

From

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

To

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

**Memo No. M-342/2013/8/1/2014-2TCP**

**Dated: 14.01.2014**

**Subject: Restriction for issuance of NOC for the activities subservient to agriculture in Controlled Areas.**

The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 was enacted to prevent haphazard and substandard development along Scheduled Roads and in Controlled Areas in the State of Haryana. As per provisions of Section 6 of the Act *ibid*, no person shall erect or re-erect any building or make or extend any excavation or lay out any means of access to a road in a controlled area save in accordance with the plans and restrictions and conditions referred to in Sector 5 and with the previous permission of the Director:

Provided that no such permission shall be necessary for erection or re-erection of any building if such building is used or is to be used for agricultural purpose or purposes subservient to agriculture.

2. The term "agriculture" as per Section 2 (1) of the Act *ibid* is defined as "agriculture includes horticulture, dairy farming, poultry farming and the planting and up keep of an orchard".

Thus, every person desiring to construct a building in the Controlled Areas has to get permission for change of land use (from agriculture to other purposes) from the Director. However, no such permission is necessary, if such building is used or is to be used for agricultural purposes or purposes subservient to agriculture.

3. As the Department has received number of applications for grant of NOC for the projects though connected with agriculture but also involve mechanism of activities, huge amount of construction, movement of traffic and major involvement of power like setting up of Chilling Plant, Processing Plant, Pasteurization Plant, Air Conditioned Chambers, Cold Storage, Services Rooms, Boilers, Construction of Pucca Houses for labours, Watch and Ward Staff etc. There is no provision for grant of No Objection Certificate under Act No. 41 of 1963.

After careful consideration, the Government have decided that in future, if any applicant wants to develop a project connected with agriculture, which also involves mechanism of activities, huge amount of construction, movement of traffic and major involvement of power like setting up of Chilling Plant, Processing Plant, Pasteurization Plant, Air Conditioned Chambers, Cold Storage, Services Rooms, Boilers, Construction of Pucca Houses for labours, Watch and Ward Staff etc., he may apply to the Director General, Department of Town & Country Planning, Haryana alongwith a detailed project report of the activities that he intends to undertake and thereafter, the matter will be placed before the Government for decision as to whether the CLU permission is required in the case or not. Based on the decision, the applicant will be advised for future course of action.

*Sd/-*

Superintendent,

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