



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

Tel.: +91 172 2570020; Fax: +911722570021
website: www.ulbharyana.gov.in; email: dulbhry@hry.nic.in

- (i) All the Commissioners in Municipal Corporations in the State of Haryana,
(ii) All the Executive Officers in Municipal Councils in the State of Haryana,
(iii) All the Secretaries in Municipal Committees in the State of Haryana.

Memo No. DULB /CTP/2019/ 10261-10346

Date: 22/03/2019

Subject: Clarification regarding policies namely:

- 1. Policy dated 06.04.2016 (its amendment dated 02.01.2019), Conversion of Residential plots for commercial use and regulations of such illegal conversions in the rehabilitation schemes, town planning schemes and improvement trust schemes located within the municipal limit.**
- 2. Policy dated: 8.03.2019, Policy for illegal conversion from residential to commercial in colonies developed by Housing Board, Haryana which stand transferred to the municipalities.**

Please refer to subject cited policies.

2. It is to inform that the Government notified the subject cited policies related to regularization of illegal commercial conversion and allowing commercial conversion in areas stated in policies.
3. In addition to the above, it is also informed that at present the software for approval of Online Building Plans is in the process of implementation, which may take at least 2-3 months to develop fully and make functional.
4. Since the system is not in place causing non implementation of the policies, therefore the conversion cases may be accepted and approved offline for duration of at least 3 months of issuance of this letter:
 - (i) The applicants shall be asked to submit application for permitting/ regularizing conversions in given Form-I (copy enclosed).
 - (ii) The received applications shall be examined as mentioned in the policies.
 - (iii) After examination, the decision taken on received applications shall be conveyed to the applicants on given Form-II (copy enclosed).
5. This is for your information and necessary action.

District Town Planner,
O/o Director General, Urban Local Bodies Department,
Haryana, Panchkula.

d/c

For allowing/ regularization of illegal commercial conversions in MC Limit as per policy dated 06.04.2016 and its amendment dated 02.01.2019 for Rehabilitation scheme/ Improvement Trust Scheme/ Town planning scheme and instructions dated 08.03.2019 for Housing Board Scheme

From

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

To

Mr/Mrs/Ms.....(Name of applicant)

Address:.....

It is to inform that the your application no, dated received in the office of Municipal Corporation/ Council/ Committee..... has been examined and your application is hereby Sanctioned/ Rejected for the property ID....., located in (address) scheme notified in the year is granted towards the commercial conversion ofsqm. i.e.(in words) square meters only, as per below:

The said application is rejected on the basis of following observations:

1. The ownership of applied plot is not clear.
2. The site is not located in any of the mentioned Town Planning Schemes/ Rehabilitation Scheme/ Improvement Trust Schemes/ Housing Board Scheme.
3. The total coverage of the building is beyond compoundable limits.
4. The access road width is less than 12 meters for application under Town Planning Schemes/ Rehabilitation Scheme/ Improvement Trust Schemes only
5. The site has been sub-divided from its original size of the scheme.
6. The requisite fees/ charges such as development charges, conversion charges, composition fees, scrutiny fee, etc., have not been made.
7. Any other observation.

This approval is subject to the following terms and conditions:

1. The applicant shall not use the premise for any use other than for which the permission is granted in under this policy.
2. The applicant shall obtain Fire NOC from Fire Department and submit within 03 months of issuance of this letter, failing which this permission letter stand withdrawn and the applicant has to apply fresh for same.

Citizen Application Form-I

For allowing/ regularization of illegal commercial conversions in MC Limit as per policy dated 06.04.2016 and its amendment dated 02.01.2019 for Rehabilitation scheme/ Improvement Trust Scheme/ Town planning scheme and instructions dated 08.03.2019 for Housing Board Scheme

*(All * marked fields are compulsory)*

1. Name of Applicant*:
2. Location of plot*:
3. Whether the plot is located within core area of MC: Yes / No
4. Address for correspondence (if different from site address):
5. PAN Card number (of Applicant)*:.....
6. Mobile Number (of Applicant)*:
7. Aadhaar Card number (of Applicant):
8. Name of scheme*: Rehabilitation scheme/ Improvement Trust Scheme/ Town planning scheme/ Housing Board Scheme (tick for scheme applied and write name)
9. Property Assessment ID*:.....
10. Built-up Area of the Building as per present Use(s):
 - a. Total area (area in sq m)*:.....
 - b. Area under residential (area in sq m)*:.....
 - c. Area under commercial (area in sq m)*:
11. Width of the access road to the plot* (in meters):.....
12. Details of the plot:
 - a. Size (in sq m)*:.....
 - b. Dimensions:
 - i. Length (in m)*:.....
 - ii. Breadth (in m)*:.....
13. GPS location of the plot (write coordinates for four vertices of the plot):
 - a.
 - b.
 - c.
 - d.
14. Parking available within the plot* (area in sq m):.....
15. Provide details of paid Property tax receipts as below:
 - a. 2016-17: Receipt no.* Amount paid* <upload*>
 - b. 2017-18: Receipt no.*..... Amount paid* <upload*>
 - c. 2018-19: Receipt no.*..... Amount paid* <upload*>
16. Ownership documents*: Allotment Letter / Conveyance Deed/ Sale Deed/ Registry / NOC from Tehsildar informing that it is a clear ownership of the applicant on plot and

there is no legal ambiguity Hire Purchase Tendency Agreement(HPTA) applicable only for Housing Board Scheme. (tick the type of document) <upload*>

17. Notarised Affidavit*: Undertaking that the applicant shall not change the use of building for which permission has been taken. In case of violation found at any stage, then municipality has the right to take action as per applicable law and no immunity shall be claimed from the Hon'ble Court. <upload*>

18. Complete set of As-Built drawings of existing building duly signed by the architect registered with COA *:

- a. Site Plan <upload*>
- b. All floor plans <upload*>
- c. Two sections (one from staircase is mandatory) <upload*>
- d. Two elevations (front is mandatory) <upload*>.

Note:

1. All drawings to be uploaded in .pdf format
2. All the measurements and dimensions shall be in meters) showing Setbacks, Covered area, FAR achieved and permissible, a complete area statement. Please mention the HOBPAS registration number in the certificate

19. Structural safety certificate from the registered structural engineer. <upload*>

20. Indemnity Affidavit from applicant stating, in case of any mishap/ accident due to building he shall be responsible. <upload*>

21. Certifications from the Architect if required for the below listed services:

- a. Installation and execution of solar water heating system and solar photo voltaic power plant as per HAREDA guidelines (in case of Planning Schemes/ Rehabilitation Scheme/ Improvement Trust Schemes only). <upload*>
- b. Implementation of a successful rooftop rain water harvesting system (in case of Planning Schemes/ Rehabilitation Scheme/ Improvement Trust Schemes only). <upload*>

22. NOC from immediate neighbours (Left and Right) (as applicable), mentioning they have no objection to the commercial activity in the site applied for conversion (required in case of Planning Schemes/ Rehabilitation Scheme/ Improvement Trust Schemes only). <upload*>

Date:

(Signature)

Name of applicant.....

शहरी स्थानीय
निकाय निदेशालय
हरियाणा



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

बे.स. 11-14, सेक्टर-4, पंचकुला, हरियाणा
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Tel.: +91 172 2570020; Fax: +91 172 2570021
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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.

Submit &
checked

Submit &
checked

Submit
checked by
MC

to be checked
by me

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.

NOC from
HAFEDA

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.

NOC from
Structural
Engineer

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.

NOC

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"> i. Area proposed for regularization as commercial area. ii. Details of covered area, setbacks, parking space, etc. iii. Fire safety measures/equipments provided in the building. iv. 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"> i. Area proposed for conversion as commercial area. ii. Details of covered area, setbacks, parking space, etc. iii. Fire safety measures/equipments provided in the building. iv. 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

Memo No. DULB/TP/ATP-III/2019/ 8894-9880

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.

(Sunil Verma)
Assistant Town Planner,
for Director, Urban Local Bodies,
Haryana, Panchkula

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.

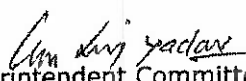
Anand M. Sharan
Principal Secretary to Government Haryana
Urban Local Bodies Department

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