

From

Principal Secretary to Government, Haryana  
Town & Country Planning, Department

To

Director,  
Town and Country Planning,  
Haryana, Chandigarh.

Memo No. PF-64(F)/2021/7/1/2021-2TCP Dated: 18.01.2021

**Subject:- Amendment in policy dated 10.11.2017 published vide notification No. PF-64/2017/7/24/2017-2TCP/28433 for grant of change of land use permissions under section 8 of the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963 and Rules thereof.**

The matter in respect of clause 2.1 of the policy dated 10.11.2017 vis-à-vis the provisions of Section 3 of Act the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter referred as Act of 1963) is examined. The change of land use permissions can be granted by Director, Town and Country Planning, Haryana under Section 8 of Act of 1963 in the 30 mtr/100 mtr wide restricted belts along the existing Scheduled roads/expressways.

Further, the restricted belt along the Scheduled roads/expressway are mandatory features as per provisions of Section 3 of Act of 1963, and the minimum width of such restricted belts are retained as 30 mtr (for Scheduled road) and 100 mtr (for Bye-pass). Further, as per Section 3(d) of Act of 1963 the erection or re-erection of motor fuel filling station/petrol pump is not prohibited under section 3 of Act *ibid*. Therefore, the policy provision i.e. 2.1 of the policy dated 10.11.2017 cannot be applied to the restricted belt of Scheduled road/By-pass whether development plan is published under Section 5(7) or not as it will be compulsorily part of final development plan. Accordingly, the clause 2 of policy dated 10.11.2017 is substituted as below:-

Existing clause of the policy dated 10.11.2017	Amended clause of the policy dated 10.11.2017
"2. POLICY 2.1...	"2. POLICY 2.1....
(ii) In towns/urban areas falling in Medium & Low Potential Zones, the date of publication of Draft Development Plan shall be effective date for acceptance and consideration of licence applications provided:	(ii) In towns/urban areas falling in Medium & Low Potential Zones, the date of publication of Draft Development Plan shall be effective date for acceptance and consideration of licence applications provided:
(b) There is no recommendation of District Planning Committee/State Level Committee to effect amendments	(b) There is no recommendation of District Planning Committee/State Level Committee to effect amendments in the Development

<p>in the Development Plan proposals already in vogue of the applied area.</p> <p>The policy instructions at (ii) above pertaining to medium and low potential zones wherein date of publication of Draft Development Plan shall be effective date for acceptance and consideration of licence application alongwith two provisions at (a) &amp; (b) above are hereby removed. The date of publication of the Final Development Plan in respect of all the controlled areas, whether falling in hyper/high potential zone or in medium and low potential zones, shall be the effective date for acceptance and consideration of licence applications.</p> <p><i>All the draft development plans will require to be published as final development plans and further licence applications/CLU applications in respect of all such controlled areas may not be accepted till the publication of the final development plans.</i></p> <p>xxx xxx</p>	<p>Plan proposals already in vogue of the applied area.</p> <p>The policy instructions at (ii) above pertaining to medium and low potential zones wherein date of publication of Draft Development Plan shall be effective date for acceptance and consideration of licence application alongwith two provisions at (a) &amp; (b) above are hereby removed. The date of publication of the Final Development Plan in respect of all the controlled areas, whether falling in hyper/high potential zone or in medium and low potential zones, shall be the effective date for acceptance and consideration of licence applications.</p> <p><i>All the draft development plans will require to be published as final development plans and further licence applications/CLU applications in respect of all such controlled areas may not be accepted till the publication of the final development plans, <b>except the permissible activities on the land falling in the restricted 30 mtr/100 mtr belt of the existing scheduled road/bypass as per provision of section 3 of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, which may be considered as per existing policies.</b></i></p> <p>xxx xxx</p>
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The other policy parameters dated 10.11.2017, as amended from time to time, shall remain unchanged.

This is issued as per the approval of CMM received vide U.O.No.9/174/2020-2 Cabinet dated 16<sup>th</sup> October, 2020.

-Sd-

A.K. Singh (IAS)  
Principal Secretary to Government, Haryana  
Town & Country Planning, Department

Endst. No. PF-64(F)/2021/7/1/2021-2TCP

Dated:18.01.2021

A copy is forwarded to Secretary, Council of Ministers, Haryana with respect to U.O. No.9/174/2020-2Cabinet dated 16.10.2020, affirming the implementation of the said decision of the Council of Ministers.

-Sd-

Superintendent

For: Principal Secretary to Government, Haryana,  
Town and Country Planning Department

Endst. No. Misc- PF-64(F)/2021/7/1/2021-2TCP

Dated:18.01.2021

A copy is forwarded to the following for information & necessary action:-

1. The Additional Chief Secretary to Govt. Haryana, Urban Local Bodies Department at Chandigarh.
2. The Chief Executive Officer, Gurugram Metropolitan Development Authority Gurugram.
3. The Chief Executive Officer, Faridabad Metropolitan Development Authority Faridabad.
4. The Chief Coordinator Planner (NCR) Haryana, Directorate of Town & Country Planning, Sector-18A, Chandigarh.

-Sd-

Superintendent

For: Principal Secretary to Government, Haryana,  
Town and Country Planning Department