



The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated
Development Act, 1963

Act 41 of 1963

Keyword(s):

Agriculture, Amenity, By-Pass, Commissioner, Controlled Area, Prescribed,
Road Reservation, Scheduled Road, Building, Erect or Re-erect Any Building

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AN

ACT

**to prevent haphazard and sub-standard development along
scheduled roads and in controlled areas in the State of
¹[Haryana].**

Be it enacted by the Legislative of the State of Punjab in the Fourteenth year of the Republic of India as follows :—

Short title and
extent.

1. (1) This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963.

(2) It extends to the whole of the State of ¹[Haryana].

Definitions.

2. In this Act, unless the context otherwise requires,—

(1) "agriculture" includes horticulture, dairy farming, poultry farming and the planting and upkeep of an orchard ;

(2) "amenity" includes roads, water-supply, street lighting, drainage, sewerage, public parks and any other convenience which the Government may by notification specify for the purposes of this Act ;

(3) "by-pass" means a road provided as a permanent diversion to a scheduled road, whether which diversion is situated within or with out the limits of a local authority and whether it is constructed before or after the commencement of this Act ;

²[(4) "Commissioner" means Commissioner and Secretary to Government, Haryana, Town and Country Planning Department ;]

(5) "controlled area" means an area declared under section 4 to be a controlled area ;

(6) "Director" means the Director of Town and Country Planning ¹[Haryana], and includes any person for the time being appointed by the Government by notification to exercise and perform all or any of the powers and functions of the Director under this Act and the rules made thereunder in respect of any scheduled road or controlled area ;

1. Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order (State and Concurrent Subjects) Order, 1968.
2. Substituted by Haryana Act 8 of 2001.

- (7) "the Government" means the Government of the State of [Haryana].
- (8) "prescribed" means prescribed by rules made under this Act ;
- (9) "road reservation, in relation to a scheduled road" means the land, whether metalled or unmetalled, which vests in the Government or the Central Government or a local authority for the purposes of such road and the boundaries of which are demarcated by pillars, posts or wires or in any other manner ;
- (10) "scheduled road" means a road specified in the Schedule to this Act which is wholly situated within the State of [Haryana], and, where, any road so specified is not so situated, the portion of such road which is situated in the State of [Haryana], and includes a "by-pass", but does not include any part of such road or portion, not being a by-pass, which is situated in the limits of a local authority ;

²[*Explanation*.—For the purposes of this clause 'local authority' means a cantonment board, municipal committee, notified area committee or an improvement trust.]

- (11) "building" means any shop, house, hut, outhouse, shed or stable, whether used for the purpose of human habitation or otherwise and whether of masonry, bricks, wood, mud, thatch, metal or any other material whatever; and includes a wall and a well ;
- (12) "erect" or re-erect any building" includes—
- (a) any material alteration or enlargement of any building,
 - (b) the conversion by structural alteration into a place for human habitation of any building not originally constructed for human habitation,

1. Substituted for the word "Punjab" by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.

2. Added by Punjab Act No. 23 of 1924, section 2.

- (c) the conversion into more than one place for human habitation of a building originally constructed as one such place,
- (d) the conversion of two or more places of human habitation into a greater number of such places,
- (e) such alterations of a building as affect an alteration of its drainage or sanitary arrangements or materially affect its security,
- (f) the addition of any rooms, building, outhouses, or other structures to any building, and
- (g) the construction in a wall adjoining street or land not belonging to the owner of the wall, of a door opening on to such street or land.

Prohibition to erect or re-erect buildings along scheduled roads.

3. No person shall erect or re-erect any building or make or extend any excavation or lay out any means of access to a road ¹[within one hundred meters on either side of the road reservation of a bye-pass or within thirty meters on either side of the road reservation of any scheduled road not being bye-pass]:

Provided that nothing in this section shall apply to—

- (a) the repair to a building which was in existence immediately before the commencement of this Act or any erection or re-erection of such a building which does not involve any structural alteration or addition therein; or
- (b) the erection or re-erection of a building, which was in existence immediately before the commencement of this Act and which involves any structural alteration or addition, with the permission of the Director; or
- (c) the laying out of any means of access to a road with the permission of the Director; or
- (d) ²[the erection or re-erection of a motor-fuel-filling station or a bus-queue-shelter with the permission of the Director];

1. Substituted for the words "within thirty meters on either side of the road reservation of any scheduled road" by Punjab Act No. 23 of 1964, section 3(i).

2. Added by Punjab Act No. 23 of 1924, section 3.

'[(e) the public utility buildings' and 'community assets' which were in existence immediately before the Commencement of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Second Amendment and Validation) Act, 1996.

Explanation.—(1) "Public utility buildings" means building belonging to Government, Government Controlled Organisations, Local Bodies, Voluntary Organisations and individuals which are being used for the benefit of public at large without profit motive ; and

(2) 'Community assets' means assets belonging to Government, Government Controlled Organisations, Local Bodies, Voluntary Organisations and individuals which are created for the beneficial use of public at large without profit motive.]

4. (1) The Government may by notification declare the whole or any part of any area adjacent to and within a distance of —

Declaration of controlled area.

(a) eight kilo-meters on the outer sides of the boundary of any town ; or

(b) two kilo-meters on the outer sides of the boundary of any industrial or housing estate, public institution or an ancient and historical monument,

specified in such notification to be a controlled area for the purposes of this Act.

(2) The Government shall also cause the contents of the declaration made under sub-section (1) to be published in at least two newspapers printed in a language other than English.

5. (1) The Director shall, not later than three months from the declaration under sub-section (1) of section 4 or within such further period as the Government may allow, prepare plans in the prescribed manner showing the controlled area and signifying therein the nature of restrictions and conditions proposed to be made applicable to the controlled area and submit the plans to the Government.

Publication of plans etc. controlled area.

(2) Without prejudice to the generality of the powers specified in sub-section (1), the plans may provide for any one or more of the following matters, namely :—

- (a) the divisions of any site into plots for the erection or re-erection of any building and the manner in which such plots may be transferred to intending purchasers or lessees ;
- (b) the allotment or reservation of land for roads, open spaces, gardens, recreation grounds, schools, markets and other public purposes ;
- (c) the development of any site into a township or colony and the restrictions and conditions subject to which such development may be undertaken or carried out ;
- (d) the erection or re-erection of buildings on any site and the restrictions and conditions in regard to the open spaces to be maintained in or around buildings and the height and character of buildings ;
- (e) the alignment of buildings on any site ;
- (f) the architectural features of the elevation or frontage of buildings to be built on any site ;
- (g) the amenities to be provided in relation to any site or buildings on such site whether before or after the erection or re-erection of buildings and the person or authority by whom such amenities are to be provided ;
- (h) the prohibition or restrictions regarding erection or re-erection of shops, workshops, warehouses or factories or buildings of a specified architectural feature or buildings designed for particular purposes in any locality ;
- (i) the maintenance of walls, fences, hedges, or any other structural or architectural construction and the height at which they shall be maintained ;
- (j) the restrictions regarding the use of any site for purposes other than the erection or re-erection of buildings ;

(k) any other matter which is necessary for the proper planning of any controlled area and for preventing building being erected or re-erected haphazardly in such area.

(3) The Government may either approve the plans without modifications or with such modifications as it may consider necessary or reject the plans with directions to the Director to prepare fresh plans according to such directions.

(4) The Government shall cause to be published by notification the plans approved by it under sub-section (3) for the purpose of inviting objections thereon.

(5) Any person may, within thirty days from the date of publication of the notification under sub-section (4), send to the Director his objection and suggestion in writing, if any, in respect of such plans and the Director shall consider the same and forward them with his recommendations to the Government within a period of sixty days from the aforesaid date.

(6) The Director shall also give reasonable opportunities to every local authority, within whose local limits any land included in the controlled area is situated, to make any representation with respect to the plans.

(7) After considering the objections, suggestions and representations if any, and the recommendations of the Director thereon, the Government shall decide as to the final plans showing the controlled area and signifying therein the nature of restrictions and conditions applicable to the controlled area and publish the same in the Official Gazette and in such other manner as may be prescribed.

(8) Provision may be made by rules made in this behalf with respect to the form and content of the plans and with respect to the procedure to be followed, and any other matter in connection with the preparation, submission and approval of the plans.

(9) Subject to the foregoing provisions of this section, the Government may direct the Director to furnish such information as the Government may require for the purpose of approving the plans submitted to it under this section.

Erection or re-erection of buildings etc. in controlled areas.

6. Except as provided hereinafter, no person shall erect or re-erect any building or make or extend any excavation or lay out any means of access to a road in a controlled area save in accordance with the plans and the restrictions and conditions referred to in section 5 and with the previous permission of the Director :

Provided that no such permission shall be necessary for erection or re-erection of any building if such building is used or is to be used for agricultural purposes or purposes subservient to agriculture.

Prohibition on use of land in controlled areas.

7. (1) No land within the controlled area shall, except with the permission of the Director ¹[and on payment of such conversion charges as may be prescribed by the Government from time to time] be used for purposes other than those for which it was used on the date of publication of the notification under sub-section (1) of section 4, and no land within such controlled area shall be used for the purposes of a charcoal-kiln, pottery-kiln, lime-kiln, brick-kiln or brick field or for quarrying stone, bajri, surkhi kankar or for other similar extractive or ancillary operation except under and in accordance with the conditions of a licence from the Director on payment of such fees and under such conditions as may be prescribed.

²[(1A) Local authorities, firms and undertakings of Government, colonisers and persons exempted from obtaining a licence under the Haryana Development and Regulation of Urban Areas Act, 1975, and authorities involved in land development will also be liable to pay conversion charges but they shall be exempt from making an application under section 8 of this Act.]

(2) The renewal of such licences may be made ²[after three years] on payment of such fees as may be prescribed.

Power of relaxation.

¹[7A. The Government may, in public interest, relax any restrictions or conditions in so far as they relate to land use prescribed in the controlled area in exceptional circumstances.]

Application for permission etc. and the grant of refused thereof.

8. (1) Every person desiring to obtain the permission referred to in section 3 or section 6 or section 7 or a licence under section 7 shall make an application in writing to the Director in such form and containing such information in respect of the land, building, excavation or

1. Inserted by Haryana Act 16 of 1996.

2. Substituted by Haryana Act 11 of 1995.

means of access to a road to which the application relates as may be prescribed.

(2) On receipt of such application the Director, after making such enquiry as he considers necessary, shall by order in writing either—

(a) grant the permission or licence subject to such conditions if any, as may be specified in the order, or

(b) refuse to grant such permission or licence.

(3) The Director shall not refuse permission to the erection or re-erection of a building which was in existence in a controlled area on the date on which the notification under sub-section (1) of section 4 was published, nor shall he impose any condition in respect of such erection or re-erection unless he is satisfied, after affording to the applicant an opportunity of being heard, that there is a probability that the building will be used for a purpose, or is designed in a manner, other than that for which it was used or designed on the date on which the said notification was published.

(4) If, at the expiration of a period of three months after an application under sub-section (1) has been made to the Director, no order in writing has been passed by the Director, the permission shall, without prejudice to the restrictions and conditions signified in the plans published in the Official Gazette under sub-section (7) of section 5, be deemed to have been given without the imposition of any conditions.

(5) The Director shall maintain such register as may be prescribed with sufficient particulars of all such cases in which permission or license is given or deemed to have been given or refused by him under this section, and the said register shall be available for inspection without charge by all persons interested and such persons shall be entitled to take extracts therefrom.

9. The Director may authorise any person to enter into or upon any land or building with or without assistants or workmen for the purpose of making any enquiry, inspection measurement to survey or taking levels :

Power of entry on land or building for survey etc.

Provided that no entry shall be made except between the hours of sunrise and sunset and without giving twenty-four hours notice to the occupier or owner of such land or building.

Appeals. **10.** Any person aggrieved or affected by an order of the Director under sub-section (2) of section 8 granting permission or licence subject to conditions of refusing permission or license may, within sixty days from the date of such order, prefer an appeal to of the ¹[Commissioner].

Revision. ²[**10A.** The Government may call for the record of any case pending before, or disposed of by any subordinate authority for the purpose of satisfying itself as to the legality or propriety of any proceedings or of any order made therein and may pass such order in relation thereto as it may think fit.

Review. **10B.** The Director may, either of his own motion or on an application of any party interested, review, and on so reviewing modify, reverse or confirm any order passed by himself or by any of his predecessors in office :

Provided that—

- (a) when the Director proposes to review any order passed by his predecessor in office, he shall first obtain the sanction of the Government ;
- (b) no application for review of an order shall be entertained unless it is made within a period of sixty days from the date of passing of the order, or unless the applicant satisfies the Director that he had sufficient cause for not making the application within that period ;
- (c) no order shall be modified or reversed unless the parties concerned have been afforded a reasonable opportunity of being heard ;
- (d) no order against which an appeal has been preferred shall be reviewed.]

1. Substituted by Haryana Act 16 of 1996 and further substituted by Haryana Act 8 of 2001.

2. Inserted by Haryana Act 8 of 2001.

11. The Director shall carry out such directions as may be issued to him from time to time by the Government for the efficient administration of this Act. Control by Government.

12. (1) Any person who— Offences and penalties.

- (a) erects or re-erects any building or makes or extends any excavation or lays out any means of access to a road in contravention of the provisions of section 3 or section 6 or in contravention of any conditions imposed by an order under section 8 or section 10; or
- (b) uses any land in contravention of the provisions of sub-section (1) of section 7 or section 10,

shall be punishable with ²[imprisonment of either description for a term which may extend to three years and shall also be liable to] fine which may extend to ³[fifty thousand rupees but not less than ten thousand rupees] and, in the case of a continuing contravention, with a further fine which may extend to ³[one thousand] rupees for every day after the date of the first conviction during which he is proved to have persisted in the contravention.

¹[(2) Without prejudice to the provisions of sub-section (1), the Director may, by notice, served by post and if a person avoids service, or is not available for service of notice, or refuses to accept service, then by affixing a copy of it on the outer door or some other conspicuous part of such premises, or in such other manner as may be prescribed, call upon any person who has committed a breach of the provisions referred to in the said sub-section to stop further construction and to appear and show cause why he should not be ordered to restore or its original state or to bring it in conformity with the provisions of the Act or the rules, as the case may be, any building or land in respect of which a contravention such as described in the said sub-section has been committed, and if such person fails to show cause to the satisfaction of the Director within a period of seven days, the Director may pass an order requiring him to restore such land or building to its original state or to bring it in conformity with the provisions of the Act or rules, as the case may be, within a further period of seven days.

1. Substituted by Haryana Act 28 of 1971 and further substituted by Haryana Act 11 of 1999.

2. Inserted by Haryana Act 7 of 1989.

3. Substituted by Haryana Act 11 of 1999.

(3) If the order made under sub-section (2) is not carried out, within the specified period, the Director may himself at the expiry of the period of this order, take such measures as may appear necessary to give effect to the order and the cost of the such measures shall, if not paid on demand being made to him, be recoverable from such person as arrears of land revenue :

Provided that even before the expiry of seven days period mentioned in the order under sub-section (2), if the Director is satisfied that instead of stopping the erection or re-erection of the building or making or extending or the excavation or laying out of the means of access to a road, as the case may be, the person continues with the contravention, the Director may himself take such measures as may appear necessary to give effect to the order and the cost of such measures, shall, if not paid on demand being made to him, be recoverable from such person as arrears of land revenue.]

Duty of police officers.

[12A. It shall be the duty of every police officer—

- (i) to communicate without delay to the Director or any other officer authorised in writing by him, in this behalf, any information which he receives of a design to commit or of the commission of any offence against this Act or any rule or regulation made thereunder ; and
- (ii) to assist the Director or any other officer authorised in writing by him, in this behalf, in the lawful exercise of any power vested in the Director or any other officer authorised in writing by him, in this behalf, under this Act or any rule or regulation made thereunder.

Power to arrest.

12B. (1) A police officer not below the rank of sub-inspector shall arrest any person who commits, in his view, any offence against this Act or any rule made thereunder, if the name and address of such person be unknown to him and if such person, on demand declines to give his name and address, or gives such name or address which such officer has reason to believe to be false.

(2) The person so arrested shall, without unavoidable delay be produced before the Magistrate authorised to try the offence for which the

arrest has been made, and no person, so arrested, shall be detained in custody for a period exceeding twenty-four hours without an order from the above mentioned Magistrate.]

[12C. (1) With effect from such date as the Government may, by notification, constitute a Tribunal consisting of a²[Chairman who is a retired Judge of the High Court] and a member of the rank of Chief Engineer having special knowledge about roads and highways. If the Members of the Tribunal are divided over some matter, the decision of the Chairman of the Tribunal shall prevail.

Constitution of
Tribunal.

(2) The Tribunal shall have its sitting at Chandigarh or at any other place as per its convenience.

(3) A person aggrieved by the orders of Director passed under sub-section (2) or sub-section (3), as the case may be, of section 12 of the Act, may file an appeal to the Tribunal within a period of sixty days and the decision of the Tribunal on such appeal shall be final. The Tribunal shall also hear the cases involving constructions made up to 28th April, 1995 in violation of the Act along scheduled roads and otherwise as if these were appeals against the order of Director. Any case against the orders of Director passed under sub-section (2) or sub-section (3) of section 12 of the Act pending in any court of law except High Court or Supreme Court shall be transferred to the Tribunal.]

13. (1) Where an offence under this Act has been committed by a company, the company as well as every person incharge of, and responsible to, the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Offences of
companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any Director, Manger, Secretary or other officer

1. Inserted by Haryana Act 11 of 1999.

2. Substituted by Haryana Act 23 of 1999.

of the company, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals, and

(b) "director" in relation to a firm is a partner in the firm.

Composition of offences.

14. (1) The Director or any person authorised by the Director by general or special order in this behalf may either or after the institution of the proceedings compound any offence made punishable by or under this Act.

(2) Where an offence has been compounded the offender, if in custody shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

Trial of offence and special provision regarding fine.

15. (1) No court inferior to that of a Magistrate of the First Class shall be competent to try any offence punishable under this Act.

(2) Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any Magistrate of the First Class to pass a sentence of fine exceeding the pecuniary limit specified in that section as in force in any part of the State on any person convicted of an offence punishable under this Act.

Sanction of prosecution.

16. No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Director or any officer authorised in writing by the Director in this behalf.

Officers to be public servants.

17. The Director and every other officer or employee acting under this Act or the rules made thereunder shall be deemed to be a public servant with in the meaning of section 21 of the Indian Penal Code.

Power to amend the schedule.

18. The Government may by notification add to the Schedule to this Act any other road not specified therein or omit there from any road specified therein, and on the issue of such a notification the Schedule shall be deemed to be amended accordingly.

Delegation.

19. (1) The Government may by notification direct that any power exercisable by it under this Act, except the power specified in sub-section (1) of section 4, sub-sections (3) and (7) of section 5, section 18 and section 25, shall, in relation to such matters and subject to such conditions, if any, as may be specified in the notification, be exercisable also by such officer or authority subordinate to the Government as may be specified in the notification.

(2) The Director may, with the approval of the Government, by an order in writing delegate any of his powers and functions under this Act or the rules made thereunder to such other officer's subordinate to him as may be specified in such order.

20. (1) No suit, prosecution or other legal proceeding 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 thereunder. Indemnity.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

21. No civil court shall have any jurisdiction to entertain or decide any question relating to matters falling under this Act or the rules made thereunder. Bar of jurisdiction of civil courts.

22. Nothing in this Act shall apply to— Exemption.

(a) the area comprised in the *abadi deh* of any village ;

¹[(aa) the area adjacent to the *abadi deh* of any village which the Government identifies for village expansion through a notification, published in the Official Gazette, specifically to this effect subject to the condition that this area shall not exceed sixty percent of the existing village *abadi deh* ;]

(b) the erection or re-erection of a place of worship or a tomb or cenotaph or of a wall enclosing a grave yard, place of worship, cenotaph or samadhi on land which, on the date of publication, of the notification under sub-section (1) of section 4, is occupied by or for the purpose of such worship, tomb, cenotaph, grave yard or samadhi ;

(c) excavations (including wells) or other operations made in the ordinary course of agriculture ; and

(d) the construction of an unmetalled road intended to give access to land for agricultural purposes or purposes subservient to agriculture.

1. Inserted by Haryana Act 25 of 2003.

Effect of other laws.

23. (1) Nothing in this Act shall affect the operation of—

(a) the Punjab new Capital (Periphery) Control Act, 1953 (Punjab Act I of 1953.);

(b) [* * * * *]

(c) the Punjab Slum Areas (Improvement and Clearance) Act, 1961 (Punjab Act 24 of 1961);

(d) [* * * * *]

(2) Save as aforesaid, the provisions of this Act and the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law.

(3) Notwithstanding anything contained in any such other law—

(a) when permission required under this Act for doing any act or taking any action in respect of any land has been obtained, such act or action shall not be deemed to be unlawfully done or taken by reason only of the fact that permission, approval or sanction required under such other law for doing such act or taking such action has not been obtained;

(b) when permission required under this Act for doing such act or taking such action has not been obtained such act or action shall not be deemed to be lawfully done or taken by reason only of the fact that permission, approval or sanction required under such other law for the doing of such act or the taking of such action has been obtained.

Savings.

24. Nothing in this Act shall effect the power of the Government or any other authority to acquire land or to impose restrictions upon the use and development of land comprised in the controlled area under any other law for the time being in force, or to permit the settlement of a claim arising out of the exercise of powers under this Act by mutual agreement.

1. Omitted by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.

25: (1) The Government may, by notification and subject to the conditions of previous publication, make rules for carrying out the purposes of this Act. Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely:—

- (a) the manner, in which the plans in respect of a controlled area shall be prepared under sub-section (1) of section 5 :
- (b) the other manner in which the final plans in respect of a controlled area shall be published;
- (c) the form and contents of the plans in respect of a controlled area and the procedure to be followed and any other matter in connection with the preparation, submission and approval of the plan ;
- (d) the conditions on which the licences under section 7 shall be granted or renewed and the fees to be charged for the grant and renewal thereof ;
- (e) the form in which application for permission or licence shall be made under sub-section (1) of section 8 and the information which shall be furnished therein :
- (f) the principles and conditions under which applications for permission or licence under this Act may be granted or refused ;
- (g) the form and manner in which the register referred to in sub-section (5) of section 8 shall be maintained ;
- (h) the procedure to be followed in hearing appeals under [sections 10 and 12C] the fees to be paid in respect of, and the document which shall accompany, such appeals : and
- (i) any other matter which may be prescribed.

Validation.

[Notwithstanding anything contained in any judgement, decree or order of any court or other authority to the contrary, any action taken or thing done or purporting to have been taken or done in pursuance of the commencement of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Second Amendment and Validation) Act, 1996, by the State Government or any officer or authority of the Government, shall be deemed to be valid and effective and accordingly—

- (a) all acts proceedings or things done or action taken by the Government or any officer or authority of the Government in pursuance of the provisions of the said Act, for all purposes, be deemed to be, and to have always been, done or taken in accordance with law ;
- (b) no suit or other proceedings shall be maintained or continued in any court or before any authority in pursuance of the provisions of the said Act ;
- (c) no court or authority shall enforce any decree or order in pursuance of the provisions of the said Act.]

THE SCHEDULE

[See sections 2(10) and 18]

- (1) Grand Trunk Road (from Delhi to Amritsar and on the border with Pakistan).
- (2) [* * * * *]
- (3) Delhi-Mathura Road.
- (4) Delhi-Alwar Road.
- (5) Delhi-Hissar-Sulemanki Road.
- (6) Ambala-Kalka Road.
- (7) [* * * * *]
- (8) [* * * * *]

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- 1. Omitted by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.
 - 2. Validation of Haryana Act 16 of 1996.

- (9) [* * * * *]
- (10) Panipat-Rohtak-Bhiwani Road.
- (11) [* * * * *]
- (12) Gurgaon-Delhi Road via Qutab.
- (13) Sonapat-Rohtak Road.
- (14) Kharkhauda-Delhi border Road.
- (15) Sonapat-Murthal Road.
- (16) Sonapat-Rathdana Road.
- (17) [* * * * *]
- (18) Sonapat-Gohana Road.
- (19) [* * * * *]
- (20) [* * * * *]
- (21) [* * * * *]
- (22) [* * * * *]
- (23) Ambala-Patiala-Sangrur-Barnala-Bhatinda-Molout-Abohar-Rajsthaan
Border towards Hanumangarh Road.
- (24) [* * * * *]
- (25) [* * * * *]
- (26) [* * * * *]
- (27) [* * * * *]
- (28) Patiala-Patran-Narwana-Jind Road.]
- (29) Sonapat-Bahalgarh Road starting from Sonapat upto Haryana-
U.P. Border.]

-
1. Omitted by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.
 2. Entries 20 to 28 added by Punjab Government Notification No. 386 2TCP-64/6684 dated 17th March, 1964, published in Punjab Government Gazette, Part I, dated 27th March, 1964.
 3. Added by Haryana Government Notification No. S.O. 48/P.A. 41/63/S. 18/69, dated the 28th May, 1969, published in Haryana Government Gazette Legislative Supplement, Part III, dated the 3rd June, 1969.

- {(30) Delhi-Jaipur Road, i.e.—
- (I) National Highway No.8 from Delhi Haryana boundary to the start of sector road dividing sector 17 and sector 18 of Urban Estate, Gurgaon ; and
 - (II) Sector road dividing sector 17 and sector 18 of Urban Estate, Gurgaon and its continuation with realigned National Highway No. 8 upto Haryana Rajasthan border”].
- (31) New Haryana State Highway direct from Mile No. 8 of Ambala-Jagadhri Road to Panchkula through Haryana Territory.
 - (32) Jind-Gohana Road.
 - (33) Yamuna Nagar-Bilaspur-Sadhaura-Naraingarh-Raipur Rani-Barwala Road.
 - (34) Ambala-Pehowa-Kaithal-Narwana-Uklana-Fatehabad Road.
 - (35) Ambala-Jagadhri Road.
 - (36) Saharanpur-Yamuna Nagar-Ladwa-Pipli-Pehowa-Guhla Road.
 - (37) Karnal-Kaithal Road.
 - (38) Kaithal-Deoban-Nikuran-Jind Road (Section Deoban to Nikuran)
 - (39) Panipat-Assandh-Deoban-Kaithal Road.
 - (40) Karnal-Assandh-Jind-Hansi Road.
 - (41) Jind-Rohtak-Jhajjar-Rewari Road.
 - (42) Narnaul-Mohindergarh-Dadri-Bhiwani-Hansi-Barwala-Tohana Road.
 - (43) Hissar-Sewani-Singhani Road.
 - (44) Bhiwani-Loharu Road.
 - (45) Hissar-Tosham-Bhiwani Road.
 - (46) Bahadurgarh-Jhajjar-Kosli-Kanina-Mohindergarh Road.
 - (47) Jhajjar-Dadri-Lohru Road.
 - (48) Bhadurgarh-Badli-Gurgaon-Pali-Ballabgarh Road.
 - (49) Palwal-Sohna-Rewari-Narnaul Road.
 - (50) Uklana-Hissar Road.
 - (51) Gohana-Meham-Bhiwani Road.
 - (52) Jind-Safidon Road.
 - (53) Jhajjar-Sampla-Kharkhanda, Road.

1. [Items (30) to (53) added, vide Haryana Government Notification No. S.O. 2/P.A. 41/63/S. 18/71, dated the 31st September, 1971, and published in Haryana Government Gazette, Legislative Supplement, Part III dated 4th January, 1972.]

- (54) Gurgaon-Faridabad Road.
- (55) Delhi-Gurgaon (Via Dunda-Hera) Road.
- (56) Kala-Amb-Ambala Road.
- (57) Kala-Amb-Sadhura Shabad-Thal Road.
- (58) Jagadhri-Paonta Road.
- (59) Kunjpura to Karnal Road.
- (60) Kaithal to Khaunauri Upto State Border.
- (61) Jind-Barwala-Agroha-Adampur-Bhadra (Upto Rajasthan Border).
- (62) Hansi-Tosham Satnali.
- (63) Jind-Mundhal-Bhiwani Road
- (64) Rewari-Dahihna-Kanina Road
- (65) Mohindergarh-Satnali-Loharu.
- (66) Gurgaon- Rewari Road via Pataudi (upto Rajasthan Border)
- (67) Narnaul-Singhana (Upto State Boundary).
- (68) Karnal-Kaul-Pehowa-Patiala.
- (69) Karnal-Ladwa-Shahbad.
- (70) Gohana-Safidon (via Jagsi)
- (71) Kaithal-Patiala Road (Upto Haryana Border).
- (72) Shahjahanpur to Rewari.
- (73) Jhajjar-Farukhnagar-Chandu Road
- (74) Nizampur-Narnaul
- (75) Sewani-Jhumpa-Rajgarh.
- (76) Budhlana-Ratia-Fatehabad-Bhattu-Bhadra.
- (77) Sardulagarh-Sirsa-Ellenabad.
- (78) Mile 8 from Saha on Ambala-Jagadhri Road to Shahabad.
- (79) Panipat to Sanauli upto U.P. Border.
- (80) Faridabad to Dankaur Upto U.P. Border.

1. Added by 82-SSTP-81 (Extra.), dated 28st January, 1981.

2. Added by Haryana Government Gazette, (Extra.) No. 10DP-90/16326, dated 31st December, 1990.

- (81) Dabwali-Chautala (Upto State Border).
- (82) Pinjore-Nalagarh (Upto State Border).
- (83) Panchkula-Morni Road.
- (84) Jhajjar-Badli to Delhi Border.
- (85) Satnali-Bhadra Jui-Kairu-Tosham.
- (86) Dadri-Jhajju Kalan-Kadam Satnali.
- (87) Nizampur-Nangal-Durgu-Nangal Chaudhry.
- (88) Narnaul-Nangal Chaudhry-Badhwal.
- (89) Hodel-Punhana-Nagina.
- (90) Hodel-Utwar-Nuh-Taoru-Pataudi-Patauda.
- (91) Pali-Dhauj-Sohna.
- (92) Palwal-Hathin-Utwar-Bhadra.
- (93) Palwal-Mandokoula Nuh Road.
- (94) Mehrauli Gourgaon Road to Faridabad.]

PART I

LEGISLATIVE DEPARTMENT

Notification

The 11th March, 2004

No. Leg. 9/2004.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 4th March, 2004 and is hereby published for general information :—

Haryana Act No. 7 of 2004

**THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS
RESTRICTION OF UNREGULATED DEVELOPMENT
(HARYANA AMENDMENT) ACT, 2004**

AN

ACT

*further to amend the Punjab Scheduled Roads and Controlled Areas
Restriction of Unregulated Development Act, 1963, in its application
to the State of Haryana*

Be it enacted by the Legislature of the State of Haryana in the Fifty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Act, 2004.

Short title

2. In section 2 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter referred to as the principal Act),—

Amendment of
section 2 of
Punjab Act 41
of 1963.

(i) for clause (10), the following clause shall be substituted, namely :—

“(10) “scheduled road” means a road specified in the Schedule to this Act which is wholly situated within the State of Haryana, and, where, any road so specified is not so situated, the portion of such road, which is situated in the State of Haryana and includes a bye-pass or expressway but does not include any part of such road or portion, not being a bye-pass or expressway, which is situated in the limits of a local authority;

Explanation.—For the purposes of this clause ‘local authority’ means a cantonment board, municipal committee, notified area committee or an improvement trust;”

(ii) in clause (12), in sub-clause (g), for sign “.” existing at the end, the sign “;” shall be substituted;

(iii) after clause (12), the following clause shall be added, namely :—

“(13) “expressway” means a road as may be notified by the Government from time to time in the Official Gazette, and includes the portion of such road which is situated in the State of Haryana, within or outside the limits of a local authority.”

Amendment of
section 3 of
Punjab Act 41 of
1963.

3. In section 3 of the principal Act, for the first para, the following para shall be substituted, namely :—

“No person shall erect or re-erect any building or make or extend any excavation or layout any means of access to a road within one hundred meters of either side of the road reservation of a bye-pass or expressway, or, within thirty meters on either side of the road reservation of any scheduled road not being bye-pass or expressway :”

Amendment of
section 7 of
Punjab Act 41 of
1963.

4. In sub-section (1) of section 7 of the principal Act,—

(i) for sign “.” existing at the end, the sign “;” shall be substituted;

(ii) the following proviso shall be added, namely :—

“Provided that any fee or charges leviable, if not paid within the specified period, shall be recoverable as arrears of land revenue.”

Amendment of
section 25 of
Punjab Act 41 of
1963

5. After clause (f) of sub-section (2) of section 25 of the principal Act, the following clause shall be substituted, namely :—

“(ff) the recovery of arrears of fee and charges under section 7.”

R. S. MADAN,
Secretary to Government Haryana,
Legislative Department.

LEGISLATIVE DEPARTMENT

Notification

The 20th July, 2004

No. Leg. 19/2004.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 13th July, 2004, and is hereby published for general information :—

Haryana Act No. 17 of 2004

THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS
RESTRICTION OF UNREGULATED DEVELOPMENT
(HARYANA SECOND AMENDMENT) ACT, 2004

AN

ACT

*further to amend the Punjab Scheduled Roads and Controlled Areas
Restriction of Unregulated Development Act, 1963, in its
application to the State of Haryana.*

BE it enacted by the Legislature of the State of Haryana in the Fifty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Second Amendment) Act, 2004.

Short title.

2. In sub-section (4) of section 8 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963,—

Amendment of
section 8 of
Punjab Act 41
of 1963.

- (i) for sign “.” existing at the end, the sign “:” shall be substituted ;
- (ii) the following proviso shall be added, namely :—

“Provided that such time limit of three months shall not be applicable to the cases where directions have been issued by the Government under section 11 of the Act and require approval of the Government accordingly.”.

R. S. MADAN,
Secretary to Government, Haryana,
Legislative Department.

HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 3rd April, 2007

No. Leg. 7/2007.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 29th March, 2007, and is hereby published for general information :—

HARYANA ACT NO. 6 OF 2007

THE HARYANA SCHEDULED ROADS AND CONTROLLED
AREAS RESTRICTION OF UNREGULATED DEVELOPMENT
(HARYANA AMENDMENT) ACT, 2007

AN

Act

*further to amend the Punjab Scheduled Roads and Controlled Areas
Restriction of Unregulated Development Act, 1963, in its application to the
State of Haryana.*

Be it enacted by the Legislature of the State of Haryana in the Fifty-
eighth Year of the Republic of India as follows :—

1. This Act may be called the Punjab Scheduled Roads and Controlled
Areas Restriction of Unregulated Development (Haryana Amendment)
Act, 2007.

Short title.

2. For sub-section (1) of section 4 of the Punjab Scheduled Roads and
Controlled Areas Restriction of Unregulated Development Act, 1963, the
following sub-section shall be substituted, namely:—

Amendment of
section 4 of
Punjab Act 41 of
1963.

“(1) The Government may, by notification in the Official Gazette,
declare any area outside the limits of municipal town or any other
area, which in its opinion has the potential for building activities,
industrial, commercial, institutional or recreational estates/activities
and uses subservient to the above, to be a controlled area for the
purposes of this Act.”.

M. S. SULLAR,

Secretary to Government, Haryana,
Legislative Department.

PART-I

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 30th October, 2012

No. Leg. 33/2012.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 14th September, 2012, and is hereby published for general information :—

HARYANA ACT NO. 28 OF 2012

**THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS
RESTRICTION OF UNREGULATED DEVELOPMENT
(HARYANA AMENDMENT)
ACT, 2012**

AN

ACT

*further to amend the Punjab Scheduled Roads and Controlled Areas
Restriction of Unregulated Development Act, 1963 in its
application to the State of Haryana.*

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

1. This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Act, 2012. Short title.

2. Clause (aa) of section 22 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter called the principal Act) shall be omitted. Amendment of section 22 of Punjab Act 41 of 1963.

3. For sub-section (1) of section 25 of the principal Act, the following sub-section shall be substituted, namely:— Amendment of section 25 of Punjab Act 41 of 1963.

“(1) The Government may, by notification in the Official Gazette, subject to the condition of previous publication, make rules for carrying out the purposes of this Act and may give them prospective or retrospective effect.” 1963.

4. (1) The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Ordinance, 2012 (Haryana Ordinance No.4 of 2012), is hereby repealed. Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

MANJIT SINGH,

Secretary to Government, Haryana,
Law and Legislative Department.

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

The 4th April, 2014

No. Leg. 19/2014.—The following Act of the Legislature of the State of Haryana received the Assent of the Governor of Haryana on the 25th March, 2014, and is hereby published for general information :—

(HARYANA ACT NO. 16 OF 2014)

**THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS
RESTRICTION OF UNREGULATED DEVELOPMENT
(HARYANA AMENDMENT) ACT, 2014**

AN

ACT

*further to amend the Punjab Scheduled Roads and
Controlled Areas Restriction of Unregulated Development Act, 1963,
in its application to the State of Haryana.*

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

Short title.

1. This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Act, 2014.

Amendment of
section 2 of
Punjab Act 41
of 1963.

2. After clause (1) of section 2 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 the following clause shall be inserted, namely:—

(1a) “abadi deh” means the area falling within circular road around village abadi also commonly known as phirni, fixed at the time of consolidation under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Rules, 1949 framed under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (East Punjab Act 50 of 1948):

Provided that in case phirni as mentioned above has not been fixed under the said Act, then abadi-deh shall mean the area falling within lal dora;’

RAJ RAHUL GARG,

Secretary to Government Haryana,
Law and Legislative Department.



Haryana Government Gazette

EXTRAORDINARY

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PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 4th May, 2018

No. Leg.22/2018.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 3rd April, 2018 and is hereby published for general information:-

HARYANA ACT NO. 19 OF 2018

**THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS
RESTRICTION OF UNREGULATED DEVELOPMENT
(HARYANA AMENDMENT) ACT, 2018**

AN**ACT**

further to amend the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, in its application to the State of Haryana.

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

- | | |
|--|--|
| <p>1. This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Act, 2018.</p> | Short title. |
| <p>2. In section 2 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter called the principal Act)-</p> <p>(i) in clause (13), for the sign “.” existing at the end, the sign “;” shall be substituted;</p> <p>(ii) after clause (13), the following clause shall be added, namely:-</p> <p>‘(14) “location premium” means an amount over and above the prescribed fee and charges that an applicant is willing to pay to the Government to obtain the permission against applications received under sub-section (1A) of section 8, as determined through bidding/auction process in pursuance of the policy issued by the Government in this regard, from time to time’.</p> | Amendment of section 2 of Punjab Act 41 of 1963. |
| <p>3. In section 8 of the principal Act,-</p> <p>(i) in sub-section (1),-</p> <p>(a) for the sign “.” existing at the end, the sign “:” shall be substituted; and</p> <p>(b) the following proviso shall be added at the end, namely:-</p> <p>“Provided that for such uses for which limited number of permissions have been prescribed, located in such land use zones of various notified development plans, where in the opinion of the Government, the permissions are to be issued after invitation of bids or following an auction procedure in pursuance of the policy framed by the Government in this regard from time to time, such application shall be considered to be valid only if it is filed in response to a notice of the Director and fulfils the prescribed terms and conditions.”.</p> <p>(ii) after sub-section (1), the following sub-section shall be inserted, namely:-</p> <p>“(1A) All such applications, for which limited number of permissions have been prescribed, received in response to the notice issued by the Director against policy for auction of permissions that are considered to be in order by the Director shall, in addition to the prescribed requirements, also be liable for payment of location premium, as determined through the bidding/auction process, in such manner and in such time frame as conveyed by the Director. The amount received</p> | Amendment of section 8 of Punjab Act 41 of 1963. |

against location premium shall be utilised for provision, maintenance and augmentation of external development works as provided in the Haryana Development and Regulation of Urban Areas Act, 1975 and shall be recovered in addition to the prescribed rates of development charges received against external development works from an applicant, if applicable.”.

(iii) in sub-section (4),-

- (a) in the second proviso, for the sign “.” existing at the end, the sign “:” shall be substituted; and
- (b) after the second proviso, the following proviso shall be added at the end, namely:-

“Provided further that such time limit of three months shall not be applicable wherein limited number of permissions have been specified in notifications issued from time to time.”.

Insertion of section 8A in Punjab Act 41 of 1963.

4. After section 8 of the principal Act, the following section shall be inserted, namely:-

“8A. Online receipt and approval.- (1) All functions performed under this Act may also be performed through electronics form and internet.

(2) Without prejudice to the generality of sub-section (1), the functions may include all or any of the followings:-

- (a) receipt or acknowledge of applications and payments;
- (b) issue of approvals, orders or directions;
- (c) scrutiny, enquiry of correspondence for grant of permissions, its extension;
- (d) approval of plans, grant of occupation certificate etc.;
- (e) filing of documents;
- (f) issue of notices for recoveries etc.;
- (g) maintenance of registers and records;
- (h) any other function that the Director may deem fit in public interest.

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

RCTV"/"K"

JCT [CPC" IQXGTPOGPV"

LAW AND LEGISLATIVE DEPARTMENT

Pqvkkecvkqp""

The 17th January, 2022

Pq"Ngil"5142440 ô The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 31st December, 2021 and is hereby published for general information:-

JCT [CPC"CEV"PQ"5"QH"4244"

**VJG" JCT [CPC"UEJGFWNGF" TQCFU"CPF"EQPVTQNGF"CTGCU"TGUVTKEV"QP"
QH"WPTGIWNCVGF"FGXGNQROGPV"COGPF"OGPV"CPF"XCNKFCV"QP+"CEV."4243"**

Cp"

CEV"

further to amend the Haryana Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963.

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

30 This Act may be called the Haryana Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Amendment and Validation) Act, 2021. Short title.

40 In sub-section (1) of section 12C of the Haryana Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, for the words and sign "whom one shall be of the rank of Chief Engineer, having special knowledge about roads and highways", the words "whom one shall be or has been of the rank of Chief Engineer having special knowledge about roads and highways" shall be substituted. Amendment of section 12C of Punjab Act 41 of 1963.

50 Notwithstanding anything contrary contained in any judgment, decree or order of any court or tribunal or any authority, any action taken, order issued, things done, proceedings purporting to have been taken or done by the Government or by the Director or by any other person or by the tribunal so constituted under sub-section (1) of section 12C with effect from the date of the publication of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Ordinance, 2016 (Haryana Ordinance No.5 of 2016), in the Haryana Government Gazette (Extraordinary), dated the 7th December, 2016, till the publication of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Act, 2017 (29 of 2021), in the Haryana Government Gazette (Extraordinary), dated the 23rd November, 2021, shall be deemed to be valid and effective in accordance with the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Act, 2017 (29 of 2021). Validation.

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