

From

Principal Secretary to Govt. Haryana,
Town & Country Planning Department,
Chandigarh.

To

The Director
Town & Country Planning Department,
Haryana, Chandigarh

Memo no. PF-96/PA(SN)/2017/7/1/2017-2TCP

Dated: 07/02/2017

Subject: Deen Dayal Jan Awas Yojna - Affordable Plotted Housing Policy, 2016 for Low and Medium Potential Towns- Multiple Licence, Payment of EDC & Construction of Approach Road.

Reference: In continuation to the policy instructions issued vide memo no. PF-27A/2700 dated 08.02.2016.

The policy for grant of licences applicable in low & medium potential towns for affordable housing namely Deen Dayal Jan Awas Yojna (DDJAY), 2016 was issued on 08.02.2016 and same was notified in the Haryana Govt. Gazette on 1st April, 2016. Further, the Department has also formulated a policy which was circulated vide memo no. PF-96/2016/3491 dated 18.02.2016 titled as "Policy for Migration of Licence into other use" for migration of licence into other uses. As per said policy dated 18.02.2016, any existing licensee can migrate partly or fully, to any category/categories of licence.

2. In reference to above mentioned two policies, Department has received many applications under DDJAY policy wherein applicants have submitted the applications by availing the Migration Policy. In these applications, the original licence has been proposed to be bifurcated into multiple parts for making submission of applications under DDJAY policy. The issue of bifurcating the original licence into multiple parts in one single category of policy i.e. DDJAY has been reconsidered by the Government and following is decided:-

- i). Keeping in view the intention of the DDJAY policy and of the fact that till the rights of other applicants are protected, such type of applications submitted by bifurcating the original licence into multiple parts under migration policy and submitting applications under DDJAY scheme be considered keeping into consideration the provision of clause 2(iv) and clause 3(b)(ii) of the DDJAY policy.
- ii). In order to avoid litigation, the colonizer shall obtain NOC/consent from the other land owners/companies who are part of the original licence, but are omitted in the licence application under DDJAY policy, submitted by availing migration policy.
- iii). In case the developer/collaborator company is being changed in the application submitted under DDJAY policy, then the provision of the policy bearing memo no. PF-51A/2015/ 2708 dated 18.02.2015 will become applicable and the

colonizer will have to seek the permission under said policy dated 18.02.2015 before the application under DDJAY policy is considered. However, in case the developer/collaborator company has not been opted for the applications under DDJAY policy and the applicant himself submits to develop the colony, the same may be allowed by ensuring the technical and financial capacity of the applicant as per the policy of the Department and also subject to condition that the applicant will obtain the NOC/consent from the collaborator/developer company engaged by him in the main earlier granted licence.

3. Since the Department is allowing migration from original licence into multiple parts under above stated policy and in order to protect the rights of the other applicants/allottees, following procedure be followed while issuance of Letter of Intent (LOI), in cases of DDJAY where original licence is being bifurcated into one or more parts,-

- i) Colonizer shall inform all the third parties who have got rights created under original licence, through public notice within 15 days from grant of LOI, in the newspaper (proforma enclosed) informing about the migration of part of original licenced area into DDJAY scheme, with a request to submit objections if any, in writing within 15 days from the date of publication of such public notice. Simultaneously, colonizer shall also inform about the proposed revision in the originally approved layout plan of the complete colony. A copy of earlier approved layout plan and the proposed layout plan due to carving out of DDJAY colony be made available on the website of Colonizer, at the office of Developer/ Colonizer as well as in the office of concerned DTP (Planning). The Colonizer shall submit report clearly indicating the objection, if any, received by him from allottee and action taken thereof alongwith an undertaking to the effect that the rights of the existing plot holders have not been infringed. Any allottee having any objection on revised layout plan or on grant of licence for DDJAY scheme, may file his/ her objection in the office of concerned District Town Planner also. The Public Notice may be published in atleast three National newspapers widely circulated in District, of which one should be in Hindi Language.
- ii) The concerned District Town Planner shall forward the proposal to concerned Senior Town Planner of the circle alongwith his recommendation within 7 days from the receipt of report from colonizer. The Senior Town Planner of the circle after examining the proposal and with his recommendation shall forward case to the Directorate within 7 days from the receipt of report from concerned District Town Planner. If the matter is delayed by the concerned officer for more than 7 days, the cause of delay shall be mentioned in the report.
- iii) The Directorate after examining the above mentioned issues alongwith compliances of terms & conditions of LOI, shall put up the case for grant of licence to the Competent Authority.

4. Further, as per policy memo bearing no. 21293 dated 05.09.2014, the Department has policy parameters for adequate existing approach to the applied area for grant of licence. One of the basic parameters is that the minimum required width of the existing approach to the applied land is through public road/rasta not less than 4 karam (22 ft.). further, linking to higher order existing road/public rasta, since, DDJAY Scheme is applicable in Medium & Low Potential Towns, there is a possibility that either this 22 ft. wide public road/rasta may be in the form of metalled road or it may be non-metalled (kaccha road). In case approach road/rasta is kaccha then it should be made pucca road upto the next higher order linking road, by the colonizer to whom licence is being considered under DDJAY.

5. Since, EDC has been reduced under this scheme, therefore, in respect of licences being considered under this scheme, the entire amount of EDC may be recovered before grant of licence through Letter of Intent issued under Rule 10 of the Haryana Development and Regulation of Urban Areas Rules, 1976.

DA: As above.

-Sd/-
Special Secretary
For: Principal Secretary to Govt. Haryana,
Town & Country Planning Department

<Name of Colonizer>
<Address & Phone No.>
<Website>

PUBLIC NOTICE

Whereas, we <name of colonizer/company> are in the process of undertaking of development of a Colony in <sector- >, over an area measuring < _____ acres> in the revenue estate of <name of village> in accordance with the license granted for a <type of colony, license no. & date > by Director, Town & Country Planning, Haryana, Chandigarh.

And whereas, several individuals have made bookings/ entered into purchase agreement for allotment of plot/ property in the said colony (hereinafter referred as allottees).

And whereas, the layout plan earlier approved at the time of grant of license for the said colony is now proposed to be revised on account of request made by <name of colonizer/company> for migration of <__acres> of land in <khasra no.____>, <sector____, Town__> for grant of license under Deen Dayal Jan Awas Yojna, 2016.

And whereas, the office of Director General, Town & Country Planning, Haryana, Chandigarh has required seeking of objection against the revision of layout plan and grant of license under Deen Dayal Jan Awas Yojna, as a pre-condition for allowing such revision in the layout plan.

Accordingly, vide this public notice objections are hereby invited from any of the allottees in the said colony on the proposed revision of the layout plan of the said colony. A copy of the earlier approved layout plan bearing no.____, dated ____ & the layout plan now proposed to be revised bearing, dated ____ is available for perusal on our website i.e. <name of website>. The said layout plan can also be perused at the office of undersigned as well as in the office of District Town Planner (Planning),<name of district>.

Any allottee having any objection on the proposed revision in the approved layout plan, may file his objection in the office of District Town Planner (Planning)<name of district> within 15 days of the publication of this notice, failing which it shall be assumed that there are no objections to the proposed revision in the layout plan.

Place: _____

<Name & Designation>

Date: _____

<For