

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.

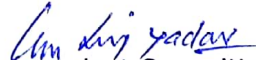
Anand M. Sharan
Principal Secretary to Government Haryana
Urban Local Bodies Department

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