

Criteria Adopted for Regularization of Colonies

12 Sh. NEERAJ SHARMA (Faridabad Nit):

Will the Urban Local Bodies Minister be pleased to state:-

- a) the number of the unauthorized colonies regularized by the Government from to January, 2020 to 31 January, 2024 in the State togetherwith the district-wise details thereof;
- b) the criteria adopted for regularization of the unauthorized colonies; and
- c) whether the khasra no. 35//19/2, 20/2, 21, 40/1, 10, 11/2, 15/2, 16, 17, 20/1, 21, 22, 23, 35//21, 22/1/1, 53//1, 2, 3/1, 3/2 Rakba of mauza Gochi Faridabad have been passed or not; if not the reasons for not passing the said area togetherwith the time by which the said area is likely to be passed?

Dr. Kamal Gupta, Urban Local Bodies Minister

- a) 601 unauthorized colonies falling within municipal limits have been notified from 1st January, 2020 to 31st January, 2024 in the State. The district-wise list is enclosed at Annexure-I.
- b) The criteria for notification of the un-authorised colonies, as per provisions of the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Area (Special Provision) Act, 2016 and its amendment on 10.09.2021 is as under;
 - (i) As per section 3, "Declared Area "the Government may, by notification in the Official Gazette, declare any area falling within any municipal area to be the civic amenities and infrastructure deficient area where a resolution to such effect has been passed by the concerned municipality and recommended to that effect by the concerned Divisional Commissioner in case of a Municipal Corporation or by the concerned District Municipal Commissioner in case of a municipality, as per the norms notified by the Government from time to time.

- (ii) The norms for notifying the colonies under the Act has been notified on 03.03.2023. The copy of norms is enclosed at Annexure-II.
- (iii) As per Section 9, followings are exempted from consideration under the Act:-
- i. where any industrial unit is located;
 - ii. where any commercial building, mall, multiplex, hotel or banquet hall is located;
 - iii. The commercial, industrial, institutional, and uses other than residential shall not be considered under this notification till seeking permission for residential use. The copy of notification is enclosed at Annexure-III.
- c) The khasra no. 53//3 min falling in the revenue estate of village Gochi was notified vide notification no. S.O.31/H.A.13/2013/S.3/2014 dated 19.02.2014. Further, the remaining khasra number i.e. 35//19/2, 20/2, 21 is a part of left over pocket having polygon no. 6721 in the name of unapproved area forming a part of Parvatia colony for which survey is being done. Further the khasra nos. 40//1min, 10min, 11/1min, 11/2min, 15/1, 15/2, 16, 17, 20/1min, 20/2min, 21min, 22, 53//1min, 2, 3/1, 3/2 falling in the revenue estate of village Gochi are part of survey plan having colony ID no. 7235_4 (surveyed by Town & Country Planning Department) are shown as commercial/industrial in the survey plan prepared & verified by the Town & Country Planning Department. Hence the colony does not fulfil the criteria and is not recommended for notification, and no resolution was passed by the Municipal Corporation, Faridabad for the same.

ANNEXURE-I

**Details of Colonies notified from 1st January, 2020 to
31st January, 2024**

Total Nos. of Colonies Notified						
Sr.No.	District Name	2020	2021	2022	2023	2024
1	Ambala	-	-	-	0	0
2	Bhiwani	-	-	-	13	0
3	Charkhi Dadri	-	-	-	5	0
4	Faridabad	-	-	-	76	0
5	Fatehabad	-	-	-	38	0
6	Gurugram	-	-	-	16	0
7	Hisar	-	-	-	20	9
8	Jhajjar	-	-	-	44	0
9	Jind	-	-	-	49	6
10	Karnal	-	-	-	32	0
11	Kurukshetra	-	-	-	0	11
12	Kaithal	-	-	-	41	0
13	Mahendergarh	-	-	-	0	8
14	Nuh	-	-	-	0	0
15	Panchkula	-	-	-	0	10
16	Palwal	-	-	-	15	0
17	Panipat	-	-	-	0	0
18	Rewari	-	-	-	15	6
19	Rohtak	-	-	-	9	20
20	Sonipat	-	-	-	9	12
21	Sirsa	-	-	-	16	25
22	Yamunanagar	-	-	-	96	0
Total		NIL	NIL	NIL	494	107

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
NOTIFICATION

The dated 03.03.2023

No. 8/1/2023-4C-II.- In exercise of the powers conferred under section 3 of the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016 (14 of 2016), the Governor of Haryana hereby notifies the following norms for declaring an area within the municipal area as civic amenities and infrastructure deficient in the State, namely:-

1. The area shall be within the municipal limit comprising an unauthorized residential colony with any built up or no built up area.
2. The area shall not be less than two acres if the unauthorized colony is carved in isolation.
3. The approach road to the area shall not be less than six meters.
4. The area shall have all internal roads not less than three meters subject to the condition that the cumulative length of internal road having less than three meters width shall not exceed an average of twenty running meters per acre and the residents of plots abutting such roads agree for widening the road from their plots to minimum three meters width considering same alignment of road.
5. The boundary of the area shall exclude the followings:-
 - a) Vacant plots having areas more than 4000 square meters;
 - b) any public land including land belonging to Gram Panchayat (such as Shamlat Land including Jumla Mushtaka Mulakaan), Municipal Land, Waqf or land listed and delisted under the Haryana Land Preservation Act, 1900 (Punjab Act 11 of 1900) and area under river or its flood plain, choe etc.;
 - c) any restricted areas under the Works of Defence Act, 1903 (Central Act 7 of 1903), the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) or any other Act prohibiting the development of colonies or buildings in a particular area;
 - d) any restricted zone near the airport, defence land or ammunition depot;
 - e) any restricted area along schedule roads and National Highway or any other restricted area under any other law;
 - f) any land in alignment of proposed road (sector road, 24/18 meters wide internal roads) or green belt under the Development Plan;
 - g) any area notified by the Government;
 - h) any industrial unit, warehouse, shop, showroom, retail-outlet, commercial building, mall, multiplex, hotel, banquet hall, school, colleges, other institutional building and religious place shall be properly shown in the layout but shall not be included in the boundary of the area.

ARUN GUPTA

Additional Chief Secretary to Government, Haryana,
Urban Local Bodies Department.

HARYANA GOVERNMENT**LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 21st April, 2016

No. Leg. 17/2016.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 12th April, 2016 and is hereby published for general information :—

HARYANA ACT NO. 14 OF 2016**THE HARYANA MANAGEMENT OF CIVIC AMENITIES AND INFRASTRUCTURE DEFICIENT MUNICIPAL AREAS (SPECIAL PROVISIONS) ACT, 2016****AN****ACT**

to make special provisions for providing essential services in civic amenities and infrastructure deficient municipal areas in the State of Haryana and for matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Sixty-seventh Year of the Republic of India as follows :-

1. This Act may be called the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016. Short title.

2. In this Act, unless the context otherwise requires,- Definitions.

- (a) "competent authority" means an authority competent to take legal action for violations, under the provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953), or any other law for the time being in force;
- (b) "declared area" means an area declared to be civic amenities and infrastructure deficient area under section 3;
- (c) "essential services" means water supply, sewerage, roads and street lights;
- (d) "Government" means the Government of the State of Haryana in the Administrative Department;
- (e) "municipal area" means the municipal area as defined in the Haryana Municipal Act, 1973 (24 of 1973) or the Haryana Municipal Corporation Act, 1994 (16 of 1994), as the case may be;
- (f) "municipality" means a municipality as defined in the Haryana Municipal Act, 1973 (24 of 1973) and the Haryana Municipal Corporation Act, 1994 (16 of 1994);
- (g) "unauthorized building" means a building that has been erected in contravention of the provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953) or any other law for the time being in force.

- Declared area.
- 3.** The Government may, by notification in the Official Gazette, declare any area of the municipal area to be civic amenities and infrastructure deficient area wherein-
- (a) construction has taken place on more than fifty percent plots prior to the 31st March, 2015; and
 - (b) a resolution to this effect is passed by the concerned municipality and recommended by the concerned Divisional Commissioner in case of a Municipal Corporation and the Deputy Commissioner in case of a municipality:
- Provided that the resolution already passed by the concerned municipality and recommended by the Divisional Commissioner or the Deputy Commissioner, as the case may be, fulfils the criteria, laid down by the Government.
- Enforcement to be kept in abeyance.
- 4.** (1) Notwithstanding anything contained in any other State law for the time being in force in the State of Haryana, any judgment, decree or order of any court or any authority to the contrary, any rules, regulations or bye-laws made there under, the Government shall within a period of one year from the commencement of this Act, take all possible measures to finalize norms, policy guidelines and feasible strategies to deal with the problem of civic amenities and infrastructure deficiencies, in the declared areas.
- (2) All notices and restoration orders passed prior to the commencement of this Act, by any competent authority in the declared area for initiating legal action against persons who have sub-divided the land without authority or have erected or re-erected unauthorized buildings in contravention of provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), or any other law for the time being in force, shall be deemed to have been suspended in the declared area and no further punitive action shall be taken during the aforesaid period of one year, except in the cases forwarded and pending before any court.
- Regularisation of plots/buildings.
- 5.** Notwithstanding anything contained in any other State law for the time being in force, the concerned municipality under which the declared area falls, may initiate action for providing essential services in such an area and further the plots or buildings located in the declared area shall, subject to the payment of fee and fulfillment of the terms and conditions within the specified time, as may be prescribed, be deemed to be regularized.
- Entitlement for benefit.
- 6.** No person shall be entitled to claim any benefit or relief-unless all the terms and conditions as specified by the Government have been fulfilled and requisite fee, as may be prescribed by the Government, has been deposited.
- Immunity
- 7.** (1) No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made there under.
- (2) No suit or other legal proceedings shall lie against the Government in respect of any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.
- Bar of jurisdiction.
- 8.** No civil court shall have the jurisdiction to entertain any suit relating to matters falling under this Act or the rules made thereunder.
- Exemptions.
- 9.** Nothing in this Act shall apply to any area-
- (a) which is notified/covered under the Land Acquisition Act, 1894 (Central Act 1 of 1894), the Forest Conservation Act, 1980 (Central Act 69 of 1980), the Environment Protection Act, 1986 (Central Act 29 of 1986), the Works of Defence Act, 1903 (Central Act 7 of 1903), the Indian Electricity Act, 1910 (Central Act 9 of 1910) or any other Central Act;

- (b) owned by the Central or the State Government;
- (c) owned by Boards and Corporations of the Central or the State Government;
- (d) owned by public sector undertakings constituted under any law;
- (e) where any industrial unit is located;
- (f) where any commercial building, mall, multiplex, hotel or banquet hall is located;
- (g) where any other type of building, as may be prescribed by the Government, is located.

10. The Government may, by notification in the Official Gazette and subject to previous publication, make rules for carrying out the purposes of this Act. Power to make rules.

11. (1) The Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2013 (Haryana Act 13 of 2013), is hereby repealed. Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

KULDIP JAIN,
Secretary to Government Haryana,
Law and Legislative Department.

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 10th September, 2021

No. Leg.24/2021.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 4th September, 2021 and is hereby published for general information:-

HARYANA ACT NO.24 OF 2021

**THE HARYANA MANAGEMENT OF CIVIC AMENITIES AND INFRASTRUCTURE
DEFICIENT MUNICIPAL AREAS (SPECIAL PROVISIONS)
AMENDMENT ACT, 2021**

AN

ACT

further to amend the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016.

BE it enacted by the Legislature of the State of Haryana in the Seventy-second Year of the Republic of India as follows:-

1. This Act may be called the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Amendment Act, 2021. Short title.
2. For section 3 of the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016 (hereinafter called the principal Act), the following section shall be substituted, namely:- Substitution of section 3 of Haryana Act 14 of 2016.

“3. Declared area.— The Government may, by notification in the Official Gazette, declare any area falling within any municipal area to be the civic amenities and infrastructure deficient area where a resolution to such effect has been passed by the concerned municipality and recommended to that effect by the concerned Divisional Commissioner in case of a Municipal Corporation or by the concerned District Municipal Commissioner in case of a municipality, as per the norms notified by the Government from time to time.”.
3. For section 4 of the principal Act, the following section shall be substituted, namely:- Substitution of section 4 of Haryana Act 14 of 2016.

“4. Enforcement to be kept in abeyance.— (1) Notwithstanding anything contained in any other State law for the time being in force in the State of Haryana including any rules, regulations or bye-laws made thereunder, or any judgment, decree or order of any court or any authority to the contrary, the Government shall take all possible measures to finalise norms, policy guidelines and feasible strategies to deal with the problem of civic amenities and infrastructure deficiencies in the declared area.

(2) All notices and restoration orders passed prior to the commencement of this Act or before the declaration is made under section 3 of the Act to this effect, as the case may be, by any competent authority in the declared area for initiating legal action against persons who have subdivided the land without authority or have erected or re-erected unauthorised building in contravention of the provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Haryana Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), or any other law for the time being in force, shall be deemed to have been suspended in the declared area and no further punitive action shall be taken in such cases, except cases which have been forwarded to or pending before any court of law.”.

Insertion of
section 9A in
Haryana Act 14 of
2016.

4. After section 9 of the principal Act, the following section shall be inserted, namely:-

“9A. Power to relax.— If the Government is of the opinion that the operation of any of the provisions of the Act or any part of notification(s) issued under the Act causes or has caused undue hardship or circumstances exist which render it expedient so to do, it may, subject to such terms and conditions as it may impose, by an order, give relaxation to any class of persons or area or land from all or any provisions of the Act.”.

BIMLESH TANWAR,
ADMINISTRATIVE SECRETARY TO GOVERNMENT,
HARYANA, LAW AND LEGISLATIVE DEPARTMENT.

कॉलोनियों को नियमित करने के लिए अपनाए गए मानदंड

12 श्री नीरज शर्मा (फरीदाबाद एनआईटी):

क्या शहरी स्थानीय निकाय मंत्री कृपया बताएंगे कि :-

क) राज्य में जनवरी, 2020 से 30 जनवरी, 2024 तक कितनी अनधिकृत कॉलोनियों को नियमित किया गया है तथा उनका जिलेवार ब्यौरा क्या है;

ख) अनधिकृत कॉलोनियों को नियमित करने के लिए अपनाए गए मानदंड क्या है;

ग) क्या मौजा गौच्छ, फरीदाबाद के खसरा नं. 35//19/2, 20/2, 21, 40/1, 10, 11/2, 15/2, 16, 17, 20/1, 21, 22, 23, 35//21, 22/1/1, 53//1, 2, 3/1, 3/2 का रकबा पास किया है या नहीं ; यदि नहीं, तो उक्त क्षेत्र के पास न होने के कारण क्या हैं तथा उक्त क्षेत्र को कब तक पास किये जाने की संभावना है ?

डॉ कमल गुप्ता, शहरी स्थानीय निकाय मंत्री

क) 1 जनवरी, 2020 से 31 जनवरी, 2024 तक राज्य में नगरपालिकाओं की सीमा के अन्दर 601 अनधिकृत कॉलोनियों को अधिसूचित किया गया है। जिलेवार सूची अनुलग्नक-I पर संलग्न है।

ख) हरियाणा नगरपालिका क्षेत्रों में अपूर्ण नागरिक सुख-सुविधाओं तथा अवसरंचना का प्रबंधन (विशेष उपबन्ध) अधिनियम, 2016 के प्रावधानों और 10.09.2021 को इसके संशोधन के अनुसार अनधिकृत कॉलोनियों की अधिसूचना के मानदंड निम्नानुसार हैं;

(i) धारा 3 के अनुसार, "घोषित क्षेत्र" सरकार राजपत्र में अधिसूचना द्वारा, किसी नगरपालिका क्षेत्र के भीतर आने वाले किसी क्षेत्र को अपूर्ण नागरिक सुख-सुविधाओं तथा अवसरंचना क्षेत्र के रूप में घोषित कर सकती है, जहां सरकार द्वारा, समय-समय पर, अधिसूचित मापदंडों के अनुसार सम्बद्ध नगरपालिका द्वारा ऐसे प्रभाव का संकल्प पारित किया गया है तथा किसी नगर निगम की दशा में सम्बद्ध मण्डल आयुक्त द्वारा या किसी नगरपालिका की दशा में सम्बद्ध जिला नगर आयुक्त द्वारा उस प्रभाव की सिफारिश की गई है।

(ii) अधिनियम के तहत कॉलोनियों को अधिसूचित करने के मानक 03.03.2023 को अधिसूचित किए गए हैं। मानक की प्रति अनुलग्नक-II पर संलग्न है।

(iii) धारा 9 के अनुसार, निम्नलिखित को अधिनियम के तहत विचार से छूट दी गई है:-

i. जहां कोई औद्योगिक इकाई स्थित है;

ii. जहां कोई व्यावसायिक भवन, मॉल, मल्टीप्लेक्स, होटल या बैंक्वेट हॉल स्थित है;

iii. आवासीय उपयोग के लिए अनुमति मांगने तक इस अधिसूचना के तहत वाणिज्यिक, औद्योगिक, संस्थागत और आवासीय के अलावा अन्य उपयोग पर विचार नहीं किया जाएगा। अधिसूचना की प्रति अनुलग्नक- III पर संलग्न है।

ग) खसरा क्रमांक 53//3 मिन रकबा मौजा गौच्छ, फरीदाबाद को अधिसूचना संख्या **No.S.O. 31/H.A.13/2013/S.3/2014** दिनांक 19.02.2014 द्वारा अधिसूचित किया गया था। इसके अलावा, बचे हुए खसरा क्रमांक 35//19/2, 20/2, 21 बहुभुज क्रमांक 6721 का हिस्सा है जोकि अस्वीकृत क्षेत्र पर्वतीया कॉलोनी का भाग है जिसके लिए सर्वेक्षण किया जा रहा है। खसरा संख्या 40//1 मिन, 10 मिन, 11/1 मिन, 11/2 मिन, 15/1, 15/2, 16, 17, 20/1 मिन, 20/2 मिन, 21 मिन, 22, 53//1 मिन, 2, 3/1, 3/2 राजस्व सम्पदा गांव गौच्छ, फरीदाबाद सर्वे योजना कॉलोनी आई डी नं0 7235_4 का हिस्सा है (जिसका सर्वे नगर एवं ग्राम आयोजना विभाग द्वारा किया गया है) में उक्त क्षेत्र को नगर एवं ग्राम आयोजना विभाग द्वारा तैयार एवं सत्यापित किये गये सर्वे योजना में वाणिज्यिक/औद्योगिक के रूप में दर्शाया गया है। इसलिए उक्त कॉलोनी के खसरा नं0 मानदंडों को पूरा नहीं करते हैं, इसलिए इसकी अधिसूचना की अनुशंसा नहीं की गई है और नगर निगम फरीदाबाद द्वारा भी कोई प्रस्ताव इसके लिए पारित नहीं किया गया है।

अनुलग्नक-I

1 जनवरी, 2020 से 31 जनवरी, 2024 तक अधिसूचित कॉलोनियों का विवरण
अधिसूचित कॉलोनियों की कुल संख्या

क्रम सं०	जिले का नाम	2020	2021	2022	2023	2024
1	अम्बाला	.	.	.	0	0
2	भिवानी	.	.	.	13	0
3	चरखी दादरी	.	.	.	5	0
4	फरीदाबाद	.	.	.	76	0
5	फतेहाबाद	.	.	.	38	0
6	गुरुग्राम	.	.	.	16	0
7	हिसार	.	.	.	20	9
8	झज्जर	.	.	.	44	0
9	जींद	.	.	.	49	6
10	करनाल	.	.	.	32	0
11	कुरुक्षेत्र	.	.	.	0	11
12	कैथल	.	.	.	41	0
13	महेन्द्रगढ	.	.	.	0	8
14	नूंह	.	.	.	0	0
15	पंचकूला	.	.	.	0	10
16	पलवल	.	.	.	15	0
17	पानीपत	.	.	.	0	0
18	रेवाडी	.	.	.	15	6
19	रोहतक	.	.	.	9	20
20	सोनीपत	.	.	.	9	12
21	सिरसा	.	.	.	16	25
22	यमुनानगर	.	.	.	96	0
कुल		0	0	0	494	107

**हरियाणा सरकार
शहरी स्थानीय निकाय विभाग
अधिसूचना**

दिनांक 03.03.2023

संख्या 8/1/2023-4C-II .- हरियाणा नगरपालिका क्षेत्रों में अपूर्ण नागरिक सुखसुविधाओं तथा अवसंरचना का प्रबंधन (विशेष उपलब्ध) अधिनियम, 2016 (2016 का 14) की धारा 3 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, राज्य में नगरपालिका क्षेत्र के भीतर किसी क्षेत्र को अपूर्ण नागरिक सुखसुविधाओं तथा अवसंरचना के रूप में घोषित करने के लिए निम्नलिखित मानक विनिर्दिष्ट करते हैं, अर्थात्:-

1. क्षेत्र, किसी निर्मित या अनिर्मित क्षेत्र के साथ किसी अप्राधिकृत आवासीय कॉलोनी से मिलकर बनी नगरपालिका सीमा के भीतर होगा।
2. क्षेत्र दो एकड़ से कम नहीं होगा, यदि अप्राधिकृत आवासीय कॉलोनी को एकांत में विकसित किया गया है।
3. क्षेत्र तक उपागमन सड़क छह मीटर से कम नहीं होगी।
4. क्षेत्र में सभी आंतरिक सड़कें तीन मीटर से कम नहीं होंगी इस शर्त के अधीन कि तीन मीटर से कम चौड़ाई वाली आंतरिक सड़कों की संचयी लंबाई औसतन बीस रनिंग मीटर प्रति एकड़ से अधिक नहीं होगी तथा ऐसी सड़कों से सटे प्लाटों के निवासी, सड़क के समान संरक्षण को ध्यान में रखते हुए, उनके प्लाट से सड़क को न्यूनतम तीन मीटर तक चौड़ा करने के लिए सहमत हों।
5. क्षेत्र की परिसीमा में निम्नलिखित शामिल नहीं होंगे:-
 - (क) चार हजार वर्गमीटर से अधिक क्षेत्र वाले खाली प्लाट ;
 - (ख) कोई सार्वजनिक भूमि जिसमें ग्राम पंचायत से संबन्धित भूमि (जैसे जुमला मुश्तरका मालकान सहित शामलात भूमि), नगरपालिका भूमि, वक्फ या हरियाणा भू-परिक्षण अधिनियम, 1990 (1900 का पंजाब अधिनियम 11) के अधीन क्षेत्र सूचीबद्ध तथा असूचीबद्ध भूमि तथा नदी या उसके बाढ़ मैदान, जो आदि के अधीन क्षेत्र;
 - (ग) रक्षा संकर्म अधिनियम, 1903 (1903 का केन्द्रीय अधिनियम 7), प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का केन्द्रीय अधिनियम 24) या किसी अन्य अधिनियम के अधीन किसी विशेष क्षेत्र में कॉलोनियों या इमारतों के विकास को प्रतिबंधित करने वाले किसी अन्य अधिनियम के अधीन प्रतिबंधित क्षेत्र ;
 - (घ) हवाई अड्डा, रक्षा भूमि या गोलाबारूद डिपो के निकट कोई प्रतिबंधित जोन ;
 - (ङ) अनुसूचित सड़कों और राष्ट्रीय राजमार्ग के साथ कोई प्रतिबंधित क्षेत्र या किसी अन्य विधि के अधीन कोई अन्य प्रतिबंधित क्षेत्र ;
 - (च) प्रस्तावित सड़क (सेक्टर सड़क, 24/18 मीटर चौड़ी आंतरिक सड़कें) या विकास योजना के अधीन हरित पट्टी के संरक्षण में कोई भूमि ;
 - (छ) सरकार द्वारा अधिसूचित कोई क्षेत्र ;
 - (ज) किसी औद्योगिक इकाई, भाण्डागार, दुकान शोरूम, रिटेल-आउटलेट, वाणिज्यिक निर्माण, मॉल, मल्टीप्लेक्स, होटल, दावत खाना, विद्यालय, महाविद्यालय, अन्य संस्थागत निर्माण और धार्मिक स्थानों को लेआउट में उचित रूप से दर्शाया जाएगा, किन्तु क्षेत्र की परिसीमा में शामिल नहीं किया जाएगा।

अरुण गुप्ता

अतिरिक्त मुख्य सचिव, हरियाणा सरकार,
शहरी स्थानीय निकाय विभाग।

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 21st April, 2016

No. Leg. 17/2016.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 12th April, 2016 and is hereby published for general information :—

HARYANA ACT NO. 14 OF 2016

**THE HARYANA MANAGEMENT OF CIVIC AMENITIES AND INFRASTRUCTURE
DEFICIENT MUNICIPAL AREAS (SPECIAL PROVISIONS) ACT, 2016**

**AN
ACT**

*to make special provisions for providing essential services in civic amenities
and infrastructure deficient municipal areas in the State of Haryana and
for matters connected therewith and incidental thereto.*

Be it enacted by the Legislature of the State of Haryana in the Sixty-seventh Year of the Republic of India as follows :-

1. This Act may be called the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016. Short title.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (a) "competent authority" means an authority competent to take legal action for violations, under the provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953), or any other law for the time being in force;
 - (b) "declared area" means an area declared to be civic amenities and infrastructure deficient area under section 3;
 - (c) "essential services" means water supply, sewerage, roads and street lights;
 - (d) "Government" means the Government of the State of Haryana in the Administrative Department;
 - (e) "municipal area" means the municipal area as defined in the Haryana Municipal Act, 1973 (24 of 1973) or the Haryana Municipal Corporation Act, 1994 (16 of 1994), as the case may be;
 - (f) "municipality" means a municipality as defined in the Haryana Municipal Act, 1973 (24 of 1973) and the Haryana Municipal Corporation Act, 1994 (16 of 1994);
 - (g) "unauthorized building" means a building that has been erected in contravention of the provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), the Punjab New Capital (Periphery) Control Act, 1952 (Punjab Act 1 of 1953) or any other law for the time being in force.

- Declared area.
- 3.** The Government may, by notification in the Official Gazette, declare any area of the municipal area to be civic amenities and infrastructure deficient area wherein-
- (a) construction has taken place on more than fifty percent plots prior to the 31st March, 2015; and
 - (b) a resolution to this effect is passed by the concerned municipality and recommended by the concerned Divisional Commissioner in case of a Municipal Corporation and the Deputy Commissioner in case of a municipality:
- Provided that the resolution already passed by the concerned municipality and recommended by the Divisional Commissioner or the Deputy Commissioner, as the case may be, fulfils the criteria, laid down by the Government.
- Enforcement to be kept in abeyance.
- 4.** (1) Notwithstanding anything contained in any other State law for the time being in force in the State of Haryana, any judgment, decree or order of any court or any authority to the contrary, any rules, regulations or bye-laws made there under, the Government shall within a period of one year from the commencement of this Act, take all possible measures to finalize norms, policy guidelines and feasible strategies to deal with the problem of civic amenities and infrastructure deficiencies, in the declared areas.
- (2) All notices and restoration orders passed prior to the commencement of this Act, by any competent authority in the declared area for initiating legal action against persons who have sub-divided the land without authority or have erected or re-erected unauthorized buildings in contravention of provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), or any other law for the time being in force, shall be deemed to have been suspended in the declared area and no further punitive action shall be taken during the aforesaid period of one year, except in the cases forwarded and pending before any court.
- Regularisation of plots/buildings.
- 5.** Notwithstanding anything contained in any other State law for the time being in force, the concerned municipality under which the declared area falls, may initiate action for providing essential services in such an area and further the plots or buildings located in the declared area shall, subject to the payment of fee and fulfillment of the terms and conditions within the specified time, as may be prescribed, be deemed to be regularized.
- Entitlement for benefit.
- 6.** No person shall be entitled to claim any benefit or relief-unless all the terms and conditions as specified by the Government have been fulfilled and requisite fee, as may be prescribed by the Government, has been deposited.
- Immunity
- 7.** (1) No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made there under.
- (2) No suit or other legal proceedings shall lie against the Government in respect of any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.
- Bar of jurisdiction.
- 8.** No civil court shall have the jurisdiction to entertain any suit relating to matters falling under this Act or the rules made thereunder.
- Exemptions.
- 9.** Nothing in this Act shall apply to any area-
- (a) which is notified/covered under the Land Acquisition Act, 1894 (Central Act 1 of 1894), the Forest Conservation Act, 1980 (Central Act 69 of 1980), the Environment Protection Act, 1986 (Central Act 29 of 1986), the Works of Defence Act, 1903 (Central Act 7 of 1903), the Indian Electricity Act, 1910 (Central Act 9 of 1910) or any other Central Act;

- (b) owned by the Central or the State Government;
- (c) owned by Boards and Corporations of the Central or the State Government;
- (d) owned by public sector undertakings constituted under any law;
- (e) where any industrial unit is located;
- (f) where any commercial building, mall, multiplex, hotel or banquet hall is located;
- (g) where any other type of building, as may be prescribed by the Government, is located.

10. The Government may, by notification in the Official Gazette and subject to previous publication, make rules for carrying out the purposes of this Act. Power to make rules.

11. (1) The Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2013 (Haryana Act 13 of 2013), is hereby repealed. Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

KULDIP JAIN,
Secretary to Government Haryana,
Law and Legislative Department.

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 10th September, 2021

No. Leg.24/2021.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 4th September, 2021 and is hereby published for general information:-

HARYANA ACT NO.24 OF 2021

**THE HARYANA MANAGEMENT OF CIVIC AMENITIES AND INFRASTRUCTURE
DEFICIENT MUNICIPAL AREAS (SPECIAL PROVISIONS)
AMENDMENT ACT, 2021**

AN

ACT

further to amend the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016.

BE it enacted by the Legislature of the State of Haryana in the Seventy-second Year of the Republic of India as follows:-

1. This Act may be called the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Amendment Act, 2021. Short title.
2. For section 3 of the Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016 (hereinafter called the principal Act), the following section shall be substituted, namely:- Substitution of section 3 of Haryana Act 14 of 2016.

“3. Declared area.— The Government may, by notification in the Official Gazette, declare any area falling within any municipal area to be the civic amenities and infrastructure deficient area where a resolution to such effect has been passed by the concerned municipality and recommended to that effect by the concerned Divisional Commissioner in case of a Municipal Corporation or by the concerned District Municipal Commissioner in case of a municipality, as per the norms notified by the Government from time to time.”.
3. For section 4 of the principal Act, the following section shall be substituted, namely:- Substitution of section 4 of Haryana Act 14 of 2016.

“4. Enforcement to be kept in abeyance.— (1) Notwithstanding anything contained in any other State law for the time being in force in the State of Haryana including any rules, regulations or bye-laws made thereunder, or any judgment, decree or order of any court or any authority to the contrary, the Government shall take all possible measures to finalise norms, policy guidelines and feasible strategies to deal with the problem of civic amenities and infrastructure deficiencies in the declared area.

(2) All notices and restoration orders passed prior to the commencement of this Act or before the declaration is made under section 3 of the Act to this effect, as the case may be, by any competent authority in the declared area for initiating legal action against persons who have subdivided the land without authority or have erected or re-erected unauthorised building in contravention of the provisions of the Haryana Municipal Act, 1973 (24 of 1973), the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975), the Haryana Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), or any other law for the time being in force, shall be deemed to have been suspended in the declared area and no further punitive action shall be taken in such cases, except cases which have been forwarded to or pending before any court of law.”.

Insertion of
section 9A in
Haryana Act 14 of
2016.

4. After section 9 of the principal Act, the following section shall be inserted, namely:-

“9A. Power to relax.— If the Government is of the opinion that the operation of any of the provisions of the Act or any part of notification(s) issued under the Act causes or has caused undue hardship or circumstances exist which render it expedient so to do, it may, subject to such terms and conditions as it may impose, by an order, give relaxation to any class of persons or area or land from all or any provisions of the Act.”.

BIMLESH TANWAR,
ADMINISTRATIVE SECRETARY TO GOVERNMENT,
HARYANA, LAW AND LEGISLATIVE DEPARTMENT.