

Directorate of Town and Country Planning Haryana

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To

District Town Planner (Enf),
Gurgaon.

Memo No. STP(E&V)/P-4/JE(MS)/2014/2181

Dated:- 02/12/2014

Sub:- Violation of Section 3(C) of HDR Act, 1975 - Regarding registration of independent residential floors.

Reference: Your memo no. 813 dated 15.03.2012 vide which clarification/advice was sought on the representation received from Unitech Limited, South City-II, Gurgaon in reference to the notices issued by your office vide memo no. GGN/DTP(E)/SF/7044-7053 dated 09.02.2012 for committing violation by registration of independent floors on residential plots in the licenced colony prior to amendment dated 14.09.2009 in Haryana Development and Regulation of Urban Areas Act, 1975.

The matter has been examined and submitted to LR, Haryana for his opinion. Learned LR, Haryana has opined that the sale of independent floors before amendment dated 14.09.2009 is in violation of Rule 48(2) of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 and the terms and conditions of the licence granted under the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975.

It has been clearly held that sub-division and sale of independent floors before 14.09.2009 was an illegal activity. Accordingly, you are advised to take action against all such licencees/builders under section 10(2) of the Act of 1975 for violating the terms and conditions of license which inter-alia include condition of governing of building activities in licensed colony through Layout Plan/zoning plan. In case of persons/builder other than colonizer notice to offenders under section 10(2) of Act of 1975 for violating the section 3(b) of Act ibid may be issued and take further action as per provisions of the law.

In view of the advice given by LR, Haryana, you are directed to issue fresh notices to the licencees/builders/persons in continuation of earlier issued notices & take appropriate action as per Rule.

Sd/-

(Jitender Sihag)

Senior Town Planner (E&V),

For: Director General, town & Country Planning,
Haryana, Chandigarh.

Endst. No. STP(E&V)/P-4/JE(MS)/2014/ 2182-2205

Dated:- 02/12/2014

A copy is forwarded to all District Town Planners in the State of Haryana with the direction to identify sale of independent floors before 14.09.2009 and initiate action in accordance with above orders & send action taken report. This issue will be discussed in Departmental Review Meeting.

Sd/-

(Jitender Sihag)

Senior Town Planner (E&V),

For: Director General, town & Country Planning,
Haryana, Chandigarh.

Endst. No. STP(E&V)/P-4/JE(MS)/2014/ 2206-2210

Dated:- 02/12/2014

A copy is forwarded to all Senior Town Planners in the State of Haryana for information and necessary action.

Sd/-

(Jitender Sihag)

Senior Town Planner (E&V),

For: Director General, town & Country Planning,
Haryana, Chandigarh.