

HARYANA GOVERNMENT
TOWN AND COUNTRY PLANNING DEPARTMENT
NOTIFICATION

The 17th May, 2012

No. CCP(NCR)/FBD/(MGR)//DDP/2012/1509.- In exercise of the powers conferred by sub-section (4) of section 5 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Act 41 of 1963), the Governor of Haryana hereby publishes the Draft Development Plan-2031 AD, Manger alongwith the restrictions and conditions, proposed to be made applicable to the controlled areas declared by the Government and covered by it (as given in Annexure-A of the Draft Development Plan) for the information of all persons likely to be effected thereby.

Notice is hereby given that the draft development plan shall be taken into consideration by the Government on or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette, together with objections or suggestions, if any, which may be received by the Director, Town and Country Planning, Haryana, Aayojna Bhawan, Sector 18, Chandigarh, from any person in writing in respect of such plan before the expiry of the period so specified.

DRAWINGS

- (1) Existing Land Use Plan bearing drawing no. D.T.P(F)2676/12 dated 2nd May, 2012.
- (2) Draft Development Plan, Manger bearing drawing no. DTP(F)2632/10 dated 15th July, 2010/10th April, 2012.

ANNEXURE-A

Explanatory Note on the Draft Development Plan-2031 AD of controlled area, village Mangar and other controlled areas

Introduction:

Village Manger, Kot, Alampur, Pakhal, Bijipur, Khorl Jamalpur, Gothra Mohbatabad and Pali etc. are small villages located in the picturesque setting of Aravali Ranges near Delhi-Haryana Boarder in tehsil Ballabgarh, district Faridabad. Village Mangar is situated on the approach road from Faridabad-Gurgaon Road at a distance of about 15 Kilometres from Faridabad, whereas Pali is located on Ballabhgarh-Sohna Road at 8.5 Kilometres stone and Gothra Mohbatabad is situated on an approach Road from Ballabhgarh-Sohna Road at a distance of about 12 Kms. These were heitherto sleepy villages with subsistence agriculture and came to limelight only after the construction of Faridabad-Sohna and Faridabad-Gurgaon Roads. The crusher zones near village Pali (developed by M.C.F.) and village Dhoj (developed by HUDA) are existing in the area.

Topography:

The topography of the area around village Gothra Mohbatabad, Kot and Pali etc. is undulating with hilly terrain. Apart from the Aravalli ranges, the rest of area is plain and is being used for agricultural purposes. Presently the trend of development is mostly on the Ballabhgarh-Sohna Road, Pali-Badkhal road and Faridabad-Gurgaon road. Therefore, the Controlled Area around Primary School in village Mangar and other Controlled Areas around village Gothra Mohabatabad and village Pali etc. has been declared to prevent the haphazard growth on these roads. Secondly, the area around these villages have good natural environment due to the existing hills.

Major Land Use Proposals:

As explained above the main purpose of declaring controlled areas around these villages was to prevent haphazard growth on the important Faridabad-Gurgaon road in order to protect natural environment and to prevent unauthorized construction. The area falling within the controlled areas around Primary school in village Mangar and controlled area around village Gothra Mohabatabad and village Pali etc. is thus being proposed to be reserved for maintenance and preservation of existing activities and is being termed as agricultural/Hilly zones in the meaning of Act 41 of 1963.

Agricultural/Hilly zones however would not restrict the essential building activities within this area such as the extension of the existing village, contiguous to abadi Deh, if under taken under project approved or sponsored by the Government and other facilities necessary for maintenance and improvement of this rural area.

Where any industry or other building exists with valid sanction or prior to the notification of the area as controlled area, such building will continue to exist as non-conforming use or building contrary to the major land use contemplated for that part of the area.

The detail of the controlled areas covered in this Draft Development Plan are as under: -

Sr. No.	Name of the controlled area and notification No.	Material date
1	Controlled area declared around Primary School Village Kot vide Haryana Government gazette notification No. A-66/JD-89/1970 dated 03.02.1989 published on 03.02.1989.	03.02.1989
2	Controlled area declared around Primary School Village Alampur vide Haryana Government gazette notification No. A-66/JD-89/1972 dated 03.02.1989 published on 03.02.1989	03.02.1989
3	Controlled area declared around Primary School Village Mangar vide Haryana Government gazette notification No. 2701-10DP-82/8912 dated 7/9.06.1982 published on 6.07.1982	6.07.1982.
4	Controlled area part IV Faridabad declared vide Haryana Government gazette notification No. 2700-10DP-82/6532 dated 29.04.1982 published on 18.05.1982	18.05.1982
5	Controlled area on South-Western side of controlled area no. IV declared vide Haryana Government gazette notification (Pakhal) No. FCA/STP/89/P-46/1197 dated 17.06.1989 published on 27.06.1989	27.06.1989
6	Controlled area declared around Primary School Village Khorl Jamalpur vide Haryana Government gazette notification No. A-66/JD-89/1974 dated 3.02.1989 published on 3.02.1989	3.02.1989
7	Controlled area declared around Primary School Village Bijopur vide Haryana Government gazette notification No. JD-91/756 dated 22.01.1991 published on 28.01.1991.	28.01.1991
8	Additional controlled area declared around Primary School village Alampur vide Haryana Government gazette notification No. JD-91/759 dated 22.01.1991 published on 28.01.1991	28.01.1991
9	Additional controlled area declared around Primary School Village Khorl Jamalpur vide Haryana Government gazette notification No. JD-91/758 dated 22.01.1991 published on 28.01.1991	28.01.1991
10	Controlled area declared vide Haryana Government gazette notification No. CCP (NCR)/FBD-TIKRI-JHOPUR-MHLA/CA/2010/2376 dated 21.06.2010 published on 21.06.2010	21.06.2010
11	Controlled area declared vide Haryana Government gazette notification No. CCP (NCR)/FBD-KOT-MGR-DHOJ/CA/2010/2380 dated 21.06.2010 published on 21.06.2010	21.06.2010

The extent of proposed land uses is given as below:

Serial Number	Land Use	Area (Hectares)	% to Total Area
1	Transport and Communication	137.47	25.96
2	Open Spaces	392.00	74.04
Total Area		529.47	100.00

Description of Landuses:

1. Transport and Communication:

Under this use zone, only the widening of the existing roads have been proposed. An area of 137.47 hectares has been proposed for widening of the roads. The road reservation, proposed for the major roads, is as under:

Sr. No.	Classification of Road	Land reservation
i	V-I	90 Meters wide road alongwith 30 meters green belt on both sides.
ii	V-II	60 Meters wide road alongwith 30 meters green belt on both sides.

The existing major Faridabad-Sohna road has been proposed to be widened to 60 meters with 30 meters wide green belts on both sides, the Faridabad-Gurgaon road has been proposed to be widened to 90 meters with 30 meters wide green belts on both sides because of being scheduled roads. The village link

road from Faridabad-Gurgaon road to village Mangar-Silakhari-Dhauj-Alawalpur-Fatehpur Tagga upto the western peripheral road proposed in the Development Plan Faridabad-2031 A.D, has been proposed to be widened to 60 meters with 30 meters wide green belts on both sides.

2. Open Spaces:

The open spaces have been proposed over an area of 392 hectares, which are in the form of green belts along the major roads and to create buffer zone around the existing Crusher Zones. The already provided open space zone around the Pali Crusher Zone and Dhauj Crusher Zone, having an area of 248 hectares, will be used only for the purpose of thick plantation and any other use shall be prohibited in this area. The remaining area of 144 hectares under this zone has been proposed as restricted/green belts along the scheduled roads.

Agriculture Zone:

The whole area of the above controlled areas has been proposed as Agricultural/Hilly zone, however, it would not restrict the essential building activities within this area, such as, the extension of the existing village contiguous to Abadi Deh, if undertaken under a project approved for this rural area. An area of 200 meters width around the existing villages has been proposed for the natural expansion of the village abadi-deh.

Where any industry or other building such as H.E.M.S. projects abutting Pali-Mohabatabad crusher zone, exists with valid sanction or prior to the notification of the area as controlled area, such building will continue to exist as non-conforming use or building contrary to the major land use contemplated for that part of the area.

A large area of this Draft Development Plan is covered under the Punjab Land Preservation Act, 1900 and under Aravalli Plantation (106.58 hectares exclusively under PLPA, 1900; 607 hectares exclusively under Aravalli Plantation and 1274.33 hectares jointly covered by PLPA, 1900 as well as Aravalli Plantation), which has been distinctly shown in the Draft Development Plan and no construction activity will be permissible in this area except plantation.

Zoning Regulations:

The legal sanctity to the proposals regarding land use is being given to the effect by a set of zoning regulations, which form a part of this development plan. These regulations will govern the change of land use and standards of development. They also very elaborately detail out the allied and ancillary uses, which will be permitted in the various major land uses.

Annexure B

Governing use and development of land in the controlled area Mangar, shall be as shown in Draft Development Plan Drawing No. DTP(F)2632/10 dated 15th July, 2010/10th April, 2012.

I. General:

1. These Zoning Regulations, forming part of the Development Plan for the controlled area declared around Village Mangar, Kot, Alampur, Pakhal, Bijipur, Khori Jamalpur etc., shall be called the Zoning regulations of the Draft Development Plan for the Controlled Areas mentioned above.
2. The requirement of these regulations shall extend to the whole of the area covered by the draft development plan and shall be in addition to the requirements of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Act 41 of 1963) and the rules framed thereunder:

II. Definitions:

In these regulations;

- (i) **'Approved'** means approved under the Rules;
- (ii) **'Building Rules'** means the rules contained in part VII of the Rules;
- (iii) **'Drawing'** means Drawing No. DTP (F) 2632/10 dated 15th July, 2010/10th April, 2012.
- (iv) **'Green Belt'** shall mean a strip of land along sector/arterial road or as a buffer between incompatible uses shown in the development plan and is primarily meant for widening of the sector/arterial roads or as a buffer to check pollution like noise, smoke, dust harmful particles etc.
- (v) **'Floor Area Ratio (FAR)'** means the ratio expressed in percentage between the total floor area of a building on all floors and the total area of the site;

- (vi) **'Ledge or Tand'** means a shelf-like projection, supported in any manner whatsoever, except by means of vertical supports within a room itself but not having projection wider than one meter;
- (vii) **'Loft'** an intermediary floor on a residual space in a pitched roofs, above normal floor level with a maximum height of 1.5 meters and which is constructed or adopted for storage purposes;
- (viii) **'Material Date'** means the date on which the controlled areas around villages Mangar, Kot, Alampur, Pakhal, Bijipur, Khorl Jamalpur etc. were notified in Government Gazette.
- (ix) **'Mezzanine Floor'** an intermediate floor above ground level with area of mezzanine restricted to 1/3 of the area of that floor and with a minimum height of 2.2 metres;
- (x) **'Non-conforming use'** in respect of any land or building in a controlled area means the existing or proposed use of such land or building which is contrary to the major land use specified for that part of the area in the development plan;
- (xi) **'Public Utility Service Building'** means any building required for running of public utility services such as water-supply, drainage, electricity, telephone, post and telegraph and transport and for any municipal services including a fire station;
- (xii) **'Rules'** means the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965;
- (xiii) **'Site Coverage'** means ratio expressed in percentage between the area covered by the ground floor of building and the area of the site;
- (xiv) **'Subservient to Agriculture'** shall mean development and activities, which are required to assist in carrying out the process of agriculture such as tubewells, pump chambers, wind mills, irrigation's drains, pucca platforms, fencing and boundary walls, water hydrants etc.;
- (xv) The terms **'Act'**, **'Colony'**, **'Coloniser'**, **'Development Plan'**, **'Sector'** and **'Sector Plan'** shall have the same meaning as assigned to them in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (41 of 1963) and Rules, 1965;
- (xvi) Any other terms shall have the same meaning as assigned to it in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Act 41 of 1963), and rules 1965;

III. Major Land Uses/Zone:

- (1) Open Spaces Zone
- (2) Agriculture Zone

The classification of major land use is according to appendix 'A'.

IV. Land Reservations for Major Roads:

- (1) Land reservation for major roads marked in the drawing shall be as under:-

Sr. No.	Classification of Road	Land reservation
i	V-I	90 Meters wide road alongwith 30 meters green belt on both sides.
ii	V-II	60 Meters wide road alongwith 30 meters green belt on both sides.

V. Non conforming uses either existing or having valid change of land use permission:

- (1) With regard to the existing industries shown in the zones other than industrial zone in the development plan, such industrial non-conforming uses shall be allowed to continue for a fixed period to be determined by the Director but not exceeding ten years; provided that the owner of the industry concerned:-
 - (a) Undertakes to pay to the Director, as determined by him the proportionate charges towards the external development of the site as and when called upon by the Director to do so in this behalf;
 - (b) During the interim period makes satisfactory arrangements for the discharge of effluent to the satisfaction of the Director.
 - (c) Shall not be allowed to expand the existing project within the area of non conforming use.
- (2) With regard to the projects having valid change of land use permission, and located in the zones other than conforming use zone in the development plan, such non-conforming uses shall be allowed to continue, provided that the owner of the building concerned:-

- (a) Undertakes to pay to the Director, as determined by him the proportionate charges towards the external development of the site as and when called upon by the Director to do so in this behalf;
- (b) During the interim period makes satisfactory arrangements for the discharge of effluent to the satisfaction of the Director.

VI. Discontinuance of non conforming uses:

- (1) If a non-conforming use of land has remained discontinued continuously for a period of two years or more, it shall be deemed to have terminated and the land shall be allowed to be re-used or re-developed only according to the conforming use.
- (2) If a non-conforming use building is damaged to the extent of 50 percent or more of its re-production value by fire, flood, explosion, earthquake, war, riot or any other natural calamity, it shall be allowed to be re-developed only for a conforming use.
- (3) After the discontinuance of project included under clause V, the land shall be allowed to be re-developed or used only for conforming use.
- (4) After a lapse of period fixed under clause V(1), the land shall be allowed to be redeveloped or used only for conforming use.

VII. The development to conform to sector plan and zoning plan:

Except as provided in regulation V, no land within major land use shall be allowed to be used and developed for building purposes unless the proposed use and development is according to the details indicated in the sector plan and zoning plan or the approved colony plan in which the land is situated.

VIII. Relaxation of development plan:

Government may in case of hardship or with a view to save any structure constructed before the material date, relax any of the provisions of the Development Plan on principles of equity and justice on payment of such development charges and on such other conditions as it may deem fit to impose.

IX. Setting up of communication towers:

Permission of Mobile Towers within the Controlled area shall be granted as per the policy dated 13th January 2012 as amended from time to time.

**APPENDIX A
CLASSIFICATION OF LAND USES**

Main code	Sub code	Main group	Sub group
700		Open Spaces	
	710		Sports Grounds, Stadium and Play Grounds
	720		Parks
	730		Green Belts, Garden and other Recreational Uses.
	740		Cemetreies, crematories etc
	750		Fuel filling stations and Bus Queue shelters
	760		Water Bodies/lakes
800		Agricultural land	
	810		Market Garden
	820		Orchards and Nurseries
	830		Land Under staple crops
	840		Grazing and Land pastured
	850		Forest Land
	860		Marshy Land
	870		Barren Land
	880		Land under water
	890		Dairy Farming

APPENDIX B

I Open Spaces:

- (i) Parks and green belts
- (ii) Cemeteries crematories etc.
- (iii) Motor fuel filling stations, bus queue shelter along roads with the permission of Director
- (iv) Public utility services like electric grid station, transmission lines, communication lines, water supply lines, sewerage lines, drainage lines in the green belts along the scheduled roads and major roads.
- (v) Communication Towers
- (vi) Any other recreational use with the permission of Director.

At sites approved by Director, Town and Country Planning, Haryana

II Agriculture zone

- (i) Agricultural, Horticultural, dairy and poultry farming.
- (ii) Village houses within Abadi-deh
- (iii) Afforestation development of any of the part for recreation.
- (iv) Expansion of existing village contiguous to abadi-deh if undertaken in a project approved or sponsored by the Central Government, or State Government. An area of 200 meter width around the abadi deh of existing villages has been proposed for the natural expansion of abadi-deh.
- (v) Milk chilling station and pasteurization plant
- (vi) Bus Stand and railway station
- (vii) Wireless stations
- (viii) Grain godowns, storage space at sites approved by the Director, as per the policy of the Government.
- (ix) Weather stations
- (x) Land drainage and irrigation, hydroelectric works and tubewell for irrigation
- (xi) Telephone and electric transmission lines and poles
- (xii) Mining and extraction operations including lime and brick kilns, stones, quarries and crushing subject to the rules and at approved site
- (xiii) Cremation and burial grounds
- (xiv) Petrol filling station and service garages
- (xv) Hydro electric/thermal power plant sub-station
- (xvi) Liquid Petroleum Gas storage godowns with the approval of the Director
- (xvii) Dhabas along National Highway / Scheduled Roads in the area outside restricted/ green belt as under:

Sr. No.	Permissible Activity	Area		Commercial Component	Maximum Ground Coverage	Floor Area Ratio
		Minimum	Maximum			
1	Dhabas	1000 sq. meters	1 acre	50 Square metres	40%	40%

Provided the access permission is obtained from National Highway Authority of India if the site is located on National Highway, and from Executive Engineer, Public Works Department (Building and Roads) if the site is located on scheduled road.

- (xviii) Microwave Towers/Stations, Seismic Centers and Telecommunication Centers
- (xix) Communication Towers
- (xx) Ready Mix concrete Plants, Wet Mix Plants, Hot Mix Plants connected with the projects for which contract or work is assigned by Government or Government agency and to be set up on short term basis.
- (xxi) Mega Tourism projects as per the Mega Tourism Policy of the State Government as amended from time to time only upto area of 500 hectares subject to all statutory clearances and conforming to the orders passed by the Hon'ble Apex Court and after obtaining clearance and permission under the Forest Act, if the land is falling under the definition of Forest.
- (xxii) University to be set up by the State Government/Private University approved to be set up by the State Government on a maximum area of 40 hectares.
- (xxiii) Any other use, which Government may decide in public interest.

As approved by Director, Town and Country Planning, Haryana

S.S. Dhillon,
Financial Commissioner and Principal Secretary to
Government, Haryana, Town and Country Planning Department.