

ECO-FRIENDLY FARMHOUSE POLICY



In the past few months, Enforcement Department, Director Town and Country Planning Haryana (DTCP) razed several farmhouses constructed in the Gurugram, Sohna, Faridabad and other area of Haryana. These farmhouses were constructed without obtaining any specific permissions such as change in land use, building plan approval, etc. which causes harm to environment and development planning. Such demolition made the owners of the farmhouses circumspect of their investment in farmhouses.

Recently, DTCP notified a policy for setting of eco-friendly farmhouse dated September 17, 2021, bearing No. Memo No. Misc-57/2021/7/16/2021-ZTCP. Under the policy, parameters have been prescribed for issuance of change in land use for setting up of eco-friendly farmhouse in the agriculture zone of hyper, high, medium and low potential towns beyond 500 square meters from the urbanizable zone of respective development plans areas.

As per the policy, eco-friendly farmhouse is defined as 'a house constructed by the owner of a farm at his land for the purpose of: (i) main dwelling unit; and (ii) ancillary use.' The main dwelling unit is permitted to be used for the residential purposes. The ancillary use building is permitted to be used for watch and ward/servant quarters and farm/animal shed. There will be no additional purchasable floor area ratio as per the provisions of Haryana Building Code, 2017. Also, the provisions of Haryana Apartment Ownership Act, 1983 will not be applicable on these farmhouses.

The minimum area for the land for change in land use can be granted under the policy is 1 Acre (equivalent to 4047 square meters) and above and subject to compliance of the conditions prescribed mentioned therein.

OTHER SALIENT FEATURES

- Farmhouse should be developed as a self-sustainable unit. Commercial usage of the site

(such as banquet hall, party hall, recreational, religious, institutional, etc.) is not allowed.


- It specifies the maximum permissible ground coverage and height of the main unit as well as the ancillary building depending upon the area of the land.
- Construction of a swimming pool of maximum 50 square meters for the exclusive use of the owner is allowed, provided the same is not used for the commercial purpose.
- Tree plantation will be required on a minimum of 15% of the land – a good move to keep the environment healthy and will encourage in planting more trees.

In case of any misuse of the building by the owner, the farmhouse will be sealed, and penal actions may be initiated against the owner as per Section 12 of Punjab Scheduled Roads and Controlled, Areas Restriction of Unregulated Development Act, 1963.

Considering actions being taken by DTCP against the unauthorized farmhouses, the policy may be a game changer in the real estate sector and may boost sale of farmhouses in Haryana. If the farmhouse has been constructed as per the conditions of the policy, then no adverse action may be undertaken by DTCP. The prospective purchaser will also be comfortable in buying such farmhouse(s), being legally compliant with this policy.

Having said that, one of the key challenge is going to be access road. To meet the approach road requirements, one will have to have a self-made road by donating some land to gram panchayat/local authority.

The policy is a balance of sustainable development at one hand and on the other hand, privacy of the owner(s) as well as leisure is also taken into consideration.

Overall, the policy provides for a positive framework and would help the owners of farmhouses to be compliant with the law, while ensuring adequate protection of the environment. 



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