

[Extract from Haryana Government Gazette (Extra.), dated the 19th August, 2013]

HARYANA GOVERNMENT
TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 19th August, 2013

NO. PF-27/48921. The Governor of Haryana is pleased to notify a comprehensive 'Affordable Housing Policy 2013' under the provisions of Section 9A of the Haryana Development and Regulation of Urban Areas Act, 1975 and any other corresponding statute governing development of group housing colonies on the subject.

The policy, of which the details are given in Annexure-A below, has been concurred by the Finance Department vide their UO No.11/158/2013-5FDIII/22188 dated 05.08.2013 and approved by the Council of Ministers in its meeting held on 06.08.2013.

This policy shall come into effect from the date of its notification. The Director General, Town and Country Planning, Haryana, is hereby directed to effectively implement this policy to facilitate creation of additional affordable housing stock in the urban areas of the State.

ANNEXURE-A
AFFORDABLE HOUSING POLICY 2013

1. FOREWORD:

- (i) This policy shall be known as 'Affordable Housing Policy 2013'. All references to 'policy' in this document shall imply to 'Affordable Housing Policy 2013'.
- (ii) This policy is intended to encourage the planning and completion of 'Group Housing Projects' wherein apartments of 'pre-defined size' are made available at 'pre-defined rates' within a 'Targeted time-frame' as prescribed under the present policy to ensure increased supply of 'Affordable Housing' in the urban housing market to the deserving beneficiaries.
- (iii) Any project for which licence is granted under the present policy cannot be converted into a normal group housing colony under any situation and irrespective of whether or not it falls within the 20% residential sector area limit prescribed for group housing projects.
- (iv) All such projects shall be required to be necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the 'date of commencement of project' for the purpose of this policy. The licences shall not be renewed beyond the said 4 years period from the date of commencement of project.

2. SITING PARAMETERS:

- (i) The projects under this policy shall be allowed only in the residential zone of the notified Development Plans of various towns/cities of the State.
- (ii) The maximum area for which such projects can be allowed in a Development Plan shall be governed by the following criteria:-

Sr No	Development Plan	Maximum aggregated area (acres) of Projects allowed in the urbanisable limit per Development Plan
a.	Gurgaon, Faridabad, Panchkula, Panchkula Extn, Pinjore-Kalka	300
b.	Sonipat, Panipat, Karnal, Dharuhera, Bahadurgarh & Sohna	150
c.	Rest of the Development Plans	75

- (iii) The applications for licence received under this policy should be made in the format as prescribed in the Rule 3 of the Haryana Development and Regulations of Urban Areas Rules, 1976 and the said Rules shall be applicable mutatis-mutandis for processing of the application under this policy. Further, the applications for licence received under this policy shall be considered on First-Come-First-Serve basis after the notification of this policy.
- (iv) In any residential sector not more than 5% of the net planned area under residential zone can be allowed for projects under this policy. However, if a residential sector has an area of less than 100 acres, one such project shall be allowed on 5 acres. Further, in order to ensure that such projects are well distributed over the Development Plan area, the maximum net planned area that can be permitted under this policy in any residential sector shall be restricted to 10 acres.
- (v) Whereas, applications under this policy shall be received on an ongoing basis till the availability of area in any specific sector and/or any specific development plan vis-a-vis the area limits prescribed under this policy gets licenced. Nevertheless, all applications received within 15 days of the notification of this policy shall be placed sector-wise in order of seniority. If only one application is received in a particular sector in this period, such application shall be considered on merits for grant of licence as per minimum and maximum area norms cited at para no. 3. However if more than one application is received during this 15 days period, then first two eligible applications shall be considered for grant of licence for an area of 5 acres each, irrespective of the area applied.
- (vi) Such projects can be allowed beyond the 20% group housing limit in a sector in case they fulfill all other prescribed policy parameters and can't be accommodated within the prescribed 20% limit for group housing projects. However, if a project under this policy is accommodated within the prescribed 20% limit for group housing, no further relaxation in the said 20% limit shall be allowed.
- 3. MINIMUM AND MAXIMUM AREA FOR SUCH PROJECT:** The minimum and maximum area for such projects shall be 5 acres and 10 acres respectively irrespective of the Development Plan where such project is proposed.
- 4. PLANNING AND AREA PARAMETERS:**
- (i) **Planning Parameters:** The planning parameters for the projects allowed under this policy are as follows:

- a. Min. and Max. density permitted: 850ppa (min) & 900ppa (max)
- b. Maximum FAR allowed: 225
- c. Maximum Ground Coverage allowed: 50%
- d. Maximum area under Commercial Use: 4% of the Net Planned Area at 175 FAR.
- e. Minimum Area under organized Open Space: 15% of the Net Planned Area
- f. Occupancy Norm (for density calculations): 5 persons per flat
- g. An additional component of population density, FAR and commercial area is provided beyond what is allowed in group housing colonies to ensure the viability of such projects.

(ii) Type of Apartment and Area under such Apartments:

- a. The apartments of pre-defined size-range shall be allotted at a pre-defined rate to ensure provision of affordable housing under this policy.
- b. The carpet area of the apartments shall range from 28sqm to 60sqm in size.
- c. The term "carpet area" shall mean the net usable covered floor area bound within the walls of the apartment but excluding the area covered by the walls and any balcony which is approved free-of-FAR, but including the area forming part of kitchen, toilet, bathroom, store and built-in cupboard/ almirah/ shelf, which being usable covered area shall form part of the carpet area.
- d. No separate EWS category apartments shall be provided to eliminate any cross subsidy component and thus to avoid any adverse impact on the affordability of apartments made available under this policy.

(iii) Parking Norms:

- a. The parking space shall be provided at the rate of half Equivalent Car Space (ECS) for each dwelling unit.
- b. Only one two-wheeler parking site shall be earmarked for each flat, which shall be allotted only to the flat-owners. The parking bay of two-wheelers shall be 0.8m x 2.5m unless otherwise specified in the zoning plan.
- c. No car parking shall be allotted to any apartment owner in such projects.
- d. The balance available parking space, if any, beyond the allocated two-wheeler parking sites, can be earmarked as free-visitor-car-parking space.
- e. Additional parking norms and parameters, if any, can be specified in the zoning plan.

(iv) Community Sites: The coloniser shall be required to provide the following community sites in any such project, which shall form part of the common areas and facilities as defined under the Haryana Apartment Ownership Act:

- a. One built-up Community Hall of not less than 2000sqft.
- b. One built-up Anganwadi-cum Creche of not less than 2000 sqft area.
- c. No other community sites shall be required to be provided in such project.

- (v) Maintenance of colony after completion of project: A commercial component of 4% is being allowed in the project to enable the coloniser to maintain the colony free-of-cost for a period of five years from the date of grant of occupation certificate, after which the colony shall stand transferred to the “association of apartment owners” constituted under the Haryana Apartment Ownership Act 1983, for maintenance. The coloniser shall not be allowed to retain the maintenance of the colony either directly or indirectly (through any of its agencies) after the end of the said five years period. Engaging any agency for such maintenance works shall be at the sole discretion and terms and conditions finalised by the “association of apartment owners” constituted under the Apartment Ownership Act 1983.

5. ALLOTMENT RATES; ALLOTMENT & ELIGIBILITY CRITERIA:

- (i) Allotment Rate: The allotment rate for the Apartment units approved under such projects shall be as follows:

Sr No	Development Plan	Maximum allotment rate on per sqft carpet area basis	Additional recovery against balcony of min 5ft clear projection #
a.	Gurgaon, Faridabad, Panchkula, Pinjore-Kalka	Rs.4,000/- per sq. ft.	Rs 500 per sqft against all balcony area in a flat adding upto and limited to 100 sqft, as permitted in the approved building plans.
b.	Other High and Medium Potential Towns.	Rs.3,600/- per sq. ft.	
c.	Low Potential Towns	Rs.3,000/- per sq. ft.	

NOTE: # : Such cantilevered balconies (unsupported on three sides) shall not be part of carpet area and shall continue to be allowed free-of-FAR.

- (ii) Eligibility Criteria:

- a. Any person can apply but person which includes his/her spouse or his/her dependent children who do not own any flat/plot in any HUDA developed colony/ sector or any licenced colony in any of the Urban Areas in Haryana, UT of Chandigarh and NCT Delhi shall be given first preference in allotment of flats. An applicant in a specific colony shall make only one application. Any successful applicant under this policy shall not be eligible for allotment of any other flat under this policy in any other colony. In case, he/she is successful in more than one colony, he/she will have choice of retain only one flat. All such applicants shall submit an affidavit to this effect.
- b. Upto 5% of the total number of flats as approved in the building plans may be allotted by a licensee to its employees/ associates/ friends/ relatives etc. subject to the disclosure of their name/address and other identification details to the allotment committee and the allotment procedure for such flats shall also be completed along with the draw of flats for general category flats. The rates and eligibility criteria prescribed under this policy shall continue to be applicable on such preferential allotments also and the allotment procedure shall be completed along with general category flats. In case less allotments are made for such preferential category flats, the extra availability shall be merged with general category allotments.

(iii) Allotment criteria: The draw for allotment of apartments shall be held under the supervision of a committee constituted for the purpose by following a transparent procedure as below:

- a.** Advertisements for booking of apartments shall be issued by the coloniser on two occasions at one week interval in 'One of the leading English National daily' and 'Two Hindi Newspapers' having circulation of more than ten thousand copies in the State to ensure adequate publicity of the project and should include details like allotment rate, schedule of payment, number and carpet area of apartment etc. The proforma of advertisement shall be separately approved by the DGTCP and hosted on the Department website for clarity.
- b.** All flats in a specific project shall be allotted in one go within four months of sanction of building plans or receipt of environmental clearance whichever is later and possession of flats shall be offered within the validity period of 4 years of such sanction/ clearance. Any person interested to apply for allotment of flat in response to such advertisement by a coloniser may apply on the prescribed application form alongwith 5% amount of the total cost of the flat. All such applicants shall be eligible for an interest at the rate of 10% per annum on the booking amount received by the developer for a period beyond 90 days from the close of booking till the date of allotment of flat or refund of booking amount as the case may be. The applicant will be required to deposit additional 20% amount of the total cost of the flat at the time of allotment of flat. The balance 75% amount will be recovered in six equated six monthly instalments spread over three-year period, with no interest falling due before the due date for payment. Any default in payment shall invite interest @15% per annum. The project-wise list of allottees shall also be hosted on the website of the Department.
- c.** The scrutiny of all applications received as per the parameters prescribed in the policy shall be completed by the coloniser under the overall monitoring of concerned District Town Planner (DTP). The scrutiny of applications by the joint team of coloniser and the concerned DTP shall be completed within three months from the last date of receipt of applications as indicated in the advertisement.
- d.** On completion of scrutiny as above, the concerned Senior Town Planner shall fix the date of draw of lots. Simultaneously the ineligible applications shall be returned within one month of completion of scrutiny by the coloniser indicating the grounds on which the applications have been held to be ineligible alongwith the 5% booking amount received from such applicants. No interest in such case shall be paid.
- e.** After fixation of date for draw of lots, an advertisement shall be issued by the coloniser informing the applicants about the details regarding date/time and venue of the draw of lots in the same newspaper in which the original advertisement was issued.

- f. The allotment of apartments shall be done through draw of lots in the presence of a committee consisting of Deputy Commissioner or his representative (at least of the cadre of Haryana Civil Services), Senior Town Planner (Circle office), DTP of the concerned district and the representative of coloniser concerned.
- g. Only such applications shall be considered for draw of lots which are complete and which fulfil the criteria laid down in this Policy. However, it is possible that some of the application forms have certain minor deficiencies, viz., missing entry on the application form, incorrect/missing line in affidavit, illegible copies of certain documents. Such applications may also be included in the draw of lots. However, in case any of such applications are declared successful in the draw of lots, applicants may be granted an opportunity of removing the shortcomings in their application in all respects within a period of 15 days, failing which their claim shall stand forfeited. The said 15 days period shall start from the date of publication of the list of successful allottees in the newspaper marking those successful applications with minor deficiencies for information and notice of such applicants for removing such deficiencies and submit the same to the concerned DTP. The list of such successful allottees shall also be maintained on the website of the Department.
- h. A waiting list for a maximum of 25% of the total available number of flats available for allotment, may also be prepared during the draw of lots who can be offered the allotment in case some of the successful allottees are not able to remove the deficiencies in their application within the prescribed period of 15 days. In case of surrender of flat by any successful applicant, an amount of Rs 25,000/- may be deducted by the coloniser. Such flats may be considered by the committee for offer to those applicants falling in the waiting list. However, non-removal of deficiencies by any successful applicant shall not be considered as surrender of flat, and no such deduction of Rs 25,000 shall be applicable on such cases. If any wait listed candidate does not want to continue in the waiting list, he may seek withdrawal and the licensee shall refund the booking amount within 30 days, without imposing any penalty. The waiting list shall be maintained for a period of 2 years, after which the booking amount shall be refunded back to the waitlisted applicants, without any interest. All non-successful applicants, shall be refunded back the booking amount within 15 days of holding the draw of lots.
- i. If any successful applicant fails to deposit the installments within the time period as prescribed in the allotment letter issued by the colonizer, a reminder may be issued to him for depositing the due installments within a period of 15 days from the date of issue of such notice. If the allottee still defaults in making the payment, the list of such defaulters may be published in one regional Hindi news-paper having circulation of more than ten thousand in the State for payment of due amount within 15 days from the date of

publication of such notice, failing which allotment may be cancelled. In such cases also an amount of Rs 25,000/- may be deducted by the coloniser and the balance amount shall be refunded to the applicant. Such flats may be considered by the committee for offer to those applicants falling in the waiting list.

- j. The colonizer shall issue advertisements on three separate occasions in case adequate number of applications are not received, after which if the situation continues to persist, the Government shall take a decision on the further continuance of such project on case-to-case basis on individual merits.

6. APPLICABLE FEES & CHARGES:

- (i) Keeping into account the fact that a limited number of projects shall be allowed under this policy and the sale is to be effected at a predetermined rate, the licence fees and IDC shall stand waived off. However, scrutiny fees and conversion charges at prescribed rates shall be levied.
- (ii) Similarly, in order to minimize the impact of EDC rates on the viability of such a project, the rates and schedule of EDC applicable on plotted colonies shall be levied on such projects. In order to encourage early completion of projects, in case the colonizer completes the project in 3.5 years from the date of commencement of project and applies for grant of occupation certificate in such period, the payment of last instalment of EDC shall be considered for waiver after grant of occupation certificate.

7. SPECIAL DISPENSATIONS:

- (i) As a matter of security against any possible delinquencies in completion of the project, the coloniser shall be required to furnish bank guarantee against the total realisation from the project at the rate of 15% for areas falling in the Development Plans of Gurgaon, Faridabad, Panchkula, Panchkula Extn and Pinjore-Kalka and at the rate of 10% for rest of the towns to be furnished within 90 days of the date of commencement of the project. The bank guarantee shall be proportionately released against block-wise occupation certificate obtained by the licensee. However 10% of the total bank guarantee submitted shall be retained to be released at the end of 5 years maintenance period.
- (ii) No allotment of flat shall be permitted until the date of commencement of the project. However, the formalities pertaining to the allotment of flats can be initiated at an appropriate date after obtaining the licence to enable the actual allotment of flat immediately after the date of commencement of project.
- (iii) Once an apartment is allotted through the procedure as specified above, the same cannot be transferred by the coloniser to any other person by documentation in its records. Such apartments shall also be prohibited for transfer/sale up to one year after getting the possession of the flat to avoid speculation and to provide housing to the genuine persons. Breach of this condition will attract penalty equivalent to 200% of the selling price of the

flat. The Penalty will be deposited in the 'Fund' administered by the Town and Country Planning Department so that the infrastructure of the State can be improved. Failure to deposit such penalty shall result in resumption of the flat and its re-allotment in consultation with the Department.

- (iv) The transfer of property through execution of irrevocable General Power of Attorney (GPA) where the consideration amount has been passed to the executor or any one on his behalf, will be considered as sale of the property and same will be counted as breach of terms and conditions of the policy. Penal proceedings as per the prescribed provisions above shall be initiated.
- (v) The allotment letter and sale-purchase agreement entered into with the allottees shall also include the parameters prescribed under this policy to maintain complete transparency in the matter.
- (vi) The developer shall disclose in the 'Application Form' as well as in the advertisement, the complete set of specifications to be adopted for finishing/fittings to be provided by the coloniser in the flat, viz., Flooring (Rooms, Kitchen, Toilet & Bathroom, Balcony, Common Areas, staircase etc.); Door & Window frame and panel; Kitchen Worktop & Wall finishing; Toilet & Bathroom fittings and wall finishings; Internal Electrical Wiring, fittings, electrical points etc.; Internal public health Services—pipes and fittings, sewerage and sanitary fittings; Wall finishing; Staircase and Balcony railings, etc.

T.C.GUPTA,
Principal Secretary to Government, Haryana
Town and Country Planning Department.