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To

1. All the Commissioners in Municipal Corporations in the State.
2. All the District Municipal Commissioners in the State.


Memo no. DULB/CTP/2023/69-70

dated: 03/01/2024

Subject: Regarding Policy for regularization and fresh permission for constructing first floor or basement or both on single level booths/shops/service booths allotted by municipalities or Town Improvement Trust Schemes and Mandi Townships within municipal limits.

It is informed that the Govt. has issued the subject cited policy on 05.12.2023, for allowing basement and additional floor on single level booths/shops/service booths allotted by municipalities, IT schemes and mandi townships.

2. It is requested to give the wide publicity about the policy in the general public and encourage them to apply under the policy for taking the benefit.
3. This is for your information and necessary action.



o/c (Manjeet Singh) District Town Planner
O/o Director, Urban Local Bodies Department
Haryana, Panchkula

Endst no. DULB/CTP/2023/71-72

dated: 03/01/2024

A copy of the above is forwarded to the followings for information and necessary action:

1. All the Executive Officers in Municipal Councils in the State.
2. All the Secretaries in Municipal Committees in the State.


o/c (Manjeet Singh) District Town Planner,
O/o Director, Urban Local Bodies Department,
Haryana, Panchkula.

From

The Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department

To

1. The Commissioners in Municipal Corporations in the State.
2. The District Municipal Commissioners in the State.
3. The Executive Officers in Municipal Councils in the State.
4. The Secretary in Municipal Committee in the State.


Memo no. 09/96/2023-4011 dated: 05-12-2023

Subject: Policy for regularisation and fresh permission for constructing first floor or basement or both on single level booths/shops/service booths allotted by municipalities or Town Improvement Trust schemes and Mandi Townships within municipal limits.

I have been directed to inform that the Governor of Haryana is pleased to issue the subject cited policy as directions under section 250 of the Haryana Municipal Act, 1973 and section 398 of the Haryana Municipal Corporation Act, 1994, for implementation. The copy of the policy is enclosed. It is requested to take immediate necessary action under the said policy.

DA: As above.


Superintendent (Committee-II)

for Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Panchkula. 

Endst no. 09/96/2023-4011

dated 05-12-2023

A copy of the above is forwarded to the Secretary, Council of Ministers, Haryana in reference to UO no. 9/152/2023-2Cabinet, dated 11.10.2023 on the subject cited matter, with the request to consider these directions as implementation of the decision of the Council of Ministers.


Superintendent (Committee-II)

for Commissioner and Secretary to Government of Haryana,
Urban Local Bodies Department, Haryana, Panchkula.

Haryana Government
Urban Local Bodies Department

Policy for regularisation and fresh permission for constructing first floor or basement or both on single level booths/shops/service booths allotted by Municipalities or Town Improvement Trust schemes and Mandi Townships within municipal limits.

1. Policy Applicability:

- a. This policy is applicable in all municipalities in the State of Haryana and will be applicable:
 - i. On single level booths/shops/service booths as allotted by Municipalities, Town Improvement Trusts and Mandi Townships.
 - ii. For regularization of unauthorized construction of basement or first floor or both and fresh permission for constructing basement or first floor or both.
 - iii. For regularization of existing unauthorized construction of first floor or basement or both on the booth, the policy shall be valid for applications received upto 31.03.2024.
 - iv. For fresh permission of first floor or basement or booth, there shall be no time limit.
- b. This policy shall not be applicable:
 - i. In controlled areas where Change of Land Use (CLU) permission is required and in licensed schemes permitted by Town and Country Planning Department falling within municipal limits.
 - ii. In case the original single level booth/ shop/ service booth has been sub-divided horizontally.
 - iii. On shops under tehbazari or khoka or any other temporary structure allotted by municipalities.

2. General Instructions:

- a. The applicant intends to regularize the illegal construction of first floor or basement or both, or intends to construct first floor or basement or both on a vacant plot of single level booths/ shops/ service booths shall apply under this policy.
- b. The competent authority under this policy shall be the Commissioner in case of Municipal Corporation and District Municipal Commissioner in case of Municipal Councils and Committees.

3. Applicable Fee/ Charges:

- a. **Non-refundable scrutiny fee** which shall be:
 - i. In case of fresh permission of first floor or basement or both: Rs 10 per sq. mtr. on the proposed total built up area.
 - ii. In case of regularization of first floor or basement or both: Rs 10 per sq. mtr on proposed and existing built up area on the plot (including structure at ground floor).
- b. **The charges for additional built-up** i.e. first floor or basement or both shall be levied:
 - i. @ 5% of the commercial collector rate per square meters for first floor, and
 - ii. @ 2.5% of the commercial collector rate per square meters for basement.

Note:

1. *The commercial collector rate prevailing at the time of submitting the application shall be levied.*

2. *These charges shall not be applicable, if the applicant is not constructing either basement or first floor or both and only constructing upto the permitted construction as per the standard design on vacant plot.*
- c. **The Composition Charges** shall be levied @ of Rs. 200 per sq. mtr. for compounding the illegal construction of basement or first floor or both, upto compoundable limits. In case occupation certificate of the booth has not been taken, then the said booth may also be compounded, so that Occupation Certificate of the whole construction of booth can be issued.
- d. In case the property stand vertically divided into two separate ownerships, then vertical sub-division fees shall be charged @ Rs. 100 per sq. mtr. and transfer fees @Rs. 50 per sq. mtr. Both the fees shall be charged on the sub-divided structure/ part, not on the whole structure.

Note: *No composition charges shall be levied in case of the applicant seeking fresh permission.*

4. Building norms:

- a. In case of regularization of existing first floor or basement or both, the building plans shall be permitted as-is-where-is basis and its use shall be allowed upto the shelf-life of the structure. However, in case of revision in existing building plan, the parameters given under for fresh permission shall be followed.
- b. For fresh permission cases, the municipality shall approve the building plans at its level, of such single level booths/shops/service booths showing first floor or basement or both, as per the following norms:
- i. The basement construction shall be permitted upto the extent of the booth corridor at ground floor (same area & dimensions of the original single level booths/shops/service booths).
 - ii. The first floor construction shall be permitted:
 - a. In case the booth is having a corridor in front under the planned scheme, then the construction, less than or equivalent to the extent of the corridor shall be permitted.
 - b. In case the single level booths/shops/service booths does not have a corridor in front under the planned scheme, then projection of 1.80 meters from the building line of the booth shall be permitted.
 - iii. Minimum clear height for basement and first floor shall be 2.4 meters.
 - iv. The staircase to basement or first floor shall be within the booth only.
 - v. Any type of encroachment by the applicant i.e. in corridors or its rear or side of its booth shall not be permitted.

5. Enforcement:

- a. The municipality shall identify and list all such illegally raised constructions on single level booths/shops/service booths from the databank of property IDs.
- b. The municipality shall issue notices to the owners of the identified illegal construction, directing them to submit application for regularization of the construction, under this policy.

6. Application process:

- a. In case for fresh permission or regularizing the already raised illegal construction, the applicant shall submit application under **Form A**.

- b. The municipality shall ensure that no dues shall be outstanding towards the said property like property tax or development charges or any other applicable fees/charges.
- c. The competent authority shall examine the applications within 20 working days.
- d. The applicant shall submit an application to the respective municipality with following documents and scrutiny fees.
 - i. The copy of ownership documents i.e. allotment letter, sale deed, registry or any other legal document establishing the ownership of the property and the name of the applicant.
(Note: Assessment register and property tax receipt shall not be accepted as ownership documents.)
 - ii. **Building Plans:**
 - a. In case of regularization, a copy of the as-is building plan of the property along with the issued standard design, showing the ground floor along with the first floor or basement or both, at a readable scale.
 - b. In case of fresh permission, a copy of proposed building plan of the property along with the issued standard design, showing the ground floor along with the first floor or basement or both, at a readable scale.
 - iii. Structure certificate from Structure Engineer giving undertaking that the booth design is structurally stable.
- e. The municipality shall examine the application and decide the same vis-à-vis following aspects:
 - i. The building plan is as per original standard plans/design and additional construction as per this policy.
 - ii. There is no pending payment outstanding against the said property.
 - iii. The booth/property has not been sub-divided in any manner (horizontally or vertically).
 - iv. The first floor or basement or both, if already constructed shall be under sole ownership of the booth owner i.e. ground floor.
- f. In case, the application found eligible, the competent authority shall issue Letter of Intent (LoI) as per **Form-B**, alongwith the demand notice seeking applicable fee/charges i.e. scrutiny fees (only, if it is deficient) development charges, composition charges and demolition of any encroachment found (If any).
- g. The applicant shall comply with the LoI within 30 days, failing which the LoI shall be deemed to be withdrawn and the applicant has to apply fresh with scrutiny fees. This is to avoid delayed action from the applicant, which may cause levy of interest on the demand notice.
- h. After compliance, the municipality shall issue final permission letter as per **Form-C**, along with copy of the approved building plans/as built plans, as the case may be.
- i. In case of regularization of construction, the competent authority shall also issue occupation certificate.
- j. In case of fresh permission taken, the applicant shall require to obtain occupation certificate within a period of 2 years, failing which the building shall stand illegal and liable for action as per the applicable law.

Application - Form-A

To,

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee.

Subject: Application for allowing/ regularization of construction of first floor/ basement/ both on my single level booth/ shop/ service booth.

It is requested to consider this application vide which I intend to get regularized/ construct my property under the provisions of the "Policy for regularization/ fresh permission for constructing first floor and basement on single level booths/ shops/ service booths". The details of the property are as under:

1. Name of the municipality:
2. Name of the applicant/owner:
3. Correspondence address of the applicant:
4. Phone No:
5. Address of the plot/ property in question:
 - a. Type of property: single level booth/ shops/ service booth (as per the allotment letter)
 - b. Property area (In sq. mtrs.):
 - c. Property ID:
 - d. Name of the Scheme along with its number (if any): (Model Town/ Improvement Trust Scheme/ Town Planning Scheme/ Any other scheme):
6. Regularization/ construction of first floor/ basement/ both:
 - a. Area of ground floor (In sq. mtrs.): and clear height (in meters):
 - b. Area of the first floor (In sq. mtrs.): and clear height (in meters):
 - c. Area of the basement (In sq. mtrs.): and clear height (in meters):
7. Copy of existing/ proposed building plans showing the intended :
 - a. Site plan (Scale 1:200)
 - b. All floor plans (Scale 1:100):
 - c. 2 sections (Scale 1:100):
 - d. 2 elevations (Scale 1:100):
8. Ownership documents (Sale deed/ Registry/ Allotment Letter):

Date:

Signature of the applicant

Letter of Intent - Form B

From

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>

<Correspondence address of the applicant>

1. It is hereby informed that your application dated for regularizing/ allowing construction of first floor/ basement/ both on your single level booth/shop/ service booth at <Address of the property>, has been examined in reference to the provisions of the "Policy for regularization/ fresh permission for constructing first floor and basement on single level booths/ shops/ service booths" issued on and found in order.
2. This office intent to grant you permission for regularization/ construction of first floor/ basement/ both on your already constructed single level booth/ shop/ service booth, subject to compliance of the followings:
 - a. Deposit Fees/ charges:
 - i. Charges for additional built-up i.e. first floor or basement or both:
 - ii. Composition fees (in case of regularization only):
 - b. You have to demolish the construction which is beyond the permitted construction .
3. It is also requested to comply with the above within 30 days of issuance of this letter, failing which this Lol stands withdrawn.

Date:

Signature of the Competent Authority

Approval Letter - Form C

From

The Commissioner/ Executive Officer/ Secretary,
Municipal Corporation/ Council/ Committee:

To

Sh. <Applicant>

<Correspondence address of the applicant>

1. It is hereby informed that your application dated for regularizing/ allowing construction of first floor/ basement/ both on your single level booth/shop/ service booth at <Address of the property>, has been examined in reference to the provisions of the "Policy for regularization/ fresh permission for constructing first floor and basement on single level booths/ shops/ service booths" issued on and found in order.
2. In compliance of the LOI dated issued by this office, the office has received fees/ charges and undertaking.
3. Therefore, it is hereby informed that your construction of first floor/ basement/ both has been regularized or you are permitted to initiate construction of first floor/ basement/ both on your single level booth/ shop/ service booth, as per the given plans (Copy enclosed).
4. This approval shall be valid subject to the followings:
 - a. You shall construct the building as per the approved plans.
 - b. You shall obtain Occupation Certificate within 2 years from the issuance of this letter, failing which the building shall be treated as illegal and liable for action as per the applicable laws.
(Only in case of fresh permission)

Date:

Signature of the Competent Authority