एम.डी के किसी विज्ञापन को संशोधित करने या हटाने के लिए कार्यवाई कर सकता है जो विज्ञापन उद्योग की नीति शास्त्र संहिता के उल्लंघन में हो उपबध्दों 4(3) में उपबन्धित नकारात्मक विज्ञापनों की सूची या जो यातायात बाधा का अन्यथा कारण बनता हो संदर्भित करें।
- (vii) सुवाच्यता
- (क) ओ.एम.डी (ओ.एम.डी से भिन्न जो पैदलयात्रियों पर निर्दिष्ट हैं) के सभी प्रवर्गों के लिए, ओ.एम.डी के मुख पर अवतरण घटक यात्रा करने वाले मोटरचालकों के लिए आसानी से इन्द्रियगोचर होने चाहिए। यह चालक की घबराहट को कम करेगा। इसके अतिरिक्त चिह्न शीघ्र तथा आसानी से समझे जाने वाले होंगे ताकि दर्शक को अपेक्षित विज्ञापन संदेश सूचित किए जा सकें तथा घबराहट के समय को कम कर सकें।
- (ख) ओ.एम.डी पैनल पर प्रदर्शित विषय-वस्तु या लेखा चित्र-कला, अभिन्यास पढ़ने में कठिनाई से बचाएगी तथा अधिचित्र जटिल नमूना आकृति से बचाएगा तथा अक्षर शैली उचित होगी। किन्ही भी परिस्थितियों में सूचना वाले साधन अवतरण आकारों में नहीं होने चाहिए, जो चालक या गतिमान वाहन के यात्री को रोकने, पढ़ने तथा/ या नोट करने आवश्यक होंगे, जो यातायात के निर्बाध बहाव तथा चालक को विभ्रान्त करने में हानिकारक हो।
- (ग) सभी ओ.एम.डी इस प्रकार से डिजाईन किए जाएंगे कि उन्हें सादृश्य रखा जा सके, जहां, साधारण नियम के अनुसार, अक्षर जब तक नगरपालिका द्वारा अन्यथा अनुमत न हो, तब तक अक्षर ओ.एम.डी क्षेत्र के 20 प्रतिशत से अधिक के क्षेत्र में दिखाई नहीं देना चाहिए।

3. स्थापना, संचालन तथा अनुरक्षण विकास मानदण्ड

- (1) निम्नलिखित मानदण्ड भी लागू होंगे :-
- (i) संनिर्माण, अनुरक्षण तथा परिवर्तन गतिविधियों के लिए ओ.एम.डी को सुरक्षित पहुंच उपलब्ध होगी।
- (ii) ओ.एम.डी तथा आस-पड़ोस के क्षेत्रों को स्वच्छ तथा साफ-सुथरी अवस्था में रखा जाएगा।
- (iii) अप्राधिकृत वृक्षहीन क्षेत्र, पेड़-पौधों की छंटाई करना, कटाई तथा जलाना या वनस्पती का अन्यथा हटाना या विनाश करना अनुमत नहीं है।
- (iv) यानीय तथा पैदल यातायात को अनुग्राही बनाने के अलावा, सड़क आरक्षण उपयोग सेवाओं के लिए कोरीडोर हैं जैसे कि बिजली, दूरसंचार, गैस, वर्षा पानी, जल आपूर्ति तथा सिवरेज (मलजल)। इन सेवाओं के स्थान सड़क आरक्षण के भीतर इन सेवाओं को स्थापित करने के लिए उनके अपने विधायी अधिकार सहित अन्य अभिकरणों द्वारा ज्ञात है।
- (v) नगरपालिका सभी भूमिगत सेवाओं के सही स्थान को नहीं जानता। स्वामी किए जाने वाले स्थल कार्यों पर कोई उत्खनन या निर्माण करने से पूर्व सम्बन्धित प्राधिकरणों से समन्वय करने, सूचना देने तथा संसूचित करने के लिए जिम्मेवार है। कोई दायित्व, विलम्ब या दुर्घटना जो घटती है, की सम्पूर्ण जिम्मेवारी स्वामी की है तथा किसी भी रूप में नगरपालिका करार या इस उप-विधियों में नियत सहायता, समर्थन, बातचीत करने या किसी शर्त को हटाने के लिए दायी नहीं होगा।
- (vi) ओ.एम.डी के स्वामी यह सुनिश्चित करने के लिए एकमात्र जिम्मेवार हैं कि किसी ओ.एम.डी के संनिर्माण, अनुरक्षण, परिवर्तन तथा कार्यवाही के दौरान, साधन सड़क आरक्षण के भीतर सेवाओं या अन्य बातों के प्रतिकूल नहीं होगा।
- (vii) नगरपालिका उपयोगिता सेवाओं जैसे कि बिजली, दूरसंचार, गैस, वर्षा पानी, जल आपूर्ति तथा मलजल (सीवरेज) द्वारा किए गए कार्य को सूकर बनाने के लिए या सड़क को चौड़ा करने के लिए किसी ओ.एम.डी को या तो बदलने या पूर्णतया हटाने के लिए स्वामी को कह सकता है।

4. संरचना

- (1) ओ.एम.डी संरचना यन्त्र संरचनात्मक इंजीनियरी के क्षेत्र में व्यवसाय करने वाले किसी संरचनात्मक इंजीनियर द्वारा प्रमाणित होंगे। यह अपेक्षा विशिष्ट दृष्टान्तों को लागू नहीं है जहां ओ.एम.डी संरचना के बाहरी हिस्से से सीधे रूप से चिपकाए गए विज्ञापन के रूप में है अर्थात् वाहन, दीवार आवरण पर चिपकाया गया स्टीकर।
- (2) यह प्रमाणन सम्बन्धित भारतीय संरचनात्मक डिजाईन मानक, व्यवसाय संहिता तथा इस मार्गदर्शक की शर्तों सहित डिजाईन का अनुपालन प्रदान करता है। नीचे अत्यधिक हवा अवस्था, भूकम्प, क्षमता वाली मिट्टी इत्यादि के अनुसार डिजाईन की जाएगी तथा जांच की जाएगी।
- (3) सहायता संरचना चकाचौंध रोकने के लिए अपरावर्तक परिष्कार की होगी।
- (4) ओ.एम.डी संरचना भली-भान्ति अनुरक्षित होगी। ऐसे रंग से रंगी जाएगी जो आस-पड़ोस क्षेत्र से संगत हो, तथा उसको बढ़ाता हो।
- (5) सरकारी सड़क फर्नीचर जैसे कि सरकारी चिह्नों तथा चित्रक मार्गदर्शन स्तम्भों को ओ.एम.डी की सहायता संरचना के रूप में प्रयुक्त नहीं किया जाएगा।
- (6) ओ.एम.डी अनुज्ञप्ति धारक का नाम, अनुज्ञप्ति की संख्या/मीडिया साधन पहचान संख्या इत्यादि ओ.एम.डी पर सहजदृश्य स्थिति में रखी जाएगी जो नगरपालिका द्वारा समय समय पर अधिसूचित की जा सकेगी।

5. विद्युत कनेक्शन

- (1) ओ.एम.डी के विद्युत कनेक्शन सम्बन्धित भारतीय मानकों को पूरा करेंगे।
- (2) ओ.एम.डी के विद्युत कनेक्शन यह सुनिश्चित करने के लिए डिजाईन किए जाएंगे कि यहां कोई भी सुरक्षा या यातायात जोखिम नहीं है।
- (3) ओ.एम.डी के विद्युत कनेक्शन आकस्मिक पछाड़ की घटना में सुरक्षित के रूप में डिजाईन किए जाएंगे।
- (4) रजिस्टर्ड एजेंसी बिजली उपभोक्ता है तथा वह उसके अपने नाम से प्रदीप्त प्रदर्शन करने के लिए सम्बन्धित विद्युत वितरण कम्पनी से विद्युत कनेक्शन प्राप्त करने के लिए विद्युत कनेक्शन हेतु आवेदन करेगी, जिसके लिए नगरपालिका सम्बन्धित भूमि स्वामित्व वाले कम्पनी स्वामी के अनुरोध पर अनिवार्य अनापत्ति प्रमाण पत्र मुहैया करेगी।
- (5) विद्युत कनेक्शन तथा आपूर्ति के लिए कोई प्रभार प्रत्यक्ष रूप से रजिस्टर्ड एजेंसी द्वारा उपगत किए जाएंगे। स्वीकृति/बिल व्यवस्था के लिए बिजली प्रदायक के पत्र की एक प्रति नगरपालिका को प्रस्तुत की जाएगी।
- (6) विद्युत संस्थापना कार्य सम्बन्धित विद्युत विनियम तथा लिखित नियमों तथा सम्बन्धित विद्युत प्रदायक की अपेक्षाओं के अनुसार अनुज्ञप्त इलैक्ट्रीकल कर्मकार द्वारा किया जाएगा।
- (7) उपयुक्त रोधन तथा संरक्षण उपकरण तथा प्रक्रिया या तो ओ.एम.डी या सड़क प्रकाश सर्किट संरक्षण अनुरक्षण तथा कार्यरत सेवा कार्मिक के संगत होगी। भूयोजन (अरथिंग) के लिए एक पृथक मिट्टी इलैक्ट्रोड का प्रयोग किया जाएगा, तथा सक्रिय तथा निशंवेशित चालक केवल आपूर्ति बिन्दु से आपूर्ति के लिए प्रयुक्त किया जाएगा।
- (8) खाका योजना स्थान जहां से बिजली विभिन्न अन्य आनुषंगिक अपेक्षाओं की स्थिति सहित प्राप्त की जा रही है, दर्शाते हुए सरकारी प्राधिकरण को उसी क्षेत्र में पेशा करने वाले अर्हक विद्युत इंजीनियर द्वारा विधिवत् हस्ताक्षरित, प्रस्तुत की जाएगी।
- (9) विद्युत ठेकेदार के जांच प्रमाण-पत्र की प्रति नगरपालिका को मुहैया कराई जाएगी। स्वीचिंग यन्त्र विद्युत प्रदायक द्वारा अनुमोदित किस्म का होगा। बिजली घटक सम्बन्धित भारतीय मानकों के अनुसार होगा।

6. विविध

- (1) आवाज, गन्ध इत्यादि द्वारा संचारण करने वाले ओ.एम.डी अनुमत नहीं हैं।
- (2) किसी बाहरी विज्ञापन साधन की चित्रावली के लिए बिजली मुहैया कराने हेतु शोर, वायु या जल प्रदूषण करने वाला डीजल/पेट्रोल/मिट्टी तेल या किसी बायो ईंधन से चलने वाला कोई भी जरनेटर अनुज्ञात नहीं होगा।

7. गैर-अनुज्ञेय बाहरी विज्ञापन की सूची

- (1) लोक सम्पत्ति पर विज्ञापन चिपका कर लगाया जाना।
- (2) बैनर।
- (3) स्तम्भ/तोरण पर चिपकाने के रूप में विज्ञापन।

8. लोक परिवहन सेवा/गली फर्नीचर पर ओ.एम.डी (वर्गीकरण 'क')

- (1) बस तथा मध्यमवर्ती लोक परिवहन विद्युत (आई पी टी) आश्रय।

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	आश्रय की छत पर ओ.एम.डी	i. एक अग्र पैनल 9 x 0.3 ii. दोनों तरफ पैनल 3 x 0.3
2.	आश्रय के ढांचे पर ओ.एम.डी	i. सड़क के समानान्तर एक पिछला पैनल - 9 x 1.2 ii. एक खम्बे पर चिपकाया हुआ पिछला लिट पैनल - 1.8 x 1.2

- (i) यात्री परिवहन आश्रय का अभिगम सिरा पहुंचने वाले यात्री परिवहन वाहन की अधिकतम दृश्यता सहित प्रतिक्षित यात्रियों को मुहैया कराने के लिए खुला रहेगा।

- (2) बस तथा मध्यमवर्ती लोक परिवहन (आई पी टी) मार्ग निशान।

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	मार्ग निशान के दोनों तरफ की ओ.एम.डी स्थान	i. 1.2 x 2.0 (उंचाई) 0.2 x 2.0 दोनों तरफ बस सम्बन्धित सूचना के लिए आरक्षित होगी।

- (3) बस और मध्यमवर्ती लोक परिवहन (आईपीटी) वाहन

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	सार्वजनिक परिवहन बसें	i. 4.0 x 0.6
	i. ड्राइवर साइड पैनल पर	
	ii. दूसरी तरफ पैनल	ii. 3.5 x 0.6

iii. पीछे की ओर वाहन के शीशे वाले क्षेत्र पर किसी विज्ञापन की अनुमति नहीं है	iii. 1.2 x 0.9
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(4) फुट ओवर सेतु के लिए विज्ञापन विनियमन मानदंड:

- सिर्फ पारदर्शी स्वरूप के विज्ञापन मार्ग की भीतरी दीवार पर तथा मार्ग की उपरी सतह से 0.75 मीटर की उच्चतम उचाई तक ही अनुमत किए जाएंगे। सभी परिस्थितियों में, मार्ग पर होने वाली गतिविधियां हर दिशा से स्पष्ट रूप से जनता को दिखनी चाहिए।
- सड़क से दृश्य विज्ञापन, यातायात की दिशा से विपरीत दिशा में फुट ओवर सेतु की तरफ पर अनुमत होगा।

(5) सार्वजनिक शौचालय ब्लॉक तथा साईकिल स्टेशन

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	सतह पर ओ.एम.डी के लिए अधिकतम स्थान	<ul style="list-style-type: none"> ब्लॉक के कुल सतह क्षेत्र का सत्तर प्रतिशत शहर नक्शे/प्रतिवेश नक्शे/मार्ग नक्शे सहित कम से कम 1.8 x 1.2 का अतिरिक्त पीछे का लिट पैनल भी मुहैया कराया जाएगा
2.	<ul style="list-style-type: none"> किसी भी मामले में ओ.एम.डी की उंचाई संरचना की मुंडेर (रेलिंग) से अधिक नहीं होगी। सार्वजनिक शौचालय के मामले में जल भण्डारण टैंक उचित रूप से छिपाया जाएगा तथा जनता को दृश्य नहीं होगा। 	

(6) सार्वजनिक उपयोगिता फर्नीचर-बूथ (अर्थात् पुलिस बूथ, टेलीफोन बूथ इत्यादि)

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	सतह पर ओ.एम.डी के लिए अधिकतम स्थान	<ul style="list-style-type: none"> बूथ के तीनों तरफ के कुल सतह क्षेत्र का 70 प्रतिशत। बूथ के पिछली तरफ ओ.एम.डी अनुमत नहीं है। बूथ के शीशे के सतह पर (प्रकाश तथा संवातन के लिए) ओ.एम.डी अनुमत नहीं है।

(7) सार्वजनिक उपयोगिता फर्नीचर - बैठने के बेंच तथा कुड़ा कचरा धानी (बिन)

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	ओ.एम.डी के लिए अधिकतम स्थान	<ul style="list-style-type: none"> नगरपालिका द्वारा विनिश्चित कुल सतह क्षेत्र का प्रतिशत। ओ.एम.डी केवल पैदल मार्ग के सामने होगा।

साधारण टिप्पण :-

- ओ.एम.डी पैनल अतिरिक्त प्रक्षेपित ब्रेकेट (बैठने के बेंच तथा कुड़ा कचरा धानी के सिवाए) के बिना बैकलिट होगा।
- अनिश्चित चित्र, निआन, परिवर्तनशील एल.ई.डी, चित्र कोलोर का बदलना, चमकीली लाईटें अनुमत नहीं है।
- अधिमानत: बी.ओ.टी आधार पर विकसित किया जाना है, जहां विद्यमान अवसंरचना के लिए बी.ओ.टी सम्भव नहीं है, वहां सुख-सुविधा के रखरखाव के लिए विज्ञापन स्थल बोली से निकाल दिया जाएगा जोकि बोलीदाता पर बाध्यकारी होगा।
- ओ.एम.डी की स्थापना के लिए संरचना के संवातन तथा प्राकृतिक प्रकाश के लिए कोई समझौता नहीं किया जाएगा।
- बस तथा आई.पी.टी आश्रय, शौचालय ब्लॉक, साईकिल स्टेशन, उपयोगिता बूथ तथा सार्वजनिक उपयोगिता बैठने के बेंचों के स्थानों को नगरपालिका द्वारा पहचाना जाएगा।
- ओ.एम.डी वाहन तथा पैदल यातायात के बहाव में कोई बाधा नहीं करेगा।

9. लोक परिवहन प्रणाली पर ओ.एम.डी (वर्गीकरण व्याख्या 'क')

(1) लोक परिवहन प्रणाली में, ओ.एम.डी रोलिंग स्टॉकस, स्टेशनों आश्रयों, फुटओवर पुलों तथा अन्य सम्पत्तियों (मेट्रो संरचनात्मक खम्बों/स्तम्भों समेत) पर अनुमत है।

क्रम सं०	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
1.	मेट्रो संरचनात्मक स्तंभों/स्तंभों पर ओ.एम.डी के लिए अधिकतम स्थान	<ul style="list-style-type: none"> जमीनी स्तर से 3.0 मीटर ऊपर (अर्थात् वाहन चालक के सामान्य नेत्र स्तर से ऊपर) स्थापित किया जाना है। अधिकतम ऊंचाई - 3 मीटर अधिकतम चौड़ाई - स्तंभ के व्यास तक सीमित (ओ.एम.डी का कोई भी भाग स्तंभ की चौड़ाई से अधिक नहीं लटका होगा/प्रक्षेपित नहीं होगा)

(2) मेट्रो स्टेशन, आश्रयों, फुट ओवर सेतु तथा अन्य सम्पत्तियों पर ओ.एम.डी इस प्रकार लगाई जाएंगी कि वे सार्वजनिक सड़क पर यातायात की दिशा का सामना नहीं करती हो (अर्थात् ओ.एम.डी सड़क के दूसरे हिस्से पर स्थापित किया जा सकता है)।

(3) ओ.एम.डी के अवस्थान को नगरपालिका के अनुमोदन से लोक परिवहन प्रणाली चलाने वाले व्यक्ति, कम्पनी, बोर्ड या वैधानिक प्राधिकरण द्वारा पहचान की जाएगी। इनकी पहचान मामले से मामले के आधार पर की जाएगी।

(4) अनुज्ञात ओ.एम.डी, प्रतीकात्मक व्याख्या के अनुसार उप-विधियों में कथित विशिष्टियों का पालन करेगी तथा सड़क सुरक्षा परामर्श में आशक्त तीसरे पक्षकार द्वारा लेखा परीक्षित कराई जाएगी। किसी भी मामले में तीसरा पक्ष (या इसकी सिस्टर कम्पनी) विज्ञापन प्रदर्शन कारबार में आशक्त नहीं होगा।

(5) यातायात रोक

ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)
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रोक के दोनो तरफ पर ओ.एम.डी के लिए अधिकतम स्थान।	<ul style="list-style-type: none"> अधिकतम लम्बाई – 0.6 अधिकतम ऊँचाई – 0.3
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10. वर्गीकरण 'ख' तथा 'ग' ओ.एम.डी के लिए प्ररूपी विज्ञापन यन्त्र परिमाण (दीवार आवरण के सिवाए)।

किस्म	प्रतिमाप (मीटरों में)	टिप्पणी
मानक ओएमडी	4.6 x 3.05	चालकों की दृष्टि ऊँचाई पर रखी जा सकती है जो किसी पैदल संचलन को भंग नहीं करेगी।
	6.1 x 3.05	चालक दृष्टि के प्रत्यक्ष क्षैतिज दृष्टि में नहीं आएगी। विज्ञापन पैनल का निचला भाग निकटवर्ती सड़क किनारे से कम से कम तीन मीटर से अधिक होना चाहिए तथा आधार पोल सड़क किनारे से कम से कम दस मीटर दूर होगा।
यूनिपोल तथा बड़े आकार का सूचना पट्ट	4.5 x 2.25	खड्गजा सड़क किनारे से कम से कम आफसैट सहित कम से कम पैंतालीस मीटर आर ओ डब्ल्यू सहित सड़क से दस मीटर।
	5.0 x 2.5	
	7.6 x 3.8	सड़क अन्तिम खड्गजा सड़क किनारे बिना संकेत के चौराहों या गोलचक्करों के मोड़ से कम से कम साठ मीटर आर ओ डब्ल्यू से कम न हों। अग्रभाग (मुंह) तेज गति से चलाने वाली यातायात सड़क की ओर था पहुंच नियन्त्रित सड़क/उच्च मार्ग के साथ न हों।
	10.0 x 5.0	पूर्ण रूप से केवल पैदल तथा पार्किंग/बाजार क्षेत्रों में

- (1) नगरपालिका सुनिश्चित करेगा की पूर्वोक्त आकार, शहर में अधिक सौन्दर्य लाने के लिए, बढाते हुए प्रयुक्त किए जाते है। रजिस्टर्ड हस्ती पूर्वोक्त एक मानक परिमाण का प्रयोग करेगा।
- (2) ऐसे मामलों में जहां कोई निर्माण नहीं किया गया है या थोड़ा निर्माण किया गया है, तो केवल उपरोक्त विनिर्दिष्ट आकार के यूनिपोल तथा सूचना-पट्ट अनुमत किए जाएंगे।
- (3) नगरपालिका द्वारा स्वागत संकेत तथा सामाजिक संदेश देने के लिए ढांचे केवल विभक्त परिवहन मार्ग सहित नगरपालिका सड़क पर ही अनुमत होंगे। प्रवर्तक ओ.एम.डी ढांचे के दूसरी तरफ पर अर्थात् आने वाले यातायात की विपरित दिशा पर प्रदर्शित किए जाएंगे। सड़क तथा ढांचे की निम्नतम सतह के बीच स्पष्ट दूरी आठ मीटर से कम नहीं होगी। गैट्री पर अधिकतम ओ.एम.डी की अनुमति एक मीटर तक सीमित है।
- (4) रिक्त ओ.एम.डी पर, सम्पूर्ण स्थान को कवर करने के लिए मोबाईल नम्बर अनुमन नहीं होंगे। मोबाईल नम्बर ओ.एम.डी के कुल स्थान के 1/10 वें भाग में दिए जाएंगे।

11. विज्ञापन परिसरों पर अधिकतम अनुज्ञेय क्षेत्र।

- (1) भवन के प्रत्येक अग्रभाग पर विज्ञापन परिसरों (भवन तथा भूमि सहित) पर उपलब्ध अधिकतम अनुज्ञेय क्षेत्र, सार्वजनिक गली/सड़क से दृश्य क्षेत्र नीचे दी गई तालिका के अनुसार होगा:-

क्रम संख्या	भवन की किस्म	कुल क्षेत्र का अधिकतम अनुज्ञेय क्षेत्र (भवन के प्रत्येक अग्रभाग पर)
1.	शापिंग माल, कारपोरेट आफिस, दुकान/शापिंग काम्प्लेक्स	20 प्रतिशत
2.	नियोजित कार्यालय अर्थात् स्वयं विज्ञापक (कार्यालय/दुकान संकेतक)	2 प्रतिशत

- (i) दीवार आवरण, पचहतर प्रतिशत की पारदर्शिता सहित सामग्री वाले भवन में प्राकृतिक रोशनी (प्रकाश) अनुज्ञात करेंगे।
- (ii) ओ.एम.डी की ऊँचाई, भवन की ऊँचाई के अनुसार प्रतिबन्धित है, जो निम्न अनुसार है:-

क्रम संख्या	भवन की ऊँचाई	ओ.एम.डी की अधिकतम ऊँचाई
1.	तीन मंजिलों तक (15 मीटर तक)	8 मीटर
2.	चार से आठ मंजिल (15 से 36 मीटर)	12 मीटर
3.	आठ मंजिल से अधिक (36 मीटर से अधिक)	15 मीटर

परन्तु कोई खुलने वाला दरवाजा/खिड़की कवर नहीं किया जायेगा। इसके अतिरिक्त, विज्ञापन ईमारत के बुनियादी वास्तु खास, विशेषताएं (जैसे मेहराब, कॉलम, आलो, प्रक्षेप, आदि), मानक अगवाड़ा (प्राधिकारी द्वारा अनुमोदित) और आकार को खराब नहीं करेगा।

12. कार्यक्रमों के लिए ओ.एम.डी (वर्गीकरण 'घ')

- (1) ये ओ.एम.डी केवल घटनाओं के लिए लगाई जाएगी, जैसे कि सम्मेलन, मनोरंजन घटनाएं, प्रदर्शनी इत्यादि तथा नगरपालिका द्वारा केवल अस्थायी संरचना पर अनुमत होगी।
- (2) ये ओ.एम.डी इस उप-विधि के किन्ही उप बन्धों का उल्लंघन नहीं करेगी।
- (3) ये ओ.एम.डी घटना के तीस दिन पहले लगाई जानी अनुमत होगी तथा कार्यक्रम समाप्त होने के चौबीस घंटे के भीतर हटानी होगी।
- (4) वर्गीकरण-घ.1 में वर्णित ओ.एम.डी से रजिस्ट्रेशन तथा फीस/प्रभावों के भुगतान से छूट प्राप्त होगी।
- (5) वर्गीकरण-घ.2 में वर्णित ओ.एम.डी नगरपालिका द्वारा यथा विनिश्चित फीस का भुगतान करेगी, किन्तु रजिस्ट्रेशन प्रक्रिया से छूट प्राप्त नहीं है।
- (6) उप-विधि के उप बन्ध के उल्लंघन तथा कार्यक्रम के समाप्त होने के बाद ओ.एम.डी न हटाने के लिए दण्ड प्रभार वर्गीकरण-घ में वर्णित सभी ओ.एम.डी पर लागू होंगे तथा नगर निगम द्वारा यथा विनिश्चित दैनिक आधार पर प्रभारित किए जाएंगे।

13. परिदृश्य विज्ञापन के लिए ओ.एम.डी (वर्गीकरण 'ङ')

- (1) परिदृश्य ओ.एम.डी केवल तीन वर्ष से कम आयु तथा/या चार मीटर से कम ऊँचाई के वृक्षों को कवर करने के लिए वृक्ष रक्षक पर अनुमत है।
- (2) वृक्ष रक्षक 1.2 से 1.5 मीटर सिरे तथा 1.5 मीटर की ऊँचाई सहित वर्गाकार का होगा।

क्रम संख्या	ओ.एम.डी विशेषता	अधिकतम अनुमत आकार (मीटरों में)

1.	ओ.एम.डी के लिए अधिकतम स्थान रक्षक के प्रत्येक सिरे पर वर्गाकार प्लेट होगी।	<ul style="list-style-type: none"> अधिकतम लम्बाई— रक्षक की चौड़ाई के बराबर अधिकतम ऊँचाई—0.9 ओ.एम.डी का निचला भाग भूमि से 0.3 मीटर ऊंचा होगा।
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14. स्वयं विज्ञापन (वर्गीकरण 'च')

- स्वतः विज्ञापन की विषय-वस्तु कार्यालय/ दुकान के स्वामी द्वारा केवल कार्यालय/दुकान संकेतक की सीमा तक अनुमत है। कोई भी तीसरा पक्ष विज्ञापन स्वतः विज्ञापन पर/के साथ अनुमत नहीं होगा।
- स्वतः विज्ञापन भवन बोर्ड, दीवार आवरण के रूप में भवन के मुख/अग्रभाग के कुल क्षेत्र के केवल दो प्रतिशत पर अनुमत है। यदि संपत्ति स्वामी कुल क्षेत्र के दो प्रतिशत से ज्यादा स्वयं विज्ञापन लगाता है, तो यह अनुबंध 5 में बताये गये वर्गीकरण के अर्न्तगत माने जायेंगे तथा उसके अनुसार ही लागू फीस/प्रभार लिये जाएंगे।
- दुकानों के मामले में, स्वतः विज्ञापन बोर्ड की ऊँचाई एक मीटर तक सीमित है तथा चौड़ाई भवन की चौड़ाई तक सीमित होगी, दुकान की सरदल ऊँचाई से ऊपर लगाई जाएगी। शापिंग काम्प्लेक्स में, सभी दुकाने स्वतः विज्ञापन बोर्ड की स्पष्ट उंचाई में एकरूपता रखेंगी।
- स्वतः विज्ञापन बोर्ड भवन के अग्रभाग से 150 एम.एम. से बाहर निकला हुआ नहीं होगा।
- स्थिर छतरी (कियोस्क) या ठेले पर फेरीवाले द्वारा स्वतः विज्ञापन 3 मीटर x 1 मीटर के परिमाण सहित 3 वर्गमीटर तक सीमित है।
- रिक्शा के लिए स्वतः विज्ञापन रिक्शा के पीछे तथा दोनों तरफ के 1 मीटर x 0.5 मीटर पैनल सहित 1.5 वर्गमीटर तक सीमित है।
- भू-ओ.एम.डी., आर.ओ.डब्ल्यू तथा पैदलमार्ग पर अनुमत नहीं होगा।
- भू-ओ.एम.डी का आकार 2 मीटर x 1 मीटर आकार सहित 2 वर्गमीटर तक सीमित अधिकतम आकार सहित आर.ओ.डब्ल्यू से दूर प्रत्येक मीटर की दूरी के लिए 0.3 वर्गमीटर होगा।
- पेट्रोल पंपों पर, तेल कंपनियों और वितरकों के बीच अनुबंध समझौते के अनुसार, तेल कंपनियों के उत्पाद या सार्वजनिक संदेश के केवल स्वतः विज्ञापन की अनुमति है। तृतीय पक्षकार वाणिज्यिक विज्ञापन की अनुमति नहीं है।

15. नवाचार ओ.एम.डी (वर्गीकरण 'छ')

- नवीनतम ओ.एम.डी जैसे कि एल.ई.डी, एल सी डी, फुलाने योग्य या गैस गुब्बारे तथा अन्य ऐसे मीडिया के लिए विशेष अनुमति प्राप्त की जानी अपेक्षित होगी।
- यह अनुमोदन विनिदिष्ट अवधि के लिए होगा, तथा उप-विधि 6 के अनुसार होगा।
- चालन करते समय चालक पहली दृष्टि में सड़क से चिह्न की विषय-वस्तु को पढ़ेगा, तथा फिर वापस सड़क पर देखेगा। एल ई डी चिह्न (रंग परिवर्तन के बिना) भवन आकृति (अग्रभाग) पर विज्ञापन के स्वीकार्य फारमैट में है चूंकि ये विशिष्ट ब्राण्ड नामों का निरूपण करने के लिए अनुमानित है तथा उच्च दृश्य सूचना वाले नहीं होते हैं।
- एल.सी.डी/एल.ई.डी स्क्रीन जो विशिष्ट रूप से लेखा-चित्रकला तथा दृश्य प्रतिकृति की हैं, वे मार्केट क्षेत्रों, पार्किंग स्थानों, पार्कों, भ्रमण मार्ग, मुख्यतः यातायात के यानीय संचलन के सामने न हों, में प्रतिबन्धित होंगी।
- इसके अतिरिक्त, वाई-फाई होटस्पोट, मोबाईल टैलीफोनी ऐनटिना/ टावरों के वितरण के लिए ओ.एम.डी का प्रयोग विशेष परियोजना रिपोर्ट के आधार पर अनुमत होगा।
- पूर्वोक्त के अतिरिक्त, अन्य मानदण्ड निम्नलिखित होंगे:-
 - प्रदर्शन के भीतर संचलन की प्रायिकता तथा प्रसार तथा रंग परिवर्तन।
 - ओ.एम.डी केवल वहां लगाए जाएंगे जहां अपेक्षित चिह्न दृश्यता समय विशेष परिसर के लिए सुरक्षा समस्या का परिणाम न हो।
 - चिह्न पढ़ने के लिए पर्याप्त अग्रिम दृश्यता हो।
 - परिसर चालक निर्णय बिन्दुओं से मुक्त हो तथा वहां सरकारी यातायात चिह्न में कोई होड़ न हो।
 - साधन कोई गतिमान ओ.एम.डी न हो।
 - लम्बी अवधि प्रदर्शन मीयाद चालक घबराहट को कम करने तथा गतिविधि को समझने की मात्रा को कम करने का उद्देश्य अधिमत है। प्रत्येक स्क्रीन, कम से कम 8 सैकेण्ड की प्रदर्शन अवधि की होगी। परिवर्तन करने के लिए क्रमिक प्रदर्शन हेतु लिया गया समय 0.1 सैकेण्ड में होना चाहिए।
 - सम्पूर्ण स्क्रीन प्रदर्शन तत्काल प्रतिवर्तित होगा। प्रदर्शन परिवर्तन का ढंग जैसे कि "फ्लाई इन" या "स्क्रीन", या सन्देश परिवर्तन की कोई अन्य किस्म अनुशासित नहीं की गई हैं।
 - क्रमिक संदेश सेट अनुज्ञात नहीं है :
 - समय सीमा समय-समय पर पुनरीक्षित की जाएगी।
- गैस गुब्बारे या फुलाने योग्य ओ.एम.डी के लिए अनुमति निम्नलिखित मानदण्डों पर दी जाएगी, अर्थात्:
 - गैस गुब्बारे ओ.एम.डी खुले क्षेत्रों में तथा स्थिर स्थिरक सहित भूमि के साथ लगाए तथा लटकाए जाएंगे।
 - इनकी अग्नि सुरक्षा के बारे में अनापत्ति प्रमाण पत्र अग्निशमन अधिकारी से ली जाएगी।
 - गैस गुब्बारे ओ.एम.डी बहुत उंचे उठे हुए भवन/ उच्च वोल्टेज लाईनों/ विद्युत टावरों के निकट तथा निकटतम भवन/ उच्च वोल्टेज लाईनों/ विद्युत टावरों से इनकी दूरी गैस गुब्बारे की कुल उंचाई से डेढ गुणा (1.5 गुणा) होगी।
 - फुलाने योग्य ओ.एम.डी हवा से ही फुलाए जाएंगे (किसी प्रकार की गैस की अनुमति नहीं है)
- पॉलिसी नई प्रौद्योगिकियों को अपनाने के लिए खुली होगी बशर्ते कि वे किसी सामान्य अनुमति मानदण्ड के उल्लंघन में न हों, तथा नगर निगम द्वारा भी अनुमोदित होंगी। किसी ऐसे माध्यम को लागू करने से पूर्व नगर निगम से अनुमति ली जाएगी।

16. वाणिज्यिक और सार्वजनिक भवनों के अंदर ओ.एम.डी (वर्गीकरण 'झ')

- परिसर में लगाये गये सभी ओ.एम.डी को (किसी भी सार्वजनिक गली/सड़क का सामना नहीं करने वाले), भवन उपयोगकर्ताओं को प्रदर्शित करने के लिए, आवश्यक शुल्क के भुगतान पर, नगरपालिका से अनुमति प्राप्त करना आवश्यक है।
- परिसर में स्थापित ओ.एम.डी, किसी भी सार्वजनिक गली/सड़क का सामना नहीं करती, यातायात में किसी भी तरह का विचलन नहीं करती है और इसलिए ऐसे ओ.एम.डी के आकार और स्थान के संबंध में कोई मापदंड परिभाषित नहीं किया गया है।

(3) किसी भी स्थिति में, ऐसे ओ.एम.डी सार्वजनिक गली/ सड़क और किसी भी आसन्न इमारत से सार्वजनिक दृश्य, यातायात/पैदल यात्री का सामना नहीं करेंगे।

(4) केवल द्वारा लटकाई गई या लगाई सभी ऐसी ओ.एम.डी जो स्तम्भ, बीम, छत इत्यादि पर स्थापित की गई है, जनसाधारण के लिए संरचनात्मक सुरक्षा तथा अन्य सुरक्षा मानदंडों की अनुपालना करेंगे।

टिप्पणः— यदि एक ओ.एम.डी एक परिसर के भीतर और परिसर के भीतर की इमारत की ओर स्थापित है लेकिन आसन्न भूखंडों पर इमारतों से भी दिखाई देता है, तो निम्नलिखित परिस्थितियों में वर्गीकरण "झ" के तहत विचार किया जाएगा।

i. ओएमडी सतह का कोण (क्षेत्रज या लम्बवत) आसन्न भूखंड पर इमारत की दिशा में 45 डिग्री पर होगी (5 प्रतिशत भिन्नता अनुमत);

ii. आसन्न भूखंड पर की इमारत से ओएमडी की दूरी पचास मीटर से कम न हो।

17. अनुमति मानदण्ड

(1) सभी परिसरों में ओ.एम.डी/कारबार/व्यापार चिह्न वाणिज्यिक क्षेत्रों में तथा संस्थागत क्षेत्रों के भीतर प्राधिकृत कारबार/व्यापार स्थापनाओं में प्रतिबन्धित होंगे।

(2) अनुमति के लिए शर्तों की पूर्ति के अधीन और उपविधि में निर्दिष्ट दूरी पैरामीटर का पालन करने पर, रिक्त प्लॉट पर ओ.एम.डी को स्थापित करने की अनुमति है।

(3) ओ.एम.डी-आवासीय क्षेत्रों में अनुमत नहीं है तथापि, आवासीय क्षेत्र में वाणिज्यिक घटक (अर्थात् आस-पड़ोस का बाजार स्थान) में ओ.एम.डी अनुमत हैं। ओ.एम.डी पूर्ण रूप से केवल बाजार के अग्रभाग में होगी तथा किसी भी परिस्थिति में आवासीय क्षेत्र के अग्रभाग में नहीं होगी।

(4) परिसर में प्रदीप्त ओ.एम.डी कम से कम 12 मीटर चौड़ाई सहित गली में आवासीय क्षेत्रों के सामने दुकानों/वाणिज्यिक प्रतिष्ठानों में अनुमत नहीं हैं।

(5) ओ.एम.डी किसी भी रूप में वृक्षों या झाड़ियों में नहीं लगाई जाएगी।

(6) कोई भी व्यापार तथा कारबार चिह्न, संदेश, पोस्टर या किसी स्वरूप की मुद्रित सामग्री किसी समर्थित कालम, स्तम्भ या खम्भे पर नहीं चिपकाई जाएगी।

(7) परिसर में ओ.एम.डी किसी भी रूप में किसी पैदल संचलन (अनुलम्ब रूप से तथा पार्श्व रूप से), अग्नि बचाव, दरवाजा तथा खिड़की खोलने में बाधा नहीं डालेगा।

(8) परिसर में ओ.एम.डी किसी भी रूप या रीति में प्रकाश तथा संवातन के लिए अपेक्षित द्वार में बाधा नहीं डालेगा।

(9) किन्हीं भी परिस्थितियों में परिसर में ओ.एम.डी बाधा डालने या किसी पारदर्शी/पारभासी सतहों/द्वार के सामने की रूपरेखा बदलने के लिए स्थान निर्धारित अवस्थित नहीं किया जाएगा।

(10) **अनुसूची-1 के खण्ड 11** में परिभाषित ऊंचाई के अध्वधीन गैर-प्रदीप्त पारदर्शी/पारभासी चिह्न किसी भी स्तर पर पारदर्शी/पारभासी बाहरी सतहों पर अनुमत किया जाएगा।

(11) कोई भी व्यापार तथा कारबार चिह्न किसी भी रूप या रीति में अपेक्षित अग्नि सुरक्षा परिवहन/निकास स्थान तथा विहित मानकों में बाधा नहीं डालेगा।

(12) सभी परिसरों पर ओ.एम.डी किसी भी परिस्थिति में परिसरों के भीतर की गई गतिविधि/गतिविधियों से भिन्न उनको प्रतिबिम्बित नहीं होगी।

(13) कोई भी ओ.एम.डी अतिरिक्त विज्ञापन-स्थल पर उपबन्धित, बेची गई या उपलब्ध उत्पादों या सेवाओं को ध्यान में रखे बिना परिसरों या स्थल के उपयोग के अनुमोदन से भिन्न उत्पाद या सेवा को उन्नत करने वाला नहीं होगा।

(14) सभी परिसरों पर ओ.एम.डी में निम्न अनुसार अपेक्षित अनिवार्य सूचना होनी चाहिए:

(i). व्यापार तथा कारबार का नाम

(ii). दुकान/परिसर संख्या

(15) सभी परिसरों पर ओ.एम.डी औचित्य, मर्यादा, सामाजिक मैत्री इत्यादि के बारे में प्रचलित विधियों के अनुरूप होगा।

(16) सभी ओ.एम.डी दृश्य रूप से रुचिकर होगा तथा डिजाईन विशेषता के उच्च स्तर को प्रदर्शित करेगा।

(17) सभी परिसरों पर ओ.एम.डी सतह/इमारत/भवन/खुले क्षेत्रों के संरचनात्मक/वास्तुशिल्पीय अनुशासन के सदृश होगा।

(18) किसी चिह्न का माप तथा अवस्थिति न केवल भवन जिसमें यह चिपकाया गया है, के अनुकूल होगा बल्कि निकटतम भवनों, गलियों तथा विद्यमान चिह्नों को भी विचार में लिया जाएगा।

(19) सभी परिसरों पर ओ.एम.डी में प्रयुक्त सामग्री गैर-प्रदूषण, अग्नि विरोधी तथा हानि प्रूफ होनी चाहिए।

(20) कोई नया चिह्न मीडिया साधन यह सुनिश्चित करने के लिए किसी भवन, स्थल या संलग्न गली स्केप पर विद्यमान चिह्न का विचार करेगा कि चिह्न दृश्य तथा/या भौतिक घाल-मेल को बढ़ने नहीं देता है।

(21) केबिल तथा नाली को चिह्न के दर्शन से तथा सभी कोणों से किसी सहायता संरचना को छिपाना होगा जिसमें गली स्तर तथा निकटतम उच्चतर भवन से तथा रूपरेखा (क्षितिज) के विरुद्ध दृश्यता शामिल है।

(22) किन्हीं भी परिस्थितियों के अधीन कोई भी चिह्न किसी अन्य चिह्न से समर्थित, लटका हुआ नहीं होगा या रखा नहीं जाएगा। प्रत्येक चिह्न स्वतः समर्थित या वास्तुशिल्पीय संरचना से सुरक्षित रूप से आबद्ध (फिक्सड) होगा।

(23) भवन की छत पर रंगे हुए या लगाए गए चिह्न अनुमत नहीं है। छत पर छत से निर्मित तथा/या लटकते हुए चिह्न भी अनुमत नहीं है।

(24) भवन की उपरी छत पर ओ.एम.डी अनुमत नहीं है।

(25) किसी भी परिस्थिति में भवन सतर पर ओ.एम.डी भवन की चौड़ाई से बाहर नहीं निकाला जाएगा।

(26) यातायात संकेत के उपरी सिरे, भूमि पर तैयार यातायात संकेत, उपरी यातायात संकेत, तथा भूमि पर तैयार यातायात संकेतों पर प्रदर्शित नहीं किए जाएंगे।

(27) ओ.एम.डी टैलीफोन/बिजली खम्बों/ट्रांसफार्मरों/उच्च संचारण लाईन टावरों पर अनुमत नहीं है।

(28) ओ.एम.डी सड़क कार्यस्थल के निर्माणजोन के 100 मीटर के भीतर लगाना अनुज्ञात नहीं किया जाएगा जहां निर्माण चल रहा है।

(29) चिह्न सूचना कम से कम सौन्दर्य तथा यातायात सुरक्षा दोनों के हित में रखी जाएगी।

(i) जहां अधीनस्थ सूचना अनुज्ञात की गई है, वहां कारबार का नाम या उपयोग चिह्न पर प्रमुख संदेश होगा – कोई भी अनुपूरक (जैसा कि बाईलाइन, उत्पाद विशिष्टियों, विक्रय प्रस्तावों में) तथा अधीनस्थ सूचना

(पते, टैलीफोन नम्बर तथा अन्य ऐसे ब्योरे) जिस पर यानीय खिंचाव के साथ चालकों का ध्यान जाता है, अनुज्ञात नहीं किए जाएंगे जैसा कि वे यातायात खतरा पेश करते हैं।

- (ii) चिह्न अपरावर्तक होंगे जैसे कि वे मार्ग में चालकों पर चौंध न डालते तथा चकाचौंध न करते हों। चिह्नों में शीशा पर्ण इत्यादि के रूप में परावर्तक सतह का प्रयोग नहीं किया जाएगा जैसा कि ऐसी सामग्री का प्रयोग यातायात में दृष्टि रूप से विघटनकारी है तथा आने वाले चालकों के लिए खतरनाक हो सकती है।
- (iii) सभी अनुमत चिह्न भुगतानयोग्य उद्ग्रहण को आर्कषित करेंगे जो नगर निगम द्वारा रेखाचित्रित हैं।
- (iv) किसी भी मामले में, ओ.एम.डी., आर.ओ.डब्ल्यू तथा पैदल मार्ग पर नहीं डाला जाएगा।

(30) जहां ये उप-विधियां मौन (निष्क्रिय) हैं, वहां आई.आर.सी-46-1972 में बताए गए उपबन्ध "सड़क किनारे विज्ञापन पर पॉलिसी" निर्दिष्ट की जाएगी।

18. अभिस्वीकृति ओ.एम.डी

(1) अभिस्वीकृति ओ.एम.डी में सम्पर्क सूचना, निदेशन, नारे, टैलीफोन नम्बर या इन्टरनेट पते नहीं होंगे। इसमें अभिस्वीकृति ओ.एम.डी पर रखे गए उनके स्वीकृति लोगो (शब्द) होंगे। स्वीकृति लोगो (शब्द) नीचे विनिर्दिष्ट कुल ओ.एम.डी सतह क्षेत्र के एक तिहाई से कम होगी।

(2) हरितलान, भू-दृश्य द्वीप, पैदल/ साइकलिस्ट मार्ग तथा केन्द्रीय मध्यम पर स्वीकृति ओ.एम.डी 0.2 वर्गमीटर क्षेत्र प्लेट तक प्रतिबन्धित होंगे तथा उनका स्थान सड़क पर पन्द्रह मीटर से कम नहीं होगा।

(3) 50 कि.मी. घंटा से कम गति के साथ यदि यह गोलचक्कर पर है तो स्थापित परिधि लम्बाई के साथ 20 मीटर अंतरालन लिया जाएगा तथा 800 एम.एम. तथा 250 एम.एम का मानक परिमाण बोर्ड लगाया जाएगा/लगाया गया संकेत किसी दिशा स्तम्भ/विशाखन/चेतावनी संकेत को देखने में बाधा नहीं डालेगा। ऐसे संकेतक अभिस्वीकृति संकेतों के रूप में अर्हक हैं तथा केवल प्रवर्तक की स्वीकृति वाले होंगे तथा कोई भी तीसरा पक्ष विज्ञापन अनुमतन ही होगा।

(4) स्वीकृति संकेत यातायात संकेतों सहित किसी अन्य यातायात नियंत्रण यन्त्र के सामने या पीछे, के निकटवर्ती या निकट सामीप्य में नहीं लगाए जाएंगे। संकेत निर्णय बिन्दुओं पर जहां सड़क उपयोग करने वालों का ध्यान अन्य यातायात नियंत्रण यन्त्रों, सड़क मार्ग ज्यामिति, या यातायात स्थिति जिसमें निकास तथा प्रवेश रैम्प, चौराहे, राजमार्ग-रेल ग्रेड क्रॉसिंग, टोल प्लाजा, अस्थाई यातायात नियंत्रण जोन तथा सीमित दृष्टि दूरी के क्षेत्र शामिल है, अधिक उचित रूप से संकेन्द्रित करता है। स्वीकृति संकेतों के बीच न्यूनतम अंतरालन 50 किलोमीटर/घण्टा से कम गति सहित किसी सड़क पर 25 एम से कम नहीं होगी।

19. शामियाना ओ.एम.डी (भवन से प्रक्षेपित छतरी से लटका) उंचाई में दो मीटर से अधिक नहीं होगा तथा इसका निचला भाग फुटपाथ से 2.5 मीटर ऊपर होगा।

अरुण कुमार गुप्ता,
प्रधान सचिव, हरियाणा सरकार,
शहरी स्थानीय निकाय विभाग।

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
NOTIFICATION

The 15th July of 2022

No.9/24/2022-4C-II -In exercise of the powers conferred by clause (xv) of sub-section (1) of section 70 read with clause (p) of section 200 of the Haryana Municipal Act, 1973 (24 of 1973), clause (16) of section 392 G of the Haryana Municipal Corporation Act, 1994 (16 of 1994) and with reference to Haryana Government, Urban Local Bodies Department, notification No. 9/24/2022/4C-II., dated the 04th April, 2022, the Governor of Haryana hereby makes the following bye-laws, namely:-

Bye-laws

Short title,
commencement
and
application.
Definitions.

- 1** (1) These bye-laws may be called the Haryana Municipal Advertisement Bye-Laws, 2022.
(2) They shall come into force on the date of their publication in the Official Gazette.
(3) They shall be applicable to municipality in the State of Haryana.
- 2** (1) In these bye-laws, unless the context otherwise requires,-
- (i) **“Act”** means the Haryana Municipal Act, 1973 (24 of 1973) and the Haryana Municipal Corporation Act, 1994 (16 of 1994), as the case may be;
 - (ii) **“acknowledgement OMD”** means an outdoor media device that acknowledges an entity displaying an advertisement on road medians or roundabouts in lieu of provisions or maintenance of such structures;
 - (iii) **“advertisement”** means any representation by a word or abbreviation thereof, letter, logo, symbol, sign, figure, painting, drawing or other pictorial representation, or light or sound, displayed on media device and visible to public from any place on land, building, airspace, water in the regulated area and/ or visible from public place or public street subject to excluded media;
 - (iv) **“advertising”** means the act or process of displaying an advertisement;
 - (v) **“billboard/ hoarding”** means an outdoor media device with space for advertising in the form of an advertisement panel and where such panel is mounted with its foundation on any structure either on ground or building;
 - (vi) **“building line”** means the line up to which the plinth of a building may lawfully extend on the side, which abuts the street or an extension of a street or a strip of land ear-marked or reserved for future construction of street and such line is mentioned in the approved plan or co-ordination plan or the scheme by the Government authority having jurisdiction or power;
 - (vii) **“carriageway”** means the width of the road under the metalled portion;
 - (viii) **“commercial building”** means a building used or constructed or adopted to be used or intended to be used wholly or partially for business, trade or commerce;
 - (ix) **“display”** means an advertisement being visible to public, irrespective of the space on which the advertisement is installed;
 - (x) **“electronic hoarding”** means an outdoor media device, with display made from LED (Light Emitting Diode) or LCD (Liquid Crystal Display) or any other electronic source, to display running text, displays and informational messages from computer programs and software or any other means;
 - (xi) **“entity”** means an applicant who may be a registered organization, firm, limited liability partnership, partnership or a company incorporated under the Companies Act, 2013 (Central Act 18 of 2013), intending to display an advertisement within the Municipal area;
 - (xii) **“facade”** means front/ exterior of a building;
 - (xiii) **“gantry”** means a structure erected across a road and usually fabricated of metal section pillars fixed on either side of a road with a beam shaped section connecting the top of the pillars across the road;
 - (xiv) **“gantry advertisement”** means a gantry displaying an advertisement on the face opposite to the direction of traffic;
 - (xv) **“ground OMD”** shall mean an outdoor media device detached from a building, erected or painted on temporary structure, screen and fence placed/ fixed on land and visible to public;
 - (xvi) **“Indian Road Congress (I.R.C)”** means the applicable codes, regulations made and directions issued thereunder by the Indian Road Congress, from time to time;
 - (xvii) **“interested party”** means any person or a registered organization, firm, partnership or a company, who has, in terms of these bye-laws, submitted comments or an objection or a grievance or made representation in respect of any application for display of OMD;
 - (xviii) **“intersection”** means the same level junction where two or more roads either meet or cross;
 - (xix) **“marquee OMD”** shall mean an outdoor media device attached to or hung from a marquee canopy or other covered structure projecting from and supported by the building and extending beyond the building wall or building line;
 - (xx) **“multiple OMD”** includes OMD having more than one advertisement displayed on single OMD structure or on multiple OMD structures in a single premise;
 - (xxi) **“National Building Code of India (NBC)”** means the National Building Code of India as amended from time to time and regulations made thereunder;
 - (xxii) **“Online Advertisement Portal”** means an online portal developed by the Department of Urban Local Bodies for municipality in the State for the purposes of these bye-laws;
 - (xxiii) **“OMD”** means an Outdoor Media Device as set out in **bye-law 3**;
 - (xxiv) **“owner”** means owner of the property and includes an association of owners under the Haryana Apartment Ownership Act, 1983 (10 of 1983);
 - (xxv) **“permission charges”** means charges specified by the Government from time to time which are to be

levied by the municipality for granting permission under section 122 of the Haryana Municipal Corporation Act of 1994 (16 of 1994) and under section 70 of the Haryana Municipal Act of 1973 (24 of 1973), as the case may be;

- (xxvi) **“property”** means any land or building or part thereof in the limits of the municipality;
- (xxvii) **“public space”** means a place as defined in section 122 of the Haryana Municipal Corporation Act, 1994 (16 of 1994);
- (xxviii) **“public view”** means an area wherefrom a person/ object/ display within such an area can be distinguished by vision when viewed from a public place;
- (xxix) **“reserve price”** means minimum price of an OMD for the purpose of auction of each site, which shall be specified by the municipality as per the guidelines issued by the Government from time to time;
- (xxx) **“registration charges”** means charges to be specified by the Government from time to time, which is to be paid by from an entity for its registration on the Online Advertisement Portal, which shall be non-refundable;
- (xxxi) **“registered entity”** means any entity registered on Online Advertisement Portal under **bye-law 15**;
- (xxxii) **“listed owner”** means an owner of the property listed on the Online Advertisement Portal under self-advertisement beyond the permissible limits specified in Schedule-I or/ and offering his property to municipality for listing it on the portal for 3rd party advertisement under auction;
- (xxxiii) **“regulated area”** means the geographic area including airspace in the jurisdiction of the municipality;
- (xxxiv) **“Right of Way (RoW)”** shall mean,-
 - (a) in case of a National Highway, the extent of land owned by the authority maintaining the National Highway;
 - (b) in case of a road other than a National Highway and having service lanes immediately abutting the main carriageway, the carriageway limit of the service lanes and the main carriageway;
 - (c) in case of a road other than a National Highway and not having any service lane immediately abutting the main carriageway, the carriageway limit of the main carriageway;
- (xxxv) **“road traffic sign”** means any sign for public information for users of the road and includes a traffic signal as contemplated in law or by the Indian Road Congress (IRC);
- (xxxvi) **“scrutiny fee”** means such a fee, as may be to be specified by the Government from time to time to, to be levied alongwith an application for scrutiny, which shall be non-refundable;
- (xxxvii) **“self-advertisement”** means advertisement displayed by the listed owner, related to his profession and displayed in terms of **bye-law 5**;
- (xxxviii) **“service lane”** means a road along the main carriageway and used for movement of vehicles;
- (xxxix) **“street furniture advertisement”** means an advertisement displayed on any public facility or structure which is not primarily intended for advertising and includes a seating bench, plant box, footpath litter bin, pole-mounted litter bin, public transport shelter, sidewalk clock, suburban name device and a street name, drinking fountain etc. of appropriate size and shape serving the functional requirement of such street furniture with advertisement either directly pasted/ affixed or in the form of a panel;
- (xl) **“Structural Engineer”** means a person who is a graduate in Civil Engineering from a recognized University or corporate member of Civil Engineering Division of the Institute of Engineers of India with a minimum of ten years of experience in structural design structures and related field work, or person who is a post-graduate in Civil Engineering from a recognized University or corporate member of Civil Engineering Division of the Institute of Engineers of India with a minimum of three years of experience in structural design structures and related field work;
 - (xli) **“structural stability certificate”** means a certificate issued by a Structural Engineer;
 - (xlii) **“third party advertising sign”** means any OMD other than self-advertisement;
 - (xliii) **“temporary advertisement”** means an OMD, other than self-advertisement, displayed immediately before and for the duration of any forthcoming event including entertainment events, festivals, mela, trade fair, conferences, road shows which shall not exceed a maximum period of thirty days;
 - (xliv) **“trailer advertising”** means an OMD mounted on a trailer, bicycle or vehicle, which is stationary or moving with the sole purpose of advertising;
 - (xlv) **“unauthorized charges”** means charges levied by municipality for the unauthorized display of OMD and in violation of any of the provision of these bye-laws;
 - (xlvi) **“unipole”** means an OMD with large space for advertising in the form of an advertisement panel and where such panel is mounted on a single column with its foundation on the ground;
 - (xlvii) **“urban design”** means the actions of conceiving and managing the special and aesthetic characteristics of urban space between and around buildings, road including physical elements that make up the streetscape and the combined visual effect of building facades and other structures;
 - (xlviii) **“wall wraps”** means advertisement pasted on the outer surface of a building or the wall painted colour or the wall covered with any other material including aluminum composite panels which has been used as architectural feature to form the façade or used as wall of a building.

(2) The words and expressions used but not defined in these bye-laws but defined in the Haryana Municipal Act, 1973 (24 of 1973) and the Haryana Municipal Corporation Act, 1994 (16 of 1994) shall have the same meaning as assigned to them in the said Acts, respectively.

General details of OMD 3 (1) The bye-laws shall permit different types of OMDs to be displayed within municipal limits. The typologies of OMDs are defined in **Annexure 5**.

(2) The following shall be the criteria for period of validity for which permission to display OMD shall be allowed, namely:

- (i) Type A: three years; between the concerned Government entity and the registered entity or upto five years, in case the Government entity requests so;
- (ii) Type B and Type C: three years (with advance quarterly payments);
- (iii) Type D: As specified in **Clause 12 of Schedule-I**;
- (iv) Type E: As specified on case to case basis;

- (v) Type F: self-advertisement: no restriction for advertisements if within the permissible limits set out in Schedule I;
- (vi) Type G: As specified on case to case basis, three years (with advance quarterly payments);
- (vii) Type H: three years (with advance quarterly payments);
- (viii) Type I: three years (with advance quarterly payments);

(3) All approvals for OMDs of the type and time period as specified shall be reckoned from the 1st day of the month succeeding the month in which approval is granted up to the last day of the month in which the period limit ends.

(4) All existing permitted OMDs shall have to comply with these bye-laws within **fourteen** days from the date of notification and no grace period shall be given. All OMDs not in compliance shall be treated as illegal and Municipality shall take appropriate action as per **bye-law 22**.

Prohibitions and restrictions 4 (1) In addition to any other prohibition, expressed or implied, no person shall erect, maintain or display any OMD or advertisements on or within,

- (i) national parks, district forests and natural water bodies;
- (ii) residential sector, subject to fulfillment of conditions specified in **Schedule-I**;
- (iii) National Highways or State Highways, subject to fulfillment of conditions specified in **Schedule-I**;
- (iv) any wall posters and wall paintings;
- (v) building or structures of archaeological, architectural, aesthetical, historical or heritage importance;
- (vi) places of worship or religious significance;
- (vii) hospitals and nursing homes;
- (viii) educational institutions, libraries;
- (ix) cremation grounds, graveyards;
- (x) areas classified as endangered regional ecosystems;
- (xi) "no advertisement area" notified by the municipality from time to time; and
- (xii) traffic signals and road signage(s).

(2) No person shall deface or cause to be defaced any display, device or structure that may have been put up by the Municipality and any contravention thereto shall be punishable under the Haryana Prevention of Defacement of Property Act, 1989 (11 of 1990);

(3) In addition to any other prohibition, expressed or implied, the Municipality shall take necessary action to modify or remove the following advertisements or OMDs showing or expressing,-

- (i) nudity;
- (ii) propagating caste, community, race or ethnic differences;
- (iii) promoting drugs, alcohol, cigarette or tobacco items;
- (iv) propagating exploitation of women or child;
- (v) depicting cruelty to animals;
- (vi) depicting any nation or institution in poor light;
- (vii) casting aspersion on any brand or person;
- (viii) banned by any law;
- (ix) glorifying violence;
- (x) promoting lottery tickets, sweepstakes entries and slot machines;
- (xi) any psychedelic, laser or moving displays;
- (xii) displaying destructive devices and explosives depicting items;
- (xiii) promoting weapons covered under the Arms Act, 1959 (Central Act 54 of 1959);
- (xiv) defamatory, trade libelous, unlawfully threatening or unlawfully harassing;
- (xv) obscene or pornography or indecent representation of women within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986 (Central Act 60 of 1986);
- (xvi) linked directly or indirectly to or include description of items, goods or services that are prohibited under any law applicable for the time being in force, including but not limited to the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940), the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (Central Act 21 of 1954), the Indian Penal Code, 1860 (Central Act 45 of 1860); and
- (xvii) any other items considered inappropriate and notified by the municipality, from time to time.

General instructions for self-advertisement 5 (1) Self-advertisement is allowed only to owner of the property, as per specification of self-advertisement stated in **Schedule-I**.

(2) The owner of the property shall be exempted from the requirement of registration and permission from the municipality for display of self-advertisement on its property only if the advertisement is within exempted permissible limit specified in **Schedule-I**.

(3) The owner of the property has to apply on Online Advertisement Portal selecting concerned municipality for permission to display self-advertisement on its property if he intends to display the advertisement beyond the exempted permissible limit specified in **Schedule-I**.

Procedure to apply for self-advertisement (beyond the exempted limit) and evaluation by municipality 6 (1) The owner of the property intends to display self-advertisement (beyond the exempted limit) on his property, shall submit an application as per **Annexure 3**, on Online Advertisement Portal; to the concerned municipality, containing the following information and documents, namely:

- (i) ownership proof of the property;
- (ii) scrutiny fees;
- (iii) latest receipt as proof of payment of property tax in respect of the tax payable on the property owned by the registered owner or the property on or over which the OMD is intended to be displayed;
- (iv) a drawing, in colour, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five meters from the proposed OMD;
- (v) complete specifications showing the dimensions of the OMDs and locations;
- (vi) design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time.

The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986);

- (vii) if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the municipality;
 - (viii) an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court;
- (2) The municipality shall evaluate the application received and ensure,-
- (i) that the application is in compliance with the parameters stated in these bye-laws;
 - (ii) that the application is not in contravention of any order of any Court;
 - (iii) that the written representations, objections and comments, if any received from any interested party on the application have been duly considered.
- (3) The municipality in its sole discretion and for reasons to be recorded in writing, reserves its right to accept or reject any application.
- (4) The municipality on scrutiny and after following the due process shall decide the application within thirty days of its submission. In case of approval, the municipality shall raise the demand for permission charges (amounting to advance quarterly payment) from the owner. The owner shall be liable to pay the permission charges and requisite documents stated as raised by the municipality on the Online Advertisement Portal. Upon receiving of payment, an approval letter shall be issued. In case of rejection, a rejection letter shall be issued to the owner. The format for approval and rejection letter shall be as per **Annexure 4**.

Permission charges for self-advertisement beyond exemption limit

- 7 (1) No permission charges are applicable on self-advertisement within permissible limit specified in Schedule-I.
- (2) The permission charges in terms of section 70 Haryana Municipal Act 1973 (24 of 1973) and section 122 of the Haryana Municipal Corporation Act 1994 (16 of 1994), shall be payable by the listed owner for self-advertisement in advance, at such rates, as the State Government may, by an order, specify from time to time. The requisite permission charges shall be made quarterly in advance at the time of approval and subsequently prior to the beginning to each quarter.
- (3) In case of removal of advertisement by municipality on account of reasons attributable to them, pro-rata amount shall be refunded to the owner on the advance quarterly payment already made under self-advertisement beyond exempted limit.
- (4) No refund on the permission charge paid shall be made on the advance payment by the municipality, if the listed owner seeks withdrawal of the permission granted.
- (5) In addition to the permission charges, the listed owner shall deposit bank guarantee of an amount equivalent to the quarterly permission charge payable to the municipality in advance, valid for approved tenure.
- (6) The permission charges shall also be applicable to existing OMDs under these bye-laws.
- (7) Other than applicable scrutiny fee and charges, the listed owner shall be liable to pay other taxes, charges, etc. as are required to be paid to other authorities.

Exempted Self-advertisements

- 8 (1) OMDs for the purposes set out in **sub-clauses (i) to (xiii)** below shall follow the provisions of these bye-laws in respect of all conditions as per **Schedule I**; but such OMDs shall be exempted from payment of any permission charges or application in the following cases, namely:-
- (i) relating to a public meeting, to an election to Parliament, Legislative Assembly, municipality or to candidature in respect of such election; (may be installed on only authorized spaces identified/ earmarked by the municipality);
 - (ii) if exhibited within the window of any building, the advertisement relates to the trade, profession or business carried in that building (to the extent of only 2% of total Façade area of building);
 - (iii) relating to the trade, profession or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to analyze, entertainment or meeting to be held on or upon or in the same (to the extent of only 2% of total Façade area of building);
 - (iv) relating to the name of the land or building upon or over which the advertisement is exhibited, or to the name of the registered entity or occupier of such land or building;
 - (v) relating to the business of a railway administration and is exhibited within any railway station or upon any wall or other property of the railway administration;
 - (vi) relating to any activity of any department of the State Government or Union of India or the municipality but excluding Board/other Corporations;
 - (vii) on a property where a building, swimming pool, tennis court, paving, fencing or garden landscaping or any other structure is in the course of being constructed, erected, carried out or altered and on which the activity concerned is described and the name of any architect, contractor or consultant concerned in such activity is displayed and the branch of the industry or the profession involved is specified;
 - (viii) media device for hawkers on stationary kiosk or handcarts;
 - (ix) exhibits within the doors/ windows of any building, if the advertisement relates to the trades, profession or business carried on in that building and does not include public space within shopping malls and other similar building exhibiting 3rd party advertisement;
 - (x) relating to the name of the land or building upon or which the advertisement is exhibited or to the name of the owner or occupier of such land or building;
 - (xi) newspaper advertisements;
 - (xii) radio and television broadcasts;
 - (xiii) public arts.
- (2) In case of an unauthorized OMD(s) found installed or in violation to any provisions of the bye-laws, in

reference to purposes set out in sub-clauses (i) to (xiii), then the violator shall be liable to pay penalty as provided in bye-law 27(2).

General instructions for third party advertisement

- 9 (1) Third party advertisement within municipal limits is permitted either by E-auction for Government/ Municipal/ private properties or by paying permission fees specified by the Government from time to time, in case of the private property.
- (2) Only a registered entity is permitted to participate in the bidding process on E-auction portal for displaying third party advertisements on listed sites.
- (3) Types of properties that can be listed on the portal shall include,-
- (i) properties owned by private/ individual owners;
 - (ii) properties owned by Municipalities;
 - (iii) properties owned by other Government entities like Department/ Authority/ Board/ Corporation/etc. (including OMD sites identified under any project on Build Operate Transfer (BOT)/ Design Build Finance Operate Transfer (DBFOT)/ Public Private Partnership (PPP) by other Government entities like Department/ Authority/ Board/ Corporation/ etc.)
- (4) All bidding shall be carried out on the basis of the reserved price and the highest bidder shall be awarded the site. All payments shall be made online by the awarded registered entity shall make only payment based on the winning price (INR/ square meter/ month), cumulative to a quarterly (3 months) advance payments before the start of each quarter till termination of the contract.

Application for listing private properties for E-auction or permission for Third Party Advertisement

- 10 (1) The private property owner has options to either get its property listed on the Online Advertisement Portal for E-auction or directly take permission for advertisement rights on its property on payment of permission fees specified by the Government from time to time.
- (2) The private property owner, who intends to display advertisement on its property other than self-advertisements by way of E-auction, shall get its property listed on the portal by submitting an application as specified at **Annexure 6**, along with scrutiny fees as specified by the Government to the respective municipality. The permission fee collected from such sites shall be shared between respective municipality and owner in a ratio of **40:60**.
- (3) The private property owner, who intends to display advertisement on its property by way of seeking advertisement rights, shall submit an application as specified at **Annexure 3**, to the respective municipality on the portal, along with scrutiny fees.
- (4) The owner shall submit the application for the purpose specified as above to the municipality, along with the following documents, namely:-
- (i) ownership proof of the property;
 - (ii) scrutiny fees;
 - (iii) latest receipt as proof of payment of property tax in respect of the tax payable on the property owned by the owner or the property on or over which the OMD is intended to be displayed;
 - (iv) a drawing, in colour, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five hundred meters from the proposed OMD;
 - (v) complete specifications showing the dimensions of the OMDs and locations;
 - (vi) design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and complying with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986), to the extent that such law is applicable. (only if the OMD structures are already existing or else the awarded registered entity has to erect/ place OMD structure and remove at end of tenure);
 - (vii) if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the municipality;
 - (viii) an undertaking agreeing the terms and conditions of e-auction (as per specified format) via portal, reserve price defined by the municipality, time tenure and permission fee sharing between the municipality and the owner, as defined by the respective municipality or an undertaking agreeing to the terms and conditions for exercising advertisement rights on its property via portal, payment of applicable permission fees, liability of any mis-use/ illegal use of advertisement site/ size, allowing advertisement to only registered entity, indemnity to the municipality from any dispute between him and registered entity, bound to order of the municipality in case of default on payment or any other terms and conditions;
 - (ix) an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court;
 - (x) Owner shall inform the list of the type/ category of advertisement and content reservation (if any) as an annexure to the application, which the owner doesn't want to display of its property.
- (5) The respective municipality shall evaluate the application and ensure-
- (i) that the application is in compliance with the parameters stated in these bye-laws;
 - (ii) that the application shall not in contravention of any order of any Court;
 - (iii) that the written representations, objections and comments received from any interested party on the application have been duly considered.
- (6) The municipality in its sole discretion and for reasons to be recorded in writing, reserves its right to accept or reject any application.
- (7) The municipality on scrutiny and after following due process, shall within **thirty days** from date of application, shall submit its decision of approval and simultaneously raise demand of an Earnest Money Deposit (EMD) amount equivalent to Ten Percent of the reserve price. Upon the submission of Earnest Money Deposit, the site shall be put

on auction immediately. Only after the successful bidding process, selection of winning entity and transferring of advertisement rights for the decided tenure to the winning entity, the Earnest Money Deposit amount shall be returned. In case, upon successful bidding, the rights are not transferred to the winning entity by the owner due to its reservations, this Earnest Money Deposit amount shall be forfeited and shall not be returned.

(8) In case where the owner is seeking advertisement right on its property on payment of permission fees specified by the Government from time to time, the municipality on scrutiny and after following due process, shall within thirty days from date of application, shall inform its decision of approval and simultaneously issue Letter of Intent to the owner. The owner shall within 30 days comply with Letter of Intent by submitting all fees/ charges, other documents/ information sought, failing which the Letter of Intent shall be deemed to be withdrawn with scrutiny fees for the application stands forfeited and the owner is required to apply fresh. Upon compliance, the municipality shall issue an approval letter. In case of rejection, a rejection letter shall be issued to the owner. The format for approval and rejection letter shall be as per **Annexure 4**.

(9) The municipality shall grant advertisement right(s) to the private property owner on its property, subject to the followings:

- (i) the owner shall submit the applicable permission fees;
- (ii) the owner shall allow only the registered entity to display advertisement on its permitted site;
- (iii) the owner shall be liable to pay permission fees, as per the manner given by the municipality;
- (iv) the owner shall be held liable for any mis-use/ illegal use of advertisement site/ size, any default of payment or any other penalty levied towards any terms and conditions under the byelaws, will be recovered by way of land arrears;
- (v) the owner shall enter into an agreement with the registered entity for utilization of the site by the registered entity for the purpose of display of advertisement;
- (vi) the owner shall submit indemnity bond, indemnifying the municipality from any liability caused due to dispute between the owner and the registered entity.

(10) In case, the municipality receives multiple applications from different owners to list their properties under same typology of OMD in the same time duration where, all applications may not be listed due to parameters stated in the bye-laws, then the property auctioned at higher prices shall be selected by the municipality and the other properties which will be in contravention of selected property shall be rejected and removed from the portal.

(11) In case, the municipality receives multiple applications from different owners for seeking advertisement rights on their properties under same typology of OMD in the same time duration where, all applications may not be listed due to parameters stated in the bye-laws, then the municipality shall grant permission on "first come first serve" basis and the other applications which will be in contravention of selected property shall be rejected.

Identification of municipal properties for E-auction

11 (1) The municipality shall, from time to time identify locations and properties within its jurisdiction to allow OMDs permissible as per the **Schedule-I** and locate/ earmark all such OMDs on the online city map available on the Online Advertisement Portal vide which the same shall be auctioned timely.

(2) The municipality properties shall include RoW of any type of roads (including roads under ownership of any Authority, Board, Corporation, Department and any Government Entity) and public places as defined in these bye-laws.

(3) The municipality shall identify and list any public space or public utility (green spaces, parks, water bodies etc.) on the portal, which can be maintained in lieu of acknowledgment OMDs where companies can use its Corporate Social Responsibility funds under the Companies Act, 2013 (Central Act 18 of 2013). Since, the acknowledgment OMDs doesn't include financial transaction and its scope is limited to maintenance of public space/ utility, hence this shall be allotted to the entity interested on the basis of an agreement only and shall not be included in auction process.

Application for other Government entities (including OMD sites identified under any Government entity PPP project) for putting up their properties for E-auction

12 (1) In case the other Government Department/ Authority/ Board/ Corporation/ etc. (hereinafter referred as "State Government entity"), intends to display 3rd party advertisement on their properties or any OMD sites identified under any public infrastructure project on Build Operate Transfer (BOT)/ Design Build Finance Operate Transfer (DBFOT)/ Public Private Partnership (PPP) modes, shall get their properties listed on the portal by submitting an application as specified at **Annexure 7** to the respective municipality.

(2) The permission charges collected from such sites shall be shared between respective municipality and State Government entity in a ratio of **40:60** respectively. The State Government entity shall appoint a Nodal Officer for making the application on the portal and for any co-ordination as necessary for ensuring smooth implementation.

(3) The Nodal Officer shall submit the application for such OMD sites (including OMD sites identified under any Build Operate Transfer (BOT)/ Design Build Finance Operate Transfer (DBFOT)/ Public Private Partnership (PPP) project like street light, public toilets, tree guards, street furniture, water dispensers, Public Transport Projects, Public Infrastructure projects, public information kiosks, etc.) with the following list of documents to get its property(s) listed on Online Advertisement Portal, namely:-

- (i) ownership proof of the property;
- (ii) a drawing, in color, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five hundred meters from the proposed OMD;
- (iii) complete specifications showing the dimensions of the OMDs and locations;
- (iv) design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986), to the extent that such law is applicable. (only if the OMD structures are already existing or else the awarded registered entity has to erect/ place OMD structure and remove at end of tenure);
- (v) if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing

showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the municipality;

- (vi) an undertaking agreeing the terms and conditions of E-auction (as per specified format) via portal, reserve price defined by the Municipality, time tenure and permission charges sharing model of **40:60** between the Municipality and the State Government entity, respectively;
 - (vii) an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court.
- (4) The respective municipality shall evaluate the application received and ensure,-
- (i) that the application is in compliance with the parameters stated in these bye-laws;
 - (ii) that the application shall not be in any contravention to order of any Court;
 - (iii) that the written representations, objections and comments received from any interested party on the application have been duly considered.
- (5) The municipality in its sole discretion and for reasons to be recorded, reserves its right to accept or reject any application.
- (6) The municipality on scrutiny and after following due process, shall within **thirty days** from date of application, shall ~~will~~ notify its decision of approval online, or rejection and accordingly, within three following days, the municipality shall list the property on the Online Advertisement Portal for auctioning.
- (7) In case, the municipality receives multiple applications from different state agencies for listing of their property to display OMD of same typology within the same duration and not all applications can be listed due to parameters stated in the bye-laws, then the property auctioned at higher prices shall be selected by the municipality and the other property which shall ~~will~~ be in contravention of the selected property shall be rejected and removed from the portal.
- 13** (1) The approved listed OMD sites shall be auctioned only to the registered entity with the valid registration. The awarded registered entity shall have a valid registration throughout the advertisement tenure. All registered entity can only participate in an auction with minimum six months of validity before the expiration date.
- (2) All such listed properties or such auctioned properties shall be managed/ monitored on the Online Advertisement Portal. The maintenance of the properties shall be the responsibility of the respective owner of the property where the site is not yet auctioned and where the sites have been auctioned, the responsibility of the maintenance shall be of the awarded registered entity.
- (3) The dates of each OMD auction shall be circulated electronically to all registered entities regularly for their active participation on each auction.
- (4) The minimum reserve price for such shall be specified by the municipality as per the guidelines issued by the Government from time to time.
- (5) The period for display of advertisements shall be in accordance with **bye-law 3(4)** and may be terminated at any time after giving notice of seven days in the event of default of terms and conditions of the contract agreement.
- (6) The municipality shall have the complete and unhindered right to display, or permit the display and at any time, hoardings/ advertisements of the State Government or any statutory authority, Board, municipality or other entity owned and controlled by the State Government for social messaging or promotion of the policies, schemes or programs of the State Government. The awarded registered entity shall reserve fifteen percent of the total advertising space social/ Government messages under this clause and no charges shall be payable by the municipality for these Government advertisements. The location of such advertisement shall be mutually agreed between the awarded entity and the Government.
- (7) The awarded registered entity shall have to erect the structure for awarded OMDs as per its specification, at its own cost, until and unless the structure is provided by the owner of the property. The awarded entity shall be liable for maintaining the structure for the tenure of OMD and shall also be liable for removal of structure (unless the structure is provided by the owner of the property) after completion of the tenure or termination of the contract. Before erecting the OMD structure, the registered entity shall have to submit design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986), to the extent that such law is applicable.
- (8) The payment schedule for awarded registered entity shall be advance quarterly payment based on the awarded price of INR/ square meters/ per month for the tenure of the contract. Further, awarded entity shall be liable to submit the Bank Guarantee equivalent to a quarterly amount valid for the awarded tenure.
- (9) In case no bids received towards an OMD site during the scheduled auction, the e-auction portal shall reduce the reserve price by ten percent and re-auction of the said site after thirty days. If the second time there is no bid received, the reserve price shall further be reduced to ten percent and the site shall be re-auctioned after thirty days. This process shall be followed repeatedly till the site is finally auctioned.
- (10) In case of removal of advertisement by municipality on account of reasons attributable to municipality, pro-rata amount of the advance quarterly payment shall be refunded to the awarded registered entity.
- (11) No refund on payment shall be made by the municipality, if the registered entity seeks withdrawal of the awarded contract.
- (12) In case the awarded entity has erected the advertisement structure on the awarded site for tenure of its permission, then he shall also remove the structure on completion of its tenure. In case, the said entity doesn't want to remove the structure after completion of the tenure and the said structure is in useable condition, then the advertisement structure shall be evaluated at the rate of its scrap value by the respective municipality. This valued price shall be transferred to the account of the respective awarded entity within thirty days after the date of expiration of contract.

General
conditions for
properties on
E-auction

Application **14** (1) An entity intending to bid on e-auction portal for display an OMD in any municipality(s) shall register on the

for
registration of
entity

Online Advertisement Portal through the online process as per **Annexure 1**.

(2) All registered entity shall be eligible to participate in OMD e-auction in the State i.e. all municipalities. The validity of each registered entity shall be five years from the date of registration. Renewal of registration shall have to be completed on the portal before the expiration date, failing which the registration shall be terminated and entity shall have to apply for a new registration afresh.

(3) The registered entity shall deposit the registration charges with the Chief Administrator, Haryana Urban Infrastructural Development Board.

Process for
registration.

15 (1) The entity intending to apply for third party advertisement or e-auction under the bye-laws shall register on the Online Advertisement portal. All approved registered entity shall be eligible to apply for advertisement sites in municipality. The entity shall submit the following information and documents, namely:-

- (i) name of entity with registration details in Companies Act, 2013 (Central Act 18 of 2013), or Limited Liability Partnership Act, 2008 (Central Act 6 of 2009);
- (ii) Memorandum of Association and Articles of Association of company;
- ~~(iii)~~ Type of Business of the company;
- (iv) experience, details of entity in advertisement business for last three years or for such period of time that the entity has been in the advertisement business, whichever is earlier (if any);
- (v) name of Directors alongwith Director Identification Number (DIN) of entity;
- (vi) details of work experience of each Director of the entity;
- (vii) details of any Director who was in arrears of payment of any dues in any municipality while earlier being Director in any other entity;
- (viii) authorization letter by the Board of Directors (by passing resolution), for authorized signatory of entity;
- (ix) details of advertisement rights/ permission secured in last five years, or for such period of time that the entity has been in the advertisement business, whichever is earlier, in any municipality;
- (x) an undertaking that the entity, its directors, owners or promoters are not in arrears of payment of any dues in any municipality;

Note: Only a registered entity is permitted to participate in auction of advertisement sites in all Municipalities;

- (xi) any other information or document, as the Municipality may require.

(2) The municipality shall refuse to register any entity where-

- (i) the entity, any of its directors, owners or promoters has been debarred by any municipality or the State Government or any entity owned and controlled by the State Government;
- (ii) the entity, its directors, owners or promoters are in arrears of payment of any dues to any of Municipality;
- (iii) the Director of the entity or the Director of any company has been debarred by municipality or the State Government or any entity owned and controlled by the State Government;
- (iv) the authorized signatory of the entity has earlier been the authorized signatory of any company in arrears of payment of any dues to any of municipality.

(3) On scrutiny of the application along with information/ documents, the municipality shall, within thirty days from the date of submission of complete application, register the entity or company for the purpose of this bye-law and issue a unique identity number and the registration letter as per **Annexure 2**.

(4) In case the application is rejected, the registration fees shall not be refunded to the entity whose request is rejected.

Effects of
other laws

16 (1) Nothing shall be construed to the effect that any approval granted in terms of these bye-laws, means that;

- (i) any person is exempted from any provision of any other law for the time being in force;
- (ii) any person is exempted from the provision, requirements and applicability of the Haryana Prevention of Defacement of Property Act, 1989 (11 of 1990); the registered entity or **owner** of an OMD is exempted from its obligations to ensure that such sign is designed, erected, completed, displayed and maintained in accordance with any other applicable law for the safety, security of public at large or to protect public decency and morality.

Withdrawal
and
amendment
of approvals.

17 (1) The municipality may withdraw an approval granted, or amend any condition, or impose any further condition in respect of such approval if, in the opinion of the municipality, or any officer so authorized, by a general order, the OMD for which the approval has been granted-

- (i) is, or has, as a result of a change to the road, provision of any public utility, the nature of the environment or the amenity of the neighborhood, streetscape or urban design existing at the time of such approval, become detrimental to the area in which it is located for any reason whatsoever;
- (ii) constitutes, or has become, a threat to any person or property;
- (iii) is obscuring a critical and aesthetically important natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance;
- (iv) is, or has become, prohibited in terms of these bye-laws or any other law for the time being in force;
- (v) falls, completely or a part thereof, either through an accident or any other cause;
- (vi) have any change made to it except under the direction of the municipality;
- (vii) upon the building or structure or property proposed to be demolished or destroyed; and
- (viii) requires to be removed, as may be decided, for reasons to be recorded in writing, by the municipality, in public interest, safety, aesthetics etc.

(2) Before taking any decision, the municipality shall issue notice to the registered entity or owner, informing it of the intent of the municipality and the registered entity or owner shall have the right to make a written representation in response to the notice within **seven days** of the date of notice.

(3) In case of withdrawal of approval in whole or in part by the Municipality, the registered entity or owner shall have to remove or make such change of the OMD at its risk and cost, as may be directed by the municipality within seven days. In case any refund of permission charges is due on account of withdrawal of approval, the pro-rata amount of permission charges shall be refunded to the entity or owner within thirty days of such withdrawal.

(4) The municipality, or any officer so authorized, by a general or special order by the municipality, shall give reasons in writing for its decision on receipt of a representation from a registered entity.

Online
Advertisement
Portal

- 18** (1) The State shall adopt a transparent system for municipality to register entity/ owners and grant approval for display of OMDs and monitoring.
- (2) The State shall develop an Online Advertisement Portal for grant of advertisement rights by way of approval to owner for self-advertisement and by way of auction for third party advertisement. A Geographical-Information-System (GIS) based City Map showing all the properties listed on the portal for purpose of auction or self-advertisement shall be prepared.
- (3) All OMDs with their Geographical Positioning System (GPS) coordinates shall be marked on the Online Advertisement Portal for the information of the public.
- (4) The features of the Online Advertisement Portal shall be as follows, namely:-
- (i) the bye-laws and notifications related to advertisements shall be made available for information on the portal.
 - (ii) online registration of entities shall be enabled and the registered entity or owner (for self-advertisement only) shall be assigned a Unique Identity number which shall be password protected for all future correspondence with the municipality;
 - (iii) all OMDs shall be Geographical Positioning System (GPS) tagged on a Geographical-Information-System (GIS) map of the City and shall be available on the portal;
 - (iv) an application for the installation of outdoor media for self-advertisement shall be submitted to the municipality through the portal;
 - (v) an application to getting the property listed for auction for 3rd party advertisement shall be submitted to the municipality through the portal;
 - (vi) each OMD site shall have unique code assigned to it which shall convey its ownership, location (Geographical Positioning System (GPS) coordinates), type of media, size (area of display), advertisement/ permission charges payable, validity of agreement for display of advertisement and any other information which in the opinion of the municipality is required to be coded;
 - (vii) approvals of all OMDs shall also be given electronically to the registered entity or owner (for self-advertising only).

General
requirements
for OMD

- 19** (1) After approval, the OMD structure shall not be altered, removed, re-erected or upgraded (except in respect of the content of the advertisement), without prior written approval of the Municipality.
- (2) Every power cable and conduit containing an electrical conductor for the operation of an OMD shall be so positioned and attached considering it shall not be aesthetically eye sore to the public.
- (3) No OMD shall be connected to any electricity supply with sub-meter without the prior written permission of the licensed electricity distribution company concerned in the name of the registered entity and such permission shall, on request by an authorized official of the licensed electricity distribution company, be presented to them by the registered entity of the OMD concerned.
- (4) The electrical connections and components in all the OMDs shall be in accordance with relevant Bureau of Indian Standards (BIS), Indian Electricity Rules and designed such as to ensure there is no risk to personal or public safety or to movement of motorised or non-motorised traffic.
- (5) Generators which are running on petroleum fuels or any bio-fuel or causing noise, air or water pollution shall not be allowed for providing power for illumination of any OMD. However, the entity may illuminate OMDs under its jurisdiction by installing solar photovoltaic panels.
- (6) The registered entity or owner (for self-advertisement only) of the OMD shall ensure that disposal of any type of material including media for display is disposed as per the Environment (Protection) Act, 1986 (Central Act 29 of 1986) or rules made there under, and any other applicable laws/ rules/ bye-laws.

Formats of
Outdoor
Media
Devices
(OMD).
Inspections.

- 20** OMDs shall be classified as per **Annexure 5** and with permissible specifications and conditions specified in **Schedule 1**.

- 21** The municipality or any officer authorized, by a general or special order, shall have the power to carry out an inspection of any OMD at any time, under intimation to the registered entity or listed owner.

Maintenance
of OMDs and
removal of
unauthorized
advertisements.

- 22** (1) Subject to provisions in these bye-laws,-
- (i) the registered entity or listed owner (for self-advertisement only) shall be responsible for maintaining the device and the surrounding area, so that it does not become unsightly or deteriorate to such a degree that it is in conflict with any provision of these bye-laws;
 - (ii) a registered entity or listed owner (for self-advertisement only) shall carry out at least once in three months inspection of an OMD with a view to satisfy himself that it has been properly maintained and forthwith carry out any necessary maintenance resultant upon such inspection; and
 - (iii) a registered entity or listed owner (for self-advertisement only) shall keep a written record of any inspection made, maintenance carried out and shall retain record of it and make the same available for perusal on demand by an authorized officer of the municipality.
- (2) The registered entity or listed owner (for self-advertisement only) shall ensure that a metallic plate (minimum size of one feet by one feet) with the embossed logo of municipality providing details of approval of municipality and details of the OMD, as required by municipality, are displayed and maintained in good condition at all times. Failure to do so shall result in the levy of a non-compliance charge, as the municipality may specify.
- (3) If in the opinion of municipality, any OMD is dangerous or unsafe or is likely fall into a state of disrepair or is in conflict with any requirement of these bye-laws, the municipality shall serve a notice on the registered entity or listed owner (for self-advertisement only) to remove/ maintain the OMD, within the specified period and registered entity or listed owner (for self-advertisement only) shall be required to comply thereof or take suitable action.
- (4) If the municipality is of the opinion that an OMD constitutes an imminent danger to any person or property, it shall without serving, or if such a notice has been served but not complied with within the period specified therein, remove/ maintain the OMD.
- (5) The cost incurred for the removal and storage of an OMD, and any other costs incurred by the municipality as contemplated in **bye-law 22(4)**, shall be recovered from the registered entity or listed owner (for self-advertisement

only). The OMD shall be removed at the risk of the registered entity or listed owner (for self-advertisement only) by the municipality.

(6) If an OMD has been removed in terms of **bye-law 22(4)**, the municipality shall promptly inform the registered entity or listed owner (for self-advertisement only), about such removal of OMD.

(7) Any OMD which has been removed and stored in terms of these bye-laws, shall be released to its registered entity or listed owner (for self-advertisement only) subject to payment of charges as the municipality may, specify.

(8) The entire list of authorized OMDs shall be displayed, without ownership display, for scrutiny by public at large and various entities like companies, agencies, brands to identify and ensure that the advertisement being released by them is being mounted only on authorized OMDs. Failure to comply with above requirement shall be punishable under the Haryana Prevention of Defacement of the Property Act, 1989 (11 of 1990).

(9) Any unauthorized outdoor advertisement shall be removed promptly by the municipality and shall be immediately disposed-off on as-is where-is basis.

(10) The municipality shall issue notice to concern individual/ owner for installing unauthorized OMDs as per provisions of the Haryana Prevention of Defacement of the Property Act, 1989 (11 of 1990) and take action of removing the unauthorized OMD and penalizing the individual/ owner.

Documentation

23 The registered entity or listed owner of a property upon which an OMD is erected, attached or displayed, shall retain certified copies of all documents relating to the application for approval of such device in terms of these bye-laws, for as long as that device is erected or displayed, and shall on demand by an authorized officer, present such documentation.

Consideration of representations from interested parties.

24 (1) If any written comments, representations or objections have been received in respect of an application from any interested party contemplated, the municipality shall consider such comments, representations and objections before taking a decision on the application.

(2) The registered entity or listed owner shall within **fourteen days** after receiving any comments, representations or objections to an OMD, submit a written response to the municipality for consideration.

(3) If a response is not received within a period of **fourteen days**, the municipality shall take a decision on the comments, representations or objections within a period of **twenty-one days** from the date of receipt of comments, representation or objections.

Serving of notices.

25 (1) Any notice that is required to, or may be served, delivered or given in terms of, or for the purposes of these bye-laws, shall be served in any one of the following ways:-

(i) by sending a copy of the notice by registered or under postal certificate to the last-known address of the person concerned/ registered entity, and, unless the contrary is proved, it is deemed that service was effected on the seventh day following the day on which the document was posted;

(ii) by faxing a copy of the notice to the person, if the person has in writing furnished a fax number to the municipality;

(iii) by forwarding the notice through e-mail at the registered E-mail ID; and

(iv) by handing over a copy of the notice to the owner or any of the authorized representative of registered entity.

Appeal.

26 Any person, whose rights are affected by a decision of municipality or an officer authorized by him in terms of or for the purposes of these bye-laws, may appeal against that decision to the Divisional Commissioner in case of Corporation and Deputy Commissioner in case of Council/ Committee.

Penalty

27 (1) The offences under these bye-laws shall be punishable as per the provisions of the relevant Act, as the case may be.

(2) Whosoever contravenes any provision of these bye-laws, shall also be liable, without prejudice to any other action that may be taken by the municipality to remove such contravention and to pay unauthorized charges for such contravention at a rate equal to three times the applicable fee/ charges (as quarterly rates of the concerned OMD) on the date of commencement of such contravention for the period of such contravention or a quarter, whichever is more.

(3) In case of unauthorized media displayed by a registered entity or the owner of the property over which the unauthorized media has been displayed and the entity and the owner of the property shall be, jointly and severally, liable for the payment of charge for such contravention as specified in **bye-law 27(1)**

(4) The registered entity or listed owner (for self-advertisement only) which has displayed the unauthorized media shall also be liable to be deregistered or delisted by the municipality:

Provided that any action for deregistration or delisting shall be taken by the Municipality or an officer authorized by the municipality in this behalf, only after an opportunity of being heard has been provided to the registered entity or listed owner (for self-advertisement only):

Provided further that if the registered entity pays the charge for such contravention, removes the unauthorized media within a period of **five days** from the date of notice of such contravention and gives a commitment to comply with the provisions of the bye-laws in future, then the municipality may, in good faith, provide an opportunity to the registered entity or listed owner (for self-advertisement only):

Provided further that the aforesaid opportunity shall be provided only on one occasion of contravention and shall not be provided for any subsequent contravention within a period of **three years**.

(5) If the owner, promoter or Director of any entity that has been deregistered, is the owner, promoter or Director of any other registered entity, then action for deregistration shall be taken against such other registered entity:

Provided that any action for deregistration shall be taken by the Municipality or an officer authorized by the municipality in this behalf, only after an opportunity of being heard has been provided to the registered entity.

(6) Consequent to the decision for deregistration of a registered entity or listed owner (for self-advertisement only) under **bye-law 27 (3) or (4)** above, any approval granted by the municipality to any OMD of such registered entity or listed owner (for self-advertisement only) shall be deemed to have been withdrawn forthwith without any further notice.

(7) A registered entity or listed owner (for self-advertisement only), once deregistered or delisted under **bye-law 27 (3) or (4)** above, shall not be permitted to register or listed for a period of three years from the date of deregistration.

(8) In case of continuing contravention beyond **fifteen days**, the property over which such contravention exists

shall be debarred for display of advertisement for a period of **one year**.

(9) An officer authorized by the municipality, shall have the power to enter upon the property on or over which the unauthorized media has been displayed and remove such unauthorized media.

Insurance. **28** (1) The registered entity or listed owner (for self-advertisement only) of the OMDs shall provide and keep in full force and effect in the joint names of the registered entity or listed owner (for self-advertisement only), a public liability insurance policy for their respective rights, interests and liabilities to the third parties in respect of accidental death, bodily injury to persons or accidental damage to the property.

(2) The registered entity or listed owner (for self-advertisement only) shall produce evidence of the insurance public liability insurance policy to the municipality.

Indemnity **29** (1) The registered entity or listed owner (for self-advertisement only) shall be required to indemnify the municipality against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the municipality which arise as a result of the installation or existence of OMDs.

(2) The registered entity or listed owner (for self-advertisement only) shall always be responsible for any injury or damage caused or suffered by any person or property arising out of or relating to the display of advertisement and the consequential claim shall be borne by the owner who shall also indemnify and safeguard the municipality, its employees or any entity employed/ appointed by municipality.

Repeal and savings **30** (1) The Haryana Municipal Corporation Advertisement Bye-laws, 2018 and the Haryana Municipal Advertisement Bye-laws, 2019 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said bye-laws shall be deemed to have been done or taken under these bye-laws and the permissions already granted under the bye-laws so repealed shall continue as such till the expiry of the contract period.

Annexure 1

Registration Form (see bye-law 14)

.....Municipality

Registration of advertising agency for display of Outdoor Advertisement

1. Name of Entity (Individual/ Company/ Firm/ Agency/ with registration details in Companies Act or Limited Liability Partnership Act, 2009):
2. Type of entity:
3. Type of Business:
4. PAN Number:
5. GST Number:
6. Registered Address:
7. Telephone Contacts:..... Business:
- Fax:..... E-Mail
- Address:.....

8. Details of the Directors/ Proprietors/ Partners:

Serial number.	Name	DIN No.	Mobile No.	E mail Address
(i)				
(ii)				

9. Memorandum of Association and Articles of Association of **entity**:
10. Experience, details of entity in advertisement business for last three years or for such period of time that the entity has been in the advertisement business, whichever is earlier (if any);
11. Work experience details of each Directors or Proprietors or Partners of the entity:
12. Undertaking of non-Blacklisting in the country in the last 5 years
13. Balance sheet of last three years, if available :
14. Authorization letter via Power of Attorney or Board resolution (as the case may be)
15. An undertaking that no amount is pending against **the entity** in any of the municipality of Haryana (amount like development charges/ property tax/ Trade License/ water charges/ sewerage cess/ etc)
16. Registration Amount (*non-refundable*) :

17. The applicant entity has not been blacklisted by any Government entity in the last 5 years. Yes No
18. The applicant firm/company or has no pending dues. Yes No
- a. If yes please specify the total pending dues
20. The applicant entity has no court case pending to advertisement rights Yes No

I/we shall hereby abide the terms and conditions and guidelines of advertisement bye-law/policy framed by the municipality. Also the information listed above is true and genuine and incase of adverse findings related to this, the registration shall stand cancelled.

Agree AGRFF

(All types of payments under these Bye-Laws shall be shall be made online only via Advertisement Portal)

Annexure 2 Registration approval form for the entity (see bye-law 15(3))

Unique Registration No.
Date of Issuance:.....
Valid Upto:

To,

<Name of Authorized Signatory>
<Name of Entity>
<Address of Entity>

Please refer to your application no., dated for State Level registration towards Outdoor Media Display. This registration enables the entity to participate in all e-auction sites in the State of Haryana and upon awarding, permits installation of Outdoor Media Device for Display of Outdoor Advertisement as per site /contract specific terms and conditions via online portal.

Dear Sir/Mam,

This is with reference to your application regarding registration with the Directorate of Urban Local Bodies enabling the entity to participate in all e-auction sites in the State of Haryana and upon awarding, permits installation of Outdoor Media Device for Display of Outdoor Advertisement as per site /contract specific terms and conditions via online portal.

It is to inform that the following decision has been taken in consideration of your application:

1. **Approval:** Your application for registration is approved and unique identification number allotted to you is

..... please use the same for all future correspondence with Directorate of Urban Local Bodies, Haryana and all concerned municipality in the State as this Registration shall be valid for all the Municipalities in the State for five years from the date of issuance of this letter.

OR

2. **Rejection case:** Your application for new Media/ renewal is rejected on account of the following:
- Incomplete application
 - Incorrect information provided
 - Pending dues with Department or any municipality
 - Blacklisted status not verified.....
 - Others.....

Approved/ Rejected
On behalf of Directorate of Urban Local Bodies, Haryana

Note¹: In case of rejection of application you may apply fresh on satisfying the above mentioned conditions.

Note²: This is a typical format only and is subject to modification/ amendment by the Department from time to time.

Annexure 3
Application form for approval of self-advertisement OMD or 3rd party advertisement rights permission directly
(see bye-law 6(1), 10(3))

A. Details of site identified for self-advertisement purpose only beyond the exemptible limit or 3rd party advertisement rights

- Name of Entity (Individual/ Company/ Firm/ Agency/ with registration details in Companies Act or Limited Liability Partnership Act, 2009):
- Type of entity:
- Type of Business:
- Registered Address of the Business:
- Correspondence Phone no:
- Correspondence email ID:
- PAN Number:
- GST Number:
- Property ID of the site:
- Text proposed on OMD :
- Name of Municipality where the site is located:
- Complete Address of site:
- Dimension of proposed Hoarding:
- Give specification of the type of OMD (Refer **Annexure 5**):
- Permission requested /required for (in years):

Documents to be upload:

- Ownership documents of the site
- Latest receipt as proof of payment of property tax in respect of the tax payable on the property owned by the registered owner or the property on or over which the OMD is intended to be displayed.
- an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court.
- Design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986), to the extent that such law is applicable.
- A drawing, in colour, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five meters from the proposed OMD.
- if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the municipality.

Undertaking: I/We, shall hereby abide by all provisions of policy framed by the municipality

Note: Only Upon the payment online non-refundable scrutiny fee the application shall be submitted. In case of rejection of application, you may apply fresh on satisfying the above mentioned conditions. This is a typical format only and is subject to modification/ amendment by the Department from time to time. Upon submission OMD unique ID shall be generated.

B. Format for Office Report:

OMD Unique No:	District: ..	City: ..	Ward:	Zone:
---------------------	--------------	----------	-------------	-------------

.....
Road/ Street/ Address:			
Name on approval letter based on ownership document:		Time period of permission (in years):	
Issue Date:		Validity Upto:	
Section I – Charges / Demand to be Raised			
Permission Fees applicable INR per sq. meter/ quarter:			
Quarterly Demand to be raised till (DD/MM/YYYY):			
Section II – Typology of OMD :			
Dimension of OMD: Area of Building Façade: Specification of OMD: Area od OMD (in sq. meter):			
Section III – Verification of attached documents			
<ul style="list-style-type: none"> ● Please upload the following documents: ● Director’s information ● Building Permit/Property Tax ● Pan No. ● GST No. ● Certificate of Structural Engineer Ownership Details ● City plan with location of advertisement sites ● Coordinates of OMD With GPS Location ● Photograph of the Site (self-certified) ● Sketch plan of the site (self-certified) ● Pending Dues (if any) ● Architectural Drawings (elevation, measurement scale 1:1000) 			

Annexure 4
(see bye-law 6(4), 10(8))
Letter of Intent issued by the <Name of Municipality> for the purpose of self-advertisements beyond the exempted limit or 3rd party advertisement rights permission directly

OMD Unique No. Date of Issuance :.....
Valid Upto: :.....

To,
 <Name of Owner>
 <Name of Business>
 <Address of Business>

Please refer to your OMD unique no....., submitted dated for installation of New Outdoor Media Device/ renewal for Display of Outdoor Advertisement under self-advertisement beyond exemptible limit or 3rd party advertisement rights

Dear Sir/Mam,

This is with reference to your application regarding installation of New Outdoor Media device/ renewal for display of Outdoor Advertisement by yourself/ Company/ Firm/ Agency with the <Name of Municipality>

It is to inform that following decision has been taken in consideration of your application:

1. Your application for New media/ renewal is approved for erection/ display of Outdoor Media Device from(dd/mm/yyyy) to(dd/mm/yyyy) having an area of OMD as(in sq. mtrs.) with Typology of OMD..... at(complete site location), within limits of <Name of Municipality>.
2. You are hereby granted the permission of setting/installing OMD based on the specification of OMD unique ID: at the permission charges as INR.....per quarter. This approval letter is issued upon the receipt of first quarterly payment INR.....The payment schedule for permission charges is as under:-
 - a. Quarter 1 valid till dd/mm/yyyy: payment due on dd/mm/yyyy:
 - b. Quarter 2 valid till dd/mm/yyyy: payment due on dd/mm/yyyy:
 - c. Quarter 3 valid till dd/mm/yyyy: payment due on dd/mm/yyyy:
 - d. Quarter 4 valid till dd/mm/yyyy: payment due on dd/mm/yyyy:
 - e.etc

Important Note: in case the charges are not deposited, the permission shall be terminated.

OR

1. Your application for new Media/ renewal is rejected on account of the following reasons:
 - a. Incomplete application
 - b. Incorrect information provided
 - c. Pending dues
 - d. Blacklisted status not verified
 - e. Others.

Commissioner/ Executive Officer/ Secretary,
<Name of Municipality>

Note: In case of rejection of application you may apply fresh on satisfying the above mentioned conditions.

Note: This is a typical format only and is subject to modification/ amendment by the municipality from time to time.

Annexure 5
(see bye-law 3)

Typology	Typology Description
A.	Typology A: OMDs on public transport services/ street furniture and public transport system
A1	Bus and Intermediate Public Transport (IPT) shelters
A2	Bus and IPT route markers
A3	Foot Over Bridges, Signage gantries, toilet blocks and urinals
A4	Cycle Stand/Station
A5	Police booth, parking booth, telephone booth, pre- paid taxi booth, bus/rail booking information booth, drinking water facility, public utility kiosks, outside colonies to facilitate directory / payment of bills etc.
A6	Sitting bench, garbage bins
A7	Metro/MRTS
A8	Traffic barricading
A9	Public transport vehicle
B.	Typology B : OMDs on commercial advertising structures on public land
B1	OMD on public land
C.	Typology C: OMDs on commercial advertising structures on private land
C1	Unipoles, billboards, building boards.
C2	Wall wraps/ wall painting
C3	Multiple OMDs.
D.	Typology D: events
D1	Religious, Political and Conferences
D2	Entertainment and Exhibitions events
E.	Typology E: landscape advertising
E1	Tree guards
F.	Typology F: shop signage
F1	Self-Advertising
G.	Typology G: innovative advertising
G1	Innovative advertising
H.	Typology H: cinema advertising
H1	In-cinema on screen advertising including slides and advertisement films (moving advertisements).
I.	Typology I: Inside commercial buildings and public buildings
I1	Inside commercial buildings and public buildings

The supporting structure shall have a non-reflective finish to prevent glare. The Outdoor Media Devices structure shall be well maintained at all times. It shall be painted in colors that are consistent with, and enhance the surroundings.

Annexure 6
Application form submitting privately owned OMD sites for auctioning with permission fee sharing with respective municipality
(see bye-law 10(2))

A. Details of Site identified for the purpose of Display of advertisement through third party rights

1. Name of Owner
2. Correspondence Phone no:
3. Correspondence email ID:
4. PAN Number:
5. Property ID of the site:
6. Name of Municipality where the site is located:
7. Complete Address of site:
8. Dimension of proposed Hoarding:
9. Give specification of the type of OMD acceptable by the owner for auction purpose (Refer Annexure 5):
.....
10. Tenure of the advertisement display (in years):
11. List the content of OMD reservations/objection/not permitted on the owner's site (if any):

Undertaking:

I /We, shall hereby abide by all provisions of policy framed by the State. We understand the site offered vide this application shall be listed for auction by the concerned/respective Municipality for the tenure as specified in the application. I/We also understand, upon approval of OMD site as notified to the applicant via portal and SMS, the said site shall be auctioned to the highest bidder only when an EMD amount

equivalent to ten percent of the reserve price shall be deposited by the applicant as per bye laws clause 10(5). I/We also understand and agree with the sharing of permission charges of the auctioned site in the ratio as specified and notified by the municipality in the current financial year. The account of EMD deposit shall be the same account where the shared permission fee shall be deposited by the Municipality.

B. Documents to be upload:

1. Ownership documents of the site
2. Latest receipt as proof of payment of property tax in respect of the tax payable on the property owned by the registered owner or the property on or over which the OMD is intended to be displayed.
3. an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court.
4. Design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986), to the extent that such law is applicable.
5. A drawing, in colour, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five meters from the proposed OMD.
6. if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the Council/ Committee.

Note: Only Upon the payment online non-refundable scrutiny fee the application shall be submitted. In case of rejection of application, you may apply fresh on satisfying the above mentioned conditions. This is a typical format only and is subject to modification/ amendment by the Department from time to time. Upon submission OMD unique ID shall be generated.

Annexure 7

Application form for submitting Government entities owned OMD sites for auctioning with permission fee sharing with respective municipality (see bye-law 12(1))

A. Details of Site identified for the purpose of Display of advertisement through third party rights

1. Name of Government entity:
2. Name of Nodal Officer and Designation:
3. Correspondence Phone no of Nodal Officer:
4. Correspondence email ID of Nodal Officer:
5. Property ID of the site (if any):
6. Name of Municipality where the site is located:
7. Complete Address of site:
8. Dimension of proposed Hoarding:
9. Tenure of the advertisement display (in years):
10. Account Details for necessary permission fee share transfer:

Undertaking:

I /We, shall hereby abide by all provisions of policy framed by the State. We understand the site offered vide this application shall be listed for auction by the concerned/respective Municipality for the tenure as specified in the application. I/We also understand, upon approval of OMD site as notified to the Government entity via nodal officer (via email/ portal and SMS), the said site shall be auctioned to the highest bidder. I/We also understand and agree with the sharing of permission charges of the auctioned site in the ratio of 50:50.

B. Documents to be upload:

1. Ownership Proof/ Undertaking of the OMD site(s)
2. Latest receipt as proof of payment of property tax in respect of the tax payable on the property owned by the registered owner or the property on or over which the OMD is intended to be displayed.
3. an undertaking to the effect that the application for display of advertisement is not in contravention of the order of any Court.
4. Design and the structural details of the OMDs by a Structural Engineer, certifying the safety aspect of its foundations capable of bearing extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant Indian Structural Design Standards, policy and guidelines framed from time to time. The structural details shall include size of all members of supporting frameworks, anchorages and design calculations including proof of compliance with any other law, including but not limited to, the applicable law and codes/guidelines including Indian Road Congress (IRC), the National Building Code of India and the Environment (Protection) Act, 1986 (Central Act 29 of 1986), to the extent that such law is applicable.
5. A drawing, in colour, showing the locality plan, indicating the proposed position (including GPS coordinates) of the OMDs and the distances in relation to any other structure, building, or OMD situated within a radius of twenty-five meters from the proposed OMD.

6. if a proposed OMD is to be attached to or displayed on the facade of a building, an architectural drawing showing elevation and measurements of the building and the detailed measurements and position of the proposed OMD and the position of every existing OMD on the building drawn to a scale of 1:1000 or as specified by the Council/ Committee.

Note: In case of rejection of application, you may apply fresh on satisfying the above mentioned conditions. This is a typical format only and is subject to modification/ amendment by the Department from time to time. Upon submission OMD unique ID shall be generated.

Schedule 1

General Permission Criteria - Outdoor Media Devices

(See bye-law,- 2(1)(xxix), 3(4), 4(1), 5(1, 2, 3), 7(1), 8(1), 11(1) and 20)

1. Traffic Hazard Potential Dependencies

- (1) The traffic hazard potential of an OMD depends on its:
- (i) Site Location: OMD's location from the road which is measured in terms of lateral and longitudinal displacements from the edge of the road. The hazard generally diminishes the further the device is away from the road.
 - (ii) size of the OMD,
 - (iii) luminance level of the OMD, and
 - (iv) background and other such related issues.
- (2) An advertising device may be considered a traffic hazard:
- (i) if it interferes with the effectiveness of a traffic control device (e.g. traffic light, stop or give way sign).
 - (ii) if it interferes with road safety or traffic efficiency.
 - (iii) distracts a driver at a critical time (e.g. making a decision at an intersection).
 - (iv) obscures a driver's view of a road hazard (e.g. at corners or bends in the road).
 - (v) gives instructions to traffic to "stop", "halt" or other (e.g. give way or merge).
 - (vi) imitates a traffic control device.
 - (vii) is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users.
 - (viii) is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous.
 - (ix) if situated at locations where the demands on drivers' concentration due to road conditions are high such as at major intersections or merging and diverging lanes.
 - (x) if it violates the applicable building bye-laws/ Code.
- (3) Besides aforesaid, additional driver attention and decision making are required at the following:
- (i) high speed diverging, merging or weaving at an intersection such as at a "Y" intersection or large high-speed roundabouts;
 - (ii) in the vicinity of intersections where through lanes merge and where vehicles are required to merge at higher speeds (e.g. where "trap lanes" are created on the approaches to, or exit from, intersections and where a divided motorway becomes a two-way road);
 - (iii) intersections or sections of road which, because of lane configuration or geometry, may require an increased level of driver concentration (e.g. five-way intersections, back to back horizontal curves);
 - (iv) on the outside curve of a divided road where advertising is directed at traffic on the opposite carriageway and the geometry, angle or other factors make this undesirable;
 - (v) sections of road displaying traffic signals, directional signage, regulatory or advisory signage that (when considered singularly or in combination) are believed to be significantly more different or complex than would normally be expected (at these intersections, it would be expected that the required reading and interpretation period of the traffic control device(s) would be significantly longer);
 - (vi) sections of road that have a vehicle crash history higher than the system average;
 - (vii) pedestrian crossing facilities; and
 - (viii) schools, hospitals, old age homes.

2. OMD Location Selection Criteria

- (1) The site selection criteria comprise of:
- (i) the lateral placement of OMDs (which influences the hazard potential for an errant vehicle and the effectiveness of official traffic signs); and
 - (ii) the longitudinal placement of OMDs (driver distraction control) relative to designated traffic situations and official traffic signs, road features and other OMDs (which influences sight distances and driver distraction).
- (2) Lateral Placement
- (i) Advertising is not permitted in medians because these areas are set aside for important traffic control devices.
 - (ii) OMDs shall not be permitted on traffic islands.
 - (iii) Where carriageways diverge so much that oncoming traffic is not visible because of topography or dense vegetation.
- (3) Longitudinal Placement (Driver Distraction Controls)
- (i) Longitudinal placement set out minimum distances between the OMDs and traffic conflict points, official traffic signs and other OMDs (i.e. reduce advertising density).
 - (ii) To facilitate the smooth flow of the traffic and to avoid any traffic hazard caused by the placement of

OMDs following shall be followed while finalizing longitudinal placement of any device, the distance for placement of OMD shall be measured from main carriageway or the edge of the junction, intersection, roundabouts etc.

(4) Lateral and Longitudinal – Site Selection Criteria

(i) **Lateral Criteria**

- (a). The lateral distance criteria are applicable to all type of OMDs, except OMDs defined under Typology “A” in **Annexure-5**.
- (b). In case of National Highways and State Highways the lateral distance shall be **ten metres** measured from the edge of the ROW as defined in item (xxxiv) of clause (1) of bye-law 2; and in no case OMDs, shall be permitted within ROW of the National Highway.
- (c). In case of scheduled roads declared by the State Government under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, the lateral distance shall be measured from the edge of the ROW as defined in item (xxxiv) of clause (1) of bye-law 2. The permissible lateral distance shall be either 1/3rd of the width of the ROW of the road as measured above or minimum ten meters, whichever is greater.
- (d). In case of sector roads, municipal roads and roads other than scheduled roads, the lateral distance shall be measured from the edge of the ROW as defined in item (xxxiv) of clause (1) of bye-law 2. The distance shall be 1/3rd of the ROW or ten meters, whichever is lesser.
- (e). The lateral distance criteria shall not apply to OMDs on public toilets, Bus stops, toll plaza structures located near toll plaza, subject to approval of the Municipal Corporation in accordance with these bye-laws.
- (f). In no case, the OMD shall be allowed to install within the ROW.
- (g). In case the ROW of municipal road is less than twenty meters, OMD shall be installed at edge of ROW parallel to carriageway and its size is restricted to 4.6 x 3.05 meters”.

(ii) **Longitudinal Criteria**

Site Selection Criteria for Longitudinal Placement of OMDs			
	Minimum Longitudinal Straight Clear Distance between two OMDs along the road for notified speed upto 50 Km/ hr	Speed Factor (In case notified speed of road is higher than 50Km/ hr)	Minimum Longitudinal Straight Clear Distance between two OMDs along the road (In case notified speed is higher than 50Km/ hr)
	1	2	3
	100 meters	i. 60 Km/ hr = 1.2 ii. 80 Km/ hr = 1.5 iii. 100 Km/ hr = 2.0	i. 100 X 1.2 = 120 meters ii. 100 X 1.5= 150 meters iii. 150 x 1.8 = 200 meters

The above distance has been calculated considering, distance covered by vehicle at given speed within three seconds distraction time (distraction caused by advertisement), one second reaction time to apply brakes, braking distance of vehicle at given speed and additional safety factor.

Note: The longitudinal distance criteria shall be applicable to OMDs along any road or OMDs on public land, except OMDs defined in **Typology “A”** in **Annexure-5**.

- (iii) OMDs are not permitted within **seventy five** meters of any road junction, traffic intersection or another road crossing in the direction of traffic entering the crossing. OMDs shall not be permitted within **fifty** meters of any road junction, traffic intersection or another road crossing in the direction of traffic exiting the crossing .The distance shall be measured from the edge of traffic inter-section not road junction or road crossing.
- (iv) OMDs shall not block any traffic signage or traffic signal or any other structure erected for the regulation of traffic.
- (v) OMDs are not permitted on a roundabout of diameter less than hundred meters measured from the outer width of the round-about (including the carriageway).
- (vi) OMDs on roundabout of diameter hundred meters and above measured from the outer width of the round-about (including the carriageway) are permitted at clear distance of **ten metres** from the edge of carriageway.
- (vii) Where lateral placement requirements and driver distraction requirements are provided for by a particular restriction distance, the greater value shall be used.
- (viii) When two (2) OMDs, located together, are different in their general form, the driver distraction potential shall be determined considering both devices, simultaneously.
- (ix) The permissible distance between the edges of any Unipole OMD or Wall wrap OMD to any other Unipole OMD or Wallwrap OMD on private property shall be at least fifty metres of frontal façade.
Note: one OMD is permitted to install on each premises even if it frontal façade is less than fifty metres, but in case of more than one OMDs are to be installed at single premise, then for every additional OMD frontal façade of at least fifty metres is required. The distance between each OMD within same premises shall be fifty metres.
- (x) If an OMD is visible from more than one road or type of road (such as a motorway or motorway standard road and a ramp or other road) the restrictions shall be applied to each road or type of road the OMD is visible.

(5) Physical characteristics of OMDs

- (i) The application of control on physical characteristics is intended to minimize the level of driver distraction. Control of the physical characteristics of Outdoor Advertising Devices shall relate to the:
 - (a). Size and shape

- (b). Colour
- (c). Illumination and Luminance
- (d). Movement and Rotation
- (e). OMD Content
- (ii) Size and Shape
 - (a). OMDs shall not use shapes that could potentially result in an OMD being mistaken for the effectiveness of official traffic signs.
 - (b). The Code of Practice for Road Signs **IRC: 67-2001**, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
- (iii) Colour
 - (a). OMDs shall not use colour combinations that could potentially result in being mistaken for an official traffic sign.
 - (b). The Code of Practice for Road Signs **IRC: 67-2001**, by Indian Roads Congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
- (iv) Illumination and Luminance
 - (a). OMD shall not contain flashing red, blue or amber point light sources which, when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning light's,
 - (b). All lighting associated with the OMD shall be directed solely on the OMD and its immediate surrounds.
 - (c). External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
 - (d). Illumination of OMD is to be concealed or be integral part of it.
 - (e). Up-lighting/upward pointing of the device shall not be allowed, any external lighting is to be downward pointing and focused directly on the OMD to prevent or minimize the escape of light beyond OMD.
 - (f). Any light source shall be shielded so that glare does not extend beyond the OMD.
 - (g). Non-static illuminated OMDs (flashing lights) are not permitted.
 - (h). The average maintained luminance shall be reduced to 0.5 candelas or all together shut, after 0000 hours (12 A.M) and sunrise by automatic timing devices or as specified by municipality from time to time.
 - (i). OMDs containing retro-reflective material shall be rotated approximately five degrees away from the normal line of vehicle headlight beams in order to minimize specular reflection.
- (v) Movement and Rotation
 - (a). Moving displays causes a statistically significant distractive influence on motorist's response times to external stimuli. Moving, rotating or variable message OMDs are permitted only in market place, parking spaces and other public spaces, where there is only pedestrian movement. In no case such advertisements shall be permitted towards vehicular traffic. (Except advertisements affixed on public transport vehicles e.g. State Government Buses).
 - (b). Trailer based advertising is permitted subject to the condition that the trailer shall display advertisement at selected places/ locations and at defined time periods. Further, while transporting the trailer from one place to another, the advertisement shall be properly covered.
 - (c). OMDs on passenger vehicles shall not be permitted.
 - (d). This permission criterion is not intended to apply to variable message displays used by road authorities for traffic management/ information. Variable message displays located at bus stops or similar places where messages are directed at, and intended for, pedestrians (not motorists) are excluded.
- (vi) Advertising Device Content

The municipality shall generally rely upon self- regulatory controls within the Advertising industry to enforce minimum Advertising standards. Notwithstanding this approach, the municipality may take action to modify or remove any advertisement on the OMD that contravene the Advertising Industry's Code of Ethics, (refer List of Negative Advertisements provided in byelaw 4(3) or that otherwise causes a traffic hazard.
- (vii) Legibility
 - (a). For all categories of OMDs (other than OMDs which are directed at pedestrians), text elements on an OMD face should be easily discernible to traveling motorists. This shall minimize driver distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduce the period of distraction.
 - (b). The content or graphic layout exhibited on OMD panel shall avoid hard-to-read and overlay intricate typefaces and have letters styles that are appropriate. Under no circumstances should device contain information in text sizes, which would necessitate the driver or passenger in a moving vehicle to stop, read and/or note down, which is detrimental to the smooth flow of traffic and distracting for the driver.
 - (c). All OMDs shall be so designed as to maintain a proportion where, as a general rule, letters should not appear to occupy more than 20% of the OMD area, unless otherwise permitted by the municipality.

3. Installation, Operations and Maintenance Development Criteria

(1) The following criteria shall also apply:

- (i) Safe access shall be available to the OMD for erection, maintenance and alteration activities.

- (ii) The OMD and surrounding areas shall be kept in a clean and tidy condition.
- (iii) Unauthorized clearing, trimming, slashing and burning off or otherwise removal or destruction of vegetation is not permitted.
- (iv) Apart from accommodating vehicular and pedestrian traffic, road reserves are corridors for utility services such as power, telecommunications, gas, storm water, water supply and sewerage. The location of these services is known by other agencies with their own legislative right to install these services within the road reserve.
- (v) Municipality may not know the accurate location of all underground services. The owner is responsible to co-ordinate, inform and communicate to relevant authorities before any excavation or fabrication on site work is to be undertaken. Any liability, delay or accident that happens, is complete responsibility of the owner and in no way municipality would be liable to help, support, negotiate or waive off any of the conditions set in the agreement or these bye-laws.
- (vi) OMD owners are solely responsible for ensuring that during erection, maintenance, alteration and operation of an OMD, the device does not conflict with services or other things within the road reserve.
- (vii) Municipality may ask the owner to either replace or altogether remove any OMD to facilitate the work undertaken by utility services such as power, telecommunications, gas, storm water, water supply and sewerage, or for road widening.

4. Structure

- (1) OMD structures devices shall be certified by a Structural Engineer practicing in the field of structural engineering. This requirement is not applicable to specific instances where the OMD is in the form of Advertisement pasted directly to the surface of a structure e.g. pasted sticker on a vehicle, wall wrap.
- (2) This certification confers compliance of the design with relevant Indian Structural Design Standards, Codes of practice and conditions of this guide. The foundations shall be designed and checked for extreme wind conditions, earthquakes, soil bearing capacity etc.
- (3) The supporting structure shall have a non-reflective finish to prevent glare.
- (4) The OMD structure shall be well maintained. It shall be painted in colours that are consistent with, and enhance, the surrounding area.
- (5) Official road furniture such as official signs and delineator guide posts shall not be used as the supporting structure of an OMD.
- (6) The name of the OMD permission holder, Number of permission/ media device identification number etc. shall be placed in a conspicuous position on the OMD as may be notified by municipality from time to time.

5. Electrical Connections

- (1) Electrical connections to OMDs shall meet relevant Indian Standards.
- (2) Electrical connections to OMDs shall be designed to ensure there is no safety or traffic risk.
- (3) Electrical connections to OMDs shall be designed to be safe in the event of accidental knock down.
- (4) The registered agency is the power consumer and shall make application for power connection to obtain electricity connection from the respective electricity distribution company for illuminated display in his own name, for which municipality concerned land owning agency would provide necessary no objection certificate on the owner's request.
- (5) Any charges for power connection and supply shall be incurred directly by the registered agency. A copy of the electricity supplier's letter of acceptance/ billing arrangement shall be submitted to municipality.
- (6) The electrical installation work shall be performed by a licensed electrical worker in accordance with the relevant Electricity Regulation and, the Wiring Rules and the relevant electricity supplier's requirements.
- (7) Adequate insulation and protection equipment and procedures shall be in place to protect maintenance and service personnel working on either the OMD or the road lighting circuit. For earthing, a separate earth electrode shall be used, and active and neutral conductors shall be used only for supply from the supply point.
- (8) A sketch plan shall be submitted to Government Authority showing the location from where the electricity is being drawn along with position of various other ancillary requirements, duly signed by a qualified electrical engineer practicing in same field.
- (9) A copy of the electrical contractor's test certificate shall be provided to municipality. The switching device shall be of a type approved by the electricity supplier. Electrical components shall accord with relevant Indian Standards.

6. Miscellaneous

- (1) OMDs involving communication through sound, smell, etc. are not permitted.
- (2) No generator running on diesel/ petrol/ kerosene or any bio fuel, causing noise, air or water pollution would be allowed for providing power for illumination of any OMD.

7. List of Non Permissible Outdoor Advertisement

- (1) Advertisements affixed on public property by pasting.
- (2) Banners.
- (3) Advertisement by way of pasting on Pillars/ Pylon.

8. OMDs on Public Transport Services/ Street Furniture (Typology 'A')

- (1) Bus and Intermediate Public Transport (IPT) Shelters

Serial No.	OMD Feature	Maximum permitted size (in metres)
1.	OMDs at the roof of shelter	i. One front panel - 9 x 0.3 ii. 2 side panels - 3 x 0.3
2.	OMDs at structure of shelter	i. One back panel parallel to road - 9 x 1.2 ii. One pole mounted back lit panel - 1.8 x 1.2

- (i) The approach end of passenger transport shelter shall be open to provide waiting passengers with maximum visibility of the approaching passenger transport vehicle.

(2) Bus and Intermediate Public Transport (IPT) Route Marker.

Serial No.	OMD Feature	Maximum permitted size (in metres)
1.	OMD space on both side of Route Marker	i. 1.2 x 2.0 (height) 0.2 x 2.0 shall be reserved for bus related information on both side

(3) Bus and Intermediate Public Transport (IPT) vehicles

Serial No.	OMD Feature	Maximum permitted size (in metres)
1.	Public Transport buses i. On driver side panel ii. On other side panel iii. Back side No advertisement is permitted on glass area of the vehicle	i. 4.0 x 0.6 metres ii. 3.5 x 0.6 metres iii. 1.2 x 0.9 metres

(4) Advertisement regulation criteria for Foot Over Bridges.

- (i) The advertisement shall be permitted only of transparent nature, on inside wall of pathway and with maximum height of 0.75meter from the top surface of pathway. In all circumstances, the activities happening on pathway shall be clearly visible to public from all sides.
- (ii) The advertisement visible from road shall be permitted on the side of the Foot Over Bridge in the opposite direction to the direction of traffic.

(5) Public Toilet block and cycle station.

Serial no.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD on surface.	<ul style="list-style-type: none"> ● Seventy percent of total surface area of block. ● Additional back lit panel of at least 1.8 x 1.2 with city map/ neighborhood map/ route map shall also be provided.
2.	<ul style="list-style-type: none"> ● In no case the height of OMD shall be above the parapet of structure. ● In case of public toilets water storage tanks shall be properly concealed and shall not be visible to public. 	

(6) Public Utility Furniture- Booths (e.g police booth, telephone booth, etc.)

Serial no.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD on surface.	<ul style="list-style-type: none"> ● Seventy percent of total surface area of three sides of Booth. ● OMD on back side of booth is not permitted. ● OMD on glass surface (For light and ventilation) of booth is not permitted.

(7) Public Utility Furniture- Sitting Benches and Garbage Bins

Serial no.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD.	<ul style="list-style-type: none"> ● Percentage of total surface area decided by municipality. ● OMD shall be facing pedestrian pathway only.

General Note:

- (i) The OMD panels shall be backlit without additional projected brackets (except sitting benches and Garbage bins).
- (ii) Non static illumination, neon, changing LEDs, changing of illumination color, flashing lights are not permitted.
- (iii) To be developed preferably on BOT basis, where BOT is not possible or for existing infrastructure, the advertisement space to be bid out with maintenance of amenity as an obligation on the bidder.
- (iv) Ventilation and natural lightning of structure shall not be compromised for installation of OMD.
- (v) Locations of Bus and IPT Shelter, toilet block, cycle station, utility booths and public utility sitting bench shall be identified by municipality.
- (vi) The OMD shall not cause any hindrance to the flow of vehicular and pedestrian traffic.

9. OMDs on Public Transport System (Typology 'A')

(1) In public transport system, OMDs are permitted on rolling stocks, stations, shelters, Foot-Over-Bridges and other properties (including Metro structural pillars/ columns).

Serial No.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD on Metro structural pillars/ columns	<ul style="list-style-type: none"> ● To be installed 3.0 metres above the ground level (i.e. above the general eye level of vehicle driver) ● Maximum height – 3 metres ● Maximum width – restricted to diameter of the column (no part of OMD shall overhang/ projected beyond the width of column)

(2) OMDs on metro stations, shelters, foot-over-Bridges and other properties shall be installed as such that it does not face the direction of incoming traffic (i.e. OMD be installed on other half side of road) on the public road.

(3) The location of OMDs shall be identified by the person, Company, Board or statutory Authority operating

the public transport system with the approval of the municipality. These shall be identified on case to case basis.

(4) The OMDs permitted shall follow the specification stated in the bye-law, as per typology and shall get audited by 3rd party only indulged in consultancy over road safety. In no case the 3rd party (or its sister company) shall be indulged in advertisement display business.

(5) Traffic barricading

Serial No.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD on both side of barricade	<ul style="list-style-type: none"> Maximum length – 0.6 Maximum Height – 0.3

10. Typical advertising device dimensions for Typology 'B' and 'C' OMDs (except Wall Wrap).

Type	Dimensions (in meters)	Remarks
Standard OMDs	4.6 x 3.05	Shall be Placed at Drivers Eye Height, which shall not disrupt any pedestrian movement.
	6.1 x 3.05	Shall not come under direct horizontal vision of Drivers eye. Bottom of the advertisement panel should be minimum three metres above the adjacent road edge and foundation pole shall be away minimum ten metres from road edge.
Unipole and Large Size Billboards	4.5 x 2.25	Road with not less than forty five meters Row with minimum offset from paved road edge 10m
	5.0 x 2.5	
	7.6 x 3.8	Road with not less than sixty metres ROW with minimum offset from last paved road edge un-signalized intersections or roundabouts. Face not towards fast moving road traffic or along access controlled road/highways.
	10.0 x 5.0	Strictly in Pedestrian and Parking/ Market areas only.

(1) Municipality shall ensure that aforesaid sizes are used increasingly to bring more aesthetics in the City. The Registered Entities shall use the aforesaid standard dimensions.

(2) Where no or little construction has happened in such cases only the unipoles and billboards of sizes specified above shall be permitted.

(3) Gantries shall be permitted only on municipal road with divided carriageway for welcome signs and social messaging by municipality. The sponsor OMD shall be put up on other side of the gantry i.e. opposite side of the incoming traffic. The clear distance between the road and lowest surface of gantries shall not be less than eight metres. The maximum height of OMD permitted on gantry is restricted to one meter.

(4) On vacant OMDs, mobile numbers covering the whole space shall not be permitted. Mobile numbers shall be provided in 1/10th of total space of OMD.

11. Maximum Permissible area for on premises advertisement.

(1) The maximum permissible area available for on premises (including buildings and land) advertisement on each face of the building, visible from public street/ road shall be as per table given below:

Serial no.	Type of building	Maximum permissible area (on each face of the building) of the total area.
1.	Shopping mall, Corporate Office, Shop/ shopping complex	20%
2.	Self-employed office i.e. Self-advertisers (Office/ Shop Signage)	2%

(i) Wall wraps shall allow natural light in the building by having material with seventy five percent transparency.

(ii) The height of OMD is restricted in accordance to the height of building, which is as under:

Serial No.	Height of Building (in metres)	Maximum height of OMD
1.	Upto three Storeys (upto 15 metres)	8 metres
2.	Four to Eight Storeys (15 to 36 metres)	12 metres
3.	Above Eight Storeys (above 36 metres)	15 metres

Provided that no openable door/ window shall be covered. Further, the advertisement shall not disturb the basic architectural character, features (i.e. arches, columns, niches, projections, etc.), standard façade (approved by authority) and shape of building.

12. OMDs for Events (Typology 'D')

(1) These OMDs shall be installed only for events such as conferences, entertainment events, exhibitions, etc. and only on temporary structures permitted by municipality.

(2) These OMDs shall not violate any of the provision of this bye-law.

(3) These OMDs shall be permitted to install thirty days prior to the event and shall be removed within 24 hours of finishing of event.

(4) OMDs mentioned under **Typology-D1** shall be exempted from registration and payment of charges/ charges.

(5) OMDs mentioned under **Typology-D2** shall pay charge as decided by Municipal Council/ Committee, but are exempted from registration process.

(6) Penal charges for violating provision of bye-law and not removing OMD after finishing of event shall be applicable on all OMDs defined under **Typology-D** and shall be charged on daily basis as decided by Municipal Council/ Committee.

13. OMDs for Landscape Advertisement (Typology 'E')

(1) Landscape OMDs are permitted on only Tree guards, to cover trees less than three years old and/ or height less than four metres.

(2) The tree guard shall be of square size with 1.2 to 1.5 metre side and height of 1.5 metres.

Serial no.	OMD Feature	Maximum permitted size (in metres)
1.	Maximum space for OMD shall be square plates on each side of guard	<ul style="list-style-type: none"> ● Maximum length – equal to the width of guard ● Maximum height – 0.9 ● The bottom of OMD shall be 0.3 metre high from the ground.

14. Self-Advertisements (Typology ‘F’)

- (1) The content of self-advertisement is permitted only to the extent of office/ shop signage by the owner of the office/ shop. No third party advertisement shall be permitted on/ along self-advertisement.
- (2) Self-advertisement is permitted only on 2% of the total area of facia/ facade of the building, in form of bill board, walls wrap. If the owner utilizes more than 2% of total area for self-advertising, then it shall be considered under categories defined in **Annexure-5** and accordingly applicable charges shall be levied.
- (3) In case of shops, the height of self-advertisement board is limited to one metre and width shall be limited to width of building, installed above the lintel height of shop. In shopping complex, all shops shall maintain the uniformity in clear height of self-advertisement board.
- (4) The self-advertisement board shall not project beyond 150mm from the face of building.
- (5) Self-advertisement by hawkers on stationary kiosk or handcart is limited to 3 square metres with dimension of 3 metres x 1 metre.
- (6) Self-advertisement for rickshaw is limited to 1.5 square metres with 1 metre x 0.5 metre panel of back and both side of rickshaw.
- (7) Ground OMD shall not be permitted on ROW and pedestrian pathway.
- (8) Size of ground OMD shall be 0.3 square metres for every meter distance away from ROW, with maximum size limited to 2 square metres with size 2 metre x 1 metre.
- (9) On petrol pumps, only self-advertising of Oil Company’s Product or public messages are permitted, as per contract agreement between the Oil companies and distributors. 3rd party commercial advertisement is not permitted.

15. Innovative OMD’s (Typology ‘G’)

- (1) Specific permission shall be required to be obtained for Innovative OMDs such as LED, LCD, inflatable or Gas Balloon and other such media.
- (2) This approval shall be for specified duration, and shall be in terms of **bye-law 6**.
- (3) While driving the drivers glance from road to read the content of sign, and then glance back on road. LED signs (without colour changes) are acceptable format of advertisement on building façade, since these are expected to be representing specific brand names and do not contain high visual information.
- (4) LCD / LED screens which typically contain high graphic and visual images shall be restricted to market areas, parking places, parks, walkways, primarily not facing vehicular movement of traffic.
- (5) Use of OMDs for distribution of Wi-Fi hotspots, mobile telephony antennae/ towers shall be permitted, based on specific project report.
- (6) Besides aforesaid, other criteria shall be:
 - (i) Frequency and extent of movement and colour change within a display.
 - (ii) OMD shall be installed only where the required sign viewing time does not result in a safety problem for the particular environment.
 - (iii) There is adequate advance visibility to read the sign.
 - (iv) The environment is free from driver decision points and there is no competition with official traffic signs.
 - (v) The device is not a moving Outdoor Media Device.
 - (vi) Long duration display periods are preferred in order to minimize driver distraction and reduce the amount of perceived movement. Each screen shall have a minimum display period of 8 seconds. The time taken for consecutive displays to change shall be within 0.1 seconds.
 - (vii) The complete screen display shall change instantaneously. Methods of display change such as 'fly in' or 'scroll', or any other type of message change, are not recommended.
 - (viii) Sequential message sets are not allowed.
 - (ix) The time limits may be reviewed periodically.
- (7) The gas balloons or inflatable OMDs shall be granted permission on following criteria, namely:-
 - (i) The gas balloons OMD shall be installed/ hooked in open area and to the ground with fixed anchor.
 - (ii) NOC shall be taken from Fire Officer, with regard to its fire safety.
 - (iii) Gas balloons OMDs are not permitted near/ around high rise building/ high voltage lines/ electricity towers and its distance from the nearest building/ High Voltage lines/ electricity towers shall be 1.5 times the total height of gas balloon.
 - (iv) Inflatable OMDs shall be inflate with air (any kind of gas is not permitted).
- (8) The policy shall be open for adopting new technologies provided they do not contravene any general permission criteria, and shall also be approved by the Municipal Council/ Committee. The permission shall be taken from the Municipal Council/ Committee before implementing any such mediums.

16. OMDs inside commercial and public building (Typology ‘I’)

- (1) All OMDs installed within a premises (not facing any public street/ road), for display to users of building are required to obtain permission from municipality, on payment of applicable charges.
- (2) OMDS installed within premises not facing any public road/ street do not possess any distraction to moving traffic and therefore no parameters have been defined with respect to size and location of such OMDs.
- (3) In no case, such OMDs shall face to public view, traffic/ pedestrian from public street/ road and any adjacent building.
- (4) All such OMDs installed on columns, beams, ceiling, etc. via hanging cable or affixed shall comply with structural safety and other safety parameters to public.

Note: If an OMD installed within a premise and toward building within the premise, but also visible from buildings on adjacent plots, shall be considered under Typology-I, in following circumstances:

- i. The angle of OMD surface (Horizontal or Vertical) towards the building on adjacent plot shall be at 45 degree ($\pm 5\%$ variation allowed);
- ii. The distance of OMD from the building on adjacent plot shall not be less than fifty metres.

17. Permission criteria

- (1) All on premises OMDs/ business/ trade signs shall be restricted to commercial areas and authorized business/ trade establishments within institutional areas.
- (2) OMDs are permitted to install at vacant plot, subject to fulfillment of conditions for permission and distance parameters specified in the bye-law are complied with.
- (3) OMDs are not permitted in residential areas. However, OMDs in commercial component (i.e. neighborhood market place) in residential area are permitted. OMDs shall strictly face the market only and in no circumstance shall face residential area.
- (4) Illuminated-On premise OMD is not permitted in shops/commercial establishments facing residential areas on streets with width less than twelve meters.
- (5) No OMD shall be attached in any way to trees or shrubs.
- (6) No trade and business sign, messages, posters or printed material of any nature shall be pasted onto any supporting column, pillar or post.
- (7) On premise OMD in any form shall not obstruct any pedestrian movement (vertically and laterally), fire escape, door or window openings
- (8) On premise OMD shall not in any form or manner interfere with openings required for light and ventilation.
- (9) Under no circumstances shall on premise OMD be located to obstruct or alter the frontal silhouette of any transparent/ translucent surfaces/ openings.
- (10) Non-illuminated transparent/ translucent signs shall be permitted on transparent/ translucent external surfaces at any level, subject to height defined in clause 11 of schedule 11,
- (11) No trade and business sign shall be in any form or manner interfere with fire safety transit/ exit space requirements and prescribed norms.
- (12) All on premise Outdoor Media Device shall under no circumstances reflect activity/ activities other than those undertaken within the premises (for self-advertising only).
- (13) No OMD shall contain additional Advertising -promoting products or services other than approve use of the premises or site irrespective of whether that product or service is provided, sold or available on the site (for self-advertising only).
- (14) All on Premise OMD shall have the compulsory required information as under:
 - (i) Name of the trade and business
 - (ii) Shop/Premise number
- (15) All on premise OMD shall conform to the prevailing laws with regard to decency, decorum, social harmony etc.
- (16) All the OMD shall be visually interesting and exhibit a high level of design quality.
- (17) All on premise OMD must conform to structural/ architectural discipline of the surface/ edifice/ building/ open areas.
- (18) The scale and location of a sign shall be compatible not only with the building to which it is affixed but also take into consideration nearby buildings, streets and existing signs.
- (19) Materials used in all on premise OMDs shall be non-polluting, fire resistant and injury proof.
- (20) Any new sign Media Device shall consider existing signs on a building, site or adjoining streetscape to ensure that the sign does not give rise to visual and/ or physical clutter.
- (21) The cabling and conduit shall be concealed from view of the sign and any supporting structure from all angles, including visibility from the street level and nearby higher buildings and against the skyline.
- (22) No sign under any circumstances shall be supported from, hung or placed on other signs. Each sign shall be self-supporting or fixed securely with the architectural structure.
- (23) Signs painted on or applied on the roof of a building are not permitted. Signs built and/ or suspended from the roof at the roof level are also not permitted.
- (24) OMD on the rooftop of building is not permitted.
- (25) OMD on building surface in no circumstance shall project beyond the width of building.
- (26) OMDs shall not be put up on overhead traffic signs, ground mounted traffic signs, overhead traffic signals, and ground mounted traffic signals.
- (27) OMDs are not permitted on telephone/ electric poles/ transformers/ High Transmission line towers.
- (28) OMD shall not be allowed to install within One Hundred meters of a construction zone of roadwork site, where construction is going on.
- (29) The sign information shall be kept to a minimum in the interest of both aesthetics and traffic safely.
 - (i) Where subordinate information is allowed, the name or use of the business shall be the dominant message on the sign- No supplementary (as in bylines, product specifications, and selling propositions) and subordinate information (addresses, telephone numbers, and other such details) which seeks the attention of drivers along vehicular stretches shall be allowed as they present a traffic hazard.
 - (ii) Sign shall be non-reflective such that they do not flash or glare at drivers on the streets. Signs shall not use reflective surfaces as mirror foils etc. as the use of such material are visually disruptive to traffic and may be hazardous to oncoming drivers.
 - (iii) All permitted signs shall attract levies payable as outlined by the municipality.
 - (iv) In no case, OMD shall project over the ROW and pedestrian pathway.
- (30) Where these bye-laws are silent, provisions stated in **IRC-46-1972** "A Policy on Roadside Advertisement" shall be referred.

18. Acknowledgement OMDs.

(1) Acknowledgment OMD shall not contain contact information, directions, slogans, telephone numbers, or internet addresses. It shall have their acknowledgment logo placed on an Acknowledgment OMD. The acknowledgment logo shall be less than one-third of total OMD surface area specified below.

(2) Acknowledgment OMD on green lawns, landscaped islands, pedestrian/ cyclist pathway and central medians shall be restricted to 0.2 square metres area plate, and their spacing shall not be less than fifteen meters at a road

(3) With speed less than 50km/h. If it is on roundabouts then spacing of twenty metres along installed perimeter length shall be taken and standard dimension board of 800mm and 250mm shall be installed. The installed sign shall not obstruct the view of any directional/ diversion/ warning sign. Such signages are qualified as Acknowledgement Signs and shall contain acknowledgment of sponsor only and no third party advertisement shall be permitted.

(4) Acknowledgement sign shall not be installed on the front or back of, adjacent to, or in close proximity to any other traffic control device, including traffic signs. At key decision points where a road user's attention is more appropriately focused on other traffic control devices, roadway geometry, or traffic conditions, including exit and entrance ramps, intersections, highway-rail grade crossings, toll plazas, temporary traffic control zones, and areas of limited sight distance. The minimum spacing between acknowledgment signs shall not be less than 25metres at a road with speed less than 50km/hr.

19. Marquee OMD (Hangs from canopy projecting from the building) shall not be more than 2 meters in height and its bottom shall be 2.5 meters above the footpath.

Arun Kumar Gupta,
Principal Secretary to Government, Haryana,
Urban Local Bodies Department.

**HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
ORDER**

No. 9/46/2022-4C II
In exercise of the powers conferred under bye-law 2(1)(xxv), (xxix), (xxx), (xxxvi) of the Haryana Municipal Advertisement Bye-laws, 2022, the Government of Haryana hereby specifies the following fees/ charges for all municipalities in the State, for granting display rights for Outdoor Media Devices (OMDs):

1. **Registration charges** under bye-law 14 (3) shall be levied at the rate of Rs. 10,000/- (for period of 5 years) from the entity willing to participate in E-auction under any municipality.
2. **Scrutiny fees** under bye-law 6(2) and 10(2) shall be levied at the rate of Rs. 1,000/- per OMD and Rs. 5,000/- in case of "multiple OMDs", from the followings:
 - a. The applicant seeking permission for self-advertisement beyond exempted limits, under Typology F, or
 - b. The applicant seeking permission under third party advertisement for Typology C, G, H and I:
 - i. Seeking advertisement rights on his property directly from municipality, or
 - ii. Listing of his property on Online Advertisement Portal for E-auction.
3. **Guidelines for Reserve Price:** The reserve price under said bye-laws for the auction of each OMD shall be 4% of commercial collector rate at the location of OMD for per square meter per month.
 - a. The above reserve price shall be minimum and concerned municipality may increase the reserve price, as it deems appropriate.
 - b. The reserve price shall include permission charge of OMD and rent of the space.
4. **Permission charges** under bye-law 10(1) shall be levied at the rate of two times the reserve price from the applicant seeking third party advertisement rights for his property directly from the municipality under Typology C, G, H and I.
5. **Permission charges** under bye-law 7(2) for self-advertisement under Typology F shall be levied at the rate of fifty percent of above said reserve price for OMD size above 2% of the building's facade area.

Note: Convenience charges as levied by the Bank and service provider will be in addition to aforesaid charges/fee/price.


ARUN GUPTA,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

Endst. no. 9/46/2022-4C II

Dated: 21-09-2022

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director, Urban Local Bodies, Haryana, Panchkula.
2. All the Commissioners of Municipal Corporations in the State of Haryana.
3. All the District Municipal Commissioner in the State of Haryana.
4. All the Executive Officer and Secretaries in Municipal Councils and Municipal Committee, respectively.


Under Secretary 21/9
for Principal Secretary to Government Haryana,
Urban Local Bodies Department.

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
ORDER

No. 9/46/2022-4C-II In partial supersession of the orders issued vide memo no. 9/46/2022-4C-II, dated 21.09.2022 and in exercise of the powers conferred under bye-law 2(1)(xxv), (xxix), (xxx), (xxxvi) of the Haryana Municipal Advertisement Bye-laws, 2022, the Government of Haryana hereby revises the following fees/ charges for all municipalities in the State for granting display rights for Outdoor Media Devices (OMDs):

Permission charges under bye-law 10(1) shall be levied at the rate of 0.80 times the reserve price from the applicant seeking third party advertisement rights for his property directly from the municipality under Typology C, G and H. For advertisement under Typology I i.e. "Inside commercial and public buildings", the permission charges shall be levied at the rate of 0.5 times the reserve price.

ARUN GUPTA

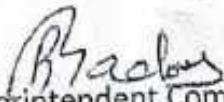
Additional Chief Secretary to Government Haryana,
Urban Local Bodies Department.

Endst no. 9/46/2022-4C-II

Dated: 21.11.2022

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director, Urban Local Bodies, Haryana, Panchkula.
2. All the Commissioners of Municipal Corporations in the State of Haryana.
3. All the District Municipal Commissioner in the State of Haryana.
4. All the Executive Officer and Secretaries in Municipal Councils and Municipal Committee, respectively.


Superintendent Committee-II
for Additional Chief Secretary to Government Haryana,
Urban Local Bodies Department.

**Haryana Government
Urban Local Bodies Department
ORDER**

Dated: 07.04.2023

No. 9/46/2022-4C-II In partial supersession of the orders issued vide memo no. 9/46/2022-4C-II, dated 21.09.2022, memo no. 9/46/2022-4C-II, dated 21.11.2022 and in exercise of the powers conferred under bye-law 2(1)(xxv), (xxix), (xxx), (xxxvi) of the Haryana Municipal Advertisement Bye-laws, 2022, the Government of Haryana hereby revises/ clarifies the following fees/ charges for all municipalities in the State for granting display rights for Outdoor Media Devices (OMDs):

Permission charges under byelaw 10(1) shall be levied for Typology I i.e. "Inside commercial and public building" the reserve price for the purpose of E-auction shall be 0.50 times of the reserve price for the same location outside.

Further, the permission charges for Typology I i.e. "Inside commercial and public building", shall be half of the permission charges otherwise payable for outdoor advertisement at the same geographic location i.e. 0.40 times of the reserve price, for the applicant seeking third party advertisement rights for his property directly from the municipality

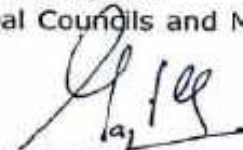
Arun Kumar Gupta,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

Endst no. 2929 - 3039

dated: 12/04/2023

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director, Urban Local Bodies, Haryana, Panchkula.
2. All the Commissioners of Municipal Corporations in the State of Haryana.
3. All the District Municipal Commissioner in the State of Haryana.
4. All the Executive Officer and Secretaries in Municipal Councils and Municipal Committee, respectively.



District Town Planner
for Principal Secretary to Government Haryana,
Urban Local Bodies Department.

HARYANA CONSTITUTION OF DISTRICT PLANNING COMMITTEE RULES, 1997

Published vide Notification No. G.S.R. 57/H.A. 24/73/Ss.203B and 257/97, dated 5th, August 1977

No. G.S.R. 57/H.A. 24/73/Ss. 203B and 257/97. - In exercise of the powers conferred by Sub-section (2) of Section 203B and Clauses (zxii), (zxiii) and (zxiv) of sub-section (1) of Section 257 of the Haryana Municipal Act, 1973, and all other powers enabling him in this behalf, and with reference to Haryana Government, Local Government Department, Notification No. G.S.R. 57/H.A. 24/73/Ss. 203B and 257/97, dated the 12th March, 1997, the Governor of Haryana hereby makes the following rules, namely :-

1. **Short title.** - These rules may be called the Haryana Constitution of District Planning Committee Rules, 1997.

2. **Definitions.** - In these rules, unless the context otherwise requires :-

- (i) "Act" means the Haryana Municipal Act, 1973;
- (ii) "Committee" means the District Planning Committee constituted under Sub-section (1) of Section 203B;
- (iii) "District Planning Unit" means the District Planning Unit functioning under respective Additional Deputy Commissioner of District;
- (iv) "Member" means the elected or nominated member;
- (v) "Section" means the Section of the Act.

3. **Composition. [Sections 203B(2) and 257(1), (zxii)].** - (1) A Committee in each district shall be constituted to consolidate the plans prepared by the Panchayats and Municipalities in the district and to prepare a draft development plan for the district as a whole and submit these plans to State Government;

(2) The membership of such Committee in district having population upto ten lacs shall be twenty and in the districts having population more than ten lacs each, it will be twenty five :

Provided that not less than four-fifth of the total number of members of such Committee shall be elected by and from amongst, the elected members of the Panchayat at the district level and of the Municipalities in the district in proportion to the ratio between population of the rural areas and of the urban areas in the district.

(3) In twenty five members Committee, five members to be nominated by the State Government, shall include [-]¹ Deputy Commissioner, Additional

¹ Words and sign 'Commissioner of the concerned Division', omitted by Notification No. S.O. 2/H.A.24/1673/Ss. 203 and 257/1997 dated 17.01.2007.

736 HARYANA CONST. OF DISTRICT PLANNING COMMITTEE RULES, 1997

Deputy Commissioner [District Town Planner]¹ of the concerned District and two persons out of eminent economists and professional having experience in planning. In the case of twenty members Committee, four members shall be nominated by the State Government and shall include [-]² Deputy Commissioner, Additional Deputy Commissioner ³[District Town Planner] and one person out of eminent economists or professionals having experience in planning. Members of the House of People and Council of State and the Members of the Haryana Legislative Assembly shall be special invitees to the meetings of the Committee but they shall be special invitees only in one such Committee. Members of the House of People and Council of States and the members of the Haryana Legislative Assembly whose constituencies fall in more than one district shall have the option to choose one such Committee, in the meeting of which they shall be special invitees. The District Officers who will be assisting in preparation of the district plans may be taken as consultants in the Committee.

(4) In every Committee the Additional Deputy Commissioner shall be nominated as *ex-officio* Member-Secretary of such Committee.

⁴[(5) The Deputy Commissioner shall convene the meeting of the elected members of the Zila Parishad and the Municipalities in the district to elect from amongst themselves such members as prescribed in sub-rule (2).

(6) The election shall be held by secret ballot and in case of equality of votes, the result shall be decided by draw of lots.]

4. Tenure. [Sections 203B(2) and 257(1), (zxii)]. - (1) The tenure of the elected members of the Committee shall run concurrently with that of Zila Parishad or a Municipality of which he is a member. The tenure of nominated member shall also run concurrently with that of Zila Parishad or Municipality, as the case may be.

(2) Casual Vacancy in the Committee arising out of death, resignation, removal or otherwise, shall be filled in by election or nomination, as the case may be, and any member elected or nominated to fill such a vacancy shall hold office for the remainder period.

(3) Whenever a casual vacancy occurs due to death, resignation, removal or otherwise, the same shall be filled in within six months from the date of occurrence of the vacancy in accordance with the provisions of the Act and these rules :

Provided that when the remainder period is less than six months, it shall not be necessary to hold any election.

5. Resignation of the member. [Sections 203B(2) and 257(1)(zxii)]. - An elected

¹ Inserted by Notification *ibid*.

² Words and sign 'Commissioner of the concerned Division', omitted by Notification No. S.O. 2/H.A.24/1973/Ss. 203 and 257/2007, dated 17.01.2007.

³ Inserted by Notification *ibid*.

⁴ Added by Notification *ibid*.

HARYANA CONST. OF DISTRICT PLANNING COMMITTEE RULES, 1997 737

or nominated member may resign from his seat from a Committee by writing under his hand addressed to the Chair person.

6. Chairperson of Committee. [Sections 203B(2) and 257(1)(zxii)]. - (1) The Chairperson of such Committee shall be elected/nominated by the State Government from amongst the nominated/elected members.

(2) If the Chairperson for any reason is unable to act, the members shall elect/nominate from amongst other nominated/elected members of Chairperson who shall act as Chairperson for that meeting.]

(2) If the Chairperson for any reason is unable to act, members shall choose from amongst other nominated members a Chairperson who shall act as Chairperson for that meeting.

7. Abolition of District Planning Board. [Section 203B(2)]. - After the constitution of a Committee in each district the existing District Planning Board shall be abolished.

8. Providing of Secretariat Services. [Sections 203B(2) and 257(1)(zxii)]. - The District Planning Units headed by the Chief Planning and Development Officer will provide secretariat services to the newly constituted Committee. However, if need be, these units will be strengthened at a later stage when the planning process is initiated.

9. Quorum. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - The quorum necessary for the transaction of business at a meeting shall be 1/3rd of the total number of members, the fraction, if any, being ignored :

Provided that if at any meeting there is no quorum, the Chairperson shall adjourn the meeting to such other day as he may think fit, and the business which would have been brought before the original meeting if there had been a quorum shall be brought before, and transacted at, the adjourned meeting, whether there be quorum or not.

10. Voting. [Sections 203B(2) and 257(1)(zxii) and (zxiv)]. - All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting.

11. Casting vote of Chairpersons. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - In the case of an equality of votes on any matter, the Chairperson shall have a casting vote.

12. Time for holding meetings. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - Every Committee shall meet for the transaction of business at least once in three months within the jurisdiction of the respective district.

13. Reports of Committee. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - (1) The Chairperson of every Committee shall forward the development plan, as recommended by such Committee, to the State Government.

Substituted by Notification ibid

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(2) The report of every Committee shall be signed by the Chairperson and the Member-Secretary on behalf of such Committee.

14. Power of State Government to give directions. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - (1) The State Government may from time to time issue directions to such a Committee as it may consider necessary for regulating its procedure and the organisation of its work.

(2) If any doubt arises on any point of procedure or otherwise, the Chairperson may if he thinks fit, refer the point to the State Government whose decision shall be final.

15. Functions of the Committee. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - Every Committee shall, while preparing the draft development plan shall also include the following sectors :-

- (i) Agricultural Production.
- (ii) Soil Conservation.
- (iii) Forests.
- (iv) Fisheries.
- (v) Animal Husbandry.
- (vi) Marketing and Storage.
- (vii) Minor Irrigation.
- (viii) Primary and Secondary Education.
- (ix) District and Village Roads.
- (x) Health.
- (xi) Water Supply and Sanitation.
- (xii) Urban Development.
- (xiii) Welfare of Scheduled Castes and Backward Classes.
- (xiv) Social Welfare.
- (xv) Housing.
- (xvi) Co-operation.
- (xvii) Rural Development and Poverty Alleviation Programmes.

16. Role of Committee. [Sections 203B(2) and 257(1)(zxii), (zxiii) and (zxiv)]. - Since the role of this Committee in Planning process is to be indicative in nature, and real assessment of area needs are to be made by local people for the purpose of planning, this Committee shall give emphasis on infrastructure and human resource development alongwith the provision of basic socio-economic facilities with the available resources. The existing level of current expenditure be met from current revenue and additional resources provided or generated.

HARYANA GOVT. GAZ. (EXTRA.), JAN. 17, 2007
(PAUS. 27, 1928 SAKA)

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[Authorised English Translation]

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT

Notification

The 17th January, 2007

No. S.O.2/H.A.24/1973/Sa. 203 and 257/2007.—In exercise of the powers conferred by sub-section (2) of section 203 B and clauses (zxii), (zxiii) and (zxiv) of sub-section (1) of section 257 of the Haryana Municipal Act, 1973 (Act 24 of 1973) and with reference to Haryana Government, Urban Development Department Notification S.O. 114/H.A. 24/1973/S. 257/2006, dated the 18th of December, 2006, the Governor of Haryana hereby further amends the Haryana Constitution of District Planning Committee Rules, 1997, namely --

RULES

1. These rules may be called the Haryana Constitution of District Planning Committee (First Amendment) Rules, 2007.

2. In the Haryana Constitution of District Planning Committee Rules, 1997 (hereinafter called the said rules), in rule 3 :—

(i) in sub-rule (3) :

(a) in second, third and seventh lines, the words and sign "Commissioner of the concerned Division," shall be omitted;

(b) in third, fourth and eighth lines, after the words "Additional Deputy Commissioner", the sign and words, "District Town Planner" shall be inserted;

(ii) after sub-rule(4), the following sub-rules shall be added at the end namely :—

"(5) The Deputy Commissioner shall convene the meeting of the elected members of the Zila Parishad and the Municipalities in the district to elect from amongst themselves such members as prescribed in sub-rule (2).

DISTRICT PLANNING COMMITTEE

93 HARYANA GOVT. GAZ. (EXTRA.), JAN. 17, 2007
(PAUS. 27, 1928 SAKA)

(6) The election shall be held by secret ballot and in case of equality of votes, the result shall be decided by draw of lots."

3. In the said rules, for rule 6, the following rule shall be substituted, namely:—

"6. Chairperson of Committee Sections 203B(2) and 257(1)(zxiii).—

- (1) The Chairperson of such Committee shall be elected/nominated by the State Government from amongst the nominated/elected members.
- (2) If the Chairperson for any reason is unable to act, the members shall elect/nominate from amongst other nominated/elected members a Chairperson who shall act as Chairperson for that meeting."

P. K. GUPTA,

Commissioner and Secretary to Government Haryana
Urban Local Bodies Department

42124—L.R.—H.G.P.,Chd.

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Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 10-2020/Ext.] CHANDIGARH, WEDNESDAY, JANUARY 15, 2020 (PAUSA 25, 1941 SAKA)

HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 15th January, 2020

No. 18/72/2017-3C1.— In exercise of the powers conferred by Sub-section (i) of Section 203 (B) of the Haryana Municipal Act, 1973 (Act 24 of 1973) read with Rule 3 of the Haryana Constitution of District Planning Committee, Rules 1997, the Governor of Haryana hereby amends the following notifications by omitting the names of members of Parliament and Members of Legislative Assembly, Haryana included as 'Special Invitees' and the names of officers of the State Government, if any, included as 'Ex-officio Members' in the District Planning Committees.

- i. Notification No. 18/72/2017-3C1 dated 14.6.2017 relating to District Planning Committee, Kurukshetra.
- ii. Notification No. 10/5/2010-7C1 dated 4.4.2018 relating to District Planning Committee, Palwal.
- iii. Notification No. 10/3/2010-7C-1 dated 4.4.2018 relating to District Planning Committee, Jhajjar.
- iv. Notification No. 10/103/2018-7C1 dated 7/10.12.2018 relating to District Planning Committee, Mahendergarh.
- v. Notification No. 10/101/2018-7C1 dated 7/10.12.2018 relating to District Planning Committee, Charkhi Dadri.
- vi. Notification No. 10/104/2018-7C1 dated 7/10.12.2018 relating to District Planning Committee, Rewari.

(75)

- vii. Notification No. 10/100/2018-7C1 dated 7/10.12.2018 relating to District Planning Committee, Bhiwani.
- viii. Notification No. 10/102/2018-6C1 dated 7/10.12.2018 relating to District Planning Committee, Jind.
- ix. Notification No. 18/6/2019-4C1 dated 9.1.2019 relating to District Planning Committee, Panchkula.
- x. Notification No. 10/7/2019-7C1 dated 5.2.2019 relating to District Planning Committee, Hisar.
- xi. Notification No. 10/5/2019-7C1 dated 11.2.2019 relating to District Planning Committee, Kaithal.
- xii. Notification No. 10/16/2019-7C1 dated 12.2.2019 relating to District Planning Committee, Fatehabad.
- xiii. Notification No. 10/17/2019-7C1 dated 15.2.2019 relating to District Planning Committee, Sonapat.
- xiv. Notification No. 10/18/2019-7C1 dated 27.2.2019 relating to District Planning Committee, Nuh.
- xv. Notification No. 10/19/2019-7C1 dated 28.2.2019 relating to District Planning Committee, Ambala.
- xvi. Notification No. 10/20/2019-7C1 dated 8.3.2019 relating to District Planning Committee, Gurugram.
- xvii. Notification No. 10/21/2019-7C1 dated 8.3.2019 relating to District Planning Committee, Panipat.
- xviii. Notification No. 10/6/2019-7C1 dated 12.7.2019 relating to District Planning Committee, Yamunanagar.

The Member of Parliament and Members of Legislative Assembly, Haryana relating to the concerned District shall be the 'Special Invitees' and the officers of the State Government of concerned district shall be 'Ex-officio Members' in the concerned District Planning Committee by their official capacity.

Chandigarh:
The 12th December, 2019.

V. UMASHANKAR,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

57649—C.S.—H.G.P., Chd.

[Extract from Haryana Government Gazette (Extra.), dated the 14th February, 2003]

HARYANA GOVERNMENT
URBAN DEVELOPMENT DEPARTMENT

Notification

The 14th February, 2003

No. 19/1/98-1C1.—In exercise of the powers conferred by the proviso to Sub-section (2) of Section 70 of the Haryana Municipal Act, 1973 (Act 24 of 1973) and all other powers enabling him in this behalf, and in Supersession of Haryana Government, Local Government Department, notification No. 19/1/98-1C1, dated the 27th May, 1998, the Governor of Haryana hereby specifies the following maximum limits of rates of fees which may be imposed by the Municipal Councils/Municipal Committees for providing internal services to the owners of the buildings and plots in the areas to be covered under Sub-section (1) of Section 203 'A' of the said Act, namely :—

Class of Municipality	Maximum limit of rate of fee
1. Municipal Council	One hundred twenty rupees per square yard
2. Municipal Committee	Eighty rupees per square yard

MANIK SONAWANE,

Commissioner and Secretary to Government Haryana,
Urban Development Department.

35541—U.S.—H.G.P., Chd.

TO BE SUBSTITUTED BEARING SAME NO. AND DATE

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HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
ORDER

In continuation of the order of the Government dated 20.10.2010 issued vide endorsement no. 20/35/2010-6C1, dated 02.11.2010 and order dated 3.12.2010 issued vide endorsement no. 8/64/09-6C1, dated 16.12.2010 sanction of the Government under section 88 (iii) of Haryana Municipal Corporation Act 1994 and section 70 (viii d) of the Haryana Municipal Act, 1973 is hereby accorded for revising the following fees/charges for granting permission for commercial use within the limits of Municipal Corporations/Councils/Committees.

Sr.No.	Municipal Area	Width of the roads	Rate in Rupees Per sq. mtrs.
1.	Gurgaon	Up to 30 mtrs	3000
		More than 30 mtrs	3500
2.	Panchkula, Faridabad	Up to 30 mtrs	1500
		More than 30 mtrs	2000
3.	Sonapat, Panipat, Sohna, Karnal, Kurukshetra, Ambala, Yamunanagar, Bahadurgarh, Hisar, Rohtak, Rewari, Gaur, Palwal, Hodel, Rewari	Up to 30 mtrs	1000
		More than 30 mtrs	1200
4.	The Municipal areas other than mentioned above.	Up to 30 mtrs	600
		More than 30 mtrs	800

In case of regularization of unauthorized commercial establishments 25% extra charges shall be leviable.

Dated, Chandigarh
The 3rd April, 2012

RAM NIWAS
Principal Secretary to Government Haryana,
Urban Local Bodies Department.

Endst. No. 20/35/2010-6C1,

dated 4.4.2012

A copy of the above is forwarded to the following for the information and necessary action:-

1. ✓ Director General, Urban Local Bodies, Haryana, Chandigarh
2. All Divisional Commissioners in the State of Haryana.
3. All Commissioners, Municipal Corporations in the State of Haryana
4. All Deputy Commissioners in the State of Haryana.
5. All Executive Officers/Secretaries of Municipal Councils/Committees in the State of Haryana.

[Signature]
Superintendent Committee-I
For Principal Secretary to Government Haryana,
Urban Local Bodies Department.

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From

Director, Urban Local Bodies,
Haryana, Chandigarh.

To

All the Divisional Commissioners
All the Commissioners, Municipal Corporation
All the Deputy Commissioners
All the Executive Officers, Municipal Councils
All the Secretaries, Municipal Committees.

Memo No. DULB/TP/A3/2012/ 57374-476

Dated 27/12/13

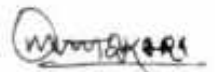
Subject: Policy parameters for regularization of plots in the Civic Amenities and Infrastructure Deficient Municipal Areas.

Ref: Memo no. DULB/TP/A2/2013/48003-48104, dated: 08.11.2013

In continuation of to above referred memo, copy enclosed, it is intimated that the government has reconsidered the regularization fee and development charges to be levied over building /plots situated within Civic Amenities and Infrastructure Deficient Municipal Areas and the Council of Ministers has decided that no regularization fee shall be charged in such cases and development charges shall be levied as per following rates:

Sr. No.	Municipality	Development Charges (Rs./ Sq Yd)
1.	Municipal Corporation of Faridabad and Gurgaon	150
2.	Other Municipal Corporation	100
3.	Municipal Councils	50
4.	Municipal Committee	30

It has further been decided that if the plot holders deposit the total development charges in lump sum, they would be entitled to 10% rebate. It is therefore requested that necessary action may be taken accordingly.



Assistant Town Planner,
For Director General, Urban Local Bodies,
Haryana, Chandigarh.

**Haryana Government
Urban Local Bodies Department**

Order

In exercise of the powers conferred under the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act 2016, further amended vide notification dated 23.11.2017 and 19.04.2018, the following Development charges shall be levied for considering building plans of plot falling in the colonies notified as civic amenities and infrastructure deficient Municipal Areas in the Municipal Corporations, Councils, Committees, Haryana:-

Sr. No.	Name of Municipal Corporations/Councils/Committees	Development charges to be levied (In Rs./Sq.Mtrs)	
1	Gurugram & Faridabad Municipal Corporation	500	
2	Municipal Corporation other than Gurugram & Faridabad	360	Or 5% of collector rate, whichever is higher
3	Municipal Councils	240	
4	Municipal Committees	160	

ASU

Dated 26-09-2018
Place Chandigarh

ANAND MOHAN SHARAN
Principal Secretary to Government Haryana
Urban Local Bodies Department,

Endst. No. 8/27/2018-1C1

Dated 27-09-2018

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

1. Director General Urban Local Bodies, Haryana, Panchkula.
2. All Divisional, Commissioners, Haryana.
3. All Deputy Commissioners in Haryana.
4. All Commissioners, Municipal Corporations Haryana.
5. All Executive Officers, Municipal Councils, Haryana.
6. All Secretaries of Municipal Committees, Haryana.

Sanjay Yadav
Superintendent Committee-I
for Principal Secretary to Govt. Haryana
Urban Local Bodies Department,

27/9/18

शहरी स्थानीय
निकाय निदेशालय
हरियाणा



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

बे. सं. 11-14, सेक्टर 4, फासकुला, हरियाणा
Bldg No. 11-14, Sector 4, Fashkula, Haryana

Tel: +91 172 2070020 ; Fax: +91 172 2070021
Website: www.ulbhy.gov.in ; Email: ulbhy@ulbhy.haryana.gov.in

To

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

Memo No. DULB/CTP/TP/2024/925-28
Dated: 21/02/2024

Subject: Regarding clarification for development charges.

Kindly refer to the subject cited matter.

2. In reference to the request received from various ULBs for providing clarification/guidelines pertaining to the levy of development charges and rate of development charges, it is clarified as under:-


Sr. No.	Clarification sought by MCs	Reply
i.	Whether development charges will be levied in Lal Dora and rate of development charges thereon?	The status of properties falling in the areas under Lal Dora are to be kept as approved and the development charges are not applicable on the residential properties situated in the Lal-Dora.
ii.	Whether Development charges will be levied on the structure constructed before the Municipality came into existence and rate of development charges thereon?	Development charges applicable on the structure constructed before the Municipality came into existence is dependent on case to case basis. For example if any area was earlier not in the municipal limit but located in the controlled area and now the said area falls under municipal limit, then the fee and charges applicable in the controlled area is required to be paid by applicant, if they apply for change of land use permission etc.
iii.	Whether development charges will be levied in old municipality limits/core area and rate of development charges thereon?	Development charges are not leviable on the land/buildings situated in old towns, colonies existing prior to 1975 and abadis/colonies existing before the constitution of municipalities. (This has been taken from the point No. iv of the instructions dated CTP/AM/2005/17925-91 dated 13.04.2006). Further, regarding the development charges, it is intimated that the

		<p>residential development charges are being levied under instructions/orders dated 05.11.1985, 13.03.1995, 27.05.1998, 14.02.2003, 27.12.2013 and 27.09.2018 applicable on plots falling in the colonies notified/regularized by the Govt. from time to time.</p> <p>Municipalities are taking residential development charges @ Rs. 120 per sq. yd. in Municipal Corporations/Councils and Rs. 80 per sq. yd. in Committees as per notification 14.02.2003. Further, commercial development charges are levied as per instructions dated 04.04.2012 (copy enclosed).</p>
iv.	<p>Building Plan of the site sanctioned previously and at that time rate of development charges were existing/applicable. Whether development charges can be levied now on these properties and if yes, then rate of development charges thereon?</p>	<p>Development charges are applicable only once, as and when the applicant wants to construct new building. However, development charges are not leviable on the land/building situated in old towns, colonies, existing prior to 1975 & abadis/colonies existing before the constitution of MCs.</p> <p>Explanation: Old Town means;</p> <ol style="list-style-type: none"> Abadis existing at the time of creation of municipalities Colonies/Abadis existing before the Haryana Development and Regulations of Urban Areas Act, 1975 came into force and included in the Municipal limits. Colonies/Abadis within municipal limit which came into existence before the enactment of Urban Areas Act, 1975.
v.	<p>Building plan of the site sanctioned previously and at that time, rate of development charges were existing and the same were paid. Whether development charges can be levied again in case any changes are to be made in the building structure and rate of development charges thereon?</p>	<p>If the Development charges are once paid, the same cannot be levied even on new construction.</p> <p>Provided that;</p> <ol style="list-style-type: none"> If applicant has changed the use of site, then the prevailing development charges for the said use shall be paid by applicant. If additional area is added by the applicant to the site, then applicant is required to pay the development charges accordingly for the additional area.

vi. Whether there is any procedure/provision for refund of development charges, in case any applicant made wrong/excess payment of development charges?	At present there is no procedure/provision for refund of development charges, if paid wrongly or paid in excess. However, in the interest of justice, if applicant paid the wrong/excess payment, then municipalities after examination of case, refund/adjust the development charges.
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3. It is important to mention here that in all the instructions/orders pertaining to levy of development charges, it has never been stated that the development charges are to be paid in certain time period. Hence, interest cannot be levied on the development charges, if any formal demand notice has not been issued to the applicant.
4. Further the sites which are falling under controlled area are required to obtain CLU permission from the competent authority after paying the requisite External Development Charges/Conversion Charges/Scrutiny Fee etc.
5. This is for your information and further necessary action please.

DA:- As above.


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

CC:-

- (1) PA/DULB
- (1) PA/ADULB (HQ.)
- (1) CIP-II
- (1) Supdt. (Land)

**HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT**

ORDER

In continuation of the order of the Government dated 20.10.2010 issued vide endorsement no. 20/35/2010-6 C I dated 02.11.2010 and order dated 3.12.2012 issued vide endorsement no. 2164/09-5 C I dated 16.12.2010, sanction of the Government under section 88 (iii) of Haryana Municipal Corporation Act 1994 and section 70 (viii) of the Haryana Municipal Act 1973 is hereby accorded for revising the following rates/charges for granting permission for commercial use within the limits of Municipal Corporations/Councils/Committees.

Sr.No.	Municipal Area	Width of the Roads	Rate
1.	Gurgaon	Up to 30 metres	3000
		More than 30 metres	3500
2.	Panchkula, Faridabad	Up to 30 metres	1500
		More than 30 metres	2000
3.	Sonapat, Panipat, Sohna, Karnal, Kurukshetra, Ambala, Yamunanagar, Bahadurgarh, Hisar, Rohtak, Rewari, Ganour, Palwal, Hoshiarpur, Rewari.	Up to 30 metres	1000
		More than 30 metres	1200
4.	The Municipal areas other than over mentioned above.	Up to 30 metres	600
		More than 30 metres	800

In date of regularization of unauthorized commercial establishments 25% extra charges shall be leviable.

Dated, Chandigarh
the 3rd April 2012

RAM NIWAS
Financial Commissioner & Principal Secretary to
Govt., Haryana, Urban Local Bodies Department.

Endst. No. 20/35/2010-6C I

Dated Chandigarh, 03-04-2012

A copy of the above is forwarded to the following for information and necessary action:-

1. All Divisional Commissioners in the State of Haryana.
2. All Commissioners, Municipal Corporation in the State of Haryana.
3. Director General, Urban Local Bodies, Haryana, Chandigarh, P.O.
4. All Deputy Commissioners in the State of Haryana.
5. All Executive Officers/ Secretaries of Municipal Corporation/Committees in the State of Haryana.

(Signature)
For Financial Commissioner & Principal Secretary to
Govt., Haryana, Urban Local Bodies Department.

No. 18/6/2015-3C1

From,

Principal Secretary to Government of Haryana,
Urban Local Bodies Department.

To,

1. The Director, Urban Local Bodies, Haryana, Panchkula (50 spare copies)
2. All the Divisional Commissioners in the State of Haryana
3. All the Commissioners of Municipal Corporations in the State of Haryana
4. All the Deputy Commissioners in the State of Haryana
5. All the District Town Planners of the Town & Country Planning Department being in-charge of Districts
6. All the Executive Officers/Secretaries in the Municipal Councils/Municipal Committees in the State of Haryana

Dated Chandigarh the 07-01-2015

Subject:- Procedure to be followed for processing the CLU cases within the limits of Municipal corporations and Municipal Councils/Committee.

Sir,

I have been directed to invite your attention on the subject captioned above and to forward a copy of the procedure as framed by the government to be followed for processing the CLU cases within the limits of Municipal corporations and Municipal Councils/Committee. The same may kindly be taken for meticulous and strict compliance by all concerned.

2. Receipt of this letter may kindly be acknowledged.

Yours,

Bhupinder Malhotra
Superintendent Committee-1,
for Principal Secretary to Government of Haryana,
Urban Local Bodies Department. *g*

Endorsement No. 18/6/2015-3C1

Dated Chandigarh the 07-01-2015

A copy each is forwarded to the following for information and further necessary action in this regard:

1. Principal Secretary to Government of Haryana, Town & Country Planning Department.
2. Director General, Town & Country Planning, Haryana.
3. Director General, Information and Public Relations, Haryana, Chandigarh (for giving due publicity)

Bhupinder Malhotra
Superintendent Committee-1,
for Principal Secretary to Government of Haryana,
Urban Local Bodies Department. *g*

Endorsement No. 18/6/2015-3C1

Dated Chandigarh the 07-01-2015

A copy each is forwarded to the following for information and further necessary action in this regard:

1. P.S. to P.S.C.M., Haryana for the favour of information of P.S.C.M., Haryana.
2. P.S. to A.P.S.C.M. I, Haryana for the favour of information of A.P.S.C.M. I, Haryana.

Bhupinder Malhotra
Superintendent Committee-1,
for Principal Secretary to Government of Haryana,
Urban Local Bodies Department. *g*

OFFICE OF THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF HARYANA

URBAN LOCAL BODIES DEPARTMENT

NOTIFICATION

No.18/6/2015-3CI

Dated Chandigarh the 07-01-2015

Subject:- . Procedure to be followed for processing the CLU cases within the limits of Municipal corporations and Municipal Councils/Committee.

It is hereby directed that following procedure shall henceforth be followed by the authorities concerned while processing/granting/refusing the permission of Change of Land Use (CLU) within the limits of Municipal Corporations/Municipal Councils/Municipal Committees within the State of Haryana:-

A. Municipal Corporations:

- i. The powers of Director, Urban Local Bodies to accept application for CLU permission and carry out enforcement as stands delegated vide orders dated 31.01.2014 to the Commissioner of Municipal Corporations shall remain fully operational.
- ii. The application for grant of CLU permission shall be submitted, by the applicant, to the respective Commissioner of the relevant Municipal Corporation along with Bank draft representing an amount to be termed as the scrutiny fee calculated at the rate of Rs. 10/- per square meter drawn in favour of Chief Administrator, Haryana Urban Infrastructural Development Board payable at Chandigarh along with four copies of the following documents:
 - a) Application on CLU I format duly filled and signed by the applicant with complete address & contact number(s). It must also mention applied area & khasra number(s).
 - b) One set of original ownership documents i.e. Jamabandi, Intkaal and attested copy of sale deed, copy of lease deed, if any, along with the Aks Sizra by Halka Patwari.
 - c) Site plan in scale of 1:500.
 - d) Proof of financial capability to execute the project.
 - e) Project report and land utilisation plan.
 - f) Necessary NOCs from Forest Department, NHAI, PWD(B&R) and Industry Department, wherever applicable.
 - g) Details of existing building, if any, with distinct detailing on site plan and details thereof.
- iii. Commissioner, Municipal Corporation shall send the bank draft to Director, Urban Local Bodies (DULB) and two sets of documents to the District Town Planner (DTP) of Town & Country Planning (T&CP) Department of respective district within 3 working days of receipt of application for comments/site report.
- iv. DTP shall send the comments and detailed site report along with one copy of the documents to Commissioner, Municipal Corporation within 15 days of receipt of documents and retain one copy of documents for his office record. Commissioner, Municipal Corporation (CMC) shall forward the complete case along with his recommendations/comments and one set of documents and site report to DULB within next 7 days from receipt of report from DTP positively. In case deficiencies are found, DTP/CMC shall convey the same to the applicant within seven days of receipt of application with intimation to the Head quarters i.e. the office of DULB.
- v. A separate register relating to case of CLU permission shall be maintained by the offices of CMCs and DTPs mentioning the dates of receipt of the applications; dispatch of site report; etc.
- vi. The proposal shall be examined in the Directorate and in case the proposed use of land is in conformity with the Development Plan proposal and all other parameters are met with, the

proposal shall be approved by the DULB and, accordingly, LOI shall be issued. However, in the cases where the proposed site is located in the Agricultural Zone or the Development Plan is not final then as per the provisions of zoning clauses of Development Plan, the case shall be submitted for the approval of the Government and after obtaining the said approval, the LOI shall be issued by the DULB. Further, in case the proposal does not conform to all laid down policies/parameters, then the case shall be rejected at the level of DULB.

vii. The permission of CLU shall be issued by DULB after fulfilment of conditions of LOI by the applicant. The Zoning Plan shall be issued along with the letter of permission for CLU. The building plans shall be considered for approval thereafter in accordance with the approved zoning plan.

viii. (a) Building Plan Advisory Committee for advising DULB to approve the building plans and issuance of completion/occupation certificate, for the Municipal Corporations other than Municipal Corporation, Gurgaon & Faridabad shall consist of the followings :

- (i) Chief Town Planner (CTP), Urban Local Bodies or any other officer officiating as such for the time being as Chairperson;
- (ii) Chief Engineer (CE), Urban Local Bodies Department or any other officer officiating as such for the time being as member;
- (iii) Senior Town Planner (STP), Urban Local Bodies or District Town Planner (DTP) Urban Local Bodies as Member Secretary
- (iv) District Town Planner of T&CP Department of the concerned District as member.

(b) Since there are full fledged Town Planning (TP) cells headed by CTP's in the Municipal Corporation, Gurgaon & Faridabad, DULB shall delegate his powers u/s 347 of Haryana Municipal Corporation Act, 1994 for sanction of building plans and issuance of occupation certificate for sites up to 5 acres within the jurisdiction of CMCF & CMCG, where permissions are to be granted by DULB. The Building Plan Advisory Committees consisting of the following officers shall advice Commissioner, Municipal Corporation, Gurgaon & Faridabad for sanction of the building plans and issuance of completion/occupation certificate:

- (i) Chief Town Planner of concerned Municipal Corporation or any other officer officiating as such for the time being as Chairman;
- (ii) Chief Engineer of concerned Municipal Corporation or any other officer officiating as such for the time being as member;
- (iii) District Town Planner of T&CP Department of the concerned District as member.

(c) For the sites more than 5 acres in respect of (b) above the Building Plan Advisory Committee shall be considered as constituted under (a) above.

Note: In the event of any vacancy in the office of these advisory committees, DULB/CMCG/CMCF would make temporary arrangements appropriately.

ix. The DPC certificate shall be issued by the Commissioner, Municipal Corporation within 7 days of receipt of application.

x. The occupation certificate (OC) application (except for the sites up to 5 acres in the MCG & MCF) shall be submitted in the office of DULB within the validity period of permission of CLU/Building Plan. Applications for sites up to 5 acres falling in MCG & MCF shall be submitted in the concerned Municipal Corporation.

- xi. The Advisory Committee as mentioned at item (viii) will scrutinize the OC cases.
- xii. DULB shall obtain site report from CMC/DTP of T&CP and shall issue the occupation certificate except for sites up to 5 acres in MCG & MCF, where the respective Commissioner of Municipal Commissioner shall do the same.

B. Municipal Councils/Committees:

- i. The powers of Director, Urban Local Bodies to accept application for CLU permission and to carry out enforcement against illegal constructions shall be delegated to Executive Officers or, as the case may be, any other authority officiating/discharging the functions of Executive Officer for the time being in case of Municipal Councils and Secretaries or, as the case may be, any other authority officiating/discharging the functions of Secretaries for the time being in case of Municipal Committees.
- ii. The application for grant of CLU permission shall be submitted to Executive Officers or any other authority exercising the powers for the time being of the Executive Officer in case of Municipal Councils and Secretaries or any other authority exercising the powers for the time being of the Secretary in case of Municipal Committees along with Bank draft of scrutiny fee calculated at the rate of Rs. 10/- per square meter drawn in favour of Chief Administrator, Haryana Urban Infrastructural Development Board payable at Chandigarh along with four copies of the following documents:
 - a) Application on CLU I f format duly filled and signed by the applicant with complete address & contact number(s). It must also mention applied area & khasra number(s).
 - b) Original ownership documents i.e. Jamabandi, Intkaal and attested copy of sale deed/lease deed, if any, along with the Aks Sizra by Halka Patwari.
 - c) Site plan in scale of 1:500
 - d) Proof of financial capability to execute the project.
 - e) Project report and land utilisation plan.
 - f) Necessary NOCs from Forest Department, NHAI, PWD(B&R) and Industry Department, wherever applicable.
 - g) Details of existing building, if any, with distinct detailing on site plan and details thereof.
- iii. Executive officer or, as the case may be, Secretary shall send the bank draft to Director, Urban Local Bodies and two sets of the documents to DTP of T&CP Department of respective district within 3 days of receipt of application for comments/site report on the applied land.
- iv. DTP shall send the comments and detailed site report along with one set of documents to Executive officer or, as the case may be, Secretary within 15 days and retain one copy of the documents for his office record. Executive Officer/Secretary shall forward the complete case along with his recommendations and one set of documents with site report to DULB within next 7 days from receipt of report from DTP positively. In case deficiencies are found DTP/EO/Secretary shall convey the same to the applicant within seven days of receipt of application.
- v. A separate register relating to case of CLU permission shall be maintained by the offices of EOs/Secretaries of Municipalities and DTPs mentioning the date of receipt of the applications and dispatch of site report, etc.
- vi. The proposal shall be examined in the Directorate and in case the proposed use of land is in conformity with the Development Plan proposal and all other parameters are met with, the proposal shall be approved by the DULB and, accordingly, LOI shall be issued. However, in the cases where the proposed site is located in the Agricultural Zone or the Development Plan is not final then as per the provisions of zoning clauses of Development Plan, the case shall be

submitted for the approval of the Government and after obtaining the said approval, the LOI shall be issued by the DULB. Further, in case the proposal does not conform to all laid down policies/parameters, then the case shall be rejected at the level of DULB.

- vii. The permission of CLU shall be issued by DULB after fulfilment of conditions of LOI by the applicant along with the Zoning Plan and building plans shall be considered for approval thereafter.
- viii. Building Plan Advisory Committee consisting the following officers shall advise DULB for approval of Building Plan:
- (i) Chief Town Planner (CTP), Urban Local Bodies or any other officer officiating as such for the time being as Chairperson;
 - (ii) Chief Engineer (CE), Urban Local Bodies Department or any other officer officiating as such for the time being as member;
 - (iii) Senior Town Planner (STP), Urban Local Bodies or District Town Planner (DTP) Urban Local Bodies as Member Secretary
 - (iv) District Town Planner of T&CP Department of the concerned District as member.

Note: In the event of any vacancy in any of the offices constituting the Advisory Committee(s), the DLUB shall determine which authority shall substitute the vacant office.

- ix. The DPC certificate shall be issued by the EOs/Secretaries of concerned municipality within 7 days of receipt of application.
- x. The occupation certificate application shall be submitted in the office of DULB within the validity period of permission of CLU/ Building Plan.
- xi. The Advisory Committee as mentioned at item no. viii will scrutinize the OC cases.
- xii. DULB shall obtain site report from Executive Officer/Secretary of the respective municipality as the case may be and shall issue the occupation certificate.
2. Time line prescribed in this procedure shall, to the extent possible, must be adhered to. In all such cases, where owing to some unavoidable circumstances or other compelling exigencies, it becomes impractical or non feasible to adhere to the said prescribed time frame, a brief reason outlining the said circumstances/exigencies must be recorded by the authority concerned on the noting of the file or, as the case may be, as a separate note on the accompanying papers.
3. Any person aggrieved or affected by any order relating to grant of permission of CLU or refusal of grant of permission of CLU may within sixty days from the date of such order, prefer an appeal to the Government and the order of Government on such appeal shall be final.
4. These procedures shall come into effect immediately.

S. N. Roy, IAS

Principal Secretary to the Government of Haryana,
Urban Local Bodies Department

52961--DULB--H.G.P., Chd

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Bay No. 11-14, Sector 4, Panchkula, Haryana



DIRECTORATE OF URBAN
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Tel.: +91 172 2570020; Fax: +91 172 2570021
Website: www.ulbhry.gov.in; email: dulbhry@hry.nic.in

ORDER

The Zoning Plan Approval Committee constituted vide order dated 19.11.2020 to examine the zoning plan is here by re-constituted of following as stated in code 2.5 of the Haryana Building Code 2017.

- a. Chief Town Planner, Urban Local Bodies Department.....Chairman
- b. Senior Town Planner, Urban Local Bodies Department.....Member
- c. Assistant Town Planner, Urban Local Bodies.....Member Secretary.
- d. Revenue Consultant (ULB-HQ).....Member.

The Committee shall arrange meeting to prepare and recommend zoning plans to be issued under Town Planning Scheme/CLU application to the undersigned for seeking concurrence. The Committee is permitted to arrange meeting physically or by way of Video Conferencing.

Panchkula

Dated:

--Sd--

(Yash Pal)

Director, Urban Local Bodies,
Haryana, Panchkula

Endst. No. DULB/TP/2023/10028

dated: 10/10/2023

A copy of the above is forwarded to all the District Town Planners in the Districts of the State for information please.

(Sunil Verma)

Assistant Town Planner,
for Director, Urban Local Bodies,
Haryana, Panchkula.