

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 advise 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:
- 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).
 - 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.
 - Site plan in scale of 1:500
 - Proof of financial capability to execute the project.
 - Project report and land utilisation plan.
 - Necessary NOCs from Forest Department, NHAI, PWD(B&R) and Industry Department, wherever applicable.
 - 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