

From

Financial Commissioner and Principal Secretary to
Govt. Haryana, Town and Country Planning Department,
Haryana, Chandigarh.

To

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

Memo No. Misc-288A/6/53/2011-2TCP

Dated: 29.10.2011

Subject- Policy guidelines for complete self certification for approval of building plans in residential/industrial plotted colony.

In order to streamline the procedure of approval of building plans of in licenced Residential/Industrial Plotted colonies for which licence is granted under the provision of the Haryana Development and Regulation of Urban Areas Act, 1975, the Department introduced Self-Certification System vide Haryana Government, Town and Country Planning Department Notification No. JE(B)-2010/Misc-288-A/3319 dated 16.03.2010 by amending the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1975 (hereinafter referred as Rules 1965) to reduce the cumbersome procedure of approval of Building Plans. It has been observed that this option was not availed by many allottees. Therefore, instead of doing the work of sanctioning of building plans of the licenced colonies mentioned above, now Department has decided that the self-certification mode, as envisaged the Rules 1965 which were amended and published vide Notification No. JE(B)-2010/Misc-288-A/3319 dated 16.03.2010, should be made mandatory. This self-certification policy is applicable to the individual plots of plotted residential/industrial colony. It is also intimated that henceforth no building shall be constructed without following mechanism of self-certification and violation of the same will not be compounded under Section 14 of the Punjab Scheduled Roads and controlled Areas Restriction of Unregulated Development Act, 1963. In the due course of time, five model building plans for each category of the plots of Residential plotted colony may be hosted on the website of the Department and also be made available in the office of concerned District Town Planner. If an allottee of the licensed plotted colony wants to adopt one of these plans, the same can be straightway adopted. The necessary amendment in this regard in the Punjab Scheduled Roads and Controlled Areas

Restriction of Unregulated Development Rules, 1965 (hereinafter referred as Rules, 1965) be carried out. This decision will be effective from 1st of November, 2011.

2. To guide the Architects and field functionaries, following frame work is devised, which may be kept in mind while dealing such cases:-

- i) **Applicability**- The proposed policy framework will be applicable to the licensed residential colonies/industrial plotted colonies.
- ii) **Procedure for Approval of Building Plans**- The Architect on receiving request from the owner of the plot will complete the requirements of Rule-39 with regard to submission of building plans on prescribed form and issue permission as prescribed in Rule-44 after ascertaining that proposed building plans are in consonance with provisions of building Bye Laws as contained in Part-VII of the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Rules, 1965, zoning plan approved by the Director alongwith other amendments/instructions issued from time to time by the Director in this regard.

3. Before conveying the approval of building plans to the owner, the Architect, will submit a complete set of building plans alongwith all the necessary documents and scrutiny fee/cess in the office of concerned District Town Planner. Immediately after receipt of the above application, an acknowledgement shall be issued by concerned District Town Planner indicating the serial number of the application, date of receipt, name of Architect (mobile no., e-mail ID and Registration No. with recognized institution details) alongwith number and target date for conveying the deficiencies if any. The necessary provisions of Schedule-I of Punjab Scheduled Roads and controlled Areas Restriction of Unregulated Development Rules, 1965 be referred. The concerned District Town Planner will check the following three components of the proposed building plans:-

- a) The submission of requisite documents, scrutiny fees/cess and validity of licensed colony.
- b) The provision of set back and gate position in accordance with approved zoning plan.
- c) The proposed ground coverage and overall covered area including FAR and maximum height as per building Bye-Laws.

4. The concerned District Town Planner within a period of five working days, shall convey deficiencies in writing and through e-mail, if any noticed with regard to above three components, failing which the same shall be considered as having been accepted. In case any errors found at subsequent stage, the concerned dealing official and District Town Planner shall be fully responsible

for penal action alongwith concerned Architect. A fortnightly status of building plans received in the office prior to the previous fortnight shall be hosted on the web site of the Department and also displayed on the notice board of the office.

5. The concerned Architect will issue the approval after receiving the confirmation from concerned District Town Planner, as explained above. In case, no intimation with regard to deficiencies or confirmation is received within five working days from the date of acknowledgement issued by District Town Planner, it will be considered as confirmation and the concerned Architect will issue the permission as per Rule-44 to the owner. The Architect will submit a complete set of documents of the permission issued by him, in the O/o concerned District Town Planner.

iii) Following provisions of Rules, 1965 will also be applicable:-

- a) Director or any other person authorized by him reserves the right to check the building plans and construction at any stage and violations, if found shall have to be rectified by the owner/applicant. In case the owner/applicant fails to rectify violations, the Competent Authority may take necessary steps to rectify the violations. Action shall also be taken against the defaulting Architect by referring his case to the Council of Architecture/concerned institute for misconduct. All rectifications shall be at the risk and cost of the owner and no plea of the owner shall be entertained for any default committed by the Architect engaged by him. In all such cases, the procedure of self-certification shall stand aborted.
- b) If a building is erected or re-erected or construction work is commenced in contravention to any of the building regulations, the Director or any other person authorized by him shall be competent to require the building to be altered or demolished, by a written notice delivered to the owner. Such notice shall also specify the period during which such alteration or demolition has to be completed and if the notice is not complied with, the Director or any other person authorized by him may demolish the said building at the expense of the owner.
- c) At any stage during construction, if an Architect notices that violations (except compoundable ones) are taking place, he shall intimate to the concerned authority of such violations through e-mail and in writing and stop further supervision. He/She shall also intimate the owner about the violations and advise him to stop further

construction. Complete details along with photographs may be submitted to the concerned authority. The Authority may immediately issue a notice to the owner on the basis of the Architect's certificate to suspend further work and rectify violations. Such a situation shall automatically annul the process of self certification and the owner may, after removal of violations, engage an Architect for preparing the revised drawings. In such cases, further construction shall be undertaken only after submission of revised drawings by Architect and inspection of site by the O/o concerned District Town Planner.

- d) After submitting of application or during the construction of building if the owner/ Architect are changed, he shall intimate the competent authority by registered letter/e-mail that he is no longer responsible for the project from the date of actual dispatch of the letter. The information must be sent within seven days of occurrence of the change to the concerned authority by the respective owner/Architect. The construction work shall have to be suspended until the new owner/Architect as case may be, undertakes the full responsibility of the project vide forms and documents submitted at the time of applying for erection/re-erection of the building within seven days of his taking over. Owner's intimation regarding change of name of Architect shall be considered to be final by the Director or any other person authorized by him.
- e) The decision of Director, in case of any dispute shall be final and binding on all concerned.

Superintendent
for Financial Commissioner and Principal Secretary to Govt.
Haryana, Town and Country Planning Department.