NAME OF THE PARTY OF THE PARTY

(ii) all acts, proceedings or things done or actions taken or which may have been done or taken by the Corporation and by the Government under the above mentioned notifications with regard to imposition and collection of property tax, be deemed to be, and to have always been done and taken in accordance with law and shall not be called in question before any court of law on this ground;

- (ii) no suit or other proceedings shall be maintained or continued in any court or before any authority in relation to imposition of property tax, so imposed under the above mentioned notifications; and
- (iii) no court or authority shall enforce a decree or order directing the cancellation of imposition of property tax due to not following the procedure as laid down under section 87 of the Act.]
- 88. Fees that may be charged by the Corporation.- (1) Subject to the prior approval of the Government, the Corporation may in the manner prescribed levy a fee with regard to the following:
 - i) a fee on advertisements other than advertisements in the newspapers;
 - ii) a fee on building applications;
 - iii) development fee for providing and maintaining civic amenities in certain areas;
 - iv) a fee with regard to lighting;
 - v) a fee with regard to a scavenging;
 - vi) a fee in the nature of costs for providing internal services in a building scheme or town planning schemes;
 - vii) any other fee as deemed fit by the Corporation for services rendered.
 - (2) The rates at which and the conditions subject to which the fees as laid down in sub-section (1), may be levied by the Corporation, would be decided by the Government.

Comments

Section 88, 392, 393 – Framing of bye-laws – Erection Communication towers bye-laws – Contention on behalf of the petitioners that telecom services falling within the domain of Union Government in terms of Entry 31 of List-I to the Seventh Schedule of the Constitution of India, any interference in the process may be in the form of grant of permission for erection of tower, would be totally incompetent repelled –Held that there is no merit in the contentions raised by learned counsel for the petitioners that the State is transgressing the power as conferred on the Union of India with reference to Entry 31 of List-I to the Seventh Schedule of the Constitution of India. M/s. Wireless TT Info Services Limited and another vs. State of Haryana and others.

89. Components and rates of taxes of lands and buildings.- (1) Save as otherwise provided in this Act, taxes on lands and buildings in the Municipal area shall consist of the following, namely:-

Feasibility Report etc. were given - In the said notification, no incentive or exemption from payment of house tax was given - As far as notification dated 13.12.2001 issued by the State Government under Section 69 read with sub-Section (1) of Section 84 of the Act is concerned, the said notification exempts certain buildings and lands from the payment of house tax - Clause 8 of the said notification provides that "In the case of industrial and institutional units/buildings, the value of the vacant portion of land, which has not been constructed upon shall not be counted for assessment of the tax" - In the said notification, it has not been stated that the vacant portion of the land of tourist complex which has not been constructed shall be exempted for the assessment of house tax - The Commissioner & Secretary to Govt, Haryana, Urban Development Department vide Memo dated 4.4,2003 has issued guidelines regarding fixation of house tax on the buildings and land of the tourist places - By these guidelines, it has been observed that the State Government after considering the facts have taken a decision that those tourist complexes having more than three acres land, their vacant land of the building will be left out at the time of calculating the house tax - Since the vacant land of the tourist complex of the petitioner is less than three acres, therefore, the petitioner complex is not entitled for the benefit given to big tourist complexes by the said notification - This aspecthas also rightly been considered by the Financial Commissioner Do not find any illegality in the impugned order. Shama Tourist Complex, Gurgaon vs. State of Haryana and others 2008(4) RCR(Civil) 647: 2008(4) PLR 94 (DB) (P&H).

70. Taxes that may be imposed.— (1) Subject to any general or special orders of the State Government in this behalf and to the rules, a committee may, from time to time, for the purposes of this Act, impose in the whole or any part of the municipality any of the following taxes, tolls and fees, namely:-

- (i) a tax on professions, trades, callings and employments;
- ¹[(ii) a tax on vehicle plying for hire or kept or registered under the Motor Vehicles Act, 1988 (Act 59 of 1988), within the municipality;]
- (iii) a tax on animals used for riding, draught or burden, kept for use within the municipality, whether they are actually kept within or outside the municipality;
- (iv) a tax on dogs kept within the municipality;
- (v) a show tax;
- ²[(vi) a toll on vehicles entering the municipality;]
- (vii) a tax on boats moored within the municipality;
- ³[(viii) a tax on the consumption of electricity at the rate of two percent of the electricity bill consumed by any person within the limit of the municipality."

Substituted by Haryana Act No. 14 of 2000.

² Substituted by Haryana Act No. 14 of 2000.

³ Substituted by Haryana Act No. 32 of 2017 dated 23.11.2017.

1[(vilia) a fire tax;

(vilib) a sanitation tax;

a tax on driving licences issued under the Motor Vehicles Act, 1988 (vilic) (Act 59 of 1988), within the municipality;

a development tax on the increase in urban land values caused by (viild) the execution of any development or improvement work;

2{*****}] (viiie)

a fee with regard to pligrimages: (ix)

a fee with regard to drainage; (x)

a fee with regard to lighting: (xi)

a fee with regard to scavenging: (xii)

a fee for cleansing of latrines and privies: (xiii)

a fee in the nature of costs for providing internal services under the (xiv) scheme framed under section 203:

with the previous sanction of the State Government, any other tax, toll or fee which the State Legislature has power to impose in the State under the Constitution of India.

(2) The rates of any tax, toll or fee under sub-section (1) except that under clause (viii) thereof shall be determined by the committee:

Provided that such rates shall not exceed the maximum limits which the State Government may, from time to time, by notification, specify in this behalf.

Comments

Annual letting value. The annual letting value of the house was to be determined on the basis of the principles of the fair rent which again is determinable under Section 4 of the East Punjab Urban Rent Restriction Act, 1949. No such consideration that the premises are situated in Anardana Chowk can prevail with the authorities for enhancing the annual rental value.

It was further held in Kidar Nath's case (supra) that which is relevant is the reasonable rent on which the premises can be expected to be let out in case the owner is willing to let them out. Sadhu Ram vs. Deputy Commissioner, Patiala and others, 1989 P L J 450.

Inserted vide Haryana Act No. 14 of 2000.

Clause (viiie) omitted by Haryana Act No. 22 of 2012 (w.e.f. 01.04.2010), prior to omission, clause (viile) was read as under:-

⁽ville) a general tax not more than 15% of the annual value of buildings and lands within the municipal area:

Provided that the general tax may be levied on a graduated scale, if the government so

Provided further that the general tax would not be leviable on the buildings and lands within the Lal Dora of villages forming part of the municipal area provided they are self-occupied. Also see Section 13 (Validation) of the Haryana Act No. 22 of 2012.

extract from Haryana Government Gazette (Extra.), dated the 14th February, 2003 |

HARYANA GOVERNMENT URBAN DEVÉLOPMENT DEPARTMENT

Notification

The 14th February, 2003

No. 19/1/98-1C1.—In exercise of the powers conferred by the provise to Sub-section (2) of Section 70 of the Haryana Municipal Act, 1973 (Act 24 of 1973) and all other powers enabling him in this behalf, and in Supersession of Haryana Government, Local Government Department, notification No. 19/1/98-1C1, dated the 27th May, 1998, the Governor of Haryana bereby specifies the following maximum limits of rates of fees which may be imposed by the Municipal Councils/Municipal Committees for providing internal services to the owners of the buildings and plots in the areas to be covered under Sub-section (1) of Section 203'A' of the said Act, namely:—

Class of Municipality	Maximum limit of rate of fee
1. Municipal Council	One hundred twenty rupees per square yard
2. Municipal Committee	Eighty rapees per square yard

MANIK SONAWANE,

Commissioner and Secretary to Government Haryana, Urban Development Department.

35541---C.S.---H.G.P., Chd

2

Director, Urban Development, Haryana, Chandigarh.

Secretary, Municipal Committee, Ladwa.

Memo no. CTP/2004/AIIV 14 58
Dated 10-1-05

Subject:

Sanction and composition of building plans of the retail outlet of Reliance industry itd., at Pipli Road, Ladwa

Reference:

In continuation of this office memo no. CTP/2004/Alii/41609, dated 11.11.2004

It is intimated that the commercial rate of Development Charges for Ladwa Town is Rs. 316/- per sq. metres. You are requested to consider the case for sanction of building plans as the provision of Haryana Municipal Act, 1973 after charging the composition fee and Development Charges at above rate. The original building plans received from your office are also returned herewith.

District Town Planner
For Director Urban Development,
Haryana, Chandigarh.

Endst. No. CTP/2005/AIII 1429-95

Dated 10-1-05

A copy alongwith rates of commercial use rate of Development Charges is forwarded to all the Secretaries/Executive Officers of Municipal Councils / Committees in the Haryana State.

District Town Planner For Director Urban Development, Haryana, Chandigarh.

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	Approv	ed Rates	of EDC for va	arious towns	
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- C	2 Panchkula)		1000	(Rs. 1263/-)	
-	Zone	6,75,400/-	31,93,300/-7	31,93,300/-	_
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	Ganaur and	į			30
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ا	The above rates will be inci	reased by 10% o	on lst day of every co	alendar voor	

From

Director, Urban Development, Harvana, Chandigarh.

To

All the Executive Officers/Secretaries Municipal Councils/Committees, Harvana.

Memo no C.T.P./AIII/2005 17 12 5 - 91

Subject:

Clarifications regarding levy and recovery of Development

Reference: In continuation of this office memo no. C.TP/2002/All/53626-92 dated 24.10.2002, endst no. 57138-204, dated 14.11.2002, endst. No. 40555-621, dated 11.7.2003, endst no. 9837-9922, dated 15.3.2004 and endst no 1429-95, dated 10.1.2005

On the subject cited above it has some to the notice of the department that there is some confusion regarding charging of Development Charges in various areas of the municipalities and a lot of queries are being raised by municipalities due to which a lot of inconvenience is caused to the public. It has been felt appropriate to issue a comprehensive clarification regarding leving and charging of development charges. Accordingly. clarification is given as under: -

- The development charges are not to be taken afresh for the land/plot for which owners had already paid the charges at the rate applicable at the time of payment. The fresh charges against such plots if sold to some other person are also not chargeable at the time of sanction of building plan of the new owner or issuing of NOC for water, sewer and electricity connection.
 - Development Charges are not chargeable afresh with the sanction ii) of building plan in case a person who had paid the charges once at the time of sanction of building plan and now wants to reconstruct his old nouse/shop constructed earlier.
 - Development Charges at the current rates are chargeable for the iii) vacant plots/buildings to be reconstructed in all old regularized colonies in case development charges are not paid earlier at the old rates.

iv) Development charges are not leviable on the land/buildings situated in old towns, colonies existing prior to 1975 and abadis/colonies existing before the constitution of municipalities.

Explanation: - Old town means:

- a. Abadis existing at the time or creation of municipality
- b. Colonies/Abadis existing before the Haryana Development and Regulation of Urban Areas Act, 1975 came into force and included in the municipal limits.
- c. Colonies/Abadis within municipal limits which came into existence before the enactment of Urban Areas Act, 1975.
- v) Development charges will be payable at the current rates in those development schemes/town planning schemes where no development works (roads, sewerage, water supply etc.) has been carried out by the municipality or the person for whom scheme was approved.
- The development charges (commercial) conveyed vide Directorate memo no. C.T.P./2004/AIII/1428, dated 10.1.2005 shall be levied also for converting existing houses/plots into shops in the old town, regularized colonies/areas irrespective of the fact that development charges (residential) are already charged or not.

Hence, you are directed to charge development charges

as per above clarification.

Assistant Town Planner
For Director, Urban Development,
Haryana, Chandigarh.

Endst. No. C.T.P/2005/ 7 1 2 dated 3 - 1 - 1 - 2 dated A copy is forwarded to Secretary M.C. Hisar with reference to his memo no. 1894/ME dated 21.11.2005 for taking necessary action.

Assistant Town Planner For Director, Urban Development, Haryana, Chandigarh.



HARYANA GOVERNMENT URBAN LOCAL BODIES DEPARTMENT

ORDER

Sanction of the Government under section 88 (iii) of the Juryman Municipal Corporation Act 1994 is hereby accorded for prescribing the following rates charges for granting permissions for commercial use in the declared commercial streets within the limits of Municipal Corporation Gurgaon:-

S. No.	Width of the road	Rate
	For the road having width between 6 to 12 mirs.	(Rs. per sq m) 12,000/-
2.	For the road having width more than 12 mtrs. & upto 30 mtrs.	14,000/-
	For road having width more than 30 mtrs.	16,000/-

in cases of regularization of unauthorized commercial establishments, 20% extra charges shall be leviable.

Dated, Chandigarli, the 20th Oct. 2010

RAJ KÚMAR

Financial Commissioner & Principal Secy, to Govt. Haryana, Urban Local Bodies Department.

landat, No. 20/35/2010-6C-1

Dated, Chandigarh , the $\frac{2}{3}$ //-20/0

A copy is forwarded to the following for information and necessary

action:-

Commissioner, Gurgaon Division Gurgaon,

Commissioner, Municipal Corporation Gurgaon.

2. 3. Director, Urban Local Bodies Haryana, Chandigarh.

Deputy Commissoner, Gurgaon,

Superintendent Committee-I

for l'inancial Commissioner & Principal Secy, to Govt, Haryana, Urban Local Bodies Department.

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HARYANA GOVERNMENT URBAN LOCAL BODIES DEPARTMENT

ORDER

Sanction of the Government under section 88 (III) of the Haryana Unmerpal Corporation Act, 1994, is hereby accorded for prescribing the tohowing rates I charges for granting permissions for commercial use in the declared commercial streets within the limits of Municipal Corporation, Handabad :-

i'Śr.	Width of road	
: NO.	· I	Rate (Rs. Per sq m)
	For the road having width of 12 mtrs to 30 mtrs.	7,200/-
2.	For the road having width more than 30 mtrs.	.9,200/-

In cases of regularization of unauthorized establishments, extra charges of Rs. 1,800/- per sq.mtr-for the road having width of 12 mitrs to 30 mitrs and Rs. 2,300/- for the road having width more than 30 mtrs, shall be leviable.

Daled Chandigarh RAJ KÚMAR Financial Commissioner & Principal Secretary to Govt. Haryana, Urban Local Bodies Department. the 10.11.2010

Ends No. 14/97/2010-5C I Dated15, 11.2010 A copy is forwarded to the following for information and necessary action:-

1. Commissioner, Gurgaon Division, Gurgaon.

Commissioner, Municipal Corporation, Faridabad.
 Director, Urban Local Bodies, Haryana, Chandigarh.

4. Deputy Commissioner, Farldabad.

4,

Superintendent Committee-I.

For Financial Commissioner & Principal Secretary to Govt. Haryana, Urban Local Bodies Department for

HARYANA GOVERNMENT URBAN LOCAL BODIES DEPARTMENT ORDER

Sanction of the Government under section 70(vilit) of the Haryana Municipa Act, 1973 and section 88 (iii) of the Haryanu Municipal Corporation Act, 1994, is hereby accorded for prescribing the following rates / charges for granting permissions to: commercial use in the declared commercial streets within the limits of Municipa Corporations / Councils / Committees --

0	Municipal area	vvidth of the road	Rate for permissions fo commercial use (per sq mtr)
,	Panchkula	12 mlr lo 30 mlr	
	2	More than 30 mtre	9,200/-
	Sonepat, Panipat and Sohna	12 mtr to 30 mtr	6,000/-
,		More than	7,500/-
i.	Karnal, Kurukshetra, Ambala,	12 mtr to 30 mtr	
	Yamuna Nagar, Bahadurgarh, Hisar, Rohtak, Rewari, Ganaur, Palwal, Hodel, Rewari	More than 30 mlr	
i S	The areas folling within the	12 mlr to 30	2,500/-
	municipal limits other than Gurgaon, Faridabad and the areas mentioned above	and the same of th	3,500/-

In case of regularization of unauthorized commercial establishments, 20% extr charges shall be leviable.

RAJ KUMAR

Dated Chandigarh 3-12-21

Financial Commissioner & Principal Secretary to Gov Huryana, Urban Local Bodies Department.

Endst No. 8/64/ag 6CT Dated /6-/2-210

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

1. All Divisional Commissioners in the State.

2. All Commissioners, Municipal Corporations in the State.

3. Director, Urban Local Bodies, Haryana, Chandigarh.

4. All Deputy Commissioners.

4. All Geputy Commissions of Municipal Councils / Secretaries in the 5. All Executive Officers / Secretaries of Municipal Councils / Secretaries in the secretaries in the secretaries of Municipal Councils / Secretaries in the secretaries in t State.

From

The Director, Urban Local Bodies, Bays no. 11-14, Sector 4, Panchkula. E-Mail: - dulbhry@hrv.gov.in

TO

- 1. All the Divisional Commissioners
- 2. All the Commissioners of Municipal Corporations
- 3. All the Deputy Commissioners
- 4. All the Executive Officers, Municipal Councils
- 5. All the Secretaries, Municipal Committees

Memo no. CTP/A2/2014/1726 -1828 Dated 19/6/2014

Subject:

Policy parameters for regularization of plots in the civic amenities and infrastructure and deficient municipal areas.

Ref:

This office memo no. DULB/TP/A2/2013/48003-48104, dated 08.11.2013 and DULB/TP/A3/2013/57374-476, dated

27.12.2013 In continuation of above referred memos, it is intimated that the Government has decided that no regularization fee shall be levied on commercial buildings/plots situated within the notified civic amenities and infrastructure deficient municipal areas, only the development charges to

be levied on it as per following table:

evied	on it as per following table:	Development
Sr.	Municipality	charges (Rs./Sq Yd)
no.	Municipal Corporation of Faridabad and	600
1.	11011131	400
2.	Other Municipal Corporation	200 120
3.	Municipal Councils Municipal Committees	120

Assistant Town Planner, For Director, Urban Local Bodies, Haryana, Panchkula

HARYANA GOVERNMENT

ORDER

In continuation of the order of the Government dated 20.10.2010 issued vide endorsement no. 20/35/2010-6 C I dated 02.11.2010 and order dated 3.12.2012 issued vide endorsement no. 8164/09-6 C I dated 16.12.2010, sanction of the Government under section 88 (iii) of Haryana Municipal Corporation Act 1994 and section 70 (viii) of the Haryana Municipal Act 1973 is hereby accorded for revising the following rates/oharges for granting permission for commercial

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THE PROPERTY OF THE PROPERTY O	Corporations/Councils/Committees
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Sr.No.	Municipal Area	Width of the Roads	Rate
1.	Gurgaon	Up to 30 mtrs	3000
~		More than 30 mtrs	3500
2.,	Panchkula, Faridabad	Up to 30 mtrs	1500
		More than 30 mtrs	2000
3.	Sonepat, Panipat, Sohna, Karnal,	Up to 30 mtrs	1000
	Kurukshetra, Ambala, Yamunanagar,	More than 30 mtrs	1200
	Bahadurgarh, Hisar, Rohtak, Rewari, Ganour, Palwal, Hodel, Rewari.	0	
,	The Municipal areas other than over	Up to 30 mtrs	600
	mentioned above.	More than 30 mtrs	800

In date of regularization of unauthorized commercial establishments 257 extra charges shall be leviable.

Dated, Chandigarh the 3rd April 2012

RAM NIWAS Financial Commissioner & Principal Secretary to Govt., Haryana, Urban Local Bodies Department.

Endst. No. 20/35/2010-6C I

Dated Chandigarh, the: 4-4-2012

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

All Divisional Commissioners in the State of Haryana. I.

All Commissioners, Municipal Corporation in the State of Haryana. 2.

Director General, Urban Local Bodies, Haryana Chandigarh. 3

All Deputy Commissioners in the State of Haryana. 4,

All Executive Officers/ Secretaries of Municipal Councils/Committees in the State of 5. Haryana.

> For Financial Commissioner & Principal Secretary to Govt., Haryana, Urban Local Bodies Department.

Director, Urban Local Bodies, Haryana, Chandigarh.

All the Divisional Commissioners

All the Commissioners, Municipal Corporation

All the Deputy Commissioners

All the Executive Officers, Municipal Councils All the Secretaries, Municipal Committees.

Memo No. DULB/TP/A3/2012/ 5>3>4-4>6

Dated

112113 Policy parameters for regularization of plots in the Civic Amenities and Infrastructure Deficient Municipal Areas. Subject:

Memo no. DULB/TP/A2/2013/48003-48104, dated: 08.11.2013 In continuation of to above referred memo, copy enclosed, it is Ref: intimated that the government has reconsidered the regularization fee and development charges to be levied over building /plots situated within Civic Amenities and Infrastructure Deficient Municipal Areas and the Council of Ministers has decided that no regularization fee shall be charged in such cases and development charges shall be levied as per following rates:

Sr. No.	Municipality	Development Charges (Rs./ Sq Yd)
1.	Municipal Corporation of Faridabad and	150
2.	Other Municipal Corporation	100
3.	Municipal Councils	50
4.	Municipal Committee	30

It has further been decided that if the plot holders deposit the total development charges in lump sum, they would be entitled to 10% rebate. It is therefore requested that necessary action may be taken accordingly.

Assistant Town Planner, For Director General, Urban Local Bodies, Haryana, Chandigarh.

Haryana Government Urban Local Bodies Department

Order

In exercise of the powers conferred under the Heryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act 2016, further amended vide notification dated 23.11.2017 and 19.04.2018, the following Development charges shall be levied for considering building plans of plot falling in the colonies notified as civic amenities and infrastructure deficient Municipal Areas in the Municipal Corporations, Councils, Committees, Haryans:-

2	Sr. No,	Name of Municipal Corporations/Councils/Committees	Developme (In Rs./Sq	ent charges to be levied .Mtrs)
1	1	Gurugram & Faridabad Municipal Corporation	500	
	2	Municipal Corporation other than Gurugram & Faridabad	360	Or 5% of collector rate, whichever is
-	3	Municipal Councils	240	higher
	4	Municipal Committees		
			160	

Dated 26-09-2018
Place Chandigarh

ANAND MOHAN SHARAN
Principal Secretary to Government Haryana
Urban Local Bodies Department,

Endst. No. 8/27/2018-161

Dated 27.69.2018

A copy is forwarded to the following for information and further necessary action:

- 1. Director General Urban Local Bodies, Haryana, Panchkula.
 - 2. All Divisional, Commissioners, Haryana.
 - 3. All Deputy Commissioners in Haryana.
 - 4. All Commissioners, Municipal Corporations Haryana.
 - 5. All Executive Officers, Municipal Councils, Haryana.
 - 6. All Secretaries of Municipal Committees, Haryana.

Superintendent Committee-I for Principal Secretary to Govt. Haryana Urban Local Bodies Department,

27/9/18