

Haryana Special Economic Zone Rules, 2007

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Rule HARYANA-SPECIAL-ECONOMIC-ZONE-RULES-2007 of 2007

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Haryana Special Economic Zone Rules, 2007Published vide Haryana Government, Industries and Commerce Department, Notification, dated 3rd December, 2007No. 49/139/2007-4-IBI. - In exercise of the powers conferred by sub-section (1) of Section 17 of the Haryana Special Economic Zone Act, 2005 (9 of 2006), the Governor of Haryana hereby makes the following rules for carrying out the purposes of this Act and to facilitate the Developers of Special Economic Zone in Haryana for various procedure to be followed for preparation of and for approval of master plan and approvals at different stages of the project, namely :-

1. Short title and commencement.

(1)These rules may be called the Haryana Special Economic Zone Rules, 2007.(2)They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Haryana Special Economic Zone Act, 2005 (9 of 2006);(aa)["apparel industry" means the industrial unit primarily engaged in the design, cutting and sewing of garments from fabrics, processed leather and its variants;] [Inserted by Haryana Government Gazetted Notification No. S.O. 48/H.A.9/2006/S.17/2009 dated 5.6.2009.](b)["bio-technology industry" means the industrial unit primarily engaged in research in micro-organisms and its software developments but shall not include hardware manufacturing unit of pharmaceutical industry;] [Inserted by Haryana Government Gazetted Notification No. S.O. 48/H.A.9/2006/S.17/2009 dated 5.6.2009.](bb)[[Renumbered as clause (bb) by Haryana Government Gazetted Notification No. S.O. 48/H.A.9/2006/S.17/2009 dated 5.6.2009.] "building rules" means the rules as applicable on the building, under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965;(c)"development plan" means the final plan published in the Official

Gazette under sub-section (7) of Section 5 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963);(cc)["footwear manufacturing industry" means the industrial unit primarily engaged in the design, cutting, assembly and manufacturing of footwear from finished leather, fabric, rubber and their variants and shall include other similar products such as belts, purses, bags, suit cases, brief cases etc. but shall not include the processing and tanning of leather and its variants;] [Inserted by Haryana Government Gazetted Notification No. S.O. 48/H.A.9/2006/S.17/2009 dated 5.6.2009.](d)"master plan" means the plan of Special Economic Zone prepared by the Developer under sub-section (2) of Section 8 of the Act;(e)"Secretary" means the Secretary to Government, Haryana, Industries and Commerce Department;(f)"sector" means any part of the controlled area indicated as such in the development plan;(g)"sector plan" shall have the same meaning as defined in the rule 2(h) of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965;(h)"urbanizable area" means the area shown in the development plan of the controlled area indicating different land use zones for future urbanization;(2)all other words and expressions used and not defined in these rules but defined in the Haryana Special Economic Zone Act, 2005 (9 of 2006) and the Special Economic Zone Act, 2005 (Central Act 28 of 2005), shall have the meanings respectively assigned to them in those Acts.

3. Location of Special Economic Zone [Section 5].

- The location of Special Economic Zone shall be as approved by the project evaluation committee and [Government] [Substituted for the words 'project approval committee' by Haryana Government, Notification No. S.O.16/H.A.9/2006/S.17/2008, dated The 5th March, 2008.]. For any change in the location, the same procedure will be followed as laid down for the new project in the Act.

4. Preconditions for sites within controlled area. [Sections 5 and 17].

(1)In case the site falls within the urbanizable area indicated in the development plan of controlled area, the Special Economic Zone shall have to conform to the provisions, restrictions and conditions as approved by the project evaluation committee.(2)The sites upto a limit of 250 acres within a sector of the development plan shall have to confine within the sector dividing roads, in order to define the boundaries of the Special Economic Zone.(3)In case the area of the Special Economic Zone falls in more than one sector, the Developer shall abide by such directions, as issued by the Government, for necessary integration of the Special Economic Zone adjoining the developments.(4)In case, the area of the Special Economic Zone area is situated outside the urbanizable area but within the controlled area, the Developer shall be required to abide by such directions, as may be given by the Government, for necessary integration with future urbanization proposals.

5. Development norms. [Section 17].

- Percentage of area under roads and open space shall be as under :-(i)in non-processing area for residential development, the area under roads, open spaces, public buildings, schools, community buildings or buildings meant for common use shall not be less than 50% of the gross area;(ii)in

processing area for industrial development, the area under plots shall not exceed 60% of the gross area;(iii)[in the case of information technology industry, apparel industry and footwear manufacturing industry, the ground coverage shall be 40% and the maximum floor area ratio permissible shall be 250; for bio-technology industry, the ground coverage shall be 40% and the maximum floor area ratio permissible shall be 200, subject to the condition that the industrial units availing of higher floor area ratio are located on roads with a right of way of 18 meters and above or as amended from time to time;] [Substituted by Haryana Government Gazetted Notification No. S.O. 48/H.A.9/2006/S.17/2009 dated 5.6.2009.](iv)no road shall be kept less than 15 meters wide and the sector dividing roads shall be kept as per provisions of the development plan of the controlled area or as directed by the Government.

6. Conditions required to be fulfilled by Developer [Section 17].

(1)The Developer shall furnish a bank guarantee to the Government to 25% in the case of specific sector Special Economic Zone and 10% in the case of multi-product Special Economic Zone of the cost of development self-estimated by the Developer, of anyone or more works, within thirty days of the approval of the master plan cited as under:-(i)development of roads, pavements/footpaths and connected infrastructure;(ii)landscaping, development of open spaces;(iii)water harvesting and ground water re-charging structures;(iv)water supply scheme;(v)sewerage and drainage scheme including treatment of disposal thereof;(vi)development of community infrastructure; or(vii)any other works as directed by the Government.(2)The Developer shall undertake to pay, proportionate development charges as determined and directed by the Government for laying the main external services including roads, drainage, sewerage, water supply, electricity or any other town level infrastructure.(3)The Developer shall undertake to pay Infrastructure Development charges as determined from time to time.(4)The Developer shall furnish an undertaking of responsibility to maintain and upkeep of the Special Zone to the satisfaction of the Government.(5)The bank guarantee shall be released on self certification of the Developer relating the work(s) completed after having satisfied that the works have been completed as per the detailed specifications or the Detail Project Report, as the case may be.

7. Approval [Section 17].

- To obtain formal approvals, the following documents shall be required :-(i)copy/copies of the title deeds or the lease deeds showing the ownership/lease rights of the Developers of the land intended to be developed as Special Economic Zone, free from all encumbrances;(ii)in case of joint ventures, the joint venture agreement(s) in support of transfer of the land in the name of the joint venture company by all the landholders free from all encumbrances;(iii)a copy of the shajra map indicating the khasra numbers of each field with area statement thereof, name of the village, and its hadbast number;(iv)a location map indicating the correct location of the site in relation to surrounding geographical features for clear identification of the Special Economic Zone land;(v)site plan showing the means of access;(vi)details of land notified by any State Government Development Board/Corporation/Undertaking for development of any scheme in the public interest;(vii)details of area where unauthorised colonies have been carved out in violation of the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975) or any other Act;(viii)a sworn affidavit

undertaking that the land under the proposed Special Economic Zone is free from all encumbrances.

8. Preparation of master plan [Section 17].

(1) Master plan shall contain the following documents :- (i) a topographical survey map showing the surface contours, configuration and all existing features thereon; (ii) a map showing existing land use(s) including existing building with classification thereof - Government buildings, private buildings and use thereof; (iii) a map showing the following land uses :- (a) areas reserved for major land uses such as industrial, residential, warehousing, transportation and communication, commercial etc; (b) areas reserved for public and community amenities, such as civic centres and educational, recreational and social institutions and major open spaces; (c) main lines of roads, railways, airports and areas reserved for major public utility services, such as water treatment plants and supply, sewerage treatment site and final disposal, surface drainage system and final disposal, electricity sub-stations and power generation plants etc.; (d) land reserved for major green rural belts; (e) special areas of aesthetic, sentimental or historic value which require protection and as directed by Ministry of Environment and Forests, Government of India, while clearing the project from environment angle (Environment Impact Assessment); (f) land liable to flooding or subsidence; (iv) a write up explaining the proposals illustrated on the map; and (v) zoning regulations containing - (a) types of buildings and ancillary and allied uses which may be permitted within a major land use referred to in clause (iii)(a) above; and (b) any special or general restrictions applicable to a specific part or parts of the Special Economic Zone area as required under Environment Impact Assessment clearance. (2) Government shall approve the master plan as advised by the [project evaluation committee] [Substituted for the words 'project approval committee,' by Haryana Government, Notification No. S.O.16/H.A.9/2006/S.17/2008, dated The 5th March, 2008.]. (3) Copies of the [master plan] [Substituted for the words 'development plan' by Haryana Government, Notification No. S.O.16/H.A.9/2006/S.17/2008, dated The 5th March, 2008.] of Special Economic Zone shall be available with - (i) Director, Industries and Commerce Department, Haryana; (ii) Director, Town and Country Planning Department, Haryana; (iii) Deputy Commissioner of the district in which the controlled area is situated; and (iv) Development Commissioner of the Special Economic Zone.

9. Construction of buildings [Section 17].

- The construction of buildings shall be governed by the building rules as amended from time to time.