

To

All Senior Town Planners in the State.

Subject: Policy for grant of no objection certificate in urban areas which are not part of controlled areas.

In supersession of earlier policy circulated vide memo no. 10 DP-97/11408-10 dated 22/08/1997 regarding grant of 'No Objection Certificates' in urban areas falling outside controlled areas, the following policy is framed after approval of the Government.

2. NOC shall be granted only in those cases where there is no violation of provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and the land is not part of any controlled area subject to fulfilment of following norms/parameters:-

- i. The applied land should be located on any metalled road or revenue rasta of width (ROW) not less than 4 karam (22 feet). However, such revenue rastas and roads may be required to be widened in future to at least 6 karam width by donating 1 karam wide strip on either sides, therefore, applicant shall transfer 1 karam wide strip of his land abutting the road in the name of panchayat through Hibbanama before grant of NOC.
- ii. In case of medium and large scale industries, warehouses of more than 5 acres and big institutions like colleges, universities, etc., the minimum approach should be through 11 Karam wide revenue rasta or metalled road having minimum 10 m right of way.
- iii. The applicant/owner of the land shall submit an undertaking/affidavit to the effect that in case the land, for which NOC is sought, is acquired by any Government Agency for widening of road/rasta in future, he shall not object to the acquisition proceedings.
- iv. NOC from Ministry of Road Transport and Highways/National Highway Authority of India, if the site is located on National Highway and NOC of concerned Executive Engineer, PWD (B&R), if the site is located on Scheduled Road, shall be prerequisite.
- v. In case of industries, registration with Industries Department shall be prerequisite. However in case of medium and large scale industries, environment clearance from competent authority shall also be a prerequisite.
- vi. The applied land should be free from acquisition proceedings.
- vii. The applied land should not affect any planning scheme prepared by or implemented through the Department.

3. Procedure:

- i. Senior Town Planner of the Circle will accept and decide such request(s) received from the land owner(s) accompanied with complete revenue documents, project report, site plan indicating the approach to the site and other such documents which are required for examination of the case.
- ii. A copy of NOC shall be endorsed to Haryana State Pollution Control Board and Forest Department for their information and necessary action, if any required under their respective laws.
- iii. In case of industrial units, a copy of NOC shall also be endorsed to Chief Inspector of Factories with the request to ensure compliance of provisions of Factories Act, 1948 and Punjab Factories Rules, 1952 as applicable in the State of Haryana to govern the building activities in the premises.
- iv. Applicant will be made clear that grant of NOC by Department does not amount to approval of construction by the landowner in any manner and landowner shall have to obtain all necessary clearances/statutory clearances including those from Environment Department, Pollution Control Board, Forest Department, Haryana, Panchayat Department or any other authority under any other applicable laws/rules.
- v. The applicant may also be made clear to that grant of NOC neither grant any immunity from any other applicable laws/rules, nor grant any sanction/approval of construction to be raised by the landowner in any manner.
- vi. The purpose for which NOC is granted should be clearly mentioned in the permission letter. If NOC is refused, then reasons should be clearly mentioned in the refusal order.

This issue with approval of competent authority.

Sd/-
District Town Planner (E),
for: Director General, Town & Country Planning,
Haryana, Chandigarh.

Endst. No. STP(E&V)/M-263-III/2630-2655

Dated: 08.10.2013

A copy is forwarded to the following for information please.

1. Senior Town Planner, Enforcement, Haryana.
2. All District Town Planners in the State including Enforcement Wing.
3. Shri P.P. Singh, DTP (HQ) with the request to kindly host the policy on Department Website under Enforcement section.

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for: Director General, Town & Country Planning,
Haryana, Chandigarh.