

Directorate of Town & Country Planning, Haryana

SCO-71-75 (1st to 3rd Floor), Sector-17-C, Chandigarh

Phone:0172-2549349; e-mail:tcphry@gmail.com

[http\\:tcpharyana.gov.in](http://tcpharyana.gov.in)

To

All Senior Town Planners,
in the State.

Memo No. STP (E&V)/C-695/2013/2595-2599

Dated: 08/10/2013

Subject: Order dated 23.08.2012 passed by Hon'ble High court in CWP No. 17048 of 2007- Rajat Kuchhal and others and similar connected matter.

This has reference to STP, Gurgaon office memo no. 2043 dated 31.05.2013 vide which clarification regarding action against unauthorized construction and use of residential premises in licensed colonies has been sought.

2. The matter has been examined in Directorate. It is observed that while approving zoning plan of licensed colony, condition to the effect that building plans in the licensed colony shall be governed by building rules contained in part VII of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 is invariably imposed. Further, section 3(B) of Haryana Development and Regulation of Urban Areas Act, 1975 prohibits erection or re-erection of building in a licensed colony save in accordance with approved plans.

3. Conjoint reading of condition imposed in zoning plan and provisions of section 3(B) of Act of 1975 makes it amply clear that any erection or re-erection of building or unauthorized use of premises in licensed colony contrary to the approved building plan/ approved use is in violation of section 3(B) of Act of 1975. As such action against such unauthorized constructions/ uses can be taken under section 10 (2) of Act of 1975 for violating the provisions of section 3 (B) of Act *ibid*.

Sd/-

(KARAMVEER SINGH)

District Town Planner (E&V),

O/o Director General, Town & Country Planning
Haryana, Chandigarh

Endst. No. : STP(E&V)/C-695/ 2013/ 2600-2623

Dated: 08/10/2013

A copy is forwarded to all District Town Planners in the State with the direction to take action against unauthorized construction/ use in licensed colony under the provisions of Act of 1975 as detailed above.

Sd/-

(KARAMVEER SINGH)

District Town Planner (E&V),

O/o Director General, Town & Country Planning
Haryana, Chandigarh