

From

Principal Secretary to Govt. Haryana
Town and Country Planning Department

To

Director
Town and Country Planning
Haryana Chandigarh

Memo No. ZP-20-VOL-III/7/15/2019-2TCP

Dated : 09.03.2019.

Subject: Amendment in Transit Oriented Development policy dated 09.12.2016 and other related policies – Clarification in respect of clause 9(i) of the policy dated 09.02.2016 under section 9A of the Haryana Development and Regulation of Urban Areas Act, 1975.

Reference:- Secretary, Council of Ministers, Haryana U.O. No. 9/135/2019-2 Cabinet dated 08.03.2019

The Govt. of Haryana has notified a policy document prescribing parameters for creating Transit Oriented Development vide notification dated 09.02.2016, which was further amended from time to time. Clause 9(i) of the Transit Oriented Development Policy refers to the existing licencees and does not specifically clarify benefit of the policy to be extended in case of existing project/colonies which comprise of more than one licencees. The Clause 9(i) of the TOD policy dated 09.02.2016, as approved by Council of Ministers (CMM) on 03.02.2016, reads as under:-

“Under utilization of FAR upto the extent of 15% subject to the full payment of all the charges shall be permissible in case of fresh licencees under this TOD policy. However, for existing licencees, while giving benefit of additional FAR under this policy this limit of 15% under utilization of FAR shall not be applicable and they would be entitled to seek benefit of this policy by purchasing a minimum of 0.5 FAR by paying proportionate additional charges to that extent. Additional FAR more than 0.5 can be purchased in the slabs of 0.25 subject to a maximum of 1.75 (in intense zone) or 0.75 (in transition zone) as the case may be on the payment of proportionate charges of the relevant slab, as the case may be.”

2. As per the provisions of Sections 3 (5) of the Haryana Development and Regulations of Urban Areas Act, 1975, each colony may comprise of one or more licencees with contiguous land pockets. In order to clarify the position in case of existing project/colonies, which comprise of more than one licencees, the Govt. of Haryana while exercising the powers under Section 9A of the Haryana Development and Regulation of Urban Areas Act, 1975 and as per the approval of Council of Ministers (CMM) dated 08.03.2019, the following clarifications are hereby issued for efficient implementation of the above policy:-

- I. Application for all the licences in a colony shall not be mandatory to avail benefit under TOD policy. Benefit under TOD policy shall also be permitted at the full 100% applicable rates for the area comprised in particular licence/licences, if the colony includes a number of licences.
- II. The benefit under TOD policy for the corresponding area for which the benefit is availed at full applicable rates, can be utilized in the approved combined layout/zoning plan of group of licences subject to the fulfilment of the conditions/procedures laid down in policy dated 28.01.2013.

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(A.K. Singh)

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

Endst No. ZP-20-VOL-III/2019/ 7/15/2019-2TCP Dated: 09.03.2019.

A copy is forwarded to the Secretary, Council of Ministers, Haryana in reference to his U.O. No. 9/135/2019-2 Cabinet dated 08.03.2019 for information and necessary action.

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(A.K. Singh)

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