

**PROCEEDINGS OF THE REVIEW MEETING OF OFFICERS HELD UNDER THE CHAIRMANSHIP OF CHIEF ADMINISTRATOR, HUDA ON 14.09.2007 AT 10.00 A.M. AT KARAN LAKE, TOURIST COMPLEX OF HARYANA TOURISM CORPORATION KARNAL.**

The list of participants is enclosed at Annexure – ‘A’

At the outset, the Chairman welcomed all the participants especially Administrator, HUDA (H.Q.) and Estate Officer (II), Gurgaon who had joined recently and also other newly promoted officers. The Chairman emphasized that all the field officers should email the progress report alongwith the follow up action of the last meeting **to the concerned officers at H.Q.** The concerned officer of H.Q. shall consolidate the status reports relating to agenda items for discussion in the meeting. Afterwards, the following Agenda items were discussed as under:-

**Review of Court Cases**

**1. Review of Court Cases and submission of information in formats as prescribed in Memo No.3179 dated 28.5.2007.**

(i) It was pointed out by the L.R. that the information of Faridabad Zone was not received in the Legal Cell. The Administrator, HUDA, Faridabad has submitted that he has sent the list of Court Cases in the required format through E-mail. The Chairman directed the Administrator, Faridabad as well as Legal Remembrancer to be vigilant in checking the reports of Court Cases in the prescribed formats. The Chairman again expressed his displeasure to LR for poor working of Legal Cell. He particularly commented on putting Jagadhari in Gurgaon Zone whereas Jagadhari should have been put under the Panchkula Zone & similar other mistakes.

(ii) Chairman reviewed the position of Court Cases estate-wise. In some of the Urban Estates where more cases have been added than disposal, it means that the people are not satisfied with the working of the Estate Offices and the allottees had to get their grievances redressed through Courts by filing complaints against HUDA and so on. Hence he advised that all officers should take steps to redress the grievances to the maximum. Total no. of pending court cases as per information received from the Estate Offices are 6906 (Annexure ‘B’) at the end of the month of August-

2007. The Administrators should verify the correctness of these figures and send a consolidated certificate by 12.10.2007.

(iii) He directed that the decision in CWP No.17046 of 2006 Jagdish Parshad Vs State of Haryana relating to Urban Estate PKL be circulated to all the Estate Officers. He advised LR that if the Estate Officer does not send the requisite information even after receipt of two reminders, then the file should be sent to him for passing further necessary orders on the file in this regard. Hence, LR, HUDA is required to send directions to his Law Officers in this regard. He emphasized that his orders dt. 28.5.07 and 11.9.07 be followed in letter and spirit and use of email should be made a habit by all the officers of HUDA.

(iv) The position of Land Acquisition cases are also not satisfactory. Hence, the concerned Administrators have been directed to pay proper attention in this regard while preparing comments and submitting written statements before the courts and review the cases by 10<sup>th</sup> of every month otherwise they will be held personally responsible. In numerous cases, replies have not been filed on behalf of HUDA. It was desired that reply should be filed on the first date and if it is not possible due to shortage of time, same should be filed on second date positively failing which it shall be viewed seriously.

v) It has been noticed that preliminary objections are not taken at the initial stage of the cases when replies are filed in District Consumer Forums or in lower Civil Courts because of which we lose the cases right upto Supreme Court. It is settled law that new pleadings can not be taken in higher courts and therefore, whatever pleas are taken at the initial stage, they become final. Hence, Adms./Estate Officers should be careful and incorporate all possible preliminary objections pertaining to limitation, non-joinder and mis-joinder of parties, cases being filed by GPAs who are infact purchasers of the properties, jurisdiction etc.

vi) All Adms should review the pending executions/contempt cases and ensure that these are brought down to Zero atleast in

respect of contempt cases pending in High/Supreme Court. It must also be ensured that wherever courts have directed to pass speaking orders, speaking orders in all these cases must be passed within stipulated period. It has been noticed that many contempt cases are being filed just because the speaking orders were not passed in time. If this thing happens in future, concerned officer shall be held responsible. A monitoring mechanism in this regard should be devised by all the Adms./Estate Officers.

(vii) The Chairman showed his serious concern about the lethargic treatment given by all the Administrators and L.R., HUDA for not sending the follow up action reports on the last minutes of the meeting held on 07.07.2007 regarding review of Court Cases and on the references made from CA from time to time. However, the work of ADA, Karnal was appreciated by the Chairman.

**(Action by all Zonal Administrators/E.O.s)**

## **2. Review of appeal cases U/S 17(5) of HUDA Act.**

In this regard dates of 3 oldest pending appeals were required from the Estate Officers but some of the Estate Officers did not bring the dates of 3 oldest pending appeals. In future, complete reports should be given. Worthy Chairman directed All Administrators/ Estate Officers that old pending appeals should be disposed of expeditiously.

**(Action by all Zonal Administrators/E.O.s)**

## **3. Review of Disposal under RTI Act**

The application received under RTI Act were reviewed. It was desired that the concerned officers should personally check all such representations and devise effective monitoring mechanism. It was made clear that the applicants have got a right to information and not right to question our decisions or ask for deadlines for taking decisions under the provisions of RTI Act. Similarly, they can not ask us to compile information for them. They can take the information in whatever form it is available with HUDA and the already stressed man-power of HUDA can not be diverted for

compiling information for applicants under RTI which is not the intention of the Act.

**(Action by all Zonal Administrators/E.O.s/all officers at H.Q.)**

#### **4. Review of disciplinary Cases**

Secretary, HUDA apprised the status of disciplinary proceeding under Rule-7 pending with the Inquiry Officers of HUDA. It has been decided that all the Inquiry Officers be directed to conclude the inquiry and send reports by 30.09.07 positively. Chairman made it very clear that in future the retired senior officers may be appointed as Inquiry Officers and the Inquiry Officers should be appointed by name instead of by designation.

**(Action by Secretary, HUDA)**

#### **5. Review of recoveries**

- (i)** While reviewing the overall recovery of various Urban Estates of HUDA, it was observed by the Chairman that the overall recovery has decreased continuously from the month of May to August, 2007 i.e. from 132% in May, 2007 to 122% in June, 2007 to 105% in July, 2007 and to 99.18% in August, 2007. Chairman viewed it seriously and observed that the efforts have not been made to improve the recovery position.
- (ii)** The overall recovery position in respect of enhanced compensation, development charges from released land and new sale commercial continues to be on the lower side.
- (iii)** There is no improvement in the recovery of **enhanced compensation** and the same position continued as in the month of May, 2007 and the Estate Officer, Gurgaon, Faridabad, Rewari, Hisar, Sirsa, Karnal, Panchkula, Panipat, Rohtak, Sonapat failed to improve the recovery position of enhanced compensation should be sent immediately if they have not sent and the interest on account of non issuing of the notice shall be recovered from defaulting officers/officials as HUDA will not be able to recover the interest for the intervening period.

- (iv) The recovery of **revenue receipt** in respect of Urban Estate, Rewari, Bhiwani, Kaithal, Sirsa, Panchkula, Bahadurgarh and Panipat was below the targets.
- (v) The recovery of **installment of plots** in respect of Rewaril, Kaithal, Sirsa, Ambala, Kurukshetra and Bahadurgarh was also found to be on the lower side.
- (vi) Chairman desired that the displeasure may be conveyed to the Estate Officers where the overall recovery is less than 100%. Similarly appreciation may be conveyed where the overall recovery is found to be more than 125%.
- (vii) It was also decided that in future **graphic presentation** of overall recovery viz-a-viz recovery upto the previous month may be made.

**B) Regarding recovery of External Development Charges from released land.**

- i) Instructions were issued vide letter No. 30250-55 dated 30.08.2007 to prepare the Urban Estate-wise list of cases in the following performa where the land has been released so far.

<b>Sr. No.</b>	<b>Name of party</b>	<b>Letter No. &amp; date of orders of release</b>	<b>Area Date of Agreement</b>	<b>Rate of dev. Charges</b>	<b>Total amount to be recovered</b>	<b>Amount recovere d up to 30.07.07</b>	<b>Balance recover able amount</b>

It was also emphasized that in the cases where the development charges have not been paid or have been paid partially, the notice may be issued to the concerned party to pay the development charges by 30<sup>th</sup> September, 2007. In case the development charges are not paid by 30<sup>th</sup> September. 2007 the case for acquisition of their land under the Land Acquisition Act may be sent to Head Office by 30<sup>st</sup> October, 2007. Chairman desired that these instructions may be followed in letter & spirit and report in this regard may be sent by 30.09.2007 and 31.10.2007.

- ii) The information regarding cases of released land if not available with the Estate Office may be obtained from the office of Director, Urban Estate and agreement if not executed may be executed immediately.

**C) Interest on delayed payment of installments/enhanced compensation.**

i) CCF draw the attention of the Estate Officers towards instructions issued vide letter No. 26647-68 dated 27.7.2007 wherein it was directed to incorporate the clause of payment of interest on delayed payment of installments, enhanced compensation and clause of possession interest in the regular allotment letter/re-allotment letter/affidavit by the transferee in the case of transfer of plot. Directions were issued to incorporate the above said clause and compliance report may be sent by 16.8.2007 but no Estate Officer has sent the compliance report. Chairman viewed it seriously and desired that the compliance report should be sent immediately. It was also desired that this being a very important item from the point of view to HUDA, in next meeting this item will be taken as Agenda Item No.1.

ii) The judgment of Hon'ble Supreme Court of India in the 9 cases of Urban Estate, Panchkula was also brought to the notice of Estate Officers in the meeting wherein Hon'ble Apex Court has ordered to charge compound interest @ 10% p.a. It was explained that in 9 cases of Urban Estate, Panchkula which relates to allotment of commercial sites and which were auctioned during 1989 to 1991, there was a clause of charging of interest on the delayed payment of installments. In these cases, Hon'ble High Court has ordered to charge 10% simple rate of interest on the delayed payment of installment keeping in view the case of Roochira Ceramics V/s HUDA. SLPs were filed in these cases and in grounds of appeal point was raised whether the ratio of Roochira Ceramics case is applicable in these case? It was contended that the Roochira Ceramics case is different from the present case as in Roochira Ceramics case interest @ 10% is chargeable if the installments are paid in time. The allotment letter in Roochira Ceramics case is silent with regard to rate of interest being chargeable on the failure to pay the installments in time. It is only in case of failure of the allottee to deposit the installments on the due date, the interest @ 18% is chargeable in accordance with the policy of HUDA. The Hon'ble Supreme Court in these cases have ordered to charge compound interest @ 10% on the delayed

payment of installments. It was intimated that the detailed instructions in this regard are being issued by the L.R., HUDA and Chairman desired that in all the similar cases which are pending before the various Courts/Forums/Commission, already filed replies be amended by attaching the copy of the judgment of the Hon'ble Supreme Court of India.

**D) Overdue recovery from staff on account of loans and advances.**

Chairman intimated that there is no monitoring of loans and advances given to the staff. The loans and advances given to the staff should be utilized for the purpose for which it has been taken. But the utilization certificate alongwith the documents etc. are not provided by the employees, in the absence of which it cannot be ascertained whether the loans have been utilized for the same purpose. Similarly, there is no monitoring of the recovery of loans and advances given to the staff. Chairman desired that the loans and advances given to the staff should be properly monitored. The overdue amount of loans and advances given to the staff as on 1.4.2007 may be intimated to the Head Office by 30.9.2007 with the certificate that all the documents have been received from the staff and there is no mis-utilization of the loans and advances.

**(Action by all Zonal Administrators/E.O.s/CCF)**

**6. Flotation Programme**

1. CTP, HUDA pointed out that the layout plans/demarcation plans/zoning plans are getting delayed due to lack of coordination between the LAO Staff, DTPs of T&CP Department and XENs HUDA. Also there is a lack of professional attention to work by DTP's and STP's resulting into poor quality of the work and frequent back references. It was decided that a meeting may be convened at the level of CTCP Haryana in the first week of October, 2007 in which DTCP Haryana may also be invited.
2. It was also decided that all the planning work can be done from outside/outsourcing by the Administrators if they feel no quality output is coming out and there is delay in the preparation of drawings.

3. The floatation programme was reviewed and it was pointed out by CTP HUDA that floatation is mostly held up due to non-finalization of demarcation plans and fixation of price by CCF. It was decided that all such work should be completed within next 10-15 days.
4. It was also pointed out by CTP HUDA that all the land awarded has not been indicated in the floatation schedule by the Zonal Administrators. It was decided that all the acquired land pockets may be included in the floatation programme. The Chairman emphasized that CTP should put up the list of sectors to be floated immediately.

**(Action by all Zonal Administrators/E.O.s/CTP)**

**7. Review of major development works except Gurgaon & Faridabad.**

- i) As per the financial achievement statement during the year 2007-08, the expenditure up to 7/2007 by Engineering Wing, is Rs.156.40 crore against the budgeted target of Rs.620.00 crore. It has been observed by Chief Administrator, HUDA that the expenditure is on lower side. The achievement is 84.28% (upto7/07) as per proportionate budget upto 7/07.
- ii) The achievement by Superintending Engineer, Hisar up to 7/07 is 73.96%, by Superintending Engineer, Electrical, it is 81.51% and by Superintending Engineer, Horticulture, is 83.90%. Superintending Engineer, HUDA, Karnal has a achievement of 102.67%. The Chairman appreciated the efforts made by HUDA Circle, Karnal and expressed his unhappiness about SE, Hisar, Electrical & Horticulture.
- iii) The achievement by Executive Engineer-II, Panchkula is only 63.87% which is on lower side. Superintending Engineer, Panchkula explained that the major work is of Ashiana Scheme, the tenders for which is under process of allotment.
- iv) Superintending Engineer, Hisar has explained that major works pertain to new sectors i.e., Jind, Sec-6,7,8,9, Hisar, Sec-1&4. S.E., Hisar assured that every efforts will be made to achieve the target in III Qtr.



- v) Superintending Engineer, Karnal explained the difficulty of getting the boundary pillar identified by staff of LAO, Panchkula, in the absence of which the dimensions as per layout plan cannot be verified for finalization of demarcation plan of Sec-9/32, Karnal, Sec-18, 21 Kaithal and R-4, Cheeka.
- vi) S.E., Rohtak explained the difficulty that clear possession of some areas at Sonapat is not available to the engineering wing, because of which the work could not be taken in hand. The Chairman asked SE, Rohtak to provide him the list of area/roads of Sonapat where there is such problem so that matter can be resolved and progress can be achieved.
- vii) Regarding Ashiana Scheme ACE, explained the status of availability of land in various Urban Estate, Haryana. Senior Architect explained that layout plans are being finalised within 2-3 weeks after receiving the dimensions from Engineering Wing. The Chairman instructed to finalise plans at an early date. ACE was also advised to get the projects expedited.
- viii) C.E-II, explained that the progress is affected due to rainy season, now the progress of works at site will be accelerated in the coming months.
- ix) Administrator HUDA, Gurgaon was asked to send the demarcation plan of Sec-49, 50, Gurgaon after getting the dimensions verified from SE/EE concerned.
- x) It was directed by the Chairman that the information/reports of Engineering Wing should be on the uniform format.
- xi) It was also pointed out that the work of Education City is very slow.
- xii) S.E. (Hort.) also apprised the status of plantation. CA desired that the work should be speeded up. It was also desired that the post of SDOs also to be advertised to solve the problems of shortage of staff in the Horticulture Wing.
- xiii) The work on sewage treatment plan in Kurukshetra should be speeded up.

**(Action by all S.E.s)**

## **8. Removal of encroachments.**

It was noticed by the Chairman that during the month of June, July and August, 2007, encroachments only on an area of 1.26 acres without court stay have been removed only by E.O., Karnal and Panipat. This laxity on the part of Estate Officers for not removing encroachments on HUDA's acquired lands where no court stay exists has been viewed seriously. It was also observed that the progress report for the month of August, 2007 has not been received from E.O., Rewari, Sirsa (in respect of M.T. Ellenabad and Kalanwali) and E.O., Kurukshetra (in respect of Shahbad and M.T. Pehowa). Similarly the report for the month of July, 2007 has not been received from E.O., Gurgaon, Rewari, Bhiwani, Hisar, Jind, Sirsa and Kurukshetra and report for the month of June, 2007 has not been received from E.O., Gurgaon, Rewari, Bhiwani, Hisar, Jind, Sirsa, Kaithal and Kurukshetra. The Chairman directed all the concerned E.O.s that during the month of Sept., 2007 atleast 10 acres encroachments without court stay should be removed by the E.O.s. Chairman further directed that displeasure be conveyed to those Estate Officers who did not send the monthly reports.

**(Action by all Zonal Administrators/E.O.s/)**

## **9. Review of plots in respect of which possession has not been handed over.**

It was observed by the Chairman that the information supplied in this regard by the Estate Officers need more clarity and directed that revised information in this regard be supplied to Head office within a week. He further ordered that displeasure be conveyed to those Estate Officers who did not send the report called for the meeting. The report from E.O., Faridabad, Rewari, Jind, Kaithal, Bahadurgarh, Panipat and Sonapat has not been received.

**(Action by all Zonal Administrators/E.O.s/)**

## **10. Review of Transfer Permission-granted and applications received.**

It was observed by the Chairman that the information given in Column. No. 8 need more clarity. The Estate Officers' non-serious attitude for not sending of information was viewed

seriously. This information for the month of June, 2007 has not been received from E.O., Gurgaon, Rewari, Hisar, Sirsa, Jind and Bhiwani and for the month of July, 2007, the same has not been received from E.O., Gurgaon, Rewari, Hisar, Sirsa, Jind and Bhiwani and for the month of August, 2007, the information has not been received from E.O., Rewari, Hisar (in respect of M.T. Ratia, Tohana, Hansi, Adampur,, Bhattu and Fatehabad, Jind and Bhiwani). The Chairman ordered that displeasure be conveyed to all those Estate Officers who have not sent the reports.

**(Action by all Zonal Administrators/E.O.s/)**

### **11. Sanction of Building plans**

While reviewing the item, it was observed that information had been given by the Estate offices in different formats. It was again stressed that information should be given only in the prescribed form M-10. Further, only consolidated information was required to be given for the period under review. This may be kept in view in future. Estate officers of Panchkula, Ambala, Jagadhari, Kurukshetra, Karnal and Kaithal did not submit the information in time. Their information was incomplete as column. 8 was left blank. Similarly, Estate Officers Bahadurgarh,, Panipat, Rohtak, Sonapat did not give the required information in column 8 of the form M-10.

The above was viewed very seriously by the Chairman. In future, all Administrators should ensure that the information complete in all respects in consolidated form is sent by all Estate officers in form M-10 in time to the Headquarter.

**(Action by all Zonal Administrators/E.O.s/)**

### **12. Status of Applications received for grant of occupation certificates.**

The information had been given on different formats by the Estate officers. In future, all information must be given in the prescribed form M-8. The information must be given in consolidated form for the period under review and separate monthly statements are not required. Pendency in cases of Rohtak, Panipat, Kaithal, Gurgaon, Jind and Panchkula was high and action needs to be taken by the concerned to expedite the cases. Information in the last column i.e. no. 8 was not properly given by

many Estate officers. Specific information and reasons thereof may be given in future. In cases where rejections are done it may be informed whether disconnection of services has been done or not.

**(Action by all Zonal Administrators/E.O.s/)**

### **13. Computerisation**

Chairman desired that EO, Panchkula may brief about the status of computerisation in Estate Office, Panchkula. EO(Pkl), while explaining the status of computerization, expressed satisfaction about the working of the application software. He informed that all the applications are being processed through computers for which single window has been established. He further informed that the access of the application may also be given to Indian Bank so that correct data may be captured.

Participating in the discussions, Sr. Manager (IT) informed the perquisites for computerisation in each Estate Office. He impressed upon the need of allotting unique ID to each property as per nomenclature circulated by IT Wing and latest demarcation plan be got prepared before the start of work.

**(Action by S.M. IT)**

### **14. Review of action taken in respect of. allottees whose 15 years construction period has completed and they have not got the building plan approved by 30.06.2007.**

Since none of the Estate Officers sent this information, the Chairman took it very seriously and directed that displeasure in this regard be conveyed to all the Estate Officers. He further desired that a format in this regard be also prepared and circulated. E.O., Panchkula and Gurgaon informed that they have evolved a format. A copy of the same shall be supplied to Head office by them.

**(Action by all Zonal Administrators/E.O.s/)**

## **MISC**

### **i) E.W.S. housing**

It was reported by Sh,. Amrik Singh, ACE that two site plans for Sirsa and two for Ambala E.W.S. housing have been sent to the office of Senior Architect for getting the layout plans prepared. It was desired by the Chairman that the layout plans

may be got approved and issued to the field offices at the earliest. It was also desired that action to supply sites of EWS housing of other areas be taken by the concerned quickly so that their planning could be done. Administrator Gurgaon was requested to expedite the issue for Gurgaon as no site plan had been finalized for Gurgaon as yet.

**(Action by all Zonal Administrators/Sr. Acrh.)**

ii) **Un-Authorized occupants of HUDA Staff Quarters.**

It was directed by the Chairman that all the staff quarters occupied illegally by the officers/officials of other departments as well as HUDA employees who had already retired/transferred be vacated immediately. The public notice be also got published on the pattern of public notice published in the Tribune/Hindustan Times by the Haryana Govt. on 13.09.2007 to be complied with by all the un-authorized occupants of HUDA houses.

**(Action by all Zonal Administrators/E.O.s/Secy. HUDA.)**

- iii Office building at Ambala be constructed immediately
- iv) It was decided that all works should be started by Engg. Wing within six months after the Administrative approval.

Meeting ended with a vote of thanks to the Chair and assurance by all the Administrators as well as Heads of Branches of H.Qs that they will ensure expedites follow up action and bring about drastic improvement in the present working.

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Annexure ‘B’

Balance Court Cases as on 31.08.07

Faridabad Zone	
Faridabad	1402
Gurgaon Zone	
Gurgaon/Rewari	1936
Hisar Zone	
Hisar	817
Sirsa	254
Jind	62
Bhiwani	213
Total	1346
Panchkula Zone	
Ambala	160
Panchkula	675
Jagadhari	90
Kurukshetra	193
Karnal	257
Total	1375
Rohtak Zone	
Rohtak	92
Bahadurgarh	88
Sonipat	292
Panipat	372
Total	847
Grand Toal	6906