

Public Notice

While compiling the information in matter of CWP No. 14028 of 2011 titled as Mukesh Kumar versus State of Haryana and others regarding allotment of EWS plots/flats in licensed colonies, the Department observed that some licencees have not completed the process of allotment of EWS plots/flats as specified in the licence conditions as well as in the guidelines issued from time to time. Taking the matter seriously, the Govt. decided to impose penalty upon the erring colonizers in this regard and also formulated a policy bearing memo no. 7/16/2006/2TCP dated 16.08.2013 for composition of the violation committed by delaying the allotment of EWS plots/flats which is already available on the website of the Department i.e. tpharyana.gov.in.

2. The relevant provisions of the Composition Policy are reproduced as under:-

“3. Composition Charges for delay in allotment of EWS plots/flats will be as follows:-

Sr.No.	Item	Composition rates/charges
(i)	<i>If the process of allotment was not completed within the scheduled time period but was completed upto 31.12.2012.</i>	<i>One time payment of Rs.1,00,000/-, Rs.50,000/-, Rs.25,000/- per colony for Hyper/High, Medium and Low Potential Zone respectively.</i>
(ii)	<i>Those who have failed to complete process of allotment by 31.12.2012, will be allowed time upto 30.06.2014 to complete the process of allotment after payment of composition fee as provided.</i>	<i>One time payment of Rs.2,00,000/-, Rs.1,00,000/-, Rs.50,000/-per colony for Hyper/High, Medium and Low Potential Zone respectively</i>
(iii)	<i>After 30.06.2014, if the process of allotment is not completed within the scheduled time period.</i>	<i>Rs.1,00,000/-, Rs.50,000/-, Rs.25,000/- per colony per month for Hyper/High, Medium and Low Potential Zone respectively from the due date upto which process of allotment is to be completed as per the terms and conditions of license/building plans, till the date of compliance.</i>

4. Refund of earnest money:- Further if the refundable earnest money was not refunded before 31.12.2012, composition charges equivalent to 10% of the total refundable earnest money that remained with the coloniser beyond a period of six months from the date of draw of lots, for delay period of each one year or a fraction thereof, shall be charged.

5. Penal interest for delay in refund of earnest money:- For the case covered at sr. no. 4 above, the coloniser will be required to refund the earnest money to the applicants alongwith 15% interest for the period beyond six months from the date of draw of lots and upto the date of actual payment."

3. In view of the above, all concerned licensees are directed to complete the process of allotment of EWS plots/flats and refund the earnest money to the unsuccessful candidates immediately, and also get the violations regarding delay in allotment of EWS plots/flats compounded as per above policy by submitting the request in the office of respective Senior Town planner at Circle level.

4. In cases where bank drafts for refund of earnest money sent to the unsuccessful candidates through registered post, returns undelivered being old cases and due to fake addresses, the licensees are required to issue a public notice by publishing the names and addresses of such candidates and details of scheme in two local and one national newspapers giving a time period of two months and will also inform all concerned that in case of failure to collect money on part of claimants, the same will be forfeited to be deposited as per Government direction.

All the concerned licensees are advised to follow the above directions strictly, otherwise, they will be liable for action as per law.

Chandigarh.
June 9th, 2014

Director General,
Town & Country Planning Department
Haryana, Chandigarh.