

## PUBLIC NOTICE

It has been observed that in many instances revenue/ panchayat rastas or water-courses criss-cross many of the licenced colonies, which have become redundant and which do not serve as means of exclusive approach to any land parcel. There has been a felt need for a policy for laying down a transparent procedure by involving all stakeholders for working out transfer/ exchange process of such redundant land strips which serves to benefit all concerned stakeholders.

The draft of a policy in this regard has accordingly been formulated by the Department of Town and Country Planning, Haryana, and has been approved by the Government for inviting feedback from all concerned stakeholders. A copy of the said policy is accordingly enclosed for the information of general public and all other stakeholders and seeking suggestions, if any, on the said policy. The suggestions may be forwarded through e-mail to the following within a period of 30 days of the issuance of this public notice i.e. upto 27.07.2014:

1. DGTCP Haryana, Chandigarh: [tcpharyana1@gmail.com](mailto:tcpharyana1@gmail.com)
2. CTP, Haryana: [ctp1.haryana.tcp@gmail.com](mailto:ctp1.haryana.tcp@gmail.com)
3. DTP (HQ) O/o DGTCP, Haryana: [dtp.hqpp.tcp@gmail.com](mailto:dtp.hqpp.tcp@gmail.com).

A copy of the policy is also being circulated separately to the concerned Departments viz., Revenue, Development and Panchayat, Urban Local Bodies and Industries for their comments to enable inter-Departmental consultation. After obtaining the feedback from the said Departments and from the public at large, the policy shall be given a final shape under the Chairmanship of Chief Secretary, Haryana.

### POLICY REGARDING TRANSFER/ EXCHANGE OF REVENUE/ PANCHAYAT RASTAS AND/ OR WATER COURSES FALLING WITHIN LICENCED COLONIES

**1. NEED FOR THE POLICY:** (1) It has been observed that in many instances revenue rastas, panchayat rastas or water-courses criss-cross many of the licenced colonies which on account of intensive urbanization have lost their relevance as means of approach to any land parcel and rather have become a source of nuisance causing:

- i. Inefficient utilization of the licenced land since they do not fit into the planned development proposals, and,
- ii. Problems in connectivity of infrastructure services viz., water supply, sewerage, drainage etc. since the ownership of such sites still lie with local Panchayat or municipality who raise objection to laying of utility lines along such rastas.

(2) For the sake of brevity, the term 'revenue rasta(s)', wherever used in the present policy document shall be construed to include 'panchayat rasta' and 'water courses' as well.

(3) Such revenue rastas being under the ownership of the Panchayat/ Municipality/ any other concerned authority can't be transferred to the colonisers for integrating such land-strips with the licenced colony even if the colonisers are either willing to pay for the same or are willing to offer equivalent land in exchange for the same, as the case may be. In order to formulate a clear road-map for undertaking transfer/ exchange of such revenue rasta a detailed procedure is hereby prescribed.

**2. SUBMISSION OF APPLICATION FOR TRANSFER/ EXCHANGE OF REVENUE RASTAS:** The coloniser desiring such transfer/ exchange shall make an application in the following format:

**“Application for transfer/ exchange of revenue rastas falling within licenced colony**

**A. BRIEF DETAILS OF THE APPLICANT AND THE SITE**

1 Applicant \_\_\_\_\_ 2 Dev. Plan \_\_\_\_\_  
3 Colony Type \_\_\_\_\_ 4 Sector No. \_\_\_\_\_

**B. LICENCED COLONY IN WHICH THE REVENUE RASTAS ARE LOCATED**

5	Appln ID	Licence No.	Date	Area
5a				
5b				
<b>Gross Area</b>				

**C. DETAILS OF REVENUE RASTA FALLING UNDER VARIOUS STRETCHES**

6	Stretch of Rev Rasta	Total Length	Total width	Total Area	Revenue Estate	Numbered in LOP/SP as
6a						
6b						
6c						

**D. DOCUMENTS AND ENCLOSURES**

7	Copy of Layout Plan (LOP)/ Site Plan (SP) marking all such revenue rastas that they wish to acquire	Annex-A
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8	A demarcation plan indicating the dimensions of the revenue rastas at site	Annex-B
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9	Revenue estate wise land schedule of the area falling under such revenue rastas, aggregating total area under each of the revenue estates:	Annex-C
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SrNo	Revenue Estate	Khasra No.	Area (K-M or B-B-B)	Name of Land-owner

10	Revenue estate wise land schedule of the area to be offered to the Panchayat/ Municipality/ any other concerned authority in exchange of the Revenue Rasta:	Annex-D
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SrNo	Revenue Estate	Khasra No.	Area (K-M or B-B-B)	Licenced/ Unlicenced

11	Details of independent unlicenced land parcels which are still served exclusively by the revenue rastas being proposed for exchange is indicated on a copy of layout plan and is verified by the concerned BDPO or EO/Secy, Municipality or any other concerned authority as the case may be.	Annex-E
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12	In case any land parcel as per Sr No 11 above exists, a detailed proposal for providing alternate approach to the such land parcel after merging of such revenue rasta within the licenced colony by the applicant is submitted.	Annex-F
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13	Comments of the applicant on the following are enclosed: i. Against the total area falling under the revenue rasta that is proposed for exchange in any specific revenue estate; has equal area been offered in the same revenue estate? If no, what the grounds on which the proposal can be considered for approval. ii. Shall there be any change in the net licenced area in case the exchange proposal is accepted. If yes, what are the grounds for allowing any such change in the licenced area.	Annex-G
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	iii. Additional grounds, if any, for allowing the said exchange of revenue rasta as proposed by the applicant.	
14	Has the applicant been successful in entering into an agreement for exchange of revenue rastas with all the concerned Panchayat(s)/municipality/any other concerned authority. i. If yes, enclose a copy of the same. ii. If no, please enclose a copy of your request to enter into an agreement for such exchange along with the response received from the concerned Panchayat(s)/Municipality/ any other concerned authority, if any.	Annex-H
15	A self attested declaration by the authorised signatory of the applicant conveying its unequivocal understanding, commitment and no-objection for the following: i. Since the transfer of revenue rastas is being allowed primarily to remove constraints in provisioning of infrastructure and enable better planning of licenced areas the provision of FAR/ saleable area shall continue to remain applicable on the original licenced area, irrespective of whether there is any increase or decrease in the licenced area on account of the proposed amendment of land schedule. ii. All fees and charges against any licenced land transferred in favour of Panchayat(s)/ Municipality/ any other concerned authority shall stand forfeited. iii. All statutory fees and charges against the land being added in the land schedule shall be payable by the coloniser/ applicant, except, EDC which being a quid-pro-quo charge against provision of EDC services shall continue to remain applicable on the original licenced area.	Annex-I
16	Copy of Board Resolution of Coloniser - resolving to enter into an exchange of the revenue rastas falling in the colony. - designating an authorised signatory of the company for completing the formalities in this regard	Annex-J
	Date : Place :	(Name/Signature/Seal) Authority Signatory"

**3. SCRUTINY OF APPLICATION BY THE DIRECTOR:** (1) On receipt of such application from the coloniser, the Director shall examine such request and if considered necessary may also obtain a site report for further verification of facts and better clarity on issues involved. Apart from verification of relevant facts, such scrutiny of applications shall also include the following:

- a. Preferably, there should be no change in the net licenced area on account of the proposed exchange. However, on account of ground realities if the same is not practically possible, the reasons for same be clearly recorded.
- b. Against land of revenue rasta proposed to be acquired by the coloniser in each revenue estate, equal licenced/ unlicenced area in the same revenue estate shall be offered for exchange with the Panchayat/municipality/ any other concerned authority, as the case may be.

c. In case the revenue rasta proposed to be acquired serves as the only available approach for any piece of unlicensed land, an alternate approach to the said piece of land, which may also include rerouting of the revenue rasta under the exchange proposal, needs to be provided.

(3) After completing the process of scrutiny if the exchange proposal is not found to merit further consideration then after giving a reasonable opportunity to the applicant to remove the shortcomings noticed in its proposal the Director may by a speaking order reject the exchange proposal. The applicant shall however be entitled to submit a revised request after taking care of the grounds of rejection.

(4) All such exchange proposals which are found to be in order by the Director, except where the applicant has already entered into an agreement for exchange of revenue rastas with the concerned Panchayat(s)/municipality/any other concerned authority, shall be forwarded to the High Powered Committee (Revenue Rastas). In cases where the applicant has already entered into an agreement for exchange of revenue rastas with all the concerned Panchayat(s)/municipality/ any other concerned authority and has submitted a copy of the same along with its application, which is found to be in order, the Director shall allow the revision of land schedule in accordance with clause-6 of this policy without any requirement to go through the procedure as prescribed under clause-4 and 5 below.

**4. IN-PRINCIPLE APPROVAL BY THE HPC:** (1) The High Powered Committee (Revenue Rastas) consisting of the following members as constituted by the Government, shall be the nodal committee for the purpose of taking in principle decision based on merits of the cases forwarded to it by the DGTCP:

- i. Additional Chief Secretary, Revenue, Haryana or his representative
- ii. Principal Secretary to Govt., Industries, Haryana or his representative
- iii. Principal Secretary to Govt., Town and Country Planning, Haryana
- iv. Principal Secretary to Govt., Development & Panchayat, Haryana
- v. Principal Secretary to Govt., Urban Local Bodies Haryana.
- vi. Principal Secretary to Govt., Irrigation Department, Haryana. [*In such instance where any case pertaining to 'water courses' is to be considered*]

(2) To convene a meeting of the said High Powered Committee (Revenue Rastas) the DGTCP shall forward a request for convening such meeting to the Additional CS, Revenue, who shall fix the date and time for such meeting.

(3) The High Powered Committee (HPC) may also conduct a hearing of all the concerned parties for deliberating on the merits of the case before arriving at a final decision. Thereafter, by means of a speaking order, the HPC shall either reject or grant in-principle approval to the exchange proposal on behalf of the Government. However, the final approval of the exchange proposal shall be obtained from the Government through the concerned Department, viz., Department of Urban Local Bodies; Panchayat Department; Revenue Department; Irrigation Department, as the case may be.

**5. APPROVAL BY THE GOVERNMENT IN THE REVENUE/ URBAN LOCAL BODIES / PANCHAYAT / IRRIGATION DEPARTMENT:** (1) After the receipt of in-principle of the exchange proposal by the HPC, the matter shall be forwarded by the concerned Department, viz., Department of Urban Local Bodies; Panchayat Department; Revenue Department; Irrigation Department, as the case may be, to the Government for final approval of the exchange proposal.

(2) The decision of the Government shall be conveyed to the concerned Panchayat(s)/ Municipality/ any other concerned authority; the concerned coloniser and to the DGTCP for completion of necessary formalities at their end.

(3) The DGTCP shall also convey an in-principle approval of the exchange proposal containing the terms and conditions to be complied with by the coloniser, including the fees and charges to be paid by them to enable necessary amendment in the land schedule, layout and/or zoning/ building plans based on the following criteria:

- i. Since the transfer of revenue rastas is being allowed primarily to remove constraints in provisioning of infrastructure and enable better planning of licenced areas
  - a. the provision of FAR/ saleable area shall continue to remain applicable on the original licenced area, irrespective of whether there is any increase or decrease in the licenced area on account of the proposed amendment of land schedule.
  - b. no further internal concurrence of the Government before amendment in the land schedule shall be required
- ii. The amended ownership documents reflecting the change in status of ownership shall be got incorporated in the revenue records by the coloniser and a copy of the same shall be submitted to the Department.
- iii. All fees and charges against any licenced land transferred in favour of Panchayat(s)/ Municipality/ any other concerned authority shall stand forfeited.
- iv. All statutory fees and charges against the land being added in the land schedule shall be payable by the coloniser/ applicant, except EDC, which being a quid-pro-quo charge against provision of EDC services shall continue to remain applicable on the original licenced area.

**6. COMPLETION OF EXCHANGE FORMALITIES & AMENDMENT IN LAND SCHEDULE, LAYOUT PLAN/ BUILDING PLANS:** (1) Upon receipt of the necessary approval of the State Government and the in-principle approval of the DGTCP, Haryana for implementing the exchange proposal/agreement and the completion of formalities for implementing the said orders of the Government, the handing-over/taking-over of the exchange of land between the coloniser and the Panchayat/Municipality/ any other concerned authority shall be completed and necessary formalities for incorporating the same in the ownership documents shall also be undertaken.

(2) Upon the completion of such exchange formalities the coloniser shall submit to the Director, the necessary documents in compliance of the terms and conditions imposed in in-principle approval earlier conveyed by the Director, for seeking necessary amendment of layout plan/ zoning plan / building plan, as the case may be.

(3) The Director, upon his satisfaction that the applicant has complied with all the terms and conditions of the in-principle approval stands completed by the coloniser, may allow necessary amendment in land schedule of the licenced colony and the corresponding amendment of layout plan/ zoning plan / building plan, as the case may be.

Place:Chandigarh  
Date: 27.06.2014

Director General  
Town and Country Planning Department  
Haryana, Chandigarh