

From

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

To

The Director General,  
Town & Country Planning Department,  
Haryana, Chandigarh.

Memo No: 7/16/2006/2TCP

Dated: 16.08.2013

**Subject:- Composition rates for compounding of violations committed in allotment of EWS plots/ flats in licensed colonies, under the Haryana Development and Regulations of Urban Areas Act,1975 & Rules, 1976.**

The Department of Town & Country Planning, Haryana, while granting licenses for development of residential plotted/group housing colonies under the provisions of Haryana Development & Regulation of Urban Areas Act, 1975, has been imposing conditions for provision of plots/flats for the EWS category persons and the allotment thereof within a specified period. However, while defending the matter in CWP No.14028 of 2011 title as Mukesh Kumar versus State, it has been observed by the Department that the licensees/colonisers have not made strict compliance of the above said provision. Such colonisers are liable to be penalised. However, for composition of the offence committed by the colonisers/licensees in the past, the Governor of Haryana, in accordance with the powers conferred under section 9A of the Haryana Development & Regulation of Urban Areas Act, 1975 is pleased to formulate the following composition policy:-

1. This policy shall be applicable in the entire State of Haryana.
2. The Hyper, High, Medium and Low Potential zones prescribed in this policy shall have the same meaning and jurisdiction as specified in the gazette notification no. DS-II-2006/29996, dated the 4<sup>th</sup> December, 2006 or as revised from time to time.
3. Composition Charges for delay in allotment of EWS plots/ flats will be as under:-

Sr.No	Item	Composition rates/charges
1	2	3
(i)	If the process of allotment was not completed within the scheduled time period but was completed upto 31.12.2012	One time payment of Rs.1,00,000/-, Rs.50,000/-, Rs.25,000/- per colony for Hyper/High, Medium and Low Potential Zone respectively.
(ii)	Those who have failed to complete process of allotment by 31.12.2012, will be allowed time upto 30.06.2014 to complete the process of allotment after payment of composition fee as provided.	One time payment of Rs.2,00,000/-, Rs.1,00,000/-, Rs.50,000/-per colony for Hyper/High, Medium and Low Potential Zone respectively.
(iii)	After 30.06.2014, if the process of allotment is not completed within the scheduled time period.	Rs.1,00,000/-, Rs.50,000/-, Rs.25,000/-per colony per month for Hyper/High, Medium and Low Potential Zone respectively from the due date upto which process of allotment is to be completed as per the terms and conditions of license/building plans, till the date of compliance.

**4. Refund of earnest money:-**

Further, if the refundable earnest money was not refunded before 31.12.2012, composition charges equivalent to 10% of the total refundable earnest money that remained with the coloniser beyond a period of six months from the date of draw of lots, for delay period of each one year or a fraction thereof, shall be charged.

**5. Penal interest for delay in refund of earnest money:-**

For the cases covered at Sr. no. 4 above, the coloniser will be required to refund the earnest money to the applicants alongwith 15% interest for the period beyond six months from the date of draw of lots and upto the date of actual payment.

*Sd/-*

**(Anurag Rastogi, IAS),**  
Secretary

For: Principal Secretary to Government, Haryana,  
Town and Country Planning, Department, Chandigarh.