

From

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

To

1. Additional Chief Secretary and Financial Commissioner, Revenue and Disaster Management.
2. Chief Executive Officer,
Gurugram Metropolitan Development Authority, Gurugram.
3. Director General, Land Records-cum-Inspector General, Registration.
4. Director General, Urban Local Bodies Haryana, Panchkula.
5. The Managing Director,
Haryana State Industrial & Infrastructure Development Corporation
Panchkula.
6. Chief Administrator, Haryana Shehri Vikas Pradhikaran, Panchkula.
7. Director, Town and Country Planning Department, Haryana,
Chandigarh

Memo No. Misc-149/2019/7/03/2019/2TCP Dated: 07.03.2019

Subject: Registration of 4th Floor to be allowed as separate dwelling unit in case of residential plot.

The issue of registration of fourth Floor under Indian Registration Act, 1908 to be allowed as separate dwelling unit in case of residential plot has been considered at the level of the Government. The policy instructions in this regard have been issued vide memo no. Misc-149/2018/7/2018-2TCP dated 21.11.2018. Accordingly, the building plans can be approved with fourth floor as independent dwelling unit but fourth floor could not be registered for want of apportionment of Land Cost among all independent floors. Therefore, in supersession of the policy instruction dated 21.11.2018, by exercising powers provided under Section 11 of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963 and Section 9A of the Haryana Development and Regulation of Urban Areas Act, 1975, the Government has allowed registration of fourth floor as independent dwelling unit on the following parameters:-

- i. The fourth floor as independent dwelling unit shall be allowed on payment of one third (1/3rd) of applicable External Development Charges (EDC) for respective Urban Areas (as revised from time to time) against the plot area to be rounded off to the next higher Rs. 10/- at the time of approval of building plan/revised building plan. Such recovery shall be over and above that prescribed for purchasable floor ratio area, if availed. The additional EDC shall not be applicable in case of construction of four floors with three dwelling units.
- ii. Such EDC recovered for registration of 4th floor as independent unit shall be transferred to the respective agency for carrying out EDC works i.e. Haryana Shehri Vikas Pradhikaran (HSVP)/Gurugram Metropolitan Development Authority (GMDA)/Haryana State Industrial and Infrastructure Development Corporation Ltd. (HSIIDC)/Municipal Corporation (M.C) as the case may be.
- iii. No fragmentation of the plot shall be allowed and all independent floor owners (whether second/third/fourth) shall jointly own the full plot of land on which the independent floor is sited.

- iv. The apportionment of Land Cost shall be in equal proportion among all independent floors, viz 50% each for 2 floors, 33^{1/3}% each for 3 floors and 25% each for four floors.
- v. The maximum permissible height shall be 16.5 m. However for the approval of building plans for height above 15 m, the No Objection Certificate (NOC) from Fire Department and the structural stability & strength shall be needed to be certified by a qualified professional. Town & Country Planning Department has already notified the same.
- vi. Stilt parking shall be mandatory, with prospective effect, for the approval of building plans for all new construction on vacant plots or when a plot is proposed to be re-constructed upon *de novo*.
- vii. If an existing building is proposed to be extended to add a third or fourth floor adequate parking shall be required. The provision for parking shall be as per the clause 7.1 (1) of Haryana Building Code 2017 as amended from time to time.
- viii. All the other provisions of HBC-2017 shall apply mutatis-mutandis for the approval of building plans/grant of building permission.
- ix. The Revenue Department/Sub/Registrar shall follow the land price apportionment for independent floor(s) for registration purposes. The construction cost shall be as per 'Circle Rates/Collector Rates' as notified from time to time. Accordingly, O/o Financial Commissioner Revenue may take necessary action in this regard.

2. The policy shall come into force with immediate effect. The Department of Town and Country Planning shall immediately carry out necessary amendments in the zoning regulations of respective Development Plans.

3. Necessary steps and procedure for amendments in the Haryana Building Code-2017 for making the provision of mandatory stilt parking for all new construction on vacant plots or when a plot is proposed to be re-constructed upon *de novo* in case of residential plots with proposed 4 floors and maximum permissible height of 16.5m shall be undertaken by Director, Town and Country Planning Department.

-Sd/-

(A.K Singh)

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

Endst. No. Misc-149/2019/7/03/2019/2TCP

Dated: 07.03.2019

A copy is forwarded to the following:-

1. All Deputy Commissioners of the State.
2. Chief Coordinator, Planner (NCR), Panchkula with a request to carry out necessary amendment in the zoning regulations in view of the above decision of the Government.

-Sd/-

Superintendent

For Principal Secretary to Govt. Haryana,
Town and Country Planning Department