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Policy Guidelines/ Circular Issued by Urban Branch

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From

The Commissioner & Secretary to Govt. Haryana
Town and Country Planning Department

To,

Director,
Town & Country Planning,
Haryana, Chandigarh

Memo. No. 7/16/2006-2TCP

Dated:

Subject: **Policy regarding grant of licence to industrial colony.**

In continuation of Government Memo. No. 7/16/2006-2TCP, dated 19.12.2006, the Governor of Haryana is pleased to formulate policy regarding grant of licence for setting up of industrial colony. The parameters are as under:

1. **Land Use Zone:-** The colony is allowed in the Urbanizable Conforming Zone i.e. in the industrial Zone. However, for the sites, which are located outside Urbanizable area and where no development plan has been finalized and the colonies are being considered in accordance with the policy of the Industries Department to promote setting up of Industrial Estate in Backward Blocks, in Agriculture Zone and will be stand alone project.
2. **Area Norms:-** The following area norms for different Zones are provided.

Sr. No.	Zone	Area in Acres
1.	Hyper/High Potential Zone	Minimum area 50 acres.
2.	Medium Potential Zone	Minimum area 25 acres.
3.	Low Potential Zone	Minimum area 15 acres.

3. **International Land Use Planning of Industrial Colony:-** Rule 4 of Rules 1976 framed for the Act. No. 8, of 1975 shall be kept in view while finalizing the layout plans. The area utilization will be as below:

Sr. No.	Land Use	% Area Utilization
1.	Industrial	51% }
2.	Residential	10% } 65%
3.	Commercial	4% }
4.	Roads/open spaces	25% to 30% }
5.	Public Buildings and utilities	10% } 35%
	Total	100%

4. Other Parameters:-

- a) Industrial area shall be in the form of industrial plot, multi story industrial sheds and IT buildings.
- b) The commercial area will be for shopping (25% FAR), restaurant, community contents, banks, hotels, service apartments.
- c) The FAR for commercial area will be 150% ground coverage 50% height, maximum up to 60 meters, fees and charges will be charged at commercial rates.
- d) The residential component will be housing for the owners of industrial properties and dedicated housing for the workers on rental basis.
- e) The colonizer will not be allowed to sell the plots/flats to people other than the industrial units/workers in the industrial units.
- f) The EDC will be worked out by the HUDA for the areas, where the proposed colony forms part of the Urbanizable Zone, however, for the sites, which are located outside the Urbanizable Zone and where no Development Plans has been finalized and the colonies are being considered in accordance with the policy of industries Department to promote setting up of Industrial Estate in Backward Blocks, the colonizer himself will be responsible to provide the infrastructure facilities at his own cost to the satisfaction of the Director.
- g) The layout plan shall be drawn as per the norms of T & CP Deptt.
- h) The Development works will also be taken up by the developers keeping in view the requirements of the Industrial Estate and will get approved from T & CP. Deptt.
- i) The department shall also take care of the development around the Industrial Estate and if any, integration is required the same shall be taken care of by T & CP Deptt.

- j) The developer shall also make sufficient arrangement for rain water harvesting and recharging the ground water table to meet its own requirement.
- k) The developer shall also take necessary measures for setting up of effluent treatment plant and its appropriate use/disposal after proper treatment.
- l) The developer shall also indicate solid waste management measures as directed by the Haryana State Pollution Control Board.
- m) The benefit for the area falling in master plan roads, green belt will be followed as per provision envisaged in the residential colony.

Sd/-
Superintendent,
Commissioner & Secretary to Govt. Haryana
Town and country planning Department

Endst. No. 7/16/2006-2TCP

Dated:

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

1. Chairman, Haryana Pollution Control Board, Panchkula.
2. Director, Industries and Commerce, Haryana, Sec.-17, Chandigarh.
3. CA-HUDA, Sec.6, Panchkula.
4. MD, HSIIDC, Sec.6, Panchkula.
5. Chief Coordinatot Planner, NCR, Haryana, Panchkula.

Sd/-
Superintendent,
Commissioner & Secretary to Govt. Haryana
Town and country planning Department

From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrator (S)
Haryana Urban Development Authority.
2. All the Estate Officer (S) Asstt. Estate officer (S)
Haryana Urban Development Authority.

Memo. No. A-1-(P)-99/7763-88 Dated: 3.3.99

Subject: Allotment of sites for Nursing Home and clinic in Urban Estates.

In continuation of memo. No. A-14-97/16291-311 dated 12.5.97, No. A-14-98/3863-83 dated 5.2.98 & No. A- 11P-98/16715-35 dated 24.6.98, it has been decided that Nursing Home/Clinic Sites may be considered a commercial venture for all purpose i.e. transfer, extension, condonation etc. and all these cases would be decided in accordance with the policy applicable to the allotment of other commercial sites. The transfer shall subject to the condition that such sites shall only be used by the transferee strictly for the specified use. Change of land use shall not be allowed under any circumstances.

This is an anticipation of approval of the Authority.

You are requested to take necessary action accordingly.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst. No. A-1-99/7789-90

Dated: 3.3.99

A copy is forwarded to the CCF, HUDA/DA, HUDA, Panchkula for the information and necessary action.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrator (S)
Haryana Urban Development Authority.
2. All the Estate Officer (S) Asstt. Estate officer (S)
Haryana Urban Development Authority.

Memo. No. A-14-97/16291-311

Dated: 12.5.97

Subject: Allotment of sites for Schools /Clinic and Nursing Homes/ Hospital.

Kindly refer to the subject cited matter.

Pursuant to the decision of the Cabinet dated 27.3.97 to allot land for Public School/Nursing Home/Clinics by way of auction, the matter was placed before the Authority in its 70th meeting held on 23.4.97 vide agenda item no. A-70(35) to stream line the policy on the subject. The Authority has approved the proposal. It has been decided that 50% of the School sites and Hospital Sites may be kept reserved for the Education Department/ Health Department for opening Govt. Schools/ Hospitals in the Urban Estates. Balance 50% Schools sites may be allotted to the private parties through auction. In case of hospital sites balance 50% sites will be advertised for sale after consulting the Health Department and formation of a policy so that poor people may get benefit of these facilities in private Hospitals. While auctioning the schools sites, Clinics and Nursing Home Sites, the relevant terms & Conditions applicable in the existing policy will remain the same. In case of sale of Hospital sites, the terms & conditions will be intimated subsequently on formation of the policy

The allotment of and Hospital site to the Govt. will be made on nominal lease of Rs. 100/- per year. Copy of the agenda item no. A-70 (35) and decision of the Authority are enclosed for information and compliance.

Kindly acknowledge its receipt.

Sd/- DA/As above

Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrators, HUDA,
2. All the Estate Officers, /Asstt. Estate Officer HUDA.
3. All the Assistant District Attorneys, in Estate Offices of HUDA.

Memo. No. A-11-P-95/33924-51 Dated: 14.12.95

Subject: ACCEPTENCE OF SURRENDER OF RESIDENTIAL SITES
IN VARIOUS URBAN ESTATE OF HUDA.

In Supersession of this office memo No. A-11P-94/2975/-76 dated 8/2/94 on the above subject.

In the wake of judgment dated 18/7/95 given by the Punjab & Haryana High Court in Civil Writ Petition Nos. 9867 and 9887 of 1994. (copy enclosed) wherein it has been laid down that in case where the petitioners have come forward with a plea that they do not want to pay the remaining amount and want to surrender the land, the provisions of Sub. Sections (2), (3), (4) of section 17 of HUDA Act 1977 will be deemed to have been satisfied and there can be no legal justification for declining the request of the petitioners to accept the surrender of their land. So it has been decided that:-

- a) Surrender of the residential plots may be allowed by the Estate officer concerned after forfeiting an amount up to 10% of the total amount of the consideration money, interest and other dues payable. However in the following cases, surrender without forfeiture of any amount may be accepted with the permission of the chief Administrator:-
 - i) Where HUDA could not deliver the possession of plots due to litigation pending in the court by the original land owners;
 - ii) Where plot is not actually available on the ground as per layout plan;
 - iii) Where the land is under unauthorized encroachment which can not be easily removed and HUDA can not deliver the possession ; and
 - iv) Where the allottee could not pay the remaining amount of the cost or could not undertake construction on account of death of dependent of the allottee.

Cond. P / 2

For the purpose of calculation of interest and other dues payable, the date of application of surrender shall be the deemed date of surrender.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst. No. A-11P-95/33952-55

Dated 14.12.95

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

1. Legal Remembrancer, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Secretary, HUDA, Panchkula.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator
HUDA, Panchkula

To,

The Estate Officer
HUDA, Gurgaon

Memo. No. A-1-2002 /4489

Dated: 6.03.2002

Subject **Allotment of institutional plots for setting up, Hospital, Nursing Home, Clinic and amendment in the terms and conditions thereof.**

Reference your Memo. No. 15838 dated 25.10.2000 and No. A-Instt.-313-2001/1077 dated 17.1.2002 on the subject cited above.

The matter has been examined and was placed before the Authority in its meeting held on 26.2.2002 vide agenda item no. A-84 (10) (Copy Enclosed) for consideration and decision. The authority has accorded its approval to the proposal as contained in the agenda note, accordingly the permission is hereby granted to Dr.(Mrs.) Prabha Manchanda allottee of hospital site in sector -56, Gurgaon to form a firm to execute the hospital project subject to the following terms and conditions:-

1. The original allottee will have to retain 51% share in the ownership of plot.
2. No change of land use will be allowed.
3. The allottee shall abide by the terms and conditions as prescribed in the original allotment letter/policy of HUDA.
4. The allotment of land shall be governed by HUDA Act 1977, Rules and Regulations framed thereunder. The processing fee of Rupees. 5000/- may also be charged in this case.

You are therefore requested to make further necessary action as per policy accordingly. Your office file is also sent herewith.

DA/As above

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst. No. A-5-2002/4490

Dated: 6.03.2002

A copy is forwarded to all the Administrators/ Estate officers in HUDA with the request that all such cases of institutional sites of hospital, Nursing Home, Clinic etc. for change of constitution may be sent to HQ with your recommendation in future.

Sd/-

Agenda Item NO. A-84 (10)

Allotment of institutional plots for setting up Hospital, Nursing Home, Clinic and amendment in the terms and Conditions thereof. -----

The Haryana Urban Development authority has allotted institutional plots for the purpose of Hospital, Nursing Homes, Clinic Sites etc. As per terms & Condition, the title of the site can not be transferred. Request are being received from time to time for the change of constitution of ownership and and to form Firm/Companies for raising funds to complete their projects, which require large funds. A similar request has been received from Dr. (Mrs.) Prabha Manchanda, who had been allotted hospital site measuring 1.5 acre in sector-56, Gurgaon on 16.07.1997. @ Rs. 987/-Per Sq.Yd.-Rs.713.40.(Enhanced compensation.) She has intimated that with the advancement in the medical Science as well as the delay in development in the area have led to an increase in the estimated cost of the project. As such she may be permitted to form a firm for the purpose of executing the hospital project and the land may be shifted from the individual to firm name. She has further informed that she will undertake to retain 51% of the share in the firm and will not change the land use. The main terms and conditions of all conditions of allotment of public interest are as under:-

1. 4 % OPD and 10% Indoor patients will be given treatment free of charge.
2. The Govt. Policies and National Health Programme like family welfare, immunization, NMEP etc. will be implemented. free of charge.

In accordance with the state industrial Policy, HUDA allows the change in share holding for its industrial plots only if the original allottee or his family members retain a minimum of 51% share in the project/company/firm. In case the original allottee and the family fail to retain the prescribed share holding of 51%, it would amount to transfer and dealt with under the relevant when provisions. The matter has been got examined legally and it has been opined that such a change in terms & Conditions of allotment can be allowed with the permission of the Authority.

It is therefore proposed that on the basis of industrial policy in all such cases, change in the share holding in the project/company/firm may be allowed

on the request of the allottee by HUDA. Subject to the Following terms and Conditions:-

1. The original allottee will have to retain 51% share.
2. No change of land use will be allowed.
3. The allotment shall abide by the terms and conditions as prescribed in the original allotment letter/policy of HUDA.
4. The allotment of land shall be governed by HUDA act 1977, rules and regulations framed there under.

A processing fee of Rs. 5000/- may also be fixed by the authority for allowing such a change in the constitution of their plots. In case of industrial plots Rs. 5000/- is charged as processing fee for such a change within the family.

Chief Administrator, HUDA will be the competent Authority to allow such change in constitution in the project/company/firm.

The change in the policy will also be applicable in cases where the land has already been allotted by HUDA. In the present situation such an amendment would facilitate not only timely disposal of such type of sites, but timely utilization of sites which would be in the interest of over all development of our urban estates. This item was placed in the last meeting of the authority held on 6.12.2001 and was deferred.

This has been approved by the Hon'ble chairman' HUDA on the file on 6/2/2002.

The matter is placed before the authority for consideration and decisions.

PROCEEDINGS

Item No. A-84(8)

Policy for compounding unauthorized construction of basement under the usable area of booths and under the corridors. Of booths and shop-cum- offices/ Flats.

After a detailed deliberation, it was decided that the unauthorized basements already made under the booths area as well as Public corridors area in booths and shop-cum- offices/ shop-cum-flats may be compounded at the rate proposed in the Agenda. However, the income accrued from such compounding. Fee may be utilized for up gradation of infrastructure of the concerned Urban Estate. Further it was decided that basement under corridors should not be allowed in future.

Item No. A-84(9)

Boring of tube wells in industrial Area, HUDA, Policy regarding permission thereof.

Approved.

Item No. A-84(10)

Allotment of institutional plots for setting up Hospital, Nursing Home, Clinic and amendment in the terms and conditions thereof.

Approved.

Item No. A-84(11)

Report regarding the progress of Development working of HUDA.

Seen. However in future information regarding time over run and caused over run should also be given in the tabular form.

Item No. A-84(12)

Permission for transfer of land already transferred to Haryana Harijan Kalyan Nigam to the Haryana ware-housing corporation in Mandi Township Tohana- Finalisation of the land cost from Haryana warehousing Corporation.

Approved.

From

The Chief Administrator
Haryana Urban Development Authority,
Panchkula.

To,

1. All the Administrator (S),
Haryana Urban Development Authority
2. All the Estate officer (S)/ Asstt. Estate Officer (S)
Haryana Urban Development Authority,

Memo. No. A-1-99 / 11199-219 Dated 2-4-99

Subject: Grant of Extension in time for Construction of Institutional sites – charging of extension fee thereof.

The Institutional sites are allotted to social /charitable trust/religious institutions/philanthropic Institutional/trust and govt. Deptt./Board and corporations on concessional rates. The institutions are required to complete the construction upon the plot with in a period of 2 years, from the date of offer of possession. The matter has been engaging the attention of HUDA for quite some time for charging extension fee in case of

Institutional site various institutions/ trusts which were allotted land in various urban estates have not carried. out the construction despite the fact that there is an explicit condition of completing construction within 2 years. of offer of procession. The matter has been considered and it has been decided that a maximum period of three years. of extension may be allowed to the institutions/ trusts to complete the construction. This would mean that institutional sites shall have to be constructed within a period of 5 years. from the date of offer of procession (including two years without any extension fee as expressly mentioned in the term and condition of allotment) for the Institution may be categorized as under:-

Social /Charitable trust/Religious institutions /Philanthropic institutions/Trusts.

2) The institutions other than the ones mentioned at point No. 1 including Educational Institutions.

For the Purpose of the determining the rates of extensions fee, various Urban Estate have been grouped in to following Zones:-

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Sr. No.	Zone	Urban Estate
1.	High Potential	Gurgaon, Faridabad, Panchkula
2.	Medium Potential	Karnal, Panipat, Bahadurgarh.
3.	Low Potential	Rest of the Urban Estate.

The extension fee of the institutions applicable in various Zones shall be as under:-

Sr. No.	Zone	Social/Religious	Others
		(Rates in per Sq. mtr.)	

High Potential

1 st Year	Rs. 5.00	Rs.10.00
2 nd Year	Rs. 8.00	Rs. 15.00
3 rd Year	Rs. 10.00	Rs. 20.00

1. Medium Potential

1 st Year	Rs. 3.00	Rs. 8.00
2 nd Year	Rs. 5.00	Rs. 10.00
3 rd Year	Rs. 8.00	Rs. 15.00

3. Low Potential

1 st Year	Rs. 2.00	Rs. 5.00
2 nd Year	Rs. 3.00	Rs. 8.00
3 rd Year	Rs. 5.00	Rs. 10.00

The Instructions should be brought to the notice of all concerned/plot holders and due publicity be given at the local level.

The above policy shall be applicable w.e.f. 1/1/99. This is an anticipation of the approval of the authority.

Sd/-
Administrative Authority
For Chief Administrator, HUDA.

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

1. The chief Engineer. HUDA, Panchkula
2. The Chief Town Planner. HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary HUDA, Panchkula.

5. The Distt. Attorney, HUDA, Panchkula.
6. The PS/TCPM, CTCP and CA, HUDA.
7. The Asstt. Research Officer, HUDA, (HQ) Panchkula.
8. All the Asstt. /Record Keepers of Urban Branch.

Sd/-
Administrative Officer
For Chief Administrator, HUDA.

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From

The Chief Administrator,
Haryana urban Development Authority,

To

1. All the Administrator(s), HUDA.
2. All the Estate officers /Asstt. Estate officers, HUDA.

Memo No. A-1-9/20153-73

Dated 7-06-09

Subject: - Policy for handing over the possession of built up Community buildings to various Deptt. Like Education Deptt. Police Deptt., Sports Deptt. Health Deptt. Etc in Urban Estate developed by HUDA.

Reference on the subject cited above.

The matter to adopt uniform policy for handing over the possession of built -up community buildings to various Deptt. Like Education Deptt. Police Deptt. Sports Deptt. And Health Deptt was under active consideration. In case of built up schools, HUDA allot these schools buildings to education Deptt. on a nominal lease of Rs. 100/- per annum. On the same analogy, the other built up community buildings like Police post, Dispensaries etc. may be allotted on the following terms and conditions :-

1. The sites will be allotted on 99 years lease hold basis and on nominal lease money of Rs. 100/- per year shall be charged.
2. The ownership of buildings/land will continue to vest with HUDA.
3. Any addition /alteration in the building will not be carried out except with the prior approval of HUDA.
4. The maintenance of building will be done by concerned deptt.
5. The concerned deptt. Shall pay all cesses /taxes chargable to the land/building.
6. If there is any breach of any of the conditions, HUDA shall have the right to take back the land alongwith structures created thereupon without any compensation.
7. The use of land other than for which it is earmarked, will not be allowed in any case and the building would revert back to HUDA in case of any violation.

This is with concurrence of the Hon'ble C.M., Haryana.

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You, are, therefore, to take further action for handing over the possession of built up building to the concerned department. It is also made clear that these terms & conditions will also be applicable on the sites /buildings which have already been handed over to the concerned Deptt. by HUDA free of cost.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

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

1. Director, Higher Education/Secondary Education/ Primary Education, Education Department, Haryana, Chandigarh.
2. Director General of Police, Haryana, Chandigarh.
3. Director, Sports Deptt., Haryana, Chandigarh.
4. DGHS, Health Deptt., Haryana, Chandigarh.

They are requested to take over the built up buildings, if not already taken from HUDA on the above terms & Conditions. It is also made clear that these conditions will also be applicable on the sites. Which have already been handed over to them by HUDA free of cost.

5. The Chief Engineer, HUDA, Panchkula.
6. The Chief town planner, HUDA, Panchkula.
7. The Chief Controller of Finance, HUDA, Panchkula.
8. The District attorney, HUDA, Panchkula.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

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From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrator HUDA, Panchkula
2. The Estate Officer HUDA, Karnal..

Memo. No. A-1-99-34815-16 Dated: 18.11.99

Subject: Surrender of plots allotted to M/s Indian oil Corporation Limited In Urban Estate Karnal and Policy decision thereof.

This is in Continuation of memo. No. 28169-70, dated 31.8.99 on the subject cited above.

The matter regarding surrender of institutional/ residential sites, allotted to M/s Indian Oil Corporation Limited in City Centre, Sector 12 and Sector 5, Karnal, was placed on placed before the authority in its 76th meeting held on 30.09.1999, vide agenda item, No. A-76 (24) for obtaining its ex-port facto approval. The authority has approved the proposal and it has further been decided that the decision taken by the authority shall also be made applicable, in future, for all such, cases, of institutional sites subject to forfeiture equal to 10% of the total cost of plot only. A copy of agenda item and an extract of proceeding of the meeting are sent herewith.

You are requested to take further action accordingly and compliance report may be sent to this office within a week positively.

Sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst. No. A-1-99/34817-38

Dated 18.11.99

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

1. All Administrators in HUDA.
2. All the Estate Officers/ Asstt. Estate Officers. HUDA.
3. Chief Town Planner, HUDA, Panchkula.
4. Chief Engineer, HUDA, Panchkula.
5. Chief Controller of Finance, HUDA, Panchkula.
6. Joint Director (Legal) HUDA.

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Sd/-
Administrative Officer,
For Chief Administrator, HUDA

Agenda Item No. A-76 (24)

Surrender of plots allotted to M/s Indian Oil Corporation Limited in Urban Estate, Karnal and Policy decision thereof.

The Indian Oil Corporation Ltd. was allotted a site each for construction of office building and residential complex in city centers, sec. 12 and 5 Urban Estate, Karnal.

The company also deposited a sum of Rs. 82.00 lacs (Approximately) towards cost of land with HUDA.

The Oil Company, however, subsequently made a request that since they are no more interested to take land from HUDA, as they have made some alternate arrangement for housing Colony and office Complex, therefore the amount deposited by them towards the cost of land, be refunded alongwith interests.

HUDA has not so far framed policy dealing with such requests of surrender of institutional sites. However, there exists, a similar policy concerning residential and commercial sites whereby, in case an allottee surrenders a plot, a statutory deduction equal to 10% of the total consideration money, interests and other dues payable is made. In the absence of any specific surrender policy, dealing with institutional plots, and further taking in to consideration, the recommendations of the Chief Controller of Finance, HUDA. It was proposed that the request of M/s Indian Oil Corporation Ltd. surrendering allotted land (Sec. 12 & 5 Karnal) may be accepted, subject to forfeiture equal to 10% of the total cost of plot, only.

The above proposal has been approved by the Hon'ble chairman, HUDA, on the file, on 4/7/99. The decision to accept the request of Indian Oil Corporation for surrender of plot has further been conveyed to the Administrator, HUDA, Panchkula, Estate Officer, HUDA, Karnal, for taking necessary action on 31.08.99 in anticipation about the above decision.

The above decision shall also be made applicable, in future, for all such cases of institutional sites.

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The matter is placed before the authority for consideration and decision and obtaining Ex-post facto approval for Oil Company.

Extract taken from the proceedings of 76th meeting of Haryana Urban Development Authority held on 30.09.99 at 3.00 PM Under the Chairmanship of Shri Dhirpal Singh, Minister Town & Country Planning/ Chairman of the Authority in committee Room Haryana Civil Sectt. Chandigarh.

Item No. A-76 ((24)

Surrender of plots allotted to M/s Indian Oil Corporation Ltd. in Urban Estate, Karnal and Policy decision thereof.

Approved.

