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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.

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.

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- (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 from 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

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