

HSVP-Building a better future.



हरियाणा शहरी विकास प्राधिकरण

(HSVP Policies and Instructions)

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Disclaimer

The HSVP compendium is for the information of HSVP Officers/Officials and general public. Every endeavour has been made to keep the compendium up to date and correct. Discrepancies, if any, may be brought to our notice.



The Haryana Shehri Vikas Pradhikaran (erstwhile HUDA) has pioneered planned & holistic urban development in the State. Prior to formation of HUDA on 02.05.1977, the Urban Estates Department was entrusted with the planned urban development in the State. The Urban Estates Department had to rely on various government departments like Electricity Board, PWD, PHE etc. for executing the development works associated with its activities. There were many problems of co-ordination which showed the realization of the required pace as well as quality of development of the urban estates leading to cost over-runs and less than satisfactory outcomes.

In order to overcome these difficulties and to achieve efficient & expeditious development of all the Urban Estates, the Government of the day proposed and the State Legislature passed the Bill for enactment of Haryana Urban Development Authority in 1977. The Act received the assent of the Hon'ble President of India on 30.04.1977 and Haryana Urban Development Authority (now HSVP) came into being. It has, in the last 43 years, become the icon and model for other states.

Policies & guidelines governing and defining the working of HSVP have been changed by the Authority from time to time responding, in the best possible way, to the demands of development to better serve all the residents and plot owners. This ready reference manual & source book for all stakeholders contains the regulation, policies and instructions, as amended from time to time, upto 01st January, 2020.

I hope that this Compendium guides all stakeholders about HSVP policies and instructions and will be extensively used by them to better serve the residents of our Urban Estates.

(A.K. Singh, IAS)

Principal Secretary to Govt.

**Haryana Town & Country Planning
Department, Haryana**



हरियाणा शहरी विकास प्राधिकरण (हशविप्रा) का हरियाणा राज्य के शहरीकरण के विकास नियोजन एवं प्रबंधन में सततरूपेण उल्लेखनीय योगदान रहा है। वर्ष 1977 से वर्ष 2020 तक के प्राधिकरण के इतिहास में समय-समय पर लोक व आबंटी हित में विभिन्न प्रकार की नीतियों व विधि-विधानों की रचना की जाती रही। 42 वर्ष के काल में कई नीतियों का प्रादुर्भाव तथा अवसान भी हुआ।

हशविप्रा के दीर्घकालीन कार्यान्वयन के दौर में जारी हुई व वर्तमान में महत्ता रखने वाली नीतियों व उनसे जुड़े दिशानिर्देशों के अधतनीकरण की आवश्यकता को सम्प्रति समझा गया। परिणामस्वरूप इनका संकलन करने का भागीरथ प्रयास श्री गिरीश अरोड़ा,आई.ए. एस, प्रशासक (मुख्यालय) व उनके अतर्गत कार्यरत अधिकारियों द्वारा किया गया तथा इसे सफलतापूर्वक लक्ष्य तक पहुँचाया। इस हेतु वे सभी भूरि-भूरि प्रशंसा के पात्र हैं। मैं आशान्वित हूँ कि यह 'संकलन मार्गदर्शिका' सभी भागीदारों के लिये वृहदरूपेण उपयोगी व महत्वपूर्ण सिद्ध होगी। हशविप्रा के आबंटीगण व शहरी संपदाओं के वासी निरंतरता में इनका लाभ उठा पायेंगे।

पंकज यादव,भा.प्र.से
मुख्य प्रशासक
हरियाणा शहरी विकास प्राधिकरण
(हशविप्रा)



Haryana Shehri Vikas Pradhikaran (formerly Haryana Urban Development Authority) has established a name in itself in the country to come up as a premier body to provide planned residential, commercial industrial, institutional and Group Housing etc. sites to cater to the citizens of the country especially of Haryana. So much so, it has earned laurels for Haryana by bagging following awards :-

1. National Award for E-governance for the year 2008-09.
2. Outstanding Concrete Structure Award for the year 2010 by Indian Concrete Institute in Special Design Structure Category.
3. Special award in residential and other building category for the year 2013 by Indian Concrete Institute.
4. Outstanding Structure Award for 2014 by Indian Concrete Institute in Institutional Building Category.
5. Outstanding concrete Structure Award 2019 by Indian Concrete Institute in Infrastructural Category.

The functioning of HSVP is largely governed by Haryana Shehri Vikas Pradhikaran Act, 1977, Disposal of Land & Building Regulations Act 1977, Haryana Building Code, Land Acquisition Act.


There is a plethora of guidelines/instructions/policies issued from time to time by different wings of HSVP i.e. Legal Branch, Policy/Urban Branch, Establishment Branch, Vigilance Branch, Accounts Branch, Town Planning Wing, IT Cell, Engineering Wing, Enforcement Branch etc.

Therefore, there has always been a need for all such instructions/guidelines/policies to be compiled at one place. One such herculean task was achieved in the year 2012 when “Blue Book” of HSVP was published under the able leadership of Sh. A.K. Singh, IAS, the then C.A., HSVP and Sh. T.C. Gupta, IAS, the then PSTCP. But with the changing times & the interregnum, many & more such guidelines/instructions/policies have been necessitated issued, need has again been felt to re-do the exercise.

In order to facilitate easy search, branch-wise compilation has been done in reverse chronological order i.e. latest instructions/ guidelines/policies have been placed first and the oldest at the last of each segment. With the inspiration of Principal Secretary to Govt. Haryana Town and Country Planning Department, IT Wing of HSVP has also come-up with a soft copy of the same with drop down search facility to make it more user-friendly.

I would like to thank to all branch heads at HSVP HQs for providing relevant material of their branches and giving valuable inputs in editing the content. A special word for Chief Information Technology Officer & his team for making its soft version and hosting it on HSVP website for netizens.

Under the dynamic leadership of Hon'ble CM, Haryana, who is also the Chairman of HSVP and valuable guidance of Sh. A.K. Singh, IAS, Principal Secretary to Govt. Haryana, Town & Country Planning Department, Sh. D. Suresh, IAS & Sh. Pankaj Yadav, IAS former & present Chief Administrator, HSVP, this compendium is dedicated to the public so as to enable HSVP to serve them in a better way.


With Regards
Administrator, HUDA, HQ,
Panchkula

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787	Instruction regarding finalization of zoning plan before offer of possession to the Urban Estates HUDA.	13391-94	18.05.1998	1695
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HSVP - PRESENT, PAST AND FUTURE

The Haryana Urban Development Authority, a statutory body of Haryana Government came into existence under the Haryana Urban Development Authority Act, 1977 under the name and style of Haryana Urban Development Authority and took over the responsibility hitherto being handled by the different Government Departments. Prior to it, the works relating to planned development of the urban areas were being looked after by the Urban Estate Department, which used to function under the aegis of the Town and Country Planning Department.

The Haryana Urban Development Authority, has been renamed as Haryana Shehri Vikas Pradhikaran vide U.O No.9/45/2018-2 Cabinet dated 16.1.2018 and Haryana Govt. Gazette notification No. 15-HLA of 2018/15/4102 dated 10th March 2018 and subsequent amendment in the Act in August 2019

Presently HSVP has 41 urban estates (townships) in Haryana. Its main functions are to promote and secure development of urban areas in a planned and phased manner by acquiring undeveloped land. HSVP develops and disposes of the land for residential, industrial, institutional and commercial purposes. Land Pooling Scheme has also been adopted by HSVP as notified by the Urban Estates Department in the State Gazette (extra.) dated September 10, 2012 vide notification no. 10431 of late for acquisition and development of Residential sector with the coming up of Land Pooling Policy 2019. Townships are provided with world class physical infrastructure is developed for its townships like roads & bridges, water supply and sewerage systems, storm water drainage systems and horticulture works. HSVP has also been providing the basic infrastructure facilities for health care, education, recreation, environment, industry and community development especially in high potential zones of Gurugram, Faridabad, Bahadurgarh, Rohtak, Sonapat etc. The Authority also undertakes development in the National Capital Region thereby ensuring proper coordination with the Central and other State Governments. Another job of HSVP is to utilize the surplus Government land thereby generating additional resources for the state exchequer. Built upon a tradition of integrity and professionalism, HSVP is committed to make a difference in all that it undertakes engineering innovative solutions, providing services par excellence, and delivering projects of exceptional design and quality. HSVP has to its credit various awards like Outstanding Concrete Structure Award of year 2010, Special Award in Residential and Other Building Category for the year 2013, ICI-CHD-UltraTech Endowment Award for Institutional Building 2018-19 and Outstanding Concrete Structure Award 2019 by Indian Concrete Institute, Punjab & Chandigarh in Infrastructural Category

BROAD WORKING OF THE ORGANISATION

The main functions of Haryana Shehri Vikas Pradhkara(HSVP), are:-

1. To promote and secure development of urban areas with the mandate to acquire, sell and dispose of property, both movable and immovable.
2. To acquire, develop and dispose off land for Residential, Industrial, Commercial and Institutional purposes.
3. To make available developed land to Haryana Housing Board and other bodies for providing houses to Economically Weaker Sections of the society and to undertake building works and other engineering works.

ADMINISTRATIVE SET UP OF HSVP

The Authority consists of a Chairman, a Vice Chairman, a Chief Administrator and such other members (not more than 11, but not less than 6) appointed under notification issued from time to time.

The HSVP has various wings, like Administrative, Engineering, Town Planning, Architecture, Financial, Legal and Monitoring etc. The Chief Administrator at the Head-Quarters is overall incharge and responsible for discharging day to day functions of the Authority and is assisted by five Zonal Administrators, posted at Faridabad, Gurgaon, Hisar, Panchkula, Rohtak besides one Administrator at the H.Q. The Chief Administrator is guided by the policies framed by the Authority. Under Section-8 of the HSVP Act, 1977, the Authority is competent to appoint one or more committees for the purpose of securing the efficient discharge of the functions of the Authority and particularly for the purpose of ensuring the efficient maintenance of amenities and development projects. Accordingly, by virtue of these powers the Authority has constituted a number of Committees/Sub-Committees to take up decisions on various important matters.

FUNCTIONS OF VARIOUS WINGS OF HSVP

(i) ZONAL ADMINISTRATION:

The entire state is divided into 41 Urban Estates. The work of these Urban Estates is being supervised after by five Zonal Administrators assisted by Eighteen Estate Officers. The main functions of these Estate officers are to sell developed and undeveloped plots of all categories of land and realise the revenue. All the financial receipts of transactions are looked after by the Estate Officers and channelised through the Accounts Branch of Head Office for expenditure on development activities. The Estate Officers are also responsible for supervising the matters relating to the construction activities within the frame work of construction and building rules applicable thereto. The Administrators act as coordinators between various wings engaged in the planned urban development of the respective areas under their jurisdiction and are responsible for the overall implementation of various schemes/projects of HSVP being executed in their areas. The Zonal Administrators are located at following places:

Administrator, HSVP, Faridabad, HSVP Complex, Sector-12, Faridabad.

Ph. 0129-2227676 (0), Tel.fax. 0129-2221919

E-mail address:- adminfbdhuda1@gmail.com

Administrator, HSVP, Gurugram, HSVP Complex, Sector 14, Gurgaon.

Ph. 0124-2321650 (0), Tel.fax. 0124-2323211

E-mail address:-admnggnhuda@gmail.com.

Administrator, HSVP Hisar, HSVP Complex, U.E. II, Hisar.

Ph. 01662-245385 (0), Tel.fax. 01662-245189

E-mail address:-admhsrhuda1@gmail.com

Administrator, HSVP, Panchkula, C-3, Sector-6, Panchkula.

Ph. 0172-2560024 (0), Tel.fax. 0172-2566616

E-mail address:-admpklhsvp@gmail.com

Administrator, HSVP, Rohtak, HSVP Office Complex, Sec-3 Sonipat Road Rohtak.

Ph. 01262-285786 (0), Tel.fax. 01292-292786

E-mail address:- admrtkhuda@gmail.com

Administrative Officers at HQs.

Secretary, HSVP, Panchkula, C-3, Sector-6, Panchkula

Ph. 0172-2566380(0), Tel.fax. 0172-2566378

E-mail address:- secyhuda@gmail.com

Administrator(HQ), HSVP, Panchkula, C-3, Sector-6, Panchkula

Ph. 0172-2566650(0), Tel.fax. 0172-2570757

E-mail address:- admnhqhsvp@gmail.com

Chief Administrator HSVP, Panchkula, C-3, Sector-6, Panchkula

Ph. 0172-2575038, 2585879(0), Tel.fax. 0172-2572038

E-mail address:- cahuda@gmail.com

1. ARCHITECTURE WINGS

The Architecture wing has been established at the Head-Quarters to look after the work of perspective planning for establishment of new urban estates, research and development of architectural controls, the design of city centers, planning of commercial areas, landscape designing of parks and open spaces including nurseries and all other works of urban design. Architecture wing comprises of Chief Architect assisted by a Senior Architect and his staff for preparation of Architectural controls and Architectural designs of all buildings constructed by HSVP.

2. AUTHORITY BRANCH

The authority branch is headed by Secretary, HSVP, Panchkula. The branch was established at the time of creation of HSVP. The authority branch is dealing with the matter of allotment of discretionary quota plots in various urban estate of Haryana. The main function of the branch is to organize meetings of Paridhikarn and Sub-Committee of developments works under the Chairmanship of Hon'ble Chief Minister, Haryana-cum-Chairman, HSVP as well as to organize the meeting of Personal Committee under the Additional Chief Secretary, Town & Country Planning Department to Govt. of Haryana.

3. ENGINEERING WING

The Engineering Wing is headed by two Chief Engineers and the works at head office level are distributed between Chief Engineer-I & Chief Engineer-II. They are assisted at Head Quarter by Superintending Engineers & Executive Engineers for taking care of execution of different type of works in field, the Engineering wing is further sub divided into Civil, Electrical & Horticulture Circles.

Civil Circle

The entire State is divided into 7 Civil Circles & 21 Divisions headed by Superintending Engineers and Executive Engineers respectively. The Civil Circles are located one each at Panchkula, Karnal, Hisar, Rohtak, Faridabad and two at Gurugram. An Additional Chief Engineer at Gurugram has jurisdiction over the Circles at Gurugram & Faridabad.

Electrical Circle

The Electrical works in the State are being looked after by a Superintending Engineer at Gurugram & five Electrical Divisions located at Panchkula, Hisar, Rohtak, Faridabad & Gurugram.

Horticulture Circle

The Horticulture works are being taken care of by a Superintending Engineer at Panchkula & assisted by five Horticulture Divisions located at Panchkula, Hisar, Rohtak, Faridabad & Gurugram.

4. ESTABLISHMENT WING

Establishment wing of HSVP is looked after by the Secretary HSVP. Following key functions are performed by Establishment Wing.

- Recruitment of new staff for HSVP and other allied service matters of HSVP employees.
- Trainings of HSVP staff
- Management of all Employee related details
- Preparation and circulation of Agenda for meeting of Pradhikaran and Personnel Committee meetings of HSVP.
- All welfare activities of HSVP employees.

5. ENFORCEMENT WING

The Enforcement Wing headed by an Enforcement Officer at Headquarter has been established to monitor the progress of removal of encroachments by Estate Officers on HSVP acquired lands. For this purpose format M-1 has been circulated to all the Zonal Administrators/Estate Officers in the field and the progress of removal of encroachments is called every month on this format at Head office. The same is examined and analyzed for pin-pointing deficiencies. Further complaints received at Head office regarding encroachments are forwarded to concerned Estate Officers for necessary action & report to Head office. Similarly, the progress of closing of commercial activities in the residential houses in the Urban Estates of HSVP in the State is also monitored at

Head office level in the Enforcement Wing for which format M-2 has been circulated in the field to all Zonal Administrators/Estate Officers and monthly progress reports are called on this format. The same are examined and analyzed at Head office for pointing out deficiencies. In addition to above, quarterly information/progress of lands acquired, physical possession taken over by Estate Officers and status of mutations of acquired land entered, sanctioned and pending is called on a prescribed format circulated to all the Zonal Administrators/Estate Officers. This information/progress is also examined and analyzed in the Enforcement Wing and accordingly deficiencies, if any, are conveyed to the concerned Estate Officers.

6. FINANCE WING

At the time of inception of HUDA in 1977, the Assests and Liabilities of the Urban Estate department were transferred to HSVP. Since then HSVP is carrying out its activities by circulation of funds.

1. Sources of inflow of funds:

- i. The main source of inflow of funds in HSVP is through sale of plots. The receipt from sale of plots is collected by Estate Offices and pooled in Head office through collection and transfer accounts maintained with banks by the respective Estate Offices.
- ii. Grant received through T&CP Department under the 'Mangal Nagar Vikas Yojna'.
- iii. Loans from National Capital Region Planning Board (NCRPB) for carrying out development works in the NCR towns/counter magnet areas of NCR.
- iv. Development charges levied on those land owners whose land is released from acquisition proceedings.

2. Utilisation/Out flow of funds:

- i. Utilization of funds for acquisition of land, enabling HSVP to plan & develop sectors/plots.
- ii. Deployment of funds for development activities (External/internal) being carried out by Engineering Wing of HSVP.
- iii. Administrative Expenditure.
- iv. Repayment of loans taken from NCRPB/Financial Institutions.

3. Functions:

i. Land Acquisitions

The funds are made available to all the LAO's in Haryana viz. LAO Faridabad, Gurgaon, Rohtak, Hisar and Panchkula for acquisition of land through bank authorization system. Under this system, requirement of specific amount of award for acquisition of land with Administrative approval is received from LAO concerned for which funds are placed at the disposal of LAO's through bank authorization.

ii. Price Fixation

a) Residential:

The residential plots in new sectors are sold through draw of lots. The price is fixed taking into consideration the land acquisition cost, development cost (as supplied by the Engineering Wing), indirect charges such as Administrative Charges, escalation, unforeseen charges & Govt. Charges, etc. The left out residential plots of developed sectors are sold through e-auction. The price of such plots is fixed on the basis of the formula approved by the Authority from time to time.

b) Commercial:

The commercial plots are sold through e- auction and the reserve price of commercial sites put-up in auction for the first time is calculated by finance wing as per the formula approved by the Authority from time to time.

c) Institutional sites:

For the first time, the prices of institutional sites to be sold by way of allotment are fixed on the basis of land acquisition cost, development cost & indirect charges and got approved from the Chairman. The rates are updated as per the recommendation of the Price Fixation Committee for the every financial year basis. The reserve price of the institutional sites to be sold through e-auction are fixed on the basis of collector rate or the formula fixed by the Authority from time to time.

The price of all the plots except those which are sold by auction is subject to the stipulation that any enhanced compensation in the land cost awarded by the Courts under Land Acquisition Act shall be payable by the allottees within the period of 30 days of its demand by HSVP.

d) Religious, Social and Charitable sites:

The Religious, Social and Charitable sites are sold by way of allotment. The allotment price of such sites is fixed at 35% of the price of institutional sites of the concerned Urban Estate.

The price of all the plots except those which are sold by auction is subject to the stipulation that any enhanced compensation in the land cost awarded by the Courts under Land Acquisition Act shall be payable by the allottees within a period of 30 days of its demand by HSVP.

iii. Administrative approval of Rough Cost Estimates (R/C/E) of development works:

The R/C/E of development works on the land acquired and in possession of HSVP, prepared by Engineering Wing, are processed and examined by Finance Wing. Availability of funds/sources of funds are also examined with reference to cost charged in the price fixation of the sector. Administrative approval is taken from the competent authority as per following details:-

a. The R/C/E upto 1.00 Crore are approved at the level of Zonal Administrators.

b. The R/C/E more than Rs.1.00 Crore and upto Rs.10.00 crores are approved by the Chief Administrator, HSVP.

c. The R/C/E more than Rs.10.00 crores and upto Rs.20.00 crores are approved by the Chairman, HSVP.

d. The R/C/E more than Rs.20.00 crores are approved by the Sub-Committee headed by Hon'ble-CM, Haryana-cum-Chairman, HSVP, consisting of ACS(F), PSTCP, CA, HSVP., EIC (PHED), EIC (B&R), as members.

After approval of the R/C/E by the competent authorities listed at Sr.No. b, c and d above, as the case may be, administrative approval is issued by the Finance Wing for further action by the Engineering Wing of HSVP for execution of work. Separate estimates are approved for each work/EDC works.

iv. Budget:

Budget of the Authority is prepared annually to monitor and plan the receipt expenditure. The budget of receipts heads is prepared by the Estate Offices and budget of development expenditure is prepared by the Engineering Wing of HSVP. The consolidated budget is examined by Finance Wing which is got approved from Chief Administrator /PSTCP/Chairman/Authority. The receipts and expenditure is controlled/reviewed as per approved budget of the Authority on monthly basis.

The budget is prepared in the following manner:-

a. The projected targets of receipts are fixed keeping in view the receipts of installments of plots for the plot sold in the previous year, new sale of plots and recovery of enhanced compensation in the current years. On the one hand targets of receipt of earnest money from floatation of new sectors in the current year and on the other hand targets of refund of earnest money for the plot floated in the previous year /current year are fixed.

b. The budget of development expenditure is fixed in accordance with the estimates of continuing works, new works and maintenance works /special repair of roads. Physical targets are also fixed for various development activities on the basis of financial targets. The funds are released by Finance Wing to the Engineering Wing for development expenditure and to the Estate Offices for administrative expenditure on monthly basis as per approved budget and as per requisition received from all the field offices of HSVP.

v. Enhanced Compensation:

The enhanced compensation awarded by the competent Courts are paid to the land owners by HSVP. The payment so made are recovered from the allottees as per calculation made in accordance with instruction No. 63. Separate accounts are maintained for payment and recoveries of enhanced compensation in field offices as well as Head office.

vi. Scheme Accounts:

The new residential sectors are floated for sale through draw of lots. Banks are authorized for collection of applications with requisite amount of earnest money. After the closing date of scheme, the amount of earnest money collected by the banks with applications are submitted in finance wing of HSVP (HQ) which are processed and after the reconciliation with the banks, are sent to respective Estate Offices for draw of lots. After the draw of lots, refund to un-successful applicants is made which is processed by finance wing. The refunds are made by authorizing banks. Separate accounts of collection and refund of earnest money are kept in the finance wing and proper reconciliation is carried out.

Audit:

The internal audit branch of the finance wing is responsible for carrying out various types of Audits:-

- a. Concurrent Audit Conducted on quarterly basis of the current financial year. The concurrent audit is conducted by private firms of Chartered Accountants.
- b. Proprietary Audit After the expiry of financial year, the proprietary audit is conducted by the O/o Accountant General, Haryana.
- c. Special Audit is conducted based on need/requirement.

7. I.T.CELL

The IT Wing of HSVP was established in the year 2006 with the aim to provide online and efficient services to the allottees. HSVP has implemented Plot & Property Management System wherein about 3 lacs properties have been digitized & are uploaded in a phased manner. User ID & Passwords are issued to the allottees to enable them to see the details relating to their properties anywhere, anytime. HSVP is also in the process of automating various other processes to bring efficiency & effectiveness in the public services. HSVP has been awarded National E-governance award from the Government of India for excellent usage of ICT in PSU's.

8. LEGAL CELL

The HSVP is an organisation which deals with the acquisition and disposal of developed land for various purposes and accordingly legal complications of various nature do arise which are being taken care of by the Legal Cell of the Authority which is manned by a District Attorney with the necessary supporting staff both at the Headquarters and field offices.

9. MONITORING CELL

In order to monitor the progress of the developmental works done by the field offices on regular and timely basis, a Monitoring Cell was set up at the Head Office which is headed by the Deputy Economic & Statistical Adviser and supporting staff at the field level. The work relating to the regular systematic inflow of performance data and its appraisal for future planning of urban development is being done by this cell.

10. PLANNING WING

The Town Planning Wing has been established at the Head Quarters to look after the work of Spatial Planning of all acquired HSVP land, including Planning of new Urban Estates, Planning of Residential / Commercial / Institutional areas and Research / Development of Zoning Regulations. The Wing is also entrusted with the job of

designing and issue of advertisements in the newspapers regarding floatation of Residential / Industrial/ Institutional Sectors / Plots in all the Urban Estates, work relating to Group Housing Schemes, Govt. land Schemes as well as providing Technical Assistance to the Chief Administrator in acquisition / release of land matters. The wing is headed by Chief Town Planner (HSVP), who is assisted by Senior Town Planner, District Town Planners and Assistant Town Planner, besides other technical staff.

Haryana Shehri Vikas Pradhikaran is a prime agency of the State Government engaged in the planned development of urban areas in the State. It undertakes development of land after its acquisition by the State Govt. through Urban Estates department, for specific land uses like Residential, Commercial and Institutional etc. in accordance with the provisions of the Development Plans of a particular area. The Development Plans are got prepared and published by the Director Town & Country Planning Haryana, in exercise of the powers conferred by Sub-Section 7 of section 5 of the Punjab Scheduled Roads and Controlled Areas (Restriction of Unregulated Development) Act, 1963. Recently, the Wing has got finalised Land Pooling Policy – 2019 of HSVP and procurement of land is now attempted under Land Pooling Policy as well as through e-bhoomi portal also. After acquisition of land, a layout plan is prepared on the basis of a plane table / total station survey of the acquired land, and in accordance with the norms & standards evolved by HSVP, for providing a congenial living environment. For the purpose of ensuring health and safety of the allottees and for proper aesthetics, Haryana Building Code has been framed, which besides other design / Structural requirements, specifies the proportion of the site which may be covered with building, F.A.R., Max. height etc. in the case of different types of buildings.

11. VIGILANCE BRANCH

The Vigilance Cell of HSVP was established in the year 1994 with its head quarters at Panchkula which is headed by Chief Vigilance Officer, HSVP, alongwith Executive Engineer (Vigilance) and other technical staff under the control of Chief Administrator, HSVP.

The cell was created to supervise and monitor the working of HSVP in all over the State of Haryana for the betterment and in the public interest.

The various functions of the Vigilance Cell of HSVP is as under:-

1. Surprise checking of Development, maintenance works qualitatively and quantitatively according to approved DNIT.
2. Physical checking of works with reference to expenditure incurred.
3. To enquire into the works /officers /official complaints received from Ld. Chief Secretary to Govt. of Haryana, Director General State Vigilance Bureau, Haryana and other general public complaints.
4. Checking of buildings as per building plans viz-a-viz compounding on complaint basis.
5. Random checking of HSVP stores, inventories, daily wages and regular staff.

12. URBAN BRANCH

The Urban Branch is headed by Administrator, H.Q. who is assisted by an Administrative Officer and other officials. The Urban Branch is entrusted with the job of formulation of following policy matters and their implementation:-

1. All the polices relating to allotment of institutions, hospital sites, petrol pump sites, industrial plots, extension in time limit, surrender/resumption of plots, condo nation of delay, transfer of plots and miscellaneous issues arising from different Branches of HQs.
2. Policies for allotment of residential/commercial plots, exchange of plot in lieu of disputed plots and reservation thereof.

ARCHITECTURE WING

To

1. All Administrator, HUDA, (Panchkula/Gurgaon/Hisar/Rohtak/Faridabad)
2. All Estate Officers, HUDA (Panchkula/Ambala/ E.O-I, Gurgaon/ E.O-II Gurgaon/Karnal/Kaithal/ Kurukshetra/Panipat/Hisar/Rohtak/Bahadurgarh/ Bhiwani/ Jind/ Sirsa/Sonepat/ Jagadhri/ Rewari/ Faridabad)

Memo. No. Chief Arch. /2016/86273

Dated:6-10-2016

Subject: - Provision of **approach to terrace** of **DSS & SIS** in HUDA Markets.

Reference:- Representation of Haryana HUDA Shopkeepers Welfare Federation sent to this office vide CTP, HUDA, Panchkula letter No. 64336 dated 8.09.2016.

It is intimated that vide above referred letter, representation addressed to ACSTCP has been received. The matter raised in the representation has been examined **and it has been decided to allow the provision of a cut (6'-0 x 6'-0) in first floor roof slab on the rear side of these shops in all the HUDA Shopping Centres which can be covered by a steel shutter & its location shall be at the discretion of the owners.** This provision will solve the purpose of maintenance on terrace for Water tank / Solar panel etc. which will be approachable through this cut out with the help of steel ladder.

-sd/-
Chief Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst. No: - Chief Arch. /2016/86385,91,94,86400,86413

Dated: 6-10-2016

A copy of the above is forwarded to the following for kind information and necessary action:-

1. The Chief Administrator (TP Wing), HUDA, Panchkula w.r.t. letter no 64336 dated 8.09.2016 of your office.
2. The Chief Engineer-I., HUDA, Panchkula.
3. The Chief Engineer-II., HUDA, Panchkula.
4. GM (IT) HUDA with the request to upload this matter on HUDA Website.
5. Sh. Shubash Goel, State President Haryana HUDA Shopkeeper's Welfare Federation, Kothi No. 309, Sector-13, Kurukshetra w.r.t. your representation addressed to ACSTCP, Haryana.

Sd/-
Chief Architect,
For Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
HUDA (Architecture Branch),
Panchkula.

To

1. The Administrator, HUDA, Panchkula.
2. The Administrator, HUDA, Faridabad.
3. The Administrator, HUDA, Gurgaon.
4. The Administrator, HUDA, Hisar.
5. The Administrator, HUDA, Rohtak.

Memo No- Chief Arch. /SA (1)/2013/2600-2604

Dated: 7.10.2013

Subject: **Additional Compounding** of some **violations** in **commercial buildings** governed by Architecture controls in all U/Es of Haryana.

Reference: Secretary, HUDA, Panchkula letter no. Auth-2013/38887-94 Dated 27.09.2013.

In continuation to this office letter no. 1105-60 dated 16.05.2012 vide which copy of the additional compounding rates of some violations done by the allottee during construction on the commercial sites governed by Architectural controls in all Urban Estates of Haryana was circulated.

It is intimated that the matter was placed for ex-post facto approval of the Authority. Now, vide above referred letter the proceedings of the meeting of Haryana Urban Development Authority held on 18.09.2013 have been received wherein same rates have been approved as per Agenda Item No. 106th (44). This is for your kind information please.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst. No: - Chief Arch./SA(1)/2013/ 2605-2656

Dated:7.10.2013

A copy of the above is forwarded to the following for kind information & necessary action:-

1. The Chief Administrator, HUDA (Urban Branch), Panchkula.
2. P.A. to Administrator, HUDA (HQ), Panchkula for kind information of Administrator, HUDA (HQ), Panchkula.
3. The Chief Engineer, HUDA, Panchkula/ Chief Engineer-I, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Town Planner, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The District Attorney, HUDA, Panchkula.

8. All Senior Town Planners, Town & Country Planning Department in the State of Haryana(**Panchkula, Faridabad, Gurgaon, Hisar, Rohtak**).
9. All Estate Officers, HUDA(**Panchkula, Ambala E.O-I, Gurgaon, E.O-II Gurgaon, Faridabad, Karnal, Kaithal, Kurukshetra, Panipat, Hisar, Rohtak, Bahadurgarh, Bhiwani, Jind, Sirsa, Sonapat, Jagadhri, Rewari**).
10. All District Town Planners, Town & Country Planning Department in the State of Haryana (**Panchkula, Yamuna Nagar, Karnal, Ambala, Kurukshetra, Kaithal, Panipat, Jind, Bhiwani, Sonapat, Rohtak, Jhajjar, Faridabad, Mewat, Rewari, Narnaul, Palwal, Gurgaon, Hisar, Sirsa, , Fatehabad**).

Sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, (Architecture Wing)
Panchkula.

To

All the Estate Officers,
HUDA, Ambala, Bahadurgarh, Bhiwani, Faridabad, Gurgaon-I & II, Hisar, Jagadhari, Jind,
Kaithal, Karnal, Kurukshetra, Panchkula, Panipat, Rewari, Rohtak, Sirsa & Sonapat.

Memo No.C.Arch./A/RS/2013/ 414-431

Dated: 22-2-2013

Subject: - Regarding issuance of **Completion certificate** to the **houses** allotted by **Housing Board Haryana** in HUDA Urban Estates.

Please refer to memo no. 17037-62 dated 8/12/1999 of the Director Town & Country Planning Haryana, Chandigarh (photocopy enclosed) vide which it has already been conveyed that Estate Officer is competent to sanction the building plans of Housing Board houses where the sites of Housing Board colonies are allotted by HUDA. Provisions of HUDA building Bye-laws would be applicable on these houses.

Regarding issuance of completion certificate to such houses, it is clarified that issuance of completion certificate is part of HUDA building Bye-laws which are applicable on these houses. Therefore, in cases where building plans of Housing Board plots have been sanctioned by HUDA, completion certificate shall be issued by HUDA as per prescribed procedure being followed for other HUDA plots. However, the allottee should submit no objection certificate, obtained from Haryana Housing Board along with completion application as HUDA has no official record of such plots.

This is for your information and further necessary action.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.
Dated: 22-2-2013

Endst.No.C.Arch./A/RS/2013/ 432

A copy of the above is forwarded to the Chief Administrator, Housing Board, Haryana, Panchkula for information and further necessary action.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst.No.C.Arch./A/RS/2013/ 433-437

Dated: 22-2-2013

A copy of the above is forwarded to the following for information and further necessary action:-

1. The Administrator, HUDA, Panchkula, Faridabad, Gurgaon, Rohtak, Hisar.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
(Architecture Wing),
HUDA, Panchkula.

To

1. The Administrator, HUDA, Panchkula.
2. The Administrator, HUDA, Faridabad.
1. The Administrator, HUDA, Gurgaon.
2. The Administrator, HUDA, Hisar.
3. The Administrator, HUDA, Rohtak.

Memo No- Chief Arch. /SA /2012/1105-09

Dated:16-05-2012

Subject: **Additional Compounding** of some violations in **commercial buildings** governed by Architecture controls in all U/Es of Haryana.

Reference to the above cited subject, please find enclosed herewith copy of the additional compounding rates of some violations done by the allottee during construction on the commercial sites governed by Architecture controls in all U/E's of Haryana.

These instructions are issued with prior approval of Hon'ble CM Haryana cum Chairman HUDA.

Ex-post-facto approval of the authority will be obtained in the next authority meeting.

D.A/As above
(4 Pages).

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst. No: - Chief Arch./SA/2012/1110-1160

Dated: 16-05-2012

A copy of the above is forwarded along with copy of the additional compounding rates to the following for kind information & necessary action:-

1. The Chief Administrator, HUDA (Urban Branch), Panchkula.
2. P.A. to Administrator, HUDA (HQ), Panchkula for kind information of Administrator, HUDA (HQ), Panchkula.
3. The Chief Engineer, HUDA, Panchkula
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Town Planner, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The District Attorney, HUDA, Panchkula.
8. All STPs, Town & Country Planning Department in the State of Haryana (Panchkula, Faridabad, Gurgaon, Hisar, Rohtak).

9. All Estate Officers, HUDA U/E Haryana (Panchkula, Ambala E.O-I, Gurgaon, E.O-II Gurgaon, Faridabad, Karnal, Kaithal, Kurukshetra, Panipat, Hisar, Rohtak, Bahadurgarh, Bhiwani, Jind, Sirsa, Sonapat, Jagadhri, Rewari).
10. All DTPs & Town Country Planning, Department in the State of Haryana (Panchkula, Yamuna Nagar, Karnal, Ambala, Kurukshetra, Kaithal, Panipat, Jind, Bhiwani, Sonapat, Rohtak, Jhajjar, Faridabad, Mewat, Rewari, Narnaul, Palwal, Gurgaon, Hisar, Sirsa, Fatehabad).

D.A. /As above

(4 Pages).

Sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Recommendation for additional compounding rates of commercial sites governed by Architecture Controls:-

Sr. No.	Description of Violations	Compounding Rates.	Terms & conditions
1.	<p><u>BASEMENT.</u></p> <p>Under usable area (excluding public corridor & courtyard) of all commercial sites (except booths)</p> <p>i) On sites auctioned without basement but where allottee has constructed the basement illegally.</p>	<p>(Hyper High Medium Low.) 1200/- 1000/- 750/- 500/- (per Sq. ft.)</p> <p>I. Areas in Hyper potential zone. Controlled areas forming part of the Development Plan Gurgaon-Manesar Urban Complex-2021.</p> <p>II. Areas in High potential zone. Controlled areas declared Under Section 4 (1) (b) in Gurgaon District excluding the controlled areas forming part of the Development Plan Gurgaon- Manesar Urban Complex-2021 but including controlled areas around Sohna town, controlled areas of Faridabad-Ballabgarh Complex, controlled areas of Sonapat-Kundli Multifunctional Urban Complex, Panipat and periphery controlled area of Panchkula.</p> <p>III. Areas in Medium potential zone. Controlled areas around towns i.e. Karnal, Kurukshetra, Ambala City, Ambala Cantt, Yamuna Nagar, Jagadhri, Bahadurgarh, Hisar, Rohtak, Rewari, Bawal-Dharuhera Complex, Gannaur, Palwal, Hodel, controlled areas declared Under Section 4 (I) (b) in Faridabad/ Palwal District, Oil Refinery Panipat (Beholi).</p> <p>IV. Areas in Low potential zone. All the other controlled areas declared in the State.</p> <p>(Hyper High Medium Low.) 600/- 500/- 375/- 250/- (per Sq. ft.)</p>	<p>Basement constructed under the usable area (except Public corridor & courtyard) in commercial sites shall be compounded after the following conditions are met with:-</p> <p>a. Level of the public corridor/shops shall be maintained as shown in the Architectural control drawings.</p> <p>b. Such basements shall be used only for storage purposes (storage of material shall be in accordance with the provisions of National Building Code) and non- inflammable/ non explosive material shall be stored. The storage material & fire safety measures will be to the satisfaction of the concerned fire officer of the area.</p> <p>c. No partitioning shall be allowed.</p> <p>d. The owner shall provide all services like fire fighting, Public health as required by National Building Code within the site.</p> <p>e. Provision of light & ventilation shall be made and the provision shall be in the form of ventilation below the show windows on the ground floor i.e. on the ceiling slab of the basement.</p> <p>f. The compounding shall be done only after all the above conditions are met with / implemented by the owner prior to compounding of the case.</p>

ii)	On sites auctioned without basement but if allottee constructs the basement after getting the basement building plan sanctioned.		<p>In this case, the compounding fee will be charged by the respective Estate Officers before sanctioning the basement building plan submitted by the allottee with the following conditions :-</p> <ul style="list-style-type: none"> a) Level of the public corridor/shops shall be maintained as shown in the Architectural control drawings. b) Such basements shall be used only for storage purposes (storage of material shall be in accordance with the provisions of National Building Code) and non- inflammable /non explosive material shall be stored. The storage material & fire safety measures will be to the satisfaction of the concerned fire officers of the area. c) No partitioning shall be allowed. d) The owner shall provide all services like fire fighting, Public health as required by National Building Code within the site. e) Provision of light & ventilation shall be made and the provision shall be in the form of ventilation below the show windows on the ground floor i.e. on the ceiling slab of the basement. f) In case adjoining commercial sites stand constructed without basement, the ownerof the site who wishes to construct basement will have to produce a certificate of structural safety from a qualified Engineer to satisfy that the foundation & structure of the existing adjoining buildings shall be fully safe in all respects and in case any damage occurs to the adjoining structure, he will be responsible. Further in case
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			<p>the owner wants to construct basement without leaving 8'-0" distance from the common wall of existing adjoining commercial sites, he shall have to obtain a no objection certificate from the owners of the adjoining structures that they don't have any objection to his constructing a basement.</p> <p>g) The compounding shall be done only after all the above conditions are met with/implemented by the owner prior to compounding of the case.</p>
2.	Size of W.C / Bath and Habitable room less than permissible size. (violation up to 5%)	Rs 1000/- each case.	
3.	Exhaust fan not provided in kitchen.	Non –compoundable violation.(Provision of exhaust fan can be replaced by Chimney)	Allowed only in case chimney is being provided.
4.	<u>Internal Changes (in Shop-cum-Flats only)</u> Addition /omission of internal cup-board, shifting/omission/ change in size/ change in position of doors/ windows & provision of loft.	Such minor internal changes may be allowed without any compounding	Changes of external doors/ windows in the Architectural facade shall not be allowed.
5.	Change of position of W.C./Bath provided light, ventilation and proper size is provided as per building bye-laws.	Rs 2000/- each case.	Allowed, if light, ventilation and minimum size is maintained.
6.	Change of Position of staircase.	Not allowed	Nil
7.	Omission of Sky light.	Not Allowed	Nil

-sd-
Anil Aggarwal
D.A. HUDA
Panchkula

-sd-
Lalit Chadha
Senior Architect
HUDA Panchkula

-sd-
B.B.L Kaushik
C.T.P HUDA
Panchkula

-sd-
D.K. Soni
C.E.HUDA
Panchkula

-sd-
S.C.Kansal
C.C.F HUDA
Panchkula

-sd-
Surit Singh
Administrator (HQ)
HUDA, Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State

Memo No.SA-HUDA-09/2186

Dated: 8-6-2009

Subject:- Guidelines for **Self Assessment** of **Compoundable violations**.

It has been observed that allottees are facing great difficulty in obtaining Occupation Certificates. The tedious process of checking of completion report and assessment of violations results in consumption of time and thus delays occur. In order to streamline the system, it has been decided to introduce a system of self assessment in the case of compoundable violations with the following measures:-

1. That the completed Self Assessment form shall be submitted by the applicant alongwith form BR IV-A/B, when he applies for Occupation Certificate.
2. That the Self Assessment form shall be filled in and signed by the Supervising Architect on the standard format to be provided by HUDA. (Which can be downloaded from HUDA's website i.e.huda.gov.in)
3. That the Architect shall refer the list of compoundable violations and rates circulated by HUDA from time to time. The compoundable violations and their measurement details (as present on site) shall be filled accordingly. He shall further calculate the amount of penalty at the specified rates.
4. That the Self Assessment form shall be accompanied with a demand draft of the penalty amount. These shall be submitted while applying for the Occupation Certificate.
5. That while submitting the Self Assessment form, a certificate shall be given by the Architect that the compoundable violations mentioned in the self assessment form conform to the HUDA compounding policy and that there are no non compoundable violations in the building work.
6. That any false information in the Self Assessment form may lead to charges of professional misconduct in which case the Authority may refer the case of the Architect to the Council of Architecture for disciplinary action as provided in Regulation 85 (c) of the HUDA [Erection of Buildings] Regulations, 1979.
7. That the J.Es will check the measurements and calculations shown in the self assessment form by visiting the premises as per present practice. They shall also make sure that the measurements shown tally with those on actual site. SDEs will test check atleast 10% of the applications on monthly basis.
8. That the Administrators should arrange at least two training sessions of the Private Architects within their Zones during June and July' 09 so that doubts regarding the self assessment policy are cleared and implementation is smooth. For this purpose, the S.D.E. (Buildings) or other technical officers may be asked to hold training sessions but these shall be presided over by the Administrators themselves.
9. The format of the Self Assessment form is enclosed alongwith these instructions, which has been E-mailed separately also.
10. It has been decided to enforce these provisions with effect from 1st July, 2009

All the Zonal Administrators, Estate Officers and Executive Engineers (including the Sub Divisional Engineers where the Executive Engineers are not stationed) are directed to-

- Acknowledge the receipt of this letter immediately after it is received.
- Confirm the dates of the training session for the respective Zones.

This may please be accorded TOP PRIORITY.

DA/ As above.

-sd/-

(T.C. Gupta, IAS)
Chief Administrator,
HUDA, Panchkula

Endst. No. SA-HUDA-09/2187

Dated: 8-6-2009

A copy is forwarded to the following for information and strict compliance of the above instructions-

1. The Chief Engineer / Chief Engineer-I, HUDA, Panchkula.
2. All the Superintending Engineers of HUDA in the State.
3. All the Executive Engineers of HUDA in the State (including Sub Divisional Engineers wherever Executive Engineers are not stationed in the Urban Estate).

DA/ As above.

-sd/-

(M. Bharadwaj)
Senior Architect,
for Chief Administrator,
HUDA, Panchkula

Endst. No. SA-HUDA-09/2188-90

Dated: 8-6-2009

A copy is forwarded to the following for information-

1. The Senior Secretary to Chief Minister, Haryana for kind information of Chief Minister-cum-Chairman, HUDA.
2. The Financial Commissioner & Principal Secretary to Govt. Haryana, Urban Estate and Town Country Planning Departments, Haryana, Chandigarh.
3. The Director, Town & Country Planning & Urban Estate Departments, Haryana, Chandigarh.

DA/As above

-sd/-

(M. Bharadwaj)
Senior Architect,
For Chief Administrator,
HUDA, Panchkula

Endst. No. SA-HUDA-09/2191

Dated: 8-6-2009

A copy is forwarded to the following for information:

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula
3. The Secretary, HUDA, Panchkula
4. DA/ LR, HUDA, Panchkula
5. The Senior Manager, (IT), HUDA HQs, Panchkula.
6. The Enforcement Officer, HUDA HQs, Panchkula.
7. Incharge Urban Branch- I & II, HUDA HQs, Panchkula.
8. Dy. Economical & Statistical Advisor, HUDA, Panchkula.

DA/ As above.

-sd/-

(M. Bharadwaj)
Senior Architect,
For Chief Administrator,
HUDA, Panchkula

COMPOUNDABLE VIOLATIONS

With reference to (HUDA Policy issued vide Memo.No.....dt.....)

Sr. No.	Description of Violation				Proposed compounding Rate (In Rs.)	Extent of compounding In (Sqm)	Compounding (In Rs.)	JE's remarks
1.	BUILDING WITHOUT PLAN							
a.	Construction without Building plans revalidated.				Rs.100/-Per Sqm. on constructed area			
2.	D.P.C							
a)	For not taking D.P.C. certificate							
i)	Construction as per approved plan.				Rs. 5/- per. sqm			
b)	For Changing D.P.C. after taking DPC Certificate.							
i)	Revised D.P.C conforms to building bye laws/zoning.				Rs.10/- per. sqm			
3.	EXCESS COVERED AREA							
a)	Cantilever cupboard/bay window				To be counted in Covered area violation.			
	Covered area beyond zoning line but within permissible limits.				Compoundable upto maximum limit of 10% of setback to becompounded @ Rs. 10,800/- per sq. mtr.			
	Measurements of covered area:-							
	Floor	Permissible Covered Area	Area beyond zoning line.					
	GF							
	FF							
	SF							
	Basement							
b)	Excess covered area beyond permissible limits but within zoning line.				To be compounded upto a maximum limit of 10% of permissible Covered area. Up to 5% @ Rs. 3300/- Per sqm and beyond 5 % @ Rs.6500/- per Sqm.			
	<u>Actual violation in sq.m</u>							
	(Up to 5 %)							
	Floor	Front	Rear	Side				
	GF							
	FF							
	SF							
	Basement							
	Up to 10 %							
	Floor	Front	Rear	Side				
	GF							
	FF							
	SF							
	Basement							
c)	Extra covered area beyond Zoning line: yes/No				Violation up to a Maximum limit of 10 % of setback line to be Compounded @ Rs. 10800/- Per Sqm. (This will be over and above of the composition fee of excess covered area)			
	If yes how much is the maximum depth beyond zoning line.							
	<u>Actual violation in Sqm</u>							
	Floor	Front	Rear	Side				
	GF							
	FF							
	SF							
	Basement							

Sr. No.	Description of Violation	Proposed compounding Rate (In. Rs.)	Extent of compounding in (Sqm)	Compounding (In Rs.)	JE's Remarks
4.	CANTILEVER/PROJECTION				
a	Sanctionable cantilever projection but not shown in the sanctioned building plan.	Rs. 100/- Per Sqm.			
	Actual violation in Sqm.				
	Floor Front Rear Side				
	GF				
	FF				
	SF				
b	Non Sanctionable cantilever projection within Zoning line.	@ Rs. 500/- per Sqm.			
	Actual violation in Sqm.				
	Floor Front Rear Side				
	GF				
	FF				
	SF				
c	Non sanction able cantilever projection outside zoning line.	Violation up to maximum limit of 10% of the set back line is compoundable @ Rs. 11,000/- per Sqmt.			
	roof level				
	Yes/NO				
	If yes, how much is the depth beyond zoning line(up to maximum limit 10% of setback line.)				
	Actual violation in sqm.				
	Floor				
	GF				
	FF				
	SF				
	Basement				
5.	PROJECTION ON GOVT. LAND				
a	30cm. at door/window level only	Rs. 1,000/- per sqm.			
b	At roof level	Not compoundable			
6.	HEIGHT OF BUILDING				
	Increase in height beyond permissible limit(including parapet and mummy) where no farme control is applicable.				
i)	Up to 50 cm	Nil			
ii)	Above 50 cm to lm.	Rs. 2,000/- per Sqm.of covered area subject to a maximum of 12sq.mts.			
7	HEIGHT OF BOUNDARY WALL AND TYPE OF GATE				
a)	Change in design, location of gate(if sanctionable)	Rs. 1,000/- per each violation			
b)	Sanctionable wicket gate provided but not shown in the approved building plan.	Rs. 1,000/-			
c)	Variation in the height of boundary wall and size of gate.	Variation up to 10% be compounded @ 1000/- for each violation.			
8	LIGHT AND VENTILATION				
a)	Non provision of exhaust fan/flue in the kitchen.	Rs. 200/-			
b)	General light sand ventilation including toilets.	Variation upto 10% to be compounded @ Rs. 1100/- per sqm.			

Sr. No.	Description of Violation	Proposed compounding Rate (In. Rs.)	Extent of compounding in (Sqm)	Compounding (In Rs.)	JE's Remarks
9	STAIR CASE				
a)	Riser & tread not as per rules.	Variation upto 10% is compoundable @ Rs. 100/- per sqm.			
b)	Provision of winder steps at landings only	Rs. 200/- per step			
c)	Width of stair case reduced from minimum width prescribed under the rules.	Reduction only upto 10 cm. is compoundable @ 500/-per staircase.			
10	UN-AUTHORISED OCCUPATION	@ Rs. 50 per sqm. of the permissible ground coverage.			
11	VANTILATION SHAFT				
a)	Area of ventilation shaft is less than the permissible	Variation up to 10% may be compounded @ Rs. 9000/- Per Sqm.			
b)	Shaft covered at 2.40 mtr. Height	Compoundable @ Rs. 1000/- each provided light and ventilation parameters are met with.			
12	MISSCELLANEOUS				
a)	Non load bearing architectural pillars compoundable (maximum of upto 4 pillars compoundable)	Compoundable @ Rs. 1000/- each provided dia. Is less than 30 cm,(not touching roof or projection)			
b)	Minor changes like shifting of internal wall, door & window, ventilator, loft over door & other changes in elevation.	@ Rs. 100/- each			
c)	Store converted into kitchen, provided it meets with the provision of rules. (area , light and ventilation.)	Compoundable @ Rs. 1500/-			
d)	Pipe shaft beyond zoning line.	To be counted in covered area violation.			
e)	Height and size of habitable and other rooms	Reduction in height up to 10 cm. and reduction in area, upto 5% of the minimum required compoundable @ Rs. 500/- each.			
	Variation in height and size of habitable rooms, kitchen and toilets				
f)	Steps outside the zoned area on ground floor	Steps shall not be counted towards covered area and compoundable @ 1000/- per steps subject to the maximum of 5 steps of maximum width of 1.2mtrs. having maximum tread of 30cm each.			
g)	Headroom height reduction from the minimum prescribed under the rules	Up to 10 cms. Is compoundable @ 500/- per headroom			
h)	Frame controlled houses. a) Projection up to frame line. b) Increase in projection due to cladding (beyond 1m)	Compoundable @ of Rs. 500/- per Sq.mt. Compoundable @ Rs. 1100/- per sq. mt. upto a maximum of 2% of the plot width treating it as a zoning violation.			
13	Unauthorized sewer connection.	Rs. 20000/-			
	Whether Rain water harvesting provision made?	Non-Compoundable.			
	Yes/NO				
	Grand Total		Rs.		

CERTIFICATE.

It is hereby certified that the assessment of violations made in this form is correct. Further, all the violations are compoundable in keeping with the Compounding policy of HUDA issued vide letter no. CTP(H)/DTP(N)-17370-414 dt. 28-9-2006. There are no non compoundable violations in the building and the Construction is strictly in accordance to the Byelaws and Regulations of HUDA.

It is further certified that I have supervised the construction of the above mentioned building and once the compoundable violations are compounded as per HUDA policy, the building shall be totally in accordance to HUDA Byelaws and Regulations.

Architect

HUDA empanelment No. _____

Council of Architecture membership No. _____

I am fully aware that if any variation is found in the building/compoundable violations or if any conditions of the Erection of Buildings Regulations stand transgressed then it shall make me liable to disciplinary action under HUDA rules which includes referring the above case to the Council of Architecture.

Architect

HUDA empanelment No. _____

Council of Architecture membership No. _____

I endorse the statement of the Architect given above. I am aware of the violations made and the compounding rates applied. I have been given to understand by the Architect that there are no non compoundable violations in the above mentioned building. I give my consent for compounding the compoundable violations and am enclosing a demand draft of Rs. _____ (Rs. _____) alongwith this form.

Applicant/Owner

H.No _____

Sector _____

Urban Estate _____

The following photographs are attached:-

<u>Photographs attached:</u>	<u>Number</u>
1. Front elevation	
2. Rear elevation	
3. Side elevation	
4. Front setback	
5. Rear setback	
6. Driveway	
7. Shaft	
8. Terrace	
9. Porch	
10. Boundary wall (Front/Rear)	
11. Cut out (if present)	
12. Gate	
• Main	
• Wicket	
• Total	
• C.D. containing the above mentioned photographs is attached alongwith one print of each photograph.	

Owner
(Signature)

Architect
(Signature)

J.E'S REPORT

(Any adverse finding to be recorded here)

Name:
J.E. O/o _____

SDE(B)

From

Chief Administrator, HUDA,
(Architecture Wing)
Panchkula.

To

The Administrator,
HUDA, Panchkula, Faridabad, Gurgaon, Rohtak, Hisar.

Memo no-SA-HUDA-2008/ 3237-41 Date: 8.10.2008

Sub:- Instructions regarding **sanctioning of Building plan** submitted on the basis of **std, design/ Arch. Control** issued by HUDA.

It has been decided that in case of sanctioning of std. design/ Arch. Controls issued by HUDA if internal changes are there in the drawings, the same have to be authenticated by a private Architect and then routine procedure of sanctioning is to be followed.

In case the allottee is submitting the drawings without any internal changes, authentication of private Architect has to be there for indicating the Public Health services line and other mandatory provisions which are to be checked and approved by Engineering Wing of HUDA, however in such cases plans should only be referred to Engineering Wing (For Public Health approval) and Estate office (For ownership verification & dues checking).

-Sd/
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst.No/SA-HUDA-2008/3242-3317

Date: 8.10.2008

A copy of the above is forwarded to the following for information and further necessary action please.

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Engineer/Chief Engineer-1, Panchkula.
3. The Chief Controller of Finance HUDA, Panchkula.
4. All Superintending Engineers HUDA, Circle Pkl/ Hisar/ Rohtak/ Karnal/ Fbd/ Ggn.
5. All Estate Officer HUDA, all U/E. HUDA.
6. All Executive Engineer, HUDA & all U/E, HUDA.
7. All Architects HUDA, Pkl.(Sh.Chadha, Sh.Goel, Sh.Yadav, Sh.Sehgal & Sh.Ahuja, L.S.A)
8. All DTP in all U/E Haryana.

Sd/
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

Sub:- Notification – Policy for **self certification** of **building plans** and issue of **occupation certificate** by Architects applicable on **residential plots** except Group Housing, Industrial building and Commercial buildings governed by the Architectural Controls.

NOTIFICATION

THE 26TH FEBRUARY , 2007

No. Sr.Arch/Auth-2007/7064 --- In exercise of the powers conferred by clause (d) of section 54 of the Haryana Urban Development Authority Act, 1977 (Act 13 of 1977) and with the previous approval of the State Government conveyed vide memo no. 10/1/98-2TCP dated the,20 -02-2007 the Haryana Urban Development Authority hereby makes the following regulations further to amend the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979 namely :-

1. These regulations may be called the Haryana Urban Development Authority (Erection of Buildings) Second Amendment Regulations, 2006.
2. In the Haryana Urban Development Authority(Erection of Buildings) Regulation 1979 ,hereinafter called the said regulations, after regulation 2, the following regulation shall be inserted, namely :-
“2-A Building application – Procedure for submission of building application and execution of works shall be as per provisions contained in part II of these regulations: Provided that in case of certain areas /uses and category of plots to be notified, self certification procedure as provided in part II-A shall be followed.”
3. In the said regulations, in regulation 8 :-
 - i) for sign “:” existing at the end , the sign “.” Shall be substituted ; and
 - ii) The proviso existing at the end shall be omitted .
4. In the said regulations, after Part II, the following part shall be inserted , namely :-

PART- II A

Procedure for submission of building application and execution of work. (applicable in areas notified for following self certification procedure)

11-A Intention to construct/physical possession/demarcation.

(1)When a person expresses his intention to construct a building in form BRS 0 he shall first be required to clear the dues, if any, outstanding against his plot. After clearance of dues the following documents shall be provided to him by the Authority:-

- (a) A sheet showing the zoning of the plot (except for sites governed by architecture control) indicating buildable and non buildable zones, north direction, external plot dimensions, gate location, boundary wall heights, front, rear and side set backs, adjoining plot numbers, formula for calculation of covered areas, floor area ratio, height limits of main and ancillary portions, allowable plinth level. Checklist of documents to be submitted at each stage along with the fee structure.
- (b) A copy of building bye-laws.
- (2) Besides providing documents mentioned above, Estate Officer or his representative shall give to the allottee the physical possession/demarcation and allowable plinth level of the plot at site.

11-B Submission of building application.

1. Any person intending to erect or re-erect any building shall make an application in writing to the Estate Officer in form B.R.S.-I. accompanied by the following documents and forms, duly signed by a registered Architect, Engineer, Structural Engineer and Proof Consultant as required in the relevant forms/documents:-
 - (a) a site plan as required by regulation 11-E;
 - (b) a building plan or plans as required by regulation 11-F;
 - (c) details of specifications of the work to be executed in form B.R S.-II;

- (d) certificate of conformity to regulations and structural safety in form BRS- V A/B;
 - (e) the owner and Architect shall give a certificate in the form of an affidavit that they have understood the provisions of the zoning sheet fully and shall not deviate from the prescribed norms;
 - (f) fire safety design as required by the National Building Code, duly approved by the fire officer;
 - (g) heating, ventilation, air conditioning, (HVAC) service plan wherever required;
 - (h) certificate of conformity to regulations and structural safety for the relevant building (depending on type and height) in form BRS –VA and BRS-VB;
2. Every person giving an application under regulation 11-B shall appoint a registered Architect for drawing up of plans. The supervision of erection or re-erection of residential and commercial buildings (governed by architecture controls) upto three stories or 11metre height may be undertaken by the Architect. However, for industrial buildings and commercial buildings (governed by architecture control and above 11metre height) the supervision shall be undertaken both by the Architect and the Engineer. The Architect shall sign the certificate taking responsibility for architectural supervision only.
 3. The application, plans, structural drawings , specifications and the certificates shall be signed by the applicant and the registered Architect ,Engineer ,Structural Engineer and Proof Consultant as required in the relevant forms/documents.
 4. The application shall be accompanied by the scrutiny fee to be calculated at the rate of Rs 10 per square meter of the floor area.
 5. Amount of malba fee/security shall be Rs 1000/-(One thousand rupees only) for the plot having an area less than one kanal and Rs 2000/- (Two thousand rupees only) for the plot having an area of one kanal or more . Fifty percent of the amount shall be deposited as non refundable security. The malba fee/security shall be deposited by the allottee with the Executive Engineer concerned before the start of construction of house or release of water connection. The amount of malba /security shall be refundable only after the malba is completely removed , the area is levelled and the occupation certificate is issued by the Estate Officer concerned .The refund of malbe fee/security shall further be subject to the condition that allottee shall construct pucca approach to his house by connecting it from the edge of road towards his house and not from any other point of the road.
 6. This application shall be treated as the fifteen days notice for start of construction. The construction can be started after fifteen days, in case no objection is conveyed to the applicant.
 7. In case where the supervising Architect /Engineer is different from the one who has prepared the designs, the plans shall be signed by both of them.

11-C Checking of building plans and rectifying violation.

- 1 Authority reserves the right to check the building plans and construction at any stage and violations, if found shall have to be rectified by the owner/applicant. In case the owner/applicant fails to rectify violations, the Authority shall demolish the unauthorized construction. Action shall also be taken against the defaulting Architect by removing his name from the panel and referring his case to the Council of Architecture for misconduct. All rectifications shall be at the risk and cost of the owner and no plea of the owner shall be entertained for any default committed by the Architect engaged by him. In all such cases the procedure of self- certification shall stand aborted .
2. If a building is begun, erected or re-erected in contravention to any of the building regulations, the Chief Administrator shall be competent to require the building to be altered or demolished, by a written notice delivered to the owner. Such notice shall also specify the period during which such alteration or demolition has to be completed and if the notice is not complied with, the Chief Administrator shall be competent to demolish the said building at the expense of the owner.

11-D Preparation of zoning plans and checking of building plans.

The Authority may constitute committees for-

- (a) preparation of zoning plans;
- (b) checking of building plans, and entrust such committees with such powers and functions as it may deem proper.

11-E Site plan .

- (1) The site plan shall be drawn to a scale of not less than :-
 - (a) 1 to 200 for sites not exceeding 1000 square meters;
 - (b) 1 to 400 for sites exceeding 1000 square meters but below 4500 square meters;
 - (c) 1 to 800 for sites of 4500 square meters and above.
- (2) The site plan shall be prepared with sufficient accuracy to enable the site to be identified and shall be submitted on distinct azo prints in quadruplicate, two of which shall be mounted on cloth. The site plan shall be fully dimensioned and shall show-
 - (a) the boundaries of the site;
 - (b) the direction of the North point relative to the site;
 - (c) the street or road adjoining the site with their width clearly dimensioned and names, if any, all existing road side trees, lamp posts, or other features or structures likely to affect the approach to the building;
 - (d) surrounding buildings in outline within a distance of 15 meters from the boundaries of the site;
 - (e) all existing buildings or structures on, over or under the site or projecting beyond it, in outline besides distinctly indicating the proposed building or buildings;
 - (f) the area and proportion of the site to be covered by building including existing building, if any;
 - (g) dimension of open spaces on the front, rear and the side of the building;
 - (h) the levels of the site and of the plinth of the building in relation to those of the neighbouring streets, also the levels of all courtyards and open spaces in relation to the bed levels of the existing drains and sewers in the street or streets into which the building or site is to be drained;
 - (i) method of disposal of waste water, sewerage and storm water; and
 - (j) position of water supply.

11-F Building plans.

- (a) The building plan or plans shall be drawn to a scale not less than
 - (i) 1: 50 for plots not exceeding 1000 square meters in size;
 - (ii) 1: 100 for plots exceeding 1000 square metres ;
- (b) These shall be submitted on distinct Azo prints in quadruplicate, two of which shall be mounted on cloth. These plans shall, inter alia, indicate-
 - (i) the plans of all the floors, all external elevations and sections (longitudinal and cross) illustrating distinctly all the different levels through floors, stair case, water closet, bath, Kitchen and garage;
 - (ii) the plinth level of the building with reference to the level at the centre of the street or streets on which the proposed building is to abut;
 - (iii) the Schedule indicating the sizes of the doors, windows, openings and other methods of ventilation of each room;
 - (iv) the means of access to the building and its various floors together with the means of escape in case of fire, if required under the specific rules;
 - (v) in case of the proposed additions and alterations to an existing building, all new works on the plan by indelible distinctive colours with a key to the colours used;

- (vi) the proposed method of drainage, including the position, form and dimensions of all privies, urinals, drains and the method of disposal of sewage, sullage and storm water in full detail.
- (vii) north point relative to the plan of the building;

Note:- In case of large buildings, various blocks of the building may be drawn on separate sheets.

11-G Type plans.

In case the applicant wishes to follow type (standard) design of a building approved by an authorized officer of the Authority, he may obtain the same from the Estate Officer at the rate of Rs 100/- per print or at the rate fixed by the Authority from time to time. Rest of the procedure shall be the same as explained in regulations -11-A, 11-B, 11-E and 11-F above. However, the drawings to be submitted shall be the ones which have been supplied by the Authority and changes, if any, shall be shown on these very sheets.

11-H Information necessary to validate application.

No application under regulation 11-B shall be considered to be valid unless it is made on form BRS-I and is accompanied by the requisite number of plans and documents together with the scrutiny fee and malba fee/security at the rates mentioned at (4) and (5) of 11-B or at the rates fixed by the Authority from time to time. In case of failure of such compliance, the application together with plans shall be returned to the applicant for resubmission in accordance with the regulations.

11-I Validity of plans.

Once an application under regulation 11-B has been made the same shall be considered valid for construction within two years of the date of submission of application. If construction is not completed within a period of two years then a fresh application shall have to be made under regulation 11-B.

11-J Completion of excavation.

The applicant jointly with his Architect shall give to the Estate Officer concerned intimation in form BRS -V11 along with necessary affidavit as mentioned in form BRS -V11.

11-K Submission of progress certificates.

- (1) Progress certificates in the provided formats in form BRS-VII shall be submitted jointly by both the Architect and the owner at the following stages. : -
 - (a) damp proof course level;
 - (b) roof level.
- (2) At the time of submitting the progress certificate at damp proof course level an affidavit as mentioned in form BRS-VII stating that the construction being done is as per Haryana Urban Development Authority bye laws/ norms in force shall also be submitted. On submission of damp proof course progress certificate construction shall be withheld for a period of fifteen days to allow random checking by the Estate office. The allottee may proceed with further construction if he receives no notice during this period from the Estate office.

11-L Completion drawings.

- (1) On the completion of the building the owner and the Architect shall submit final completion drawings duly signed by the architect and Engineer along with form BRS-III A/B, as applicable, along with affidavits as mentioned in form BRS-III A/B. Certificates in form BRS-IV A/B, as applicable, shall be submitted by Architect and Engineer along with certificates by contractor (if there is one) and plumber in form BRS-VIII and BRS-IX. Following documents shall also be submitted:-
 - (a) Self-assessment of violations in the building, jointly signed by the owner and Architect, along with demand draft of the due payment for compounding of such violations shall be submitted along with form BRS-III A/B.
 - (b) Both the Owner and Architect shall give an affidavit as mentioned at serial no. 10 in form BRS-III A/B that no provision of Haryana Urban Development Authority bye-laws including allowable compounding items, has been violated.
 - (c) Photographs of front, side, rear set backs, front and rear elevation of the building shall be submitted along with photographs of essential areas like cut outs and shafts from the roof top. A compact disc containing all photographs shall also be submitted.

11-M Occupation certificate.

- (1) The Authority shall necessarily issue an occupation certificate in form BRS VI within three working days of receipt of the form BRS-III A/B, duly complete in all respects and accompanied with the required completion drawings, forms and affidavits. The occupation certificate shall be issued provided that the documents submitted along with form BRS-III A/B are in order. Violations, if found at any subsequent stage, shall result in cancellation of the occupation certificate issued and the same may be restored only after removal of violations. Further, action against the Architect shall also be taken for furnishing a wrong certificate/affidavit.
- (2) No person shall occupy or allow any other person to occupy any new building or a part thereof for any purpose whatsoever until such building or part thereof has been certified by the Estate Officer as having been completed and an occupation certificate has been issued in his favour in form BRS-VI.
- (3) Provisional occupation certificate (in case of residential plots) pending the issue of final certificate may be issued for a period not exceeding six months in case where one habitable room, a kitchen and a toilet forming a part of the submitted plan is completed. However, a minimum of 25% of the ground coverage shall have to be constructed
- (4) Construction of works as laid down in regulation 81A shall be the part of the occupation certificate. Unless such works are completed as per drawings submitted, no occupation certificate shall be issued.

11-N GENERAL

- (1) A system of arbitration may be devised for interpretation of bye- laws, whenever difference of opinion occurs. However, the final decision shall be taken by the Authority in all disputes and its decision shall be binding on the owner/Architect.
- (2) At any stage during construction, if an Architect notices that violations(except compoundable ones) are taking place, he shall intimate the Estate Officer of such violations and stop further supervision. He shall also intimate the allottee about the violations and advise him to stop further construction. Complete details along with photographs may be submitted to the Estate officer. The Authority may immediately issue a notice to the owner on the basis of the Architect's certificate to suspend further work and rectify violations. In such cases the owner shall be held responsible for further additions in violations. Such a situation shall automatically annul the process of self certification and the owner may, after removal of violations engage an Architect for preparing the revised drawings. In such cases completion shall be given only after scrutiny of revised drawings and inspection of site .
- (3) Sanctionable changes may be allowed to be done provided that at the completion stage all changes are incorporated by the Architect in the completion drawings to be submitted by the owner to the Authority. While seeking occupation certificate, the Architect shall give a certificate that all changes done are sanctionable and permissible as per bye laws.
- (4) If the supervising Architect / owner fails to submit the progress certificate at damp proof course level, both shall be held responsible. While action shall be initiated against the Architect to cancel his empanelment with Haryana Urban Development Authority and refer his case to Council of Architecture for cancellation of his registration, the owner shall be liable to remove all violations and in addition, penalty for non submission of damp proof course certificate shall be levied.
- (5) After submitting of application or during the construction of building if the owner/registered Architect/ registered structural Engineer/licensed plumber is changed, he shall intimate the competent Authority by registered letter that he is no longer responsible for the project from the date of actual dispatch of the letter. The information must be sent within seven days of occurrence of the change to the Estate Officer by the respective owner/ Architect/Engineer/plumber.The construction work shall have to be suspended until the new owner/ registered Architect/registered structural Engineer/licensed plumber, as case may be, undertakes the full responsibility of the project vide forms and documents submitted at the time of applying for erection/ re-erection of the building within seven days of his taking over. Owner's intimation regarding change of name of professionals shall be considered to be final by the Authority.
- (6) If the owner or registered Architect/ Structural Engineer/ licensed plumber, as the case may be, submits a wrong report while making application under regulation 11-B or regulation 11-G or, if any, additional construction or violation is reported to exist at site or concealment of any fact comes to notice or if the Architect/owner

falsely justifies or mis-states regarding completion , he shall be jointly and severally held responsible for such omission/ commission and his registration/ license to work in Authority may be suspended or cancelled or any other penalty may be imposed as may be decided by the committee constituted under the Chairmanship of the Chief Administrator after giving an opportunity of being heard.

11-O Areas where self- certification procedure is applicable: -

The self certification procedure shall be applicable in the following areas , namely :-

(1) Areas in hyper potential zone

(a) Controlled areas declared under clause (a) of sub section (1) of section 4 of the Punjab Schedule Roads and Controlled Areas Restriction of Unregulated Development Act, 1963(Act, 41 of 1963) around municipal town Gurgaon.

(2) Areas in high potential zone.

(a) All the controlled areas in Gurgaon district notified under the provisions of clause (b) of sub section (1) of section 4 of the Punjab Schedule Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Act 41 of 1963), including controlled areas declared around Sohna town;

(b) controlled areas around Faridabad-Ballabhgarh complex;

(c) controlled areas of Sonapat –Kundli multifunctional urban complex, Panipat;

(d) periphery controlled area of Panchkula.

(3) Areas in medium potential zone.

(a) controlled areas of Karnal , Kurukshetra, Ambala City, Ambala Cantt., Yamuna nagar- Jagadhari, Bahadurgarh, Hisar, Rohtak, Rewari -Bawal-Dharuhera complex, Gannaur, Oil Refinery Panipat (Beholi);

(b) controlled areas declared under clause (b) of sub section (1) of section 4 of the Punjab Schedule Roads and Controlled Areas Restriction of Unregulated Development Act, 1963(Act 41 of 1963) in Faridabad district and also including around towns Palwal and Hodel

Note:- “Controlled areas” shall mean areas declared as controlled areas under section 4 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963(Act 41 of 1963).

FORM BRS-O

[SEE REGULATION 11-A (1)]

Application for clearance of dues/ issuance of zoning sheet and taking physical possession/ demarcation of plot.

Class of building -

- (i) Residential
- (ii) Commercial ,where Architecture Control Sheets are applicable
- (iii) Industrial

From

.....

.....

To

The Estate Officer,
Haryana Urban Development Authority,

.....

Sir,

I/We hereby express my/our intention to construct a building on plot no.Sector Urban Estate

I/we request you to issue a no dues certificate prior to start of construction. I/we also request you to issue the necessary zoning sheet for the above mentioned plot. I/we further request you to give the possession of the plot along with demarcation and the plinth level at site. I/we shall make the necessary arrangements of having the material and contractor/mistry ready at site on the day and time given by you for the same.

Signature of Applicant.

FORM BRS-I
[SEE REGULATION 11-B (1)]
FORM OF APPLICATION

(To be submitted at the time of submitting building plans/drawings)

Class of building.....

- (i) Residential
- (ii) Commercial ,where Architecture control sheets are applicable
- (iii) Industrial buildings

From

.....
.....

To

The Estate Officer,
Haryana Urban Development Authority,
.....

Sir,

1. I/We hereby confirm that physical possession, demarcation and plinth level has been given to me /us at site on..... by the representative of your office.

I/ we hereby submit the following building plans to erect / re-erect /add to/ alter a building /wall, in accordance with the plans being submitted herewith, on site/Plot No sector..... at.....
2. I/we attach herewith in quadruplicate:-
 - (a) a site plan showing the position of the site proposed to be built upon;
 - (b) plans, elevations and sections;
 - (c) drainage plans;
 - (d) structural drawings in form BRS VA/VB as may be applicable;
 - (e) fire safety design as required in the National Building Code duly approved by the State Fire Authority. Alternatively, an undertaking to the effect that Fire safety plans duly approved by the State Fire Authority shall be submitted within sixty days;
 - (f) heating, ventilation, Air Conditioning (HV AC) service plans wherever required;
 - (g) specifications of the proposed building in Form BRS-II;
 - (h) certificate of conformity to regulations and structural safety for the relevant buildings (depending on type and height) in Form BRS-VA and BRS-VB.
3. The requisite fee has been deposited vide Receipt No.,....., Book No....., dated.....

4. Undertaking

The construction of the building shall be undertaken as per the submitted building plans, structural design given by the structural Engineer, Fire safety design duly approved by the competent authority and got supervised through the following Architect/ Engineer. I/We further undertake to remove all unauthorized and non- compoundable construction, if any such construction is found at the site by the authority at later inspection.

A. Architect

- (i) Name of Architect
- (ii) Council of Architecture Registration No.....valid up to
.....
- (iii) Full Address.

B. Engineer

- (i) Name of Engineer
- (ii) Registration No. (if any).....
- (iii) Qualification
- (iv) Address.

5. This may kindly be treated as the fifteen days notice before start of construction at site.

6. Necessary affidavit as per Annexure A of the set of forms is enclosed.

Date

Enclosures

Signature of Applicant

FORM BRS-II
[SEE REGULATION 11-B (1) (C)]
SPECIFICATIONS

The materials to be used in the construction to be clearly specified under the following heads:-

Items	Specifications
(a)	Foundations
(b)	Walls
(c)	Damp-proof course
(d)	Roofs
(e)	Floors
(f)	Windows and doors and other wood works
(g)	Steel works
(h)	Internal finish
(i)	External finish

Signature of Architect/Engineer

Signature of Applicant.

FORM BRS-III-A
[SEE REGULATION 11-M]

For Residential buildings and Commercial buildings governed by Architecture control (up to 3 storeys or less than 11 metres height)

Application for permission to occupy/ submission of completion drawings.

From

.....
.....

To

The Estate Officer,
Haryana Urban Development Authority,
.....

Sir,

1. I/We hereby give you notice that the building/a part of building described below has been completed onin all respects according to the completion plans/drawings submitted herewith and the structural design made for the same.

Description of building

Plot No.....Sector..... Urban Estate.....
City..... Name of the owner Shri/Smt..... Full address of the owner.....

2. The modifications made to the building plans and carried out at site during the course of construction are shown in the completion drawings and are as per Haryana Urban Development Authority bye-laws/norms.
3. Corresponding to the above modifications made in the building plans, necessary amendments were also carried out in the structural design and implemented at site.
4. Kindly issue an occupation certificate as required by Regulation.....of the Haryana Urban Development Authority (Erection of Buildings) Regulations,1979.
5. Self assessment of compoundable items along with demand draft of calculated amount is enclosed.
6. I/We take responsibility for the quality and safety of the structure and construction carried out at site.
7. It is further certified that no provision of Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time (including allowable compounding items) has been violated.
8. All debris and rubbish have been cleared from the site.
9. Photographs of front, rear, side set backs, front and rear elevation of the building along with photographs of cut outs, shafts from roof top are also submitted. Compact disc containing all photographs is also enclosed.
No. of photographs
10. Necessary affidavit as per Annexure D of the set of forms is enclosed.
11. Necessary certificate of supervision of Architect in form BRS-IV-A is enclosed.

12. Necessary certificate of Plumber in form BRS-IX
13. Certificate of contractor in form BRS-VIII (wherever one has been appointed)

Signature of Applicant.

It is certified that the completion plans along with structural design being submitted are in accordance with the provisions of Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time . Further, conditions stated above at serial nos. 1,2,3,5,7 and 9 are true and correct.

Signature of Architect
Supervising the construction at site.

FORM BRS-III-B
[SEE REGULATION 11-M]

For Industrial buildings and Commercial buildings (governed by Architecture control, above 3 storeys or more than 11 metres height.).

Application for permission to occupy/ submission of completion drawings.

From

.....
.....

To

The Estate Officer,
Haryana Urban Development Authority,
.....

Sir,

1. I/We hereby give you notice that the building/a part of building described below has been completed onin all respects according to the completion plans/drawings submitted herewith and the structural design made for the same.

Description of building.

Plot No..... Sector.....

Urban Estate.....City.....Name of the owner Shri / Shrimati
.....

Full address of the owner.....

2. The modifications made to the building plans and carried out at site during the course of construction are shown in the completion drawings and are as per Haryana Urban Development Authority bye- laws/norms.
3. Corresponding to the above modifications made in the building plans, necessary amendments were also carried out in the structural design and implemented at site.
4. Kindly issue an occupation certificate as required by Regulation.....of the Haryana Urban Development Authority (Erection of Buildings), Regulations, 1979.
5. Self assessment of compoundable items along with demand draft of the calculated amount is enclosed.
6. I/We take responsibility for the quality and safety of the structure and construction carried out at site.
7. It is further certified that no provision of the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time (including allowable compounding items) has been violated.
8. All debris and rubbish have been cleared from the site.
9. Photographs of front, rear, side set backs ,front and rear elevation of the building along with photographs of cutouts, shafts from roof top are also submitted. A compact disc containing all photographs is also enclosed.
No. of photographs

10. Necessary affidavit as per Annexure D of the set of forms is enclosed.
11. Necessary certificate of supervision of Architect and Engineer on form BRS-IV B is enclosed.
12. Necessary certificate of Plumber in form BRS-IX
13. Certificate of contractor in form BRS-VIII (wherever one has been appointed).

Signature of Applicant.

It is certified that the completion drawings along with structural design being submitted are in accordance with the provisions of the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time . Further conditions stated above at serial nos. 1,2,3,5,7 and 9 are true and correct.

Signature of the Architect supervising the construction at site.

.....

Signature of the Engineer supervising the construction at site.

.....

FORM BRS-IV-A
[SEE REGULATION 11-M]
(TO BE SUBMITTED ALONGWITH FORM BRS-III A)

For Residential Buildings and Commercial Buildings (governed by Architecture control) up to 3 storeys or less than 11 Metres height.

Completion-Certificate by an Architect in respect of building on:

Plot No....., Sector....., Urban Estate

City..... Name of the owner Shri/Smt.....

Full address of the owner.....

.....

.....

I do hereby certify that the above work has been supervised by me and has been completed to my satisfaction in accordance with the completion drawings and structural design , which are as per Haryana Urban Development Authority norms / bye -laws.

The workmanship and all the material used meet the specifications laid down in the National Building Code.

No provision of the Haryana Urban Development Authority (Erection of Buildings) Regulations,1979,as amended to date, and no requisition made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Dated

Signature of Architect.

FORM BRS-IV-B
[SEE REGULATION 11-M]
(TO BE SUBMITTED ALONGWITH FORM BRS-III B)

For Industrial Buildings and Commercial Buildings (governed by Architecture control more than 3 storeys or above 11 Metres height.)

Completion certificate by the Architect and the Engineer in respect of building on

Plot No....., Sector....., Urban Estate.....
City..... Name of the owner Shri/ Shrimati.....

Full address of the owner.....

.....
.....

It is hereby certified that the above work has been supervised by us and has been completed to our satisfaction in accordance with the completion drawings and structural design as checked and certified by the proof consultant. It is further certified that the drawings and construction are as per Haryana Urban Development Authority norms/ bye- laws.

The workmanship and all the material used meets the specifications laid down in the National Building Code

No provision of the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, amended to date, and no requisition made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Dated

Signature of Architect

Signature of Engineer.

FORM BRS-VA

[SEE REGULATION 11-B (1)]

(TO BE SUBMITTED ALONG WITH FORM BRS-I)

Structural design and certificate of conformity to regulations and structural safety for residential, industrial buildings and for commercial buildings which are governed by Architecture control

(upto 3 storeys or less than 11 metres height.)

1. Structural design for the undermentioned plot, in accordance with the provisions of National Building Code is enclosed.
2. Certificate to be submitted along with the building application in form BRS-I duly signed by the Architect and the Structural Engineer:-

Details of the building for which the certificate is being issued. Plot No.....,
Sector....., Urban Estate.....City.....
Name of the owner Shri / Shrimati..... Full address of the
owner.....
.....
.....

(a) Building plan:-

- (i) Name of Architect
- (ii) Registration No.....valid up to.....
- (iii) Full Address.....

(b) Structural Design:-

- (i) Name of structural Engineer who has undertaken the structural design of the building.....
- (ii) Registration No. (if any).....
- (iii) Qualifications and Experience.....
- (iv) Address.....
.....

CERTIFICATE

The plans submitted in form BRS-I for building, detailed above, are in accordance with the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time and the zoning sheet provisions for the plot.

The structure has been designed in accordance with the provisions of the National Building Code and the relevant Indian Standard Codes (with latest amendments) including Indian Standard Codes for structures resistant to earthquakes and other natural hazards. The local soil conditions ,its load bearing capacity and the underground water table etc. have been kept in view while designing the same.

Owner

Architect

Signature of Engineer.

FORM BRS VB

[SEE REGULATION 11-B (1)]

(TO BE SUBMITTED ALONGWITH FORM BRS-I)

Structural design and certificate of conformity to regulations and structural safety of Industrial buildings and Commercial Buildings governed by Architecture control ,more than three stories or above 11 metres height.

1. Structural design for the undermentioned plot, in accordance with the provisions of National Building Code is enclosed.
2. Certificate to be submitted along with the building application in form BRS-I duly signed by the Architect, the Structural Engineer and the proof Consultant :-

Details of the building for which the certificate is being issued. Plot No.....,
Sector.....,

Urban Estate....., City..... Name of the owner Shri/
Shrimati.....

Full address of the owner.....

.....

.....

(a) Building plans:-

- (i) Name of Architect.....
- (i) Registration No.....valid up to.....
- (iii) Full Address.....

(b) Structural Design:-

- (i) Name of Structural Engineer who has undertaken the Structural Design of the Building.....
- (ii) Registration No (if any).....
- (iii) Qualification and Experience.....
- (iv) Address.....

(c) Proof Consultant.

- (i) Name.....
- (ii) Registration No (if any).....
- (iii) Qualifications and Experience.....

CERTIFICATE

The plans submitted in form BRS-I for building, detailed above, are in accordance with the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time and the zoning sheet for the plot.

The structure has been designed in accordance with the provision of the National Building Code and the relevant Indian Standard Codes (with latest amendments) including Indian Standard Codes for structures resistant to earthquakes and other natural hazards. The local soil conditions, its load bearing capacity and the under-ground water table etc. have been kept in view while designing the same.

Owner

Architect

Structural Engineer.

The structural design has been checked by me and has been found in order. This design is in accordance with the National Building Code and the relevant Indian Standard Code (with latest amendments) including Indian Standard Codes for structures resistant to earthquakes and other natural hazards. The site conditions, such as conditions of soil, its load bearing capacity and the underground water table etc. have been duly kept in view while designing the same

Proof Consultant.

FORM BRS-VI
[SEE REGULATION 11-N (1)]
FORM OF OCCUPATION CERTIFICATE

From

The Estate Officer,
Haryana Urban Development Authority,
.....

To

.....
.....
.....

Memo No:

Dated:

Whereas.....has applied for the issue of an occupation certificate in respect of the building described below, I hereby-

- (i) grant permission for the occupation of the said building;
- (ii) grant provisional permission of occupation for a period of six months;
- (iii) refuse permission for the occupation of the said building for reasons given below.

Description of building

City.....Sector.....

Site No.....

Permission is granted on the basis of completion drawings, affidavits and certificates submitted by the architect and the owner. However, violations or unauthorized construction found on checking of the premises shall lead to cancellation of the occupation certificate being issued. In such an event , the owner shall have to remove all violations before applying for restoration of the occupation certificate.

Dated:

Estate Officer
Haryana Urban Development Authority
.....

FORM BRS-VII

[SEE REGULATIONS 11-K AND 11-L]

(To be submitted separately for excavation, damp proof course and roof level as soon as that stage is reached)

Progress certificate at excavation, damp proof course and roof level in respect of building on-

Plot No....., Sector....., Urban Estate,
City..... Name of the owner Shri/ Shrimati..... Full address of
the owner

.....

.....

It is hereby certified that the construction on the above mentioned plot has reached up to the following stage on the date shown:-

Stage

Date

- | | |
|-------------------------------|---|
| 1. Excavation..... | Affidavit as per Annexure B of set of forms enclosed. |
| 2. Damp proof course level... | Affidavit as per Annexure C of set of form enclosed. |
| 3. Roof level..... | |

It is further certified that the construction is as per the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time.

Signature of Architect

Signature of Applicant.

FORM BRS-VIII

[SEE REGULATION 11-M]

(TO BE SUBMITTED ALONG WITH FORM BRS-III A/B)

**COMPLETION CERTIFICATE BY THE CONTRACTOR IN RESPECT OF BUILDING
ON-**

PlotNo.....,Sector.....,UrbanEstate.....,
City..... Name of the owner Shri/ Shrimati..... Full address
of the owner.....

.....

.....

It is hereby certified that construction for the above mentioned plot has been undertaken by me/our firm and has been completed to my/our satisfaction in accordance with the completion drawings and has been checked and certified to be in order by the Architect and Engineer. It is further certified that the construction is as per Haryana Urban Development Authority norms/ bye-laws.

The workmanship and all the material used meet the specifications laid down by the National Building Code.

No provision of the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, amended to date, and no requisition made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Dated

Signature of Contractor.

FORM BRS-IX

[SEE REGULATION 11-M]

(TO BE SUBMITTED ALONGWITH FORM BRS-III A/B)

COMPLETION CERTIFICATE BY THE PLUMBER IN RESPECT OF BUILDING ON

PlotNo.....,Sector.....,UrbanEstate.....,

City..... Name of the owner Shri/Shrimati.....

Full address of the owner.....

.....

.....

It is hereby certified that plumbing work for the above mentioned plot has been carried out by me and has been completed to my satisfaction in accordance with the completion drawings and the same has been checked and certified by the Architect and Engineer. It is further certified that the work is as per Haryana Urban Development Authority norms/ bye -laws.

The workmanship and all the material used meet the specifications laid down in the National Building Code

No provision of the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, amended to date and no requisition made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Dated

Signature of Plumber.

AFFIDAVIT (ANNEXURE A)
(TO BE SUBMITTED AT THE TIME OF SUBMISSION OF BUILDING PLANS/
DRAWINGS)
(SEE FORM BRS-I)

We,son/daughter/ wife of Shri..... andson/
daughter/wife of Shri.....do hereby solemnly affirm and declare as under :-

1. That we,....., the owner of the plot no..... sector, Urban Estate.....
and.....the supervising Architect (C.A. No.....), have under stood the zoning sheet
provisions provided by Haryana Urban Development Authority.
2. That the building plans submitted to the Authority are in conformity to the Haryana Urban Development
Authority (Erection of Buildings) Regulations ,1979, as amended from time to time and the zoning conditions
applicable on the plot.
3. We shall abide by the zoning sheet provisions and Haryana Urban Development Authority bye - laws during
construction on the above said plot.
4. That we shall be liable to face any action by Haryana Urban Development Authority if the construction is
found to be in contravention to Haryana Urban Development Authority norms and bye-laws.

(Owner)
(Architect)

Witness

Verification :-

We, the above named deponents do hereby declare that the above statement of owner of the mentioned plot and
the Architect are true and correct to the best of our knowledge and belief and nothing has been concealed therein.

Place

Date

Deponents

AFFIDAVIT (ANNEXURE-B)
(TO BE SUBMITTED AT THE TIME OF COMPLETION OF EXCAVATION)
(SEE FORM BRS-VII)

We,son/ daughter/wife of Shri.....andson/wife/daughter of Shri.....do hereby solemnly affirm and

declare as under :-

1. That we,.....the owner of plot no..... sector.....Urban Estate.....and the supervising Architect.....(C.A.No.....) have taken the proper possession / demarcation of plot at the site.
2. That we are fully responsible for the correctness of the construction being done as per the Haryana Urban Development Authority (Erection of Buildings) Regulations ,1979, as amended from time to time and zoning sheet provisions applicable on the plot.
3. Excavation work has been completed in accordance to HUDA bye- laws.

(Owner)

(Architect)

Witness

Verification :-

We, the above named deponents do hereby declare that the above statement of owner of the plot and the Architect are true and correct to the best of our knowledge and belief and nothing has been concealed therein

Place

Date

Deponents.

AFFIDAVIT (ANNEXURE –C)
(TO BE SUBMITTED AT DAMP PROOF COURSE LEVEL)
(SEE FORM NO. BRS-VII)

We,son/ daughter/wife of Shri..... andson/wife/ daughter of Shri.....do hereby solemnly affirm and declare as under :-

1. That we the owner of plot no..... sector..... Urban Estate..... the construction of which has reached Damp proof course Level under the supervision of Architect..... (C.A. No.....)
2. The Damp proof course has been laid entirely as per provisions of the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, as amended from time to time and zoning sheet provisions made available by Haryana Urban Development Authority.
3. That we shall be liable to face any action by Haryana Urban Development Authority if the said construction is found to be in contravention to the norms/Byelaws.
4. That further construction shall not be proceeded with for a period of fifteen days.

(Owner)

(Architect)

Witness

Verification :-

We, the above named deponents do hereby declare that the above statement of owner of the plot and the Architect are true and correct to the best of our knowledge and belief and nothing has been concealed therein.

Place

Date

Deponents.

AFFIDAVIT (ANNEXURE-D)
(TO BE SUBMITTED AT THE TIME OF SUBMISSION OF COMPLETION DRAWINGS)
(SEE FORM NO. BRS-III A/B)

We,son/ daughter/wife of Shri..... andson/
daughter/wife of Shri.....do hereby solemnly affirm and declare as under :-

1. That we,....., the owner of the plot no..... sector, Urban Estate.....
and.....the supervising Architect (C.A.No.....), certify that the building on the above
said plot has been partially completed/ fully completed as per provisions of the Haryana Urban Development
Authority (Erection of Buildings) Regulations ,1979, as amended from time to time and the zoning sheet
provisions applicable on the plot.
2. It is further certified that we shall be liable to face any action by Haryana Urban Development Authority if the
above mentioned construction is found to be in contravention to the norms/bye-laws/ regulations of Haryana
Urban Development Authority.
3. It is further certified that there is no noncompoundable unauthorized construction and all compoundable items
are with in the allowable Haryana Urban Development Authority compounding regulations.

Witness

Verification: -

We, the above named deponents do hereby declare that the above statement of owner of the plot and the
Architect are true and correct to the best of our knowledge and belief and nothing has been concealed therein

Place

Date

(Owner)

(Architect)

Deponents

-sd/-

**Chief Administrator,
HUDA, Panchkula**

-sd/-

**Secretary to Govt., of Haryana
Town and Country Planning Department**

From

The Chief Administrator,
(Architecture Wing),
HUDA, Panchkula.

To

All Distt. Town Planners,
Haryana.

Memo no SA/HUDA/06/ 173-205

Date:08.02.2006.

Sub: Decisions regarding provision of **basements under the corridors of commercial site** in future layout plans of **Shopping Centres**.

It has been decided by the Authority in the 96th meeting held on 29.12.05 that in future, wherever basements are being allowed in booths , SCO's & SCF's , the provision of basements shall also be allowed under the corridors. You are requested to make the provision in future layout plans accordingly. However, old provision shall continue to be applicable in case of layout plans of commercial areas, which are already approved.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst. No. CA. /HUDA/SA/06/173-205

Dated 08.02.2006.

A copy of the above is forwarded to following for information and necessary action please:-

1. All Administrators, HUDA,(HQ, PKL, Fbd., GGN., & HSR.)
2. The Engineer-In-Chief, HUDA, PKL.
3. The Chief Controller of Finance, HUDA, PKL.
4. The Chief Town Planner, HUDA, PKL.
5. The Senior Town Planners, Haryana.
6. The Secretary, HUDA, Panchkula.
7. The Distt. Attorney, HUDA, Panchkula.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA,Panchkula.

From

The Chief Administrator (Architecture Wing)
HUDA, Panchkula.

To

1. The Administrator, HUDA, (HQ), Panchkula.
2. The Administrator, HUDA, Panchkula
3. The Administrator, HUDA, Faridabad
4. The Administrator, HUDA, Gurgaon
5. The Administrator, HUDA, Hisar

Memo No. HUDA, CA/HUDA/SA/06/206-256

Dated : 08.02.2006.

Subject: Revision of Policy for compounding unauthorized construction of basements under the corridors of booths, S.C.O's and S.C.F's.

Reference: Agenda Item No.A-96 of the 96th meeting of Haryana Urban Development Authority held on 29.12.2005.

It has been decided by the Authority to compound un-authorized construction of basements under the corridors of booths, S.C.F's and S.C.O's **on an on going basis** on the following terms and conditions:

1. The basement under corridors shall be compounded with the same technical conditions as contained in the earlier policy circulated vide memo. No. 4508-12 dated 24.10.03.

The conditions are as under:-

- a) Level of the Public Corridor shall be maintained as shown in the Architecture Control drawings.
- b) Such basement shall be used for storage purposes (Storage of material shall be in accordance with the provisions of NBC)
- c) Such basement shall be a part of the basement provided under the shop/booth area and no partitioning will be allowed.
- d) The owner shall provide all services like fire fighting, public health as required by NBC within the site.
- e) The compounding shall be done only after the above conditions are met with/implemented by owner.

2. The rates of such compounding shall be kept as follows:-

Hyper	High	Medium	Low
Potential Zone	Potential Zone	Potential Zone	Potential Zone
Rs.1875/-	Rs.1500/-	Rs.1125/-	Rs.750/-
Per.Sft.	Per.Sft.	Per Sft.	Per.Sft.

The classification of areas defining Hyper, High, Medium and Low Potential Zones shall be as per the list given at Annexure-I. The rates shall come into effect from the date of issue of the letter/policy intimating revised rates.

3. As soon as policy is implemented, allottees who do not come forward to get the unauthorized construction compounded should be proceeded against under the relevant provisions of HUDA Act.

-sd/-
Senior Architect,
For Chief Administrator.
HUDA, Panchkula.

Endst.No.CA/HUDA/SA/06/206-256

Dated 08.02.2006.

A copy of the above is forwarded to the following for information and necessary action please:-

1. The Chief Administrator, HUDA,(Urban Branch), Panchkula.
2. The Engineer-in-Chief, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Distt.Attorney, HUDA, Panchkula.
7. All Senior Town Planners, Town & Country Planning Deptt. in the state of Haryana.
8. All Estate Officers, HUDA, Urban Estate, Haryana
9. All Distt. Town Planners of Town & Country Planning Deptt., Haryana.

Sd/
Senior Architect
For Chief Administrator,
HUDA,Panchkula.

CLASSIFICATION OF AREAS.

ANNEXURE-I

Agenda Item No. A-95 (18).

I. Areas in hyper potential zone.

- a) Controlled areas declared under section-4 (I) (a) around municipal town Gurgaon.

II Areas in high potential zone.

- a) All the controlled areas in Gurgaon districts notified under provision of section-4 (I) (b) including controlled areas declared around Sohna Town.
- b) Controlled areas around Faridabad –Ballabhgarh complex.
- c) Controlled areas of Sonapat-Kundli multifunctional urban complex, Panipat.
- d) Periphery controlled area of Panchkula.

III Areas in medium potential zone.

- a) Controlled areas of Karnal, Kurukshetra, Ambala City, Ambala Cantt, Yamuna Nagar-Jagadhari, Bahadurgarh, Hisar, Rohtak, Rewari-Bawal-Dharuhera complex, Gannaur, Oil Refinery Panipat (Beholi).
- b) Controlled area declared under section-4 (I) (b) in Faridabad district and also including around towns like Palwal and Hodel.

IV Areas in low potential zone.

- a) All the other controlled areas declared in the State.

From

The Chief Administrator,
(Architecture Wing), HUDA, Panchkula.

To

All the Estate officers,
HUDA, (Fbd, Rohtak, Bahadurgarh, Sonapat, Gurgaon, Rewari, Hisar, Kaithal, Sirsa,
Bhiwani, Jind, Panchkula, Karnal, Ambala, Panipat, Kurukshetra, Jagadhari.).

Memo no 2061-77

Dated 2.12.2005.

Sub:- New rates for sale of prints.

Arch. Controls/ Standard designs are on sale in various offices of HUDA. At present the rate being charged for each print/ sheet is Rs. 50/-. It has now been decided that new rates will be made applicable w.e.f. 12.12.05. The new rate will be Rs. 100/- per print. You are requested to ensure that the new rates are made applicable w.e.f. above mentioned date in the cases where sale of prints to public takes place.

The amount received from the sale of blue prints may be booked under the accounting head “sale of maps” already existing in the monthly accounts of the Estate Offices.

This is for your information and further necessary action.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.
Dated: 02.12.05.

Endst. No. 2078-2109

A copy of the above is forwarded to the following for kind information and necessary action:-

1. All the Administrators, HUDA (Fbd, GGN, Hisar, PKL).
2. The Chief Town Planner, HUDA, Panchkula.
3. All the Superintending Engineers, HUDA (Panchkula, (Hort.) PKL, (Elect) PKL, Karnal, Gurgaon, Fbd, Hisar, Rohtak).
4. All the Distt. Town Planners, Haryana (Fbd., Rohtak, Jhajjar, Sonapat, Gurgaon, Rewari, Narnaul, Hisar, Kaithal, Sirsa, Bhiwani, Jind, Fatehabad, PKL, Karnal, Ambala, Panipat, Kurukshetra, Yamuna-Nagar.).

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

From

Chief Administrator,
HUDA, Panchkula.
(Arch. Wing).

To

1. The Administrator (HQ) H. U.D.A., Panchkula.
2. The Administrator, HUDA, Panchkula, Faridabad, Gurgaon, Hisar

Memo no-1326-1330

Dated 29.07.2005.

Sub:- Formulation of Uniform **compounding** rates for the **violations** done by the allottees during construction on the **commercial sites** governed by **standard Architectural Controls**.

Ref:-Agenda item no. A-95 (18) of the meeting of Haryana Urban Development Authority held on 21.06.2005.

Please find enclosed a copy of the new policy for the compounding of violations done by the allottees during construction on the commercial sites governed by standard architectural controls. The above policy was approved by the Authority in its meeting held on 21.06.05 as agenda item no A-95 (18). The policy will be applicable with immediate effect.

It has also been decided that non compoundable violations shall not be compounded. The compounding rates for violations shall be charged as per the classification of the areas enclosed at annexure-II.

DA/-

1. Compounding policy approved by Authority :- Annexure -I
2. Classification of areas: Annexure-II.

-sd/-

Senior Architect,
For Chief Administrator,
HUDA, Panchkula

Endst. No. 1331-36

Dated 29.07.2005.

A copy of the above is forwarded to the Chief Administrator, (Urban Branch), Joint Director (legal), Engineer-In-Chief, HUDA, CCF, HUDA, Chief Town Planner, HUDA and Secretary, HUDA Panchkula for information.

DA/- As above.

-sd/-

Senior Architect,
For Chief Administrator,
HUDA, Panchkula

Endst. No. 1337-53

Dated 29.07.2005.

A copy of the above is forwarded to all the Estate Officers of HUDA for information and further necessary action.

DA/- As above

-sd/-

Senior Architect,
For Chief Administrator,
HUDA, Panchkula

COMPOUNDING POLICY OF COMMERCIAL BUILDINGS GOVERNED BY ARCHITECTURAL CONTROLS

Sr. No.	Description of violation	Compounding Rates in Rupees. Approved by Authority				Remarks
		Potential Zone				
		Hyper	High	Medim	Low	
1	Shaft omitted at G.F, F.F, S.F in S.C.O./ S.C.F.	60000/-	50000/-	30000/-	20000/-	a)Where the shafts are an independent provision for individual SCO/SCF omission of shaft is not compoundable. b) However, compounding has been proposed only for cases where common shafts have been shown in the Arch. Controls and where the party constructing first omits the shaft from the position as shown in the Arch. Control. In such cases compounding/ penalty will be levied on the first party at the rates mentioned. The adjoining second party has been allowed the facility of providing the reduced shaft along with toilet of size/area falling within his SCO/SCF at the place stipulated in the Arch. Control. For the reduced size no penalty is to be paid by the second adjoining party who has actually been forced to construct the reduced shaft due to omission of the shaft by the first party adjoining to him.
2	Void/small pipe duct omitted	500/-				Pipe in common wall is not compoundable.
3	Stair is provided from front side at second floor in SCF / SCO in those controls where terrace has been provided at second floor.	1000/-				Neither stair should be visible nor it should disturb the front elevation.
4	Extra stair is provided in SCO/SCF.	250/-				As long as structure is santionable.
5.	Minor change in front and rear elevation(each)	1000/-				Change in overall width and height of commercial sites is not compoundable. However, minor variation within the façade opening/members within one inch may be considered as minor change and be compounded at proposed rate. However, overall effect of elevation should remain same.
6	Flat is not constructed as per sanctioned plan.	Potential Zone				Change of Nomenclature is not allowed. Compounding be allowed provided the essential items of a flat like bath, W.C. and kitchen are maintained as shown or constructed as per provisions of bye laws. Coverage of cut out is not compoundable.
		Hyper	High	Medium	Low	
		2880/- (Per Sq. mt.	2400/- Per Sq. mt.	1440/- Per Sq. mt.	960/- Per Sq. mt.	

Sr. No.	Description of violation	Compounding Rates in Rupees. Approved by Authority				Remarks
7	DPC certificate is not taken	Potential Zone				50% of the rate shall be charged if constructed as per plan.
i)	Booth/Kiosk					
	Booth	6000/-	5000/-	3000/-	2000/-	
	Kiosk	3600/-	3000/-	2000/-	1000/-	
ii)	Service booth/double storey shop	12000/-	10000/-	6000/-	4000/-	50% of the rate shall be charged if constructed as per plan.
iii)	SCO/SCF/Showroom/ Institutional/ G.H.S.	24000/-	20000/-	12000/-	8000/-	50% of the rate shall be charged if constructed as per plan.

8	UNAUTHORIZED OCCUPATION.					
i)	Booth/ Kiosk/ SIS/ D.S.S	Potential Zone				
		Hyper	High	Medium	Low	
	Booth	12000/-	10000/-	6000/-	4000/-	Completion certificate in any case has to be obtained as per procedure.
	Kiosk	6000/-	5000/-	3000/-	2000/-	Completion certificate in any case has to be obtained as per procedure.
	SIS/D.S.S	18000/-	15000/-	9000/-	6000/-	Completion certificate in any case has to be obtained as per procedure.
ii)	S.C.O/S.C.F	30000/-	25000/-	15000/-	10000/-	Completion certificate in any case has to be obtained as per procedure.
iii)	Show Rooms/GHS/ Institutional	36000/-	30000/-	18000/-	12000/-	Completion certificate in any case has to be obtained as per procedure.
9.	TOILETS Toilets shifted in rear side (along rear wall) in SCF/SCO within permissible covered area.)	NIL				Provided light/ventilation is maintained as per bye-laws
10.	TOILETS. (Minor violations)	Ignored				Provided light/ventilation is maintained as per bye –laws.
i)	Roof is not laid at lower level at first floor because toilets are shifted at rear side (Relates to sunken floors of toilets)					
ii)	Roof is laid over open to sky(shaft) above 3'-0" height and light is given from sides.					
iii)	Any other minor violations related to toilets.	Ignored				Provided light/ventilation is maintained as per bye –laws.

Sr. No.	Description of violation	Compounding Rates in Rupees. Approved by Authority				Remarks
		Potential Zone				
11	BASEMENTS In single storey booths/Kiosks and service booths(excluding public corridor)	Hyper	High	Medium	Low	
		600/- (Per Sq. ft.)	500/- (Per Sq. ft.)	375/- (Per Sq. ft.)	250/- (Per Sq. ft.)	a) Site auctioned without basement but if allottee has constructed the basement illegally. b) Rest of the conditions shall be as per policy already conveyed to all Administrators, and E.O's vide C.A.HUDA letter no 4508-12 dated 24-10-2003
		300/- (Per Sq. ft.)	250/- (Per Sq. ft.)	190/- (Per Sq. ft.)	125/- (Per Sq. ft.)	Site auctioned without basement but if allottee constructs the basement after getting the building plans sanctioned. In this case, the compounding fee will be charged by the respective Estate Officers before sanctioning the building plan to the allottee. Rest of the conditions shall be as per policy already conveyed to all Administrators, and E.O's vide C.A.HUDA letter no 4508-12 dated 24-10-2003
12	STAIR CASE					
i)	Minor violations related to treads and risers(upto 5% variation in dimensions)	500/- (per tread/riser)				Nil
ii)	Width of stair case reduced (up to 5%)	1000/- (per cm.)				Nil

CLASSIFICATION OF AREAS.

ANNEXURE-II

Agenda Item No. A-95 (18).

I. Areas in hyper potential zone.

- a) Controlled areas declared under section-4 (I) (a) around municipal town Gurgaon.

II Areas in high potential zone.

- a) All the controlled areas in Gurgaon districts notified under provision of section-4 (I) (b) including controlled areas declared around Sohna Town.
- b) Controlled areas around Faridabad –Ballabhgarh complex.
- c) Controlled areas of Sonapat-Kundli multifunctional urban complex, Panipat.
- d) Periphery controlled area of Panchkula.

III Areas in medium potential zone.

- a) Controlled areas of Karnal, Kurukshetra, Ambala City, Ambala Cantt, Yamuna Nagar-Jagadhari, Bahadurgarh, Hisar, Rohtak, Rewari-Bawal-Dharuhera complex, Gannaur, Oil Refinery Panipat (Beholi).
- b) Controlled area declared under section-4 (I) (b) in Faridabad district and also including around towns like Palwal and Hodel.

IV Areas in low potential zone.

- a) All the other controlled areas declared in the State.

From

The Chief Administrator
Haryana Urban Development Authority,
Panchkula.

To

1. The Administrator, (HQ), HUDA, Panchkula.
2. The Administrator, HUDA, Panchkula.
3. The Administrator, HUDA, Faridabad.
4. The Administrator, HUDA, Gurgaon.
5. The Administrator, HUDA, Hisar.

Memo no 4508-4512

Dated 24.10.2003.

Sub:- Revision of policy for compounding unauthorized construction of basements under the usable area of booths and under the corridors of booths and shops cum offices/flats.

Ref:- Agenda item no A-90 (13) of the meeting of Haryana Urban Dev. Authority held on 17.09.2003.

It has been decided by the Authority to compound the unauthorized construction of basements under the usable area of booths and under the corridors of booths and shops cum offices/flats on the following terms and conditions:-

1. Unauthorized basements constructed under the usable area of the booths may be compounded. However, before compounding some provisions of light and ventilation have to be made in the existing structure. The provisions are in the form of ventilators below the show window on the ground floor (i.e. on the ceiling slab of the basement) an exhaust fan and skylight with permanent ventilation above the staircase portion (minimum 3' x 4'-6" cut in slab in the ceiling of the ground floor). These provisions are shown in the Arch. Control drg. no. 1 job no. 3043 which can be seen for reference.

The basements shall be used for storage purposes. Storage of material shall be in accordance with the provisions of National Building Code and non inflammable/ non explosive materials shall only be stored. Further, the storage material and fire safety measures will be to the satisfaction of the concerned fire officer of the area. The above provisions should be ensured prior to compounding the case.

As regards the compounding rates it has been decided that the revised rates for compounding of basement under usable area of the booth be kept as Rs. 500/- per sq. ft. of the covered area in the high potential zone. The rates would be 75% of the above in the medium potential zone and in the low potential zone the rates would be 50% of the rates of high potential zone.

2. Unauthorized basements constructed under the corridors in booths as well as SCF's/SCO's may be compounded with the following conditions:-
 - a.) Level of the public corridor shall be maintained as shown in the Arch. Control drawings.
 - b.) Such basement shall be used only for storage purposes (storage of material shall be in accordance with the provisions of NBC).
 - c.) Such basement shall be a part of the basement provided under the shop/booth area and no partitioning will be allowed.
 - d.) The owner shall provide all services like fire fighting, public health as required by NBC within the site.
 - e.) The compounding shall be done only after the above conditions are met with /implemented by owner.

The rates for compounding such basements shall be rupees 1200/- per sq. ft. of the covered area in the high potential zone. In the medium potential zone the rates would be 75% of the above and in the low potential zone the rates would be 50% of rates in the high potential zone.

The income accrued from such compounding fee may be utilized for up-gradation of infrastructure of the concerned Urban Estate. Further it has been decided that the compounding of basements under the corridor be a one time exercise and may not be allowed in future. It was also observed that the policy need to be implemented seriously and strict action be taken by field officers against the defaulters after giving them the opportunity for compounding at revised rates. The field officers need to get the remaining basements filled up with earth to seal the basements and to avoid misuse where the owners do not come forward for composition.

You are therefore requested to take action as per the above decision of Authority.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.
Dated 24.10.2003.

Endst. No. 4513-19

Copy of the above is forwarded to the C.A. HUDA (Urban Branch), joint Director (Legal), Engineer-In-Chief, HUDA, CCF, HUDA, Chief Town Planner, HUDA, Chief Engineer, HUDA and Secretary, HUDA Panchkula.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

Endst. No 4520-36

Dated 24.10.2003.

Copy of the above is forwarded to all the Estate Officers of HUDA.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

From

Chief Administrator,
Haryana Urban Development Authority, Panchkula.

To

1. Administrator (HQ), HUDA, Panchkula
2. Administrator, HUDA, Panchkula
3. Administrator, HUDA, Faridabad
4. Administrator, HUDA, Gurgaon
5. Administrator, HUDA, Hisar

Memo no/879-883

Dated 15.3.2002

Subject:-Compounding unauthorized construction of basements under the usable area of Booths and under the corridors of booths and Shop cum Offices/Flats.

Ref:- Agenda item no. A-84 (8) of the meeting of Haryana Urban Development Authority held on 26.02.2002.

It has been decided to compound the unauthorized construction of basements under the usable area of booths and under the corridors of booths and shops cum offices/ flats on the following terms and conditions:-

1. Unauthorized basements constructed under the usable area of the booths may be compounded. However, before compounding some provisions of light and ventilation have to be made in the existing structure. The provisions are in the form of ventilators below the show window on the ground floor (i.e. on the ceiling slab of the basement) an exhaust fan and skylight with permanent ventilation above the staircase portion (minimum 3'x 4'-6" cut in slab in the ceiling of the ground floor). These provisions are shown in the Arch. Control drg. no. 1 job no. 3043 which can be seen for reference.

The basements shall be used for storage purposes. Storage of material shall be in accordance with the provisions of the National Building Code and non inflammable/ non explosive materials shall only be stored. Further, the storage material and fire safety measures will be to the satisfaction of the concerned fire officer of the area. The above provisions should be ensured prior to compounding the case.

As regards the compounding rates it has been decided that the rate for compounding of basement under usable area of the booth be kept as Rs. 1000/- per sq. ft. of the covered area in the high potential zone. The rates would be 75 % of the above in the medium potential zone and in the low potential zone the rates would be 50% of the rates of high potential zone.

2. Unauthorized basements constructed under the corridors in booths as well as S.C.F.'s /S.C.O.'s may be compounded with the following conditions:-
 - a.) Level of the public corridor shall be maintained as shown in the Arch. Control drawings.
 - b.) Such basements shall be used only for storage purposes (storage of material shall be in accordance with the provisions of NBC)
 - c.) Such basement shall be a part of the basement provided under the shop /booth area and no partitioning will be allowed.
 - d.) The owner shall provide all services like fire fighting, Public health as required by NBC within the site.
 - e.) The compounding shall be done only after the above conditions are met with / implemented by owner.

The rates for compounding such basements shall be rupees 2000/-per sqft. of the covered area in the high potential zone. In the medium potential zone the rates would be 75% of the above and in the low potential zone the rates would be 50% of rates in the high potential zone.

The income accrued from such compounding fee may be utilized for up-gradation of infrastructure of the concerned Urban Estate. Further it has been decided that basements under corridors of booths and SCO's/SCF's shall not be allowed in future.

You are therefore requested to take action as per the above decision.

-sd/-
Architect
For Chief Administrator,
HUDA, Panchkula

Endst. No. 884-891

Dated: 15.03.2002.

Copy of the above is forwarded to C.A. HUDA (Urban Branch), Joint Director (Legal), Chief Controller of Finance, Chief Engineer, Chief Town Planner (HUDA), Addl. Chief Engineer, Senior Architect, Secretary, HUDA.

-sd/-
Architect
For Chief Administrator,
HUDA, Panchkula

Endst. No. 892-907

Dated 15.03.2002.

Copy of the above is forwarded to all the Estate officers of HUDA.

-sd/-
Architect
For Chief Administrator,
HUDA, Panchkula

From

Senior Architect,
HUDA, Panchkula.

To

1. The Superintending Engineer,
HUDA, H.Q./Panchkula/Karnal/Gurgaon/Faridabad/Hisar/Rohtak.
2. All the Executive Engineers, HUDA

Memo no 328-369

Dated:31.1.2001

Subject:- Incorporation of the structural, Electrical and Public Health designs in Arch. Drawings.

Incorporation of the above mentioned designs in Architectural drawings prior to start of construction is mandatory. The established procedure clearly specifies that execution is to take place only after the above designs are got incorporated in the Architectural drawings. It is therefore requested that construction may not be started till incorporation of structure, Electrical and public health designs has been got done in the concerned Architectural drawings.

-sd/-
Senior Architect,
HUDA, Panchkula
Dated:31.1.2001

Endst No. 328-369

A copy of this is forwarded to the following for information & necessary action:-

1. The Chief Engineer, HUDA, Panchkula.
2. The Additional Chief Engineer, HUDA, Panchkula. It is requested that instructions may kindly be given to all concerned so that construction proceeds properly without any violation of Architectural drawings.

-sd/-
Senior Architect,
HUDA, Panchkula.

From

Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator, HUDA, Panchkula/Hisar/ Gurgaon/ Faridabad.
2. The Estate Officer, HUDA, Panchkula /Gurgaon /Faridabad /
Hisar/Karnal/Rohtak/Sirsa/Sonepat/Jagadhari/Bhiwani/Rewari
3. The Assistant Estate Officer, HUDA, Panipat/Kurukshetra/ Jind/ Ambala/
Bahadurgarh/ Kaithal.

Memo no./Arch. 99/499-518, 518-A. Dated 15.03.1999

Sub:- Auction of booth sites with basements.

1. Regarding the above cited subject it has been decided that directions given earlier vide memo no 74-91 date 14.01.99 shall be strictly followed.
2. In any case, it is explicated that the new blocks where basements are possible may be first identified by the concerned Estate Officers and approval be obtained from Chief Administrator, HUDA prior to any auction.
3. Further in all such cases where basements in booths are being proposed to be allowed, the new reserved price allowing suitable increase for the additional facility may be got fixed from the Chief Controller of Finance prior to putting any such site to auction.

-sd/-

For Chief Administrator,
HUDA, Panchkula.

Dated 15.03.1999

Endst. No. 519

A copy of the above is forwarded to the Chief Controller of Finance, HUDA, Panchkula for information & necessary action. He is requested to fix new reserve price allowing for suitable increase in all such cases.

-sd/-

For Chief Administrator,
HUDA, Panchkula.

From

Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator,
HUDA, Panchkula/ Hisar/ Gurgaon/ Faridabad.
2. The Estate Officer,
HUDA, Panchkula/Gurgaon/Faridabad/Hisar/Karnal/Rohtak/Sirsa/Sonepat/
Jagadhari.
3. The Assistant Estate Officer,
HUDA, Panipat/Kurukshetra/Jind/Ambala/Bahadurgarh

Memo No. Arch.99/74-91

Dated 14.1.1999

Subject:- Non Provision of Basement in Booth Sites in rows wherein booths have already been auctioned/
constructed without basement.

With reference to the above cited subject, it is intimated that while auctioning booth sites in future it may be ensured that if in a block booth sites have previously been auctioned or constructed without basement then no booth site is to be auctioned with the provision of basement in that particular block.

These instructions be followed till further instructions are issued in the matter, please.

-sd/-
Senior Architect,
For Chief Administrator,
HUDA, Panchkula.

ARCHITECTURE WING, HUDA, PANCHKULA.

To

1. The Administrator,
HUDA H.Q./ Panchkula/ Hisar/ Gurgaon/ Faridabad.
2. The Estate Officers,
HUDA, Panchkula/ Gurgaon/ Faridabad/ Hisar/ Karnal/ Rohtak/ Sirsa/ Sonapat/ Jagadhari.
3. The Assistant Estate Officers,
HUDA, Panipat/ Kurukshetra/ Jind/ Ambala/ Bahadurgarh.

Memo no/ 6958-75

Dated: 07.08.1998.

Subject: Auction of commercial sites.

Ref:- On the subject cited above.

It is intimated that as per instructions of the Chief Administrator, HUDA no commercial sites are to be auctioned in future until Architectural controls of the same are ready pl.

-sd/-

Senior Architect,
HUDA, Sector-6, Panchkula.

ENGINEERING WING

From

The Principal Secretary to Govt. Haryana,
Town & Country Planning Department

To

All the Zonal Administrators,
HSVP (in the State)
The Additional Chief Engineer,
HSVP, Gurugram
All the Superintending Engineers (Civil),
HSVP (in the State)
All the Executive Engineers (Civil),
HSVP (in the State)

MemoNo.:PSTCP/CA-HSVP/CE-I/CE-II/SE(HQ)/SE(W)/SDE(HQ)/2019/197636-673

Dated: 05.11.2019

Subject:- **Responsible officers for regulating operation and maintenance of works/assets** in the context and application of various acts and rules, regulations, bye-laws framed under the acts or any instructions including water (Prevention and control of Pollution) Act, 1974 (Central Act 6 of 1974).

I have been directed to enclose herewith a copy of Haryana Govt. Gazette notification no. 01/10/2019-HSVP/1 dated 30th October, 2019 for information and necessary action.

DA: As above

-sd/-

Superintending Engineer (W)
for Principal Secretary to Govt. Haryana,
Town & Country Planning Department

CC:

1. The Member Secretary, Haryana State Pollution Control Board, Sector-6, Panchkula.
2. PS/PSTCP for kind information of Ld. Principal Secretary to Govt. of Haryana, Town & Country Planning Department.
3. PS/CA, HSVP for kind information of Ld. Chief Administrator, HSVP, Panchkula

हरियाणा सरकार
हरियाणा शहरी विकास प्राधिकरण
अधिसूचना
दिनांक 30 अक्टूबर, 2019

संख्या 01/10/2019—**HSVP**/1— हालांकि, हरियाणा सरकार के द्वारा ज्ञापन संख्या 9/16/05—3 भ0 एवं स0 (क0) दिनांकित 19 अक्टूबर, 2009 के माध्यम से अधिसूचित हरियाणा लो0 नि0 वि0 संहिता (1 नवम्बर, 2009 से लागू) में विभिन्न कार्यो/सम्पत्तियों के संचालन एवं संरक्षण सेवाओं के विनियमन को परिभाषित किया गया है, जिसमें कि विभिन्न स्तर के अधिकारियों को कर्तव्य एवं उत्तरदायित्व सौंपे गए हैं।

उपरोक्त के अनुसरण में हरियाणा शहरी विकास प्राधिकरण 1 नवम्बर, 2009 से मंडल के कार्यकारी अभियंता को उसके अधिकार क्षेत्र में आने वाले कार्यो/सम्पत्तियों के संचालन एवं संरक्षण के विनियम के साथ-साथ विभिन्न अधिनियमों व नियमों, विनियमों, अधिनियमों के अंतर्गत उपनियमों तथा किसी भी अनुदेश, जिसमें कि जल (निवारण एवं प्रदूषण नियंत्रण) अधिनियम, 1974 (1974 का केन्द्रीय अधिनियम 6) शामिल है, के संदर्भ में अमल के लिए विभाग प्रमुख नामित किया जाता है। इसके अतिरिक्त निम्न नियम निर्दिष्ट किए जाते हैं:-

(प) 'कार्यकारी अभियन्ता' का अर्थ होगा मंडल का प्रभारी अधिकारी, जिसे कि उपरिनिर्दिष्ट संहिता में मंडल अधिकारी भी संदर्भित किया गया हैं;

(पप) 'कार्य/सम्पत्ति' का अर्थ होगा सार्वजनिक सेवाएँ देने के लिए संरचना अथवा स्थापन, जैसे कि नलकूप, जलघर, जल उपचार संयंत्र, पम्पिंग स्टेशन, पाइपलाइन तथा अनुलग्न वस्तुएँ, मल तथा प्रवाह उपचार संयंत्र व प्रणाली, वर्षा-जल अपवाहिका, वर्षा-जल पम्पिंग स्टेशन आदि।

ए0के0 सिंह,
प्रधान सचिव,
नगर एवं ग्राम आयोजना विभाग, हरियाणा

HARYANA GOVERNMENT
HARYANA SHEHRI VIKAS PRADHIKARAN

Notification

The 30th October, 2019

No. 01/10/2019-HSVP/1 Whereas, the regulation of the services of operation and maintenance of various works/assets are defined in the Haryana PWD Code, notified vide Haryana Government memo No.9/16/05-3 B&R(W), dated the 19th October, 2009 (applicable with effect from 1st November, 2009), wherein, the duties and responsibilities are assigned to various level of Officers.

In pursuance of above, the Haryana Shehri Vikas Pradhikaran, with effect from the 1st November, 2009 hereby designates the Executive Engineer of the Division as the Head of the Department for regulating the operation and maintenance of works/assets within his jurisdiction as well as in the context and application of various Acts and rules, regulations, bye-laws framed under the Acts and any instructions including Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974) and further specifies the following terms, namely;

- (i) “Executive Engineer” shall mean an Officer in-charge of a Division who is also referred as “Divisional Officer” under the said Code;
- (ii) “Work/Asset” shall mean structure or installation such as tube-well, water works, water treatment plant, pumping station, pipe line and appurtenance, sewage and effluent treatment plant & system, storm water drain, storm water pumping station etc. for providing public services.

A.K. SINGH,
Principal Secretary to Govt. Haryana,
Town & Country Planning Department

57439&C.S.-H.G.P.,Chd.

From

The Chief Engineer-I
HSVP, Panchkula

To

The Principal Secretary
Sports and Youth Affairs Department
Haryana Chandigarh
The Director,
Department of Sports & Youth Affairs
Haryana Panchkula.

Memo No.: CE-I-HSVP/SE(HQ)/SE(W)/SDE(R/F)/2019/ 170998-171068

Dated: 18.09.2019

Subject: Revised Policy regarding Handing Over of sports complex/ stadia constructed by HSVP to Department of Sports & Youth Affairs.

1. In continuation of this office letter no. 12574-78 dated 19.01.2017, vide which copy of policy regarding handing over of Sports Complex / Stadia constructed by HSVP to the Department of Sports & Youth Affairs was sent with the request to issue directions to the concerned Officer of your Department for taking over the said infrastructure from HSVP.
2. I have been directed to intimate that HSVP has issued a revised policy for this purpose. This revised policy is in accordance with the decisions taken in the meeting held on 12.06.2019 between the Administrative Secretaries of Sports & Youth Affairs Department and Town & Country Planning Department.
3. A copy of above cited revised policy is enclosed herewith, with the request to issue directions to the concerned Officer of your Department for taking over the said infrastructure from HSVP in accordance with the enclosed revised policy.

DA/As Above

-sd/-

Superintending Engineer (HQ)
for Chief Engineer-I, HSVP
Panchkula

CC:

1. The Administrator (HQ), HSVP, Panchkula.
2. All the Zonal Administrators, HSVP (in the State).
3. The Chief Controller of Finance, HSVP, Panchkula.
4. The Chief Town Planner, HSVP, Panchkula.
5. The Chief Architect, HSVP, Panchkula.
6. The Additional Chief Engineer, HSVP, Gurugram.
7. All the Superintending Engineers, HSVP (In the State).
8. The General Manager (IT), HSVP, Panchkula.
9. All the Executive Engineers, HSVP (In the State).
10. All the Estate Officers, HSVP (in the State).
11. The Secretary, HSVP, Panchkula.
12. The Dy. ESA, HSVP, Panchkula.
13. The Superintendent, Authority Branch, HSVP, Panchkula.

14. The Superintending Engineer (HQ)/PMQ/Works O/o Chief Engineer-I/II, HSVP Panchkula.

Revised policy for handing over of Sports Complex / Stadia constructed by HSVP to Department of Sports & Youth Affairs

1. Haryana Shehri Vikas Pradhikaran (HSVP) came into existence in 1977 and since then HSVP has been involved in various development works in Urban Estates of Haryana.
2. A number of community buildings like police stations, schools, hospitals, dispensaries, sports complex/stadia, etc. have been constructed by HSVP as part of these development works. While, after construction, other buildings have been handed over to the parent department for operation and maintenance, the same has not been followed in case of sports complex/stadia.
3. To streamline the matter, a policy for handing over of Sports Complex/Stadia constructed by HSVP to Department of Sports & Youth Affairs was approved by Pradhikaran in its 112th meeting held on 10.01.2017. Copy of this policy is appended as **Annexure-A**. The policy was circulated to all concerned vide Chief Administrator, HSVP office memo no. 12614-633 dated 19.01.2017.
4. To further expedite the process, a meeting was held between the Administrative Secretaries of Sports & Youth Affairs Department and Town & Country Planning Department on 12.06.2019. During this meeting, it was suggested to amend the following conditions of the policy:

S. No.	Condition no. of policy	Existing Condition as per policy	Proposed amendment
1.	1.	The sites will be allotted on leasehold basis, for which nominal lease money may be charged.	The ownership of these stadia needs to be transferred by Town & Country Planning Department to the Sports & Youth Affairs Department, being the owner of External Development Works, as they are done on behalf of DTCP out of EDC collections in the particular Urban Estate.
2.	2.	The ownership of buildings/land will continue to vest with HUDA.	
3.	9.	If there is any breach of any of the condition, HSVP shall have the right to take back the land, alongwith structures created thereupon, without paying any compensation, of this policy.	To be deleted

5. Accordingly, a revised policy for handing over of Sports Complex / Stadia constructed by HSVP to Department of Sports & Youth Affairs has been framed and is appended as **Annexure-B**. Accordingly, the revised policy is placed before the Pradhikaran for consideration and according approval please.

Revised policy for handing over of sports complex/stadia constructed by Haryana Shehri Vikas Pradhikaran (HSVP) to Department of Sports & Youth Affairs

Sports complex/stadia constructed by HUDA shall be handed over to Department of Sports & Youth Affairs since this infrastructure created by HSVP is being utilized for holding various sports events of national level and requires regular maintenance involving substantial financial implication. These sports complex/stadia constructed by HSVP shall be transferred to Department of Sports & Youth Affairs subject to the following conditions:

1. The ownership of these sports complex/stadia shall be transferred by Town & Country Planning Department
1. The ownership of these sports complex/stadia shall be transferred by Town & Country Planning Department to the Department of Sports & Youth Affairs, being the owner of External Development Works, as they are done on behalf of DTCP out of EDC collections in the particular Urban Estate
2. No addition/alteration in the building will be carried out except with prior approval of HSVP. In case of any major addition/alteration in the building, the work shall be executed by HSVP as deposit work of Department of Sports & Youth Affairs.
3. The operation/running and maintenance of building shall be done by Department of Sports & Youth Affairs.
4. All the dues such as energy charges, water charges, security charges etc. shall be borne by the Department of Sports & Youth Affairs.
5. Department of Sports & Youth Affairs shall pay all cesses/taxes chargeable to the land/building.
6. The use of land, other than for the purpose which it is earmarked, will not be allowed in any case and the building would revert back to HUDA in case of any violation.
7. In case of any damage to property or loss of life in the sports complex/stadia, Department of Sports & Youth Affairs shall be responsible.

Policy for handing over of sports complex/stadia constructed by Haryana Urban Development Authority (HUDA) to Department of Sports & Youth Affairs

Sports complex/stadia constructed by HUDA shall be handed over to Department of Sports & Youth Affairs since this infrastructure created by HUDA is being utilized for holding various sports events of national level and requires regular maintenance involving substantial financial implication. These sports complex/stadia constructed by HUDA shall be transferred to Department of Sports & Youth Affairs subject to the following conditions:

1. The sites will be allotted on lease hold basis, for which nominal lease money may be charged.
2. The ownership of buildings/land will continue to vest with HUDA.
3. Any addition/alteration in the building will not be carried out except with the prior approval of HUDA. In case of any major addition/ alteration in the building, the work shall be executed by HUDA as deposit work of Department of Sports & Youth Affairs.
4. The operation/running and maintenance of building shall be done by Department of Sports & Youth Affairs.
5. All the dues such as energy charges, water charges, security charges etc. shall be borne by the Department of Sports & Youth Affairs.
6. Department of Sports & Youth Affairs shall pay all cesses/taxes chargeable to the land/building.
7. The use of land other than for which it is earmarked, will not be allowed in any case and the building would revert back to HUDA in case of any violation.
8. In case of any damage to property or loss of life in the sports complex/stadia, Department of Sports & Youth Affairs shall be responsible.
9. If there is any breach of any of the conditions, HUDA shall have the right to take back the land, along with structures created thereupon, without paying any compensation.

From

The Chief Engineer-I/II,
HSVP, Panchkula

To

The Additional Chief Engineer,
HSVP, Gurugram
All Superintending Engineers,
HSVP (in the State)
All Executive Engineers,
HSVP (in the State)

Memo No. CE-I/II-HSVP/SE(HQ)/SE(PMQ)/SE(W)/ HDM(P)/2019/141026-093

Dated:- 06.08.2019

Subject: Incorporation of **additional condition in DNITs.**

I have been directed to request you to ensure the incorporation of following conditions in DNITs of bituminous road works in area under your jurisdiction: “No increase in prices of the bitumen/emulsion shall be reimbursed to the contractor beyond the original time period allowed for construction as per contract agreement irrespective of extension of time limit granted to the agency for any reason, whatsoever. However, decrease in price of bitumen/emulsion shall be recouped from the contractor even beyond the original time period allowed for construction”.

The above instructions must be followed in letter and spirit.

-sd/-

Superintending Engineer (HQ)
for Chief Engineer-I/II, HSVP,
Panchkula

C.C.

1. The SE(HQ)/SE(PMQ)/SE(W)/SDE(HQ)/ SDE(W)/ SDE(H)/ SDE(R/F)/ HDM(P) O/o Chief Engineer-I/II, HSVP, Panchkula.
2. PA/CE-I, HSVP for information of Chief Engineer-I, HSVP, Panchkula.
3. PA/CE-II, HSVP for information of Chief Engineer-II, HSVP, Panchkula.

From

The Chief Engineer-I/II,
HSVP, Panchkula

To

The Additional Chief Engineer,
HSVP, Gurugram.
All the Superintending Engineers,
HSVP (in the State)
All the Executive Engineers,
HSVP (in the State)

Memo No.:CE-I/II-HSVP/SE(HQ)/SE(PMQ)/SE(W)/HDM(P)/2019/131826-878

Dated: 23.07.2019

Subject: Inclusion of additional conditions in DNIT.

1. I have been directed to request you to incorporate the following additional conditions at the time of framing/approving of all the DNITs by your office.

i. **RETENTION MONEY/SECURITY DEPOSIT:-** At the time of making payments to the contractor, a sum at the rate of 10% (or such other percentage as may be prescribed) of the gross amount of each running bill is deducted till the cumulative amount of deduction along with the amount of earnest money already deposited reaches 5% (or such percentage as may be prescribed) of the tendered value. One-half of the security deposit will be refunded on completion of the work/ issue of Taking-over Certificate, and the other half will be released one year after expiry of the Defects Liability Period or as may be laid down in the tender document. The contractor shall have the option to replace the second half of retention money with unconditional bank guarantee for the desired period. For minor works, 100% security deposit may be released after defects liability period is over

ii. **PERFORMANCE SECURITY:-** Tender document may provide that the successful tenderer will furnish performance security (5 percent of the contract price or such percentage as may be prescribed) which may be in the form of bank guarantee, to be kept as a surety that the contractor completes the work satisfactorily. Initially, the performance guarantee will be valid up to end of the defects liability period plus 30 days or as prescribed in the contract data. In case the time of completion is enlarged, the validity of the guarantee shall be correspondingly extended. It carries no interest and is returned to the contractor after the date specified in the contract.

If the bid is seriously unbalanced or front-loaded, Chief Engineer, HSVP or the officer competent to approve DNIT, on recommendations of concerned SE or EE, as the case may be, shall be competent to increase the amount of performance guarantee, to protect Government interest.

2. In addition to above, it is intimated that in case of increase/enhancement of scope of work, the security deposit and performance security shall be worked out for the enhanced scope of work and the contractual agency shall deposit this amount with Executive Engineer concerned before taking of the enhanced work in hand.

3. It is cleared that condition at S. No. 2 above is NOT to be incorporated in DNITs.

4. It is requested to follow the instructions in "letter and spirit".

DA/As above

Sd/-

Superintending Engineer (HQ)
for Chief Engineer-I/II, HSVP,
Panchkula

C.C.

1. The SE(HQ)/SE(PMQ)/SE(W)/EE(E)(HQ)/SDE(HQ)/SDE(H)/SDE(R/F)/HDM(P) O/o Chief Engineer-I/II, HSVP, Panchkula.
2. PA/CE-I, HSVP for information of Chief Engineer-I, HSVP, Panchkula.
3. PA/CE-II, HSVP for information of Chief Engineer-II, HSVP, Panchkula.

From

Chief Engineer-I/II
HSVP, Panchkula.

To

Additional Chief Engineer,
HSVP, Gurugram.
All the Superintending Engineers,
HSVP (in the state).
All the Executive Engineers,
HSVP (in the state)

Memo No. CE-I/II/SE(HQ)/SDE(W)/HDM(G)/2019/11906/907-913/916-937/939-941
Dated: **26.06.2019**

Subject:-Instructions to avoid unnecessary enhancements of contract agreement.

It is intimated that the instructions to avoid the execution of the works by way of enhancements have been issued by this office time to time vide letter no. 5521-38 dated 12.05.2015, 143008-018 dated 30.012.2016, 191689/691-699/702-711 dated 12.10.2017, 12077/081-089/90/97-100/103/106-108 dated 18.01.2018 but the compliance of the instructions is not being done by the field offices in letter and spirit. The following instructions were circulated vide this office letter no. 191689/691-699/702-711 dated 12.10.2017 to avoid unnecessary enhancements of contract agreements to ensure the compliance:-

- a. Wherever the scope of work exceeds the agreement amount by more than 25%, enhanced work should be stopped at site and “in principle” approval of the Chief Engineer concerned should be arranged before re-starting the work.
- b. Enhancement shall be allowed only at the same site of work and against the single approved estimates. No work of another estimate for another site of work shall be allowed to be included in the enhancement of original work.
- c. In cases where Non Schedule Items are more than the competency of XEN/SE/ACE or 10% of total amount of work, whichever is lower, the approval of next higher authority must be arranged prior to execution of work at site.
- d. In case the originally allotted work is less than Rs. 1.00 Crore, Third Party Inspection Agency shall be deputed for the entire scope of work (original as well as enhanced).

In addition to above, the contract agreements against which the work stands executed since a long back are not got closed by the contractual agencies neither monitored by the EE concerned, in result of which ACE/SE process the case for approval of enhancement and thereafter for approval of re-enhancement despite of taken care of the instructions circulated by this office. In future the responsibility of XEN concerned shall be fixed as to why the contract agreement are not closed in a time bound manner after the execution of work against the original contract agreement.

Keeping in view of the above, it is again requested to ensure the compliance of the above instructions in letter and spirit with immediate effect.

-sd/-

Superintending Engineer (HQ),
For Chief Engineer-I/II, HSVP,
Panchkula

CC to the following:-

1. PA to CE-I/II for information of Chief Engineer-I/II HSVP Panchkula.
2. SDE(W)/SDE(R/F)/SDE(H)/HDM(P) O/o Chief Engineer-I/II HSVP Panchkula.

OFFICE OF CHIEF ENGINEER-I, HSVP, C-3, SECTOR-6, PANCHKULA.

To

Executive Engineer, HSVP

Division No.-V, Gurugram.

Memo No. CE-I/SE(HQ)/SDE(W)/2019/23095-098

Dated:- 01.02.2019

Subject:- Instructions regarding **payment/recovery of bitumen/emulsion** from the contractual agency due to increase/decrease in the price of bitumen purchased beyond stipulated time period in the contract agreement.

During the review of PAG Draft audit Paras for the year ended March 2018 regarding road works allotted to the Sh. S.K Mittal Contractor @25.99 % below the DNIT rates with restricted agreement amount of Rs 9.54 Crore in April 2015 for the construction of Sector dividing road 101/104 at Gurugram & further enhancement of additional work made thereof it has been observed that no due attention is being paid to the provision made in the agreement regarding extra payment of increased rate of bitumen purchased or recovery of the rates if decreased at refinery for the quantity purchased by the contractual agency to be utilized for the original work allotted.

I have been directed to request you to draw your attention toward the provision made in the approved DNIT/agreement regarding extra payment on account of increased or decreased rates of bitumen/emulsion purchased by the agency within stipulated period of original work mentioned in the agreement.

You are requested to ensure that no extra payment shall be made to the agency beyond the stipulated time period. However if the rates at refinery is decreased, the recovery thereof shall be made from the agency on the basis of actual vouchers/documents submitted by the agency in the token of proof of bitumen purchased for the additional work.

The above instructions be followed strictly in the letter and spirit with immediate effect.

-sd/-

Superintending Engineer (HQ)
For Chief Engineer-I, HSVP.
Panchkula.

CC to the following for information & necessary action.

1. Additional Chief Engineer, HSVP, Gurugram.
2. Superintending Engineer-I, HSVP, Gurugram.
3. Superintending Engineer-II HSVP, Gurugram.

(To be substituted with Chief Engineer-I, HSVP, Memo No.-CE-I/SE(HQ)/SDE(W)/2019/14630-684 dated 22.01.2019).

OFFICE OF CHIEF ENGINEER-I, C-3, SECTOR-6, PANCHKULA.

To

All Executive Engineers, in HSVP,

Memo No. CE-I/SE (HQ)/SDE (W)/2019/15935-943

Dated:- 23.01.2019.

Sub:-Instruction regarding **security deposited in advance** by the successful bidder.

The instructions issued vide this office memo No. 14630-684 dated 22.01.2019 are hereby amended & issued as fresh as under:-

It has been observed that contractors/firms sometime quote their tender rates much below the ceiling rates exhibited in the approved DNIT. As per existing practice, the contractual agencies must deposit two percent of the total value of work as earnest money in normal tender cases or one percent of total value in case of the bigger amount of the tender work. Later on after the allotment of work in favour of successful agency, such earnest money is adjusted against the 5 % security deposit as per the clause-I of the contract conditions.

The clause-I, in the contract conditions is reproduced as under:-

“The person/persons whose tender may be accepted (hereinafter called contractor) shall deposit an amount equal to five percent of the estimated cost of the work with the Executive Engineer (Earnest money shall be accounted as per memorandum) within 10 days of the acceptance of the tender by way of security deposit in case of default, the earnest money already lying with Executive Engineer shall stand absolutely forfeited to” the Haryana Shehri Vikas Pradhikaran or its successor in office and the contract shall stand terminated or in the alternative, at the discretion of the Engineer-in-charge, the contractor may be required to permit Haryana Shehri Vikas Pradhikaran at the time of making any payment to him for work done under the contract to deduct such sum as well (with the earnest money deposited by him) amount to 5% of all moneys so payable, such deductions to be held by Haryana Shehri Vikas Pradhikaran by way of security deposit. All compensation or other sums of money payable by the contractor to Gurugram Metropolitan Development Authority on any account whatsoever and in the event of his security deposit being deducted by reason of any deduction, the contractor shall within 10 days thereafter make good in cash as aforesaid any sum which may have been deducted from his security deposit or any part thereof”.

But the above Clause of the contract are not being followed properly by the Executive Engineer concerned. In case of below tender rates, it has been noticed that either the contractor do not show their interest in earlier execution of works and linger on the work on one pretext to the other or leave the work in between due to which such works or projects are badly delayed.

In order to overcome such situations, wherever tenders of any successful agency are accepted at below ceiling rates of approved DNIT, Executive Engineers are hereby directed to ensure that five percents security is required to be furnished in advance by the successful bidder within 10 days of allotment of works as specifically mentioned in the Clause-I mentioned above. After the receipt of such security deposit from the successful bidder/firm, acknowledgement of the same be also sent to the authority who has accorded the approval of the tender case.

In addition, even in the matter of increased scope of work/ additional work, by way of any enhancement of agreements or parallel agreements proposed to be executed through the same agency, either at the same site of work or new sites, where the agreement amount is proposed to be increased by more than 25% of the allotted work, such advance security deposit be got furnished from the executing agency before start of the additional work or within 10 days of issuance of acceptance letter for additional work whichever is earlier.

The above instructions be followed strictly in future meticulously in the letter and spirit failing which the concerned Executive Engineer will be personally responsible for this lapse.

-sd/-
Superintending Engineer (HQ)
For Chief Engineer-I, HSVP.
Panchkula.

CC to the following for information & necessary action.

1. Additional Chief Engineer, HSVP, Gurugram./All Superintending Engineer in HSVP.
2. Superintending Engineer (HQ)/Executive Engineer (HQ).
3. PA to CE-I/CE-II, HSVP, Panchkula.
4. GM, IT Cell, HSVP, Panchkula. He is requested to upload these instructions on the official website of HSVP.

From

The Chief Administrator,
HSVP, Panchkula

To

All the Administrators,
HSVP (in the State)
The Additional Chief Engineer,
HSVP, Gurugram
All the Superintending Engineers (Civil),
HSVP (in the State)
All the Executive Engineers (Civil),
HSVP (in the State)

MemoNo.:CA-HSVP/CE-I/II/SE(HQ)/SE(PMQ)/EE(HQ)/SDE(HQ)/2018/227188-245

Dated: 19.11.2018

Subject:- **Responsible officers for regulating operation and maintenance of works/assets** in the context and application of various acts and rules, regulations, bye-laws framed under the acts or any instructions including water (Prevention and control of Pollution) Act, 1974 (Central Act 6 of 1974).

I have been directed to enclose herewith a copy of Haryana Govt. Gazette notification dated 31st October, 2018 for information and necessary action.

D/A As above

-sd/-

Executive Engineer (HQ),
for Chief Administrator, HSVP,
Panchkula

CC:

1. PS/CA, HSVP for kind information of Ld. Chief Administrator, HSVP, Panchkula.
2. PA/CE-I, HSVP for information of Chief Engineer-I, HSVP, Panchkula.
3. PA/CE-II, HSVP for information of Chief Engineer-II, HSVP, Panchkula

हरियाणा सरकार
हरियाणा शहरी विकास प्राधिकरण
अधिसूचना
दिनांक 31 अक्टूबर, 2018

संख्या 01/10/2018—**HSVP**/1— हालांकि, हरियाणा सरकार के द्वारा ज्ञापन संख्या 9/16/05—3 भ0 एवं स0 (क0) दिनांकित 19 अक्टूबर, 2009 के माध्यम से अधिसूचित हरियाणा लो0 नि0 वि0 संहिता (1 नवम्बर, 2009 से लागू) में विभिन्न कार्यो/सम्पत्तियों के संचालन एवं संरक्षण सेवाओं के विनियमन को परिभाषित किया गया है, जिसमें कि विभिन्न स्तर के अधिकारियों को कर्तव्य एवं उत्तरदायित्व सौंपे गए हैं।

उपरोक्त के अनुसरण में हरियाणा शहरी विकास प्राधिकरण 1 नवम्बर, 2009 से मंडल के कार्यकारी अभियंता को उसके अधिकार क्षेत्र में आने वाले कार्यो/सम्पत्तियों के संचालन एवं संरक्षण के विनियम के साथ-साथ विभिन्न अधिनियमों व नियमों, विनियमों, अधिनियमों के अंतर्गत उपनियमों तथा किसी भी अनुदेश, जिसमें कि जल (निवारण एवं प्रदूषण नियंत्रण) अधिनियम, 1974 (1974 का केन्द्रीय अधिनियम 6) शामिल है, के संदर्भ में अमल के लिए विभाग प्रमुख नामित किया जाता है। इसके अतिरिक्त निम्न नियम निर्दिष्ट किए जाते हैं:-

(प) 'कार्यकारी अभियन्ता' का अर्थ होगा मंडल का प्रभारी अधिकारी, जिसे कि उपरिनिर्दिष्ट संहिता में मंडल अधिकारी भी संदर्भित किया गया हैं;

(पप) 'कार्य/सम्पत्ति' का अर्थ होगा सार्वजनिक सेवाएँ देने के लिए संरचना अथवा स्थापन, जैसे कि नलकूप, जलघर, जल उपचार संयंत्र, पम्पिंग स्टेशन, पाइपलाइन तथा अनुलग्न वस्तुएँ, मल तथा प्रवाह उपचार संयंत्र व प्रणाली, वर्षा-जल अपवाहिका, वर्षा-जल पम्पिंग स्टेशन आदि।

जे0 गणेशन,
मुख्य प्रशासक,
हरियाणा शहरी विकास प्राधिकरण
पंचकुला

(3444)

HARYANA GOVERNMENT
HARYANA SHEHRI VIKAS PRADHIKARAN
Notification
The 31st October, 2018

No. 01/10/2018-HSVP/I – Whereas, the regulation of the services of operation and maintenance of various works/assets are defined in the Haryana PWD Code, notified vide Haryana Government memo No.9/16/05-3 B&R(W), dated the 19th October, 2009 (applicable with effect from 1st November, 2009), wherein, the duties and responsibilities are assigned to various level of Officers.

In pursuance of above, the Pradhikaran, with effect from the 1st November, 2009 hereby designates the Executive Engineer of the Division as the Head of the Department for regulating the operation and maintenance of works/assets within his jurisdiction as well as in the context and application of various Acts and rules, regulations, bye-laws framed under the Acts and any instructions including Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974) and further specifies the following terms, namely;

- (i) “Executive Engineer” shall mean an Officer in-charge of a Division who is also referred as “Divisional Officer” under the said Code;
- (ii) “Work/Asset” shall mean structure or installation such as tube-well, water works, water treatment plant, pumping station, pipe line and appurtenance, sewage and effluent treatment plant & system, storm water drain, storm water pumping station etc. for providing public services.

J.GANESAN,
Chief Administrator,
Haryana Shehri Vikas Pradhikaran,
Panchkula.

8424-C.S.-H.G.P.,Pkl.

From

The Chief Engineer-I/II,
HSVP, Panchkula

To

The Additional Chief Engineer,
HSVP, Gurugram

All the Superintending Engineers,
HSVP (in the State)

All the Executive Engineers,
HSVP (in the State)

Memo No.: CE-I/II-HSVP/SE(HQ)/SE(PMQ)/EE(HQ)/HDM(P)/2018/186303-360
Dated: 14.09.2018

Subject: Use of **Fly Ash Products.**

I have been directed to enclose herewith a photocopy of letter no. Tech /Building/Fly Ash Product/210.1/2018/Gen/ 140759 dated 29.08.2018 received from Engineer-in-Chief, Haryana, PW(B&R) Department Chandigarh for information and with the request to ensure compliance of the same in the area under your jurisdiction.

DA/As above

-sd-

Executive Engineer (HQ),
for Chief Engineer-I/II, HSVP,
Panchkula

C.C.

1. The Superintending Engineer (HQ), HSVP, Panchkula.
2. The Superintending Engineer (PMQ), HSVP, Panchkula
3. SDE(HQ)/SDE(W)/CHD(H)/CHD(R/F)/HDM(P) O/o Chief Engineer-I/II, HSVP, Panchkula.
4. PA/CE-I for information of Chief Engineer-I, HSVP, Panchkula.
5. PA/CE-II for information of Chief Engineer-II, HSVP, Panchkula.

From

The Engineer-in-Chief, Haryana,
PWD B&R Branch, Chandigarh.

To

1. The Engineer-in-Chief,
Haryana PWD (Irrigation) Department,
Sinchai Bhawan, Sec-5, Panchkula.
2. The Engineer-in-Chief,
Haryana Public Health Engineering Department,
Bays No. 13-18, Sec-6, Panchkula.
3. The Managing Director,
Haryana Police Housing Corporation,
Sector-6, Panchkula.
4. The Director,
Development & Panchayats Department, Haryana.
Plot No. 3, Sector 28, Chandigarh.
5. The Chief Administrator,
Housing Board Haryana,
C-15 Awas Bhawan, Sector-6, Panchkula.
6. The Chief Administrator,
Haryana Shehari Vikas Pradhikaran
Plot No. C-3, Sector-6, Panchkula.

Memo No. Tech./Building/flyash product/210.8/2018/Genl/140759

Dated 29.08.2018

Sub: Use of Fly Ash products.

Hon'ble CM, Haryana had visited the Haryana Pavilion in the exhibition setup by the Ministry of Environment, on the occasion of World Environment Day, near Vigyan Bhawan, New Delhi. CM had interaction with Fly Ash Manufacturing Association Haryana.

A meeting was held under the Chairmanship of Chief Secretary, Haryana on 12.07.2018 with the representative of PWD (B&R), Irrigation Departments and HSVP. It was intimated in the meeting that Haryana, PWD B&R has already implemented the notification of Govt. of India dated 03.11.2009. (Copy enclosed).

It was further decided in the meeting that as a first step, Engineering Departments including Boards & Corporations shall ensure that in future all the boundary walls shall be constructed using only fly ash bricks. For main buildings, atleast 50% fly ash bricks be used in place of red bricks. In case of any issue regarding availability of fly ash bricks, the district coordinators can be contacted. List of district coordinators for fly ash bricks associations is attached.

The instructions are issued with the approval of the Govt.

DA/- As above

Executive Engineer (General)
For Engineer-in-Chief, Haryana.
PW (B&R) Deptt. Chandigarh.

As desired by Worthy Chief Secretary at NP/2, it is submitted as under:-

As per notification of ministry of Environment and Forest dated 03.11.009, there is provision of use of 100% Fly ash bricks/ products in building works. However in first stage following steps has been taken for implementation for above notification.

1. Necessary direction has been issued to all SEs of PWD B&R vide Head Office No. 131757-769/Gen. dated 19.12.2016 (**Copy at Flag ‘A’**) for using fly ash bricks in building works. Later on all SEs and EEs of PWD B&R were directed for ensuring use of fly ash bricks to the extent of 50% of bricks work as per approved DNIT’s of Building works vide Head Office memo No. 131464-519/WI dated 09.08.2018 (**Copy at Flag ‘B’**) for making compliance of notification dated 03.11.2009.
2. Further, in compliance of direction approved from Govt. vide U.O. No. 140156/WI dated 23.07.2018 (**Copy at Flag ‘C’**) all SE/EE were directed vide Head Office memo No. 137410-465/Gen. dated 21.08.2018/23.08.2018 (**Copy at Flag ‘D’**) for ensuring use of 50% fly ash bricks in all building works and 10% fly ash bricks/products in construction of boundary walls.

Accordingly, DFA at **Flag ‘Y’** is placed below for approval and for issuing similarly direction to PWD (PHE), PWD (Irrigation), HSVP, Haryana Housing Board, Panchayati Raj Department, Haryana Police Housing Corporation and Power Utility Department.

EE(B-II)
23.08.2018

New Delhi, the 3rd November, 2009

S.O. 2804(E).—WHEREAS, by notification of the Government of India in the Ministry of Environment and Forests number S.O. 763(E), dated the 14th September, 1999 (hereinafter referred to as the said notification) issued under sub-section (1), clause (v) of sub-section (2) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, issued directions for restricting the excavation of top soil for manufacture of bricks and promoting the utilisation of fly ash in the manufacture of building materials and in construction activity within a specified radius of one hundred kilometers from coal or lignite based thermal power plants;

AND WHEREAS, the term “fly ash” means and includes all categories or groups of coal or lignite ash generated at the thermal power plant and collected by Electrostatic Precipitator (ESP) or bag filters or other similar suitable equipments; bottom ash is the ash collected separately at the bottom of the boiler; pond ash is the mixture of ESP Fly ash and bottom ash, but, for the purpose of this notification, the term “fly ash” means and includes all ash generated such as Electrostatic Precipitator (ESP) ash, dry fly ash, bottom ash, pond ash and mound ash as the objective is to utilise all the ashes;

AND WHEREAS, there is a need for restricting the excavation of top soil for manufacture of bricks and for other works which involve use of top soil and promoting utilisation of fly ash produced by coal or lignite based thermal power plants including captive power plants and co-generation plants in the manufacture of building materials and construction activity;

AND WHEREAS, it was observed that there was a gradual increase in the use of fly ash in the manufacture of fly ash bricks or products from about 1.5 million tonne in 2002-2003 to 3.19 million tonne in 2006-2007 which needs to be further encouraged for achieving the ultimate objective of conservation of top soil and minimise environmental pollution caused due to fly ash;

AND WHEREAS, it is observed that construction agencies are yet to achieve their targets of utilization of fly ash based products even after the 31st August, 2007, the date prescribed for 100% utilisation of fly ash based products in the said notification of 1999 and it is also observed that many thermal power stations or plants are also yet to achieve the targets drawn up in their action plans;

AND WHEREAS, the representations of the brick kiln owners were considered with regard to transporting of fly ash over a long distance and also the logistics involved including the energy cost;

AND, WHEREAS, the issue has been examined by the Government of India in the Ministry of Environment and Forests;

AND WHEREAS, the Central Government is of the opinion that the said notification should be amended;

AND WHEREAS, clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 provides that whenever the Central Government considers that prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

AND WHEREAS, a draft of amendment to the Government of India, Ministry of Environment and Forests notification no. S.O.763 (E), dated the 14th September, 1999 duly amended vide notification No. S.O. 979 (E), dated the 27th August, 2003 (hereinafter referred to as the said notification) which the Central Government proposes to make under subsection (1) clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) dated the 6th November, 2008 vide S.O. 2623 (E), inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft amendments were made available to the public.

AND WHEREAS, copies of the said Gazette were made available to the public on the day of 6th November 2008;

AND WHEREAS, the objections and suggestions received from various persons or agencies likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government in the Ministry of Environment and Forests;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments to the said notification, namely: -

AMENDMENTS

1. Throughout the said notification, save as otherwise expressly provided and unless the context otherwise requires, for the word “ash” wherever it occurs, the words “fly ash” shall be substituted.

2. In the said notification, in paragraph 1,—

(a) for sub-paragraph (1), the following shall be substituted, namely:-

“(i) use of fly ash based products in construction activities”;

(b) for sub-paragraphs (1A) and (1B), the following sub-paragraphs shall respectively be substituted, namely:-

“(1A) Every construction agency engaged in the construction of buildings within a radius of hundred kilometers from a coal or lignite based thermal power plant shall use only fly ash based products for construction, such as: cement or concrete, fly ash bricks or blocks or tiles or clay fly ash bricks, blocks or tiles or cement fly ash bricks or bricks or blocks or similar products or a combination or aggregate of them, in every construction project.

(1B) The provisions of sub-paragraph (1A) shall be applicable to all construction agencies of Central or State or Local Government and private or public sector and it shall be the responsibility of the agencies either undertaking construction or approving the design or both to ensure compliance of the provisions of sub-paragraph (1A) and to submit annual returns to the concerned State Pollution Control Board or Pollution Control Committee, as applicable”;

(c) after sub-paragraph (1B), the following sub-paragraph shall be inserted, namely:—

“(1C) Minimum fly ash content for building materials or products to qualify as “fly ash based products” category shall be as given in the Table I below:

Table I

Serial Number	Building Materials or Products	Minimum % of fly ash by weight
(1)	(2)	(3)
1.	Fly ash bricks, blocks, tiles, etc. made with fly ash, lime, gypsum, sand, stone dust etc. (without clay).	50% of total input materials
2.	Paving blocks, paving tiles, checker tiles, mosaic tiles, roofing sheets, pre-cast elements, etc. wherein cement is used as binder.	Usage of PPC (IS-1489: Part-1) or PSC (IS-455) or 15% of OPC (IS-269/8112/12269) content.
3.	Cement.	15%.of total raw materials
4.”	Clay based building materials such as bricks, blocks, tiles, etc.	25% of total raw materials.
5.	Concrete, mortar and plaster.	Usage of PPC (IS-1489: Part-1) or PSC (IS-455) or 15% of OPC (IS-269/8112/12269) content.

(d) in sub-paragraph (2), for the brackets and number “(1)”, the brackets, number and letter “(1C)” shall be substituted and the number of sub-paragraph (2) shall be substituted by 1 (D);

(e) in paragraph (2A), the paragraph 1(A) shall be substituted by 1(A) and 1(B) and the amended paragraph 2(A) is to be numbered as 1 (E);

(f) for sub-paragraphs (3) and (3A), the following sub-paragraphs shall respectively be substituted, namely:—

“(3) In case of non-availability of fly ash from thermal power plants in sufficient quantities as certified by the said power plants, within 100 km of the site, the stipulation under sub-paragraph (1A) shall be suitably modified **(Waived or relaxed)** by the concerned State Government or Union territory Government level monitoring committee mentioned elsewhere in this notification.

(3A) A decision on the application for manufacture of fly ash bricks, blocks and tiles and similar other fly ash based products shall be taken within thirty days from the date of receipt of the application by the concerned State Pollution Control Board or Pollution Control Committee.”;

(g) sub-paragraphs (3B), (3C) and (3D) shall be omitted;

(h) for sub-paragraphs (4) and (5), the following sub-paragraphs shall be substituted, namely:-

“(4) Each coal or lignite based thermal power plant shall constitute a dispute settlement com.niitt.cc which shall include the General Manager of the thermal power plant and a representative of the relevant Construction and fly ash Brick Manufacturing Industry Association or Body, as the case may be and such a Committee shall ensure unhindered loading and transport of fly ash in an environmentally sound manner without any undue loss of time. Any unresolved dispute shall be dealt with by the concerned State or Union territory Government level monitoring committee mentioned elsewhere in this notification.

(5) No agency, person or organization shall, within a radius of hundred kilometers of a thermal power plant undertake construction or approve design for construction of roads or flyover embankments with top soil; the guidelines or specifications issued by the Indian Road Congress (IRC) as contained in IRC specification No. SP: 58 of 2001 as amended from time to time, regarding use of fly ash shall be followed and any deviation from this direction can only be agreed to on technical reasons if the same is approved by Chief Engineer (Design) or Engineer-in-Chief of the concerned agency or organisation or on production of a certificate of “fly ash not available” from the thermal power plant(s) (TPPs) located within hundred kilometers of the site of construction and this certificate shall be provided by the TPP within two working days from the date of receipt of a request for fly ash, if fly ash is not available”;

(i) in sub-paragraph (6), for the words “Voids created due to soil borrow area shall be filled up with ash with proper compaction and covered with topsoil kept separately as above and this would be done as an integral part of embankment project within the time schedule of the project”, the words “Voids created at soil borrow area shall be filled up with fly ash with proper compaction and covered with topsoil kept separately as above and this would be done as an integral part of embankment project” shall be substituted; .

(j) for subparagraph (7), the following sub-paragraphs shall be substituted, namely:—

“(7) No agency, person or organisation shall within a radius of hundred kilometers of a coal or lignite based thermal power plant undertake or approve or allow reclamation and compaction of low-lying areas with soil; only fly ash shall be used for compaction and reclamation and they shall also ensure that such reclamation and compaction is done in accordance with the specifications and guidelines laid down by the authorities mentioned in sub-paragraph (1) of paragraph 3.

(8) (i) No person or agency shall within fifty kilometers (by road) from coal or lignite based thermal power plants, undertake or approve stowing of mine without using at least 25% of fly ash on weight to weight basis, of the total stowing materials used and this shall be done under the guidance of the Director General of Mines Safety (DGMS);

Provided that such thermal power stations shall facilitate the availability of required quality and quantity of fly ash as may be decided by the expert committee referred in subparagraph (10) for this purpose.

(ii) No person or agency shall within fifty kilometers (by road) from coal or lignite based thermal power plants, undertake or approve without using at least 25% of fly ash on volume to volume basis of the total materials used for external dump of overburden and same percentage in upper benches of back filling of opencast mines and this shall be done under the guidance of the Director General of Mines Safety (DGMS);

Provided that such thermal power stations shall facilitate the availability of required quality and quantity of fly ash as may be decided by the expert committee referred in subparagraph (10) for this purpose.

(9) The provisions contained in clauses (i) and (ii) of sub-paragraph (8) shall be applicable to all mine agencies under Government, public and private sector and to mines of all minerals or metals or items and it shall be the responsibility of agencies either undertaking or approving the external dump of overburden, backfilling or stowing of mine or all these activities to ensure compliance of provision contained-in **clauses-(i) and (ii)** of sub-paragraph (8) **and** to submit annual returns to the concerned State Pollution Control Board or Pollution Control Committee as applicable.

(10) The Ministry of Coal for this purpose shall constitute an expert committee comprising of representatives from Fly Ash Unit, Department of Science and Technology, Ministry of Science and Technology, Director General of Mines Safety (DGMS), Central Mine Planning and Design Institute Limited (CMPDIL), Ministry

of Environment and Forests, Ministry of Power, Ministry of Mines and the Central Institute of Mining and Fuel Research (CIMFR), Dhanbad; the Committee shall also guide and advise the back filling or stowing in accordance with the provisions contained in sub-paragraphs (8) (i), 8 (ii) and (9), and specifications and guidelines laid down by the concerned authorities as mentioned in sub-paragraph (1) of paragraph 3.

(11) The concerned State Government or Union territory Government shall be the enforcing and monitoring authority for ensuring compliance of the provisions of sub-paragraphs (8) (i) and (8) (ii);

3. in the said notification, in paragraph 2,—

(a) for sub-paragraphs (1), (2) and (3), the following sub-paragraphs shall be substituted, namely:—

(1) All coal or lignite based thermal power stations would be free to sell fly ash to the user agencies subject to the following conditions, namely:—

(i) the pond ash should be made available free of any charge on “as is where is basis” to manufacturers of bricks, blocks or tiles including clay fly ash product manufacturing unit(s), farmers, the Central and the State road construction agencies, Public Works Department, and to agencies engaged in backfilling or stowing of mines.

(ii) at least 20% of dry ESP fly ash shall be made available free of charge to units manufacturing fly ash or clay-fly ash bricks, blocks and tiles on a priority basis over other users and if the demand from such agencies falls short of 20% of quantity, the balance quantity can be sold or disposed of by the flower station as may be possible;

Provided that the fly ash obtained from the thermal power station should be utilized only for the purpose for which it was obtained from the thermal power station or plant failing which no fly ash shall be made available to the defaulting users.

(2) All coal and, or lignite based thermal power station and, or expansion units in operation before the date of this notification are to achieve the target of fly ash utilization as per the Table II given below:

Table II

Serial Number	Percentage Utilization of Ply Ask	Target Date
(1)	(2)	(3)
1.	At least 50% of fly ash generation	One year from the date of issue of this notification.
2.	At least 60% of fly ash generation	Two years from the date, of issue of this notification.
3.	At least 75% of fly ash generation	Three years from the date of issue of this notification.
4.	At least 90% of fly ash generation	Four years from the date of issue of this notification.
5.	100% fly ash generation	Five years from the date of issue of this notification.

The unutilised fly ash in relation to the target during a year, if any, shall be utilized within next two years in addition to the targets stipulated for those years and the balance unutilized fly ash accumulated during first five years (the difference between the generation and the utilization target) shall be utilized progressively over next five years in addition to 100% utilization of current generation of fly ash.

(3) New coal and, or lignite based thermal power stations and, or expansion units commissioned after this notification to achieve the target of fly ash utilization as per Table III given below:

Table III

Serial Number	Fly ash utilization level	Target date
(1)	(2)	(3)
1.	At least 50% of fly ash generation	One year from the date of commissioning.
2.	At least 70% of fly ash generation	Two years from the date of commissioning.
3..	90% of fly ash generation	Three years from the date of commissioning.
4-	100% of fly ash generation	Four years from the date of commissioning.

The unutilised fly ash in relation to the target during a year, if any, shall be utilized within next two years in addition to the targets stipulated for these years and the balance unutilized fly ash accumulated during first four years (the difference between the generation and utilization target) shall be utilized progressively over next five years in addition to 100% utilization of current generation of fly ash.”;

(b) in sub-paragraph (4), for the words “six months”, the words “four months” shall be substituted;

(c) for sub-paragraph (6), the following sub-paragraphs shall be substituted, namely:—

“(6) The amount collected from sale of fly ash and fly ash based products by coal and/or lignite based thermal power stations or their; subsidiary or sister concern unit, as applicable should be kept in a separate account head and shall be utilized only for development of infrastructure or facilities, promotion and facilitation activities for use of fly ash until 100 percent fly ash utilization level is achieved; thereafter as long as 100% fly ash utilization levels are maintained, the thermal power station would be free to utilize the amount collected for other development programmes also and in case, there is a reduction in the fly ash utilization levels in the subsequent year(s), the use of financial return from fly ash shall get restricted to development of infrastructure or facilities and promotion or facilitation activities for fly ash utilization until 100 percent fly ash utilisation level is again achieved and maintained.

(7) Annual implementation report (for the period 1st April to 31st March) providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April, every year to the Central Pollution Control Board, concerned State Pollution Control Board or Committee and the concerned Regional Office of the Ministry of Environment and Forests by the coal or lignite based thermal power plants, and also be made a part of the annual report of the thermal power plant as well as thermal power plant wise information be provided in the annual report of thermal power producing agency owning more than one thermal power plant”;

4. in the said notification, in paragraph 3,—

- (a) in sub-paragraph (2), for the words “schedules of specifications and construction applications, including appropriate standards and codes of practice, within a period of four months from the publication of this notification”, the words “tender documents, schedules of specifications and construction applications including appropriate standards and codes of practice within a period of four months from the publication of this notification” shall be substituted;
- (b) for sub-paragraph (2A), the following sub-paragraph shall be substituted, namely:—

“(2A) Building construction agencies both in public and private shall prescribe the use of fly ash and fly ash-based products in their respective tender documents, schedules, of specifications and construction applications, including appropriate standards and codes of practice and make provisions for the use of fly ash and fly ash based bricks, blocks or tiles or aggregates of them in the schedule of approved materials and rates within a period of four months from the publication of this notification.”;

(c) for sub-paragraphs (2B) and (3), the following sub-paragraphs shall be substituted, namely:—

“(2B) All agencies undertaking construction of roads or fly over bridges and reclamation and compaction of low lying areas, including Department of Road Transport and Highways (DORTH), National Highways Authority of India (NHAI), Central Public Works Department (CPWD), State Public Works Departments and other State Government Agencies, shall within a period of four mouths from the publication of this notification:-

- (a) make provisions in their tender documents, schedules of approved materials and rates as well as technical documents for implementation of this notification, including those relating to soil borrow area or pit as per sub-paragraph (6) of paragraph 1; and
- (b) make necessary specifications or guidelines for road or fly over embankments that are not covered by the specifications laid down by the Indian Road Congress (IRC).

(3) All local authorities shall specify in their respective tender documents, building bye-laws and regulations, the use of fly ash and fly ash-based products and construction techniques in building materials, roads embankments or for any usage with immediate effect.

(4) The Central Electricity Authority and other approving agencies may permit the land area for emergency ash pond or fly ash storage area up to 50 hectares for a 500 MW unit, based on 45% ash content coal, or in the same proportion for units in other capacities taking into account the ash content in coal or lignite to be used.

(5) All Financial institutions and agencies which fund construction activities shall include a clause in their loan or grant document for compliance of the provisions of this notification.

(6) A Monitoring committee shall be constituted by the Central Government with Members from Ministry of Coal, Ministry of Mines, Ministry of Power, Central Pollution Control Board, Central Electricity Authority, Head Fly Ash Unit of Department of Science and Technology and Building Material Technology Promotion Council to monitor the implementation of the provisions of the notification and submit its recommendations -or observations at least once in every six months to the Secretary, Ministry of Environment and Forests. Concerned Advisor or Joint Secretary in the Ministry of Environment and Forests will be the convener of this committee.

(7) For the purpose of monitoring the implementation of the provisions of this notification the State Governments or Union territory Government shall constitute a Monitoring Committee within three months from the date of issue of this notification under the Chairmanship of Secretary, Department of Environment with representative from Department of Power, Department of Mining, Road and Building Construction Department and State Pollution Control Board and this Committee would deal with any unresolved issue by Dispute Settlement Committee as prescribed in sub-paragraph (4) of paragraph 1, in addition to monitoring and facilitating implementation of this notification at the respective State Government or Union territory level and this Committee would also be empowered to suitably modify (waive or relax) the stipulation under sub-paragraph (1) in case of non-availability of fly ash in sufficient quantities from thermal power plant as certified by the said power plants and the Committee will meet at least once in every quarter.

[F. No. 9-8/2005-HSMD]

Foot Note:— The principal notification was published in the Gazette of India, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 763(E), dated the 14th September, 1999 and was amended *vide* notification number S. 0.979(E), dated the 27th August, 2003.

To

1. Zonal Administrator, HUDA, Panchkula/Rohtak/Hisar/Gurugram/Faridabad.
2. Additional Chief Engineer, HUDA, Panchkula.
3. Superintending Engineer,
HUDA, Panchkula/Karnal/Rohtak /Hisar/Gurugram-I/II/Faridabad.
4. Superintending Engineer, (Horticulture) /Electrical, HUDA, Panchkula.

Memo No. CE-I/SE(HQ)/SDE/2018/16971-17001

Dated:- 25.01.2018

Sub:-Departmental Charges on deposit works.

I have been directed to intimate that Hon'ble Chief Minister-cum Chairman HUDA has approved the proposal on 17.01.2018, regarding to charge the departmental charges @2% of estimated cost for the Project of Govt. College of Commerce Building constructed in Sector-51, Gurugram as deposit work of Higher Education Department.

Further, it has also been decided that the same departmental charges shall also be applicable for similar other project/deposit works to be executed by HUDA in future.

You are requested to make the provision of 2% departmental charges in the estimates of deposits works to be executed by HUDA in future.

-sd/-

Superintending Engineer (HQ)
for Chief Engineer-I, HUDA.
Panchkula.

Cc to the following for information and necessary action.

1. CCF, HUDA, Panchkula.
2. PS to PSTCP, Haryana.
3. PS to CA, HUDA, Panchkula.
4. PA to CE-I/II, HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

Notification

The 12th January, 2018

In supersession of the notification dated 19th April 2017, the following revised water and sewerage tariff shall become applicable on areas under jurisdiction of Haryana Urban Development Authority (HUDA) with effect from 1st January 2018:

a) RESIDENTIAL-PLOTTED

Water Supply Services			
		Water Charges	
Connection fee (per connection) (non refundable) (payable one time only)	C o n n e c t i o n security (per c o n n e c t i o n) (r e f u n d a b l e) (payable one time only)	Unmetered	Metered
₹1000/-	Upto 4 Marla ₹ 1000/-; Above 4 Marla upto 14 Marla = ₹ 5000/-; Above 14 Marla = ₹ 8000/-	i. For plot size upto 50 sq.m. = ₹50/- ii. For plot size above 50 sq.m. upto 100 sq.m. = ₹100/- iii. For plot size above 100 sq.m. upto 200 sq.m. = ₹ 250 iv. Additional charges of ₹200/- for increase in plot size of every 100 sq.m. of part thereof (i.e. ₹450/- for plot size above 200 sq.m. but less than 300 sq.m. and so on	Water consumption upto 20 KL: @ ₹2.50 per KL for first 10KL; @ ₹5.00 per KL for next 10KL (that is above 10 KL & upto 20 KL); Water consumption above 20KL and upto 30KL: Flat rate @ ₹8 per KL of total water consumption Water Consumption above 30 KL: Flat rate @ ₹10 per KL of total water consumption

Sewerage Services		
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Sewerage Charges
₹500/-	Upto 4 Marla = ₹500/- Above 4 Marla Upto 14 Marla ₹2500/- Above 14 Marla = ₹4000/-	@ 20% of water bills

b) RESIDENTIAL-GROUP HOUSING SOCIETIES

Water Supply Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Water Charges	
		Unmetered	Metered
₹5000/-	Area upto 4000 sq. m. = ₹80000/- Area above 4000 sq. m = ₹200000/-	Not Allowed	Consumption upto 20 KL @ ₹5/- per KL Above 20KL @ ₹10/- per KL
Sewerage Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Sewerage Charges	
₹5000/-	Area upto 4000 Sq. m = ₹40000/- Area above 4000 sq. m. = ₹100000	@ 20% of water bills	

c) INSTITUTIONAL

Water supply Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Unmetered	Metered
₹5000/-	Area upto 2 kanal = ₹20000/- Area above 2 kanal = ₹50000/-	Not Allowed	@ ₹10/- per KL
Sewerage Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Sewerage Charges	
₹5000/-	Area upto 2 kanal = ₹10000/- Area above 2 kanal = ₹25000/-	@ ₹20% of water bills	

d) INDUSTRIAL

Water supply Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Unmetered	Metered
₹5000/-	Area upto 1 acre = ₹80000/- Area above 1 acre = ₹120000/-	Not Allowed	@ ₹15/- per KL
Sewerage Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Sewerage Charges	
₹5000/-	Area upto 1 acre = ₹40000/- Area above 1 acre = ₹60000/-	@ ₹20% of water bills	

e) **COMMERCIAL**

Water supply Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Unmetered	Metered
₹ 5000/-	Booths, DSS = ₹ 25000/- SCOs = ₹ 50000/- Hotels, Restaurants and all other categories = ₹ 100000/-	Not Allowed	@ ₹ 15/- per KL
Sewerage Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Sewerage Charges	
₹ 5000/-	Booths, DSS = ₹ 15000/- SCOs = ₹ 25000/- Hotels, Restaurants and all other categories = ₹ 50000/-	@ ₹ 20% of water bills	

f) BULK SUPPLIES TO MUNICIPAL COPORATIONS / COMMITTEES. LICENCED AREAS

Water Supply Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	<u>Unmetered</u>	<u>Metered</u>
Ferrule size upto 40mm= ₹ 150000/- Ferrule size above 40 mm = ₹ 200000/-	Ferrule size upto 40mm= ₹ 400000/- Ferrule size above 40 mm = ₹ 500000/-	Not allowed	@ ₹ 10/- per KL
Sewerage Services			
Connection fee (per connection) (non refundable) (payable one time only)	Connection security (per connection) (refundable) (payable one time only)	Sewerage Charges	
₹ 100000/-	₹ 250000/-	@20% of water bills	

g) WATERSUPPLY/SEWERAGESERVICES TO RESIDENTIAL, COMMERCIAL AND INDUSTRIAL AREAS ADJACENT TO BUT OUTSIDE HUDA SECTORS/AREAS

The provision of infrastructure services will not be obligatory for the areas adjacent to but outside HUDA sectors/Areas. However, individual cases may be approved by Chief Administrator HUDA on receipt of specific request. In such, cases the services being asked will be payable in advance. In addition to External Development Charges, the connection charges/monthly charges shall be twice the normal charges/rates applicable in respective category of HUDA Sectors/Areas.

h) GENERAL CONDITIONS APPLICABLE TO AREAS UNDER JURISDICTION OF HUDA

- In respect of released areas/land, falling within HUDA Sectors/Areas the water supply/sewerage/ storm water drainage facilities shall be given only after recovering complete External Development Charges and Internal Development Charges, as worked out by HUDA, in advance. The regular monthly charges, connection fee and other charges shall be same as in being charged to the plot holders in the areas developed by HUDA for the respective categories.
- No charges shall be levied in respect of public stand posts in village.
- For all types of premises, water shall be supplied only upto the underground tank of the premises (irrespective of its type of usage).
- In case the meter back goes out of order, it shall be the responsibility of the consumer to get the meter back in order by way of submitting application to the competent authority. The date of issue of notice in this regards shall be treated as the date of meter going “out of order”.
- If the meter remains out of order for more than 2 months from the date of issue of notice to the consumer, water supply shall be considered as “unmetered” and charges shall be levied accordingly. In case of premises where unmetered supply is not allowed, the water supply shall be disconnected.

- Installation of boosting pumps direct on line shall not be allowed. If detected a penalty of ₹10000/- shall be imposed every time, in addition to forfeiture of installed boosting pump.
- Water supply through tanker, though not be obligatory, shall be charges as under:-
 - For use in residential area, one tanker of 3000 litre capacity shall be provided @ ₹500/- (for half day) and @ ₹750/- (for full day). This shall be applicable if the distance covered by the tanker is upto 5 Km. In case the distance covered by tanker is more than 5 Km, extra charges @ ₹ 5/- per Km shall be charged.
 - If any private tanker wants to use water from HUDA in residential area he will be charged ₹ 200/- per tanker of 3000 litre or part thereof.
 - If any private tanker wants to use water from HUDA in other than residential area he will be charged ₹500/- per tanker of 3000 litre or part thereof.
- Disconnection charges for existing water connection shall be as under:-
 - Disconnection of receipt of request (in writing) from the consumer: ₹200/- per connection.
 - Disconnection from service line due to non-payment of dues: ₹100/- per connection.
 - Disconnection from ferrule: ₹1000/- per connection.
- To promote cashless transaction, a discount of 5% of the bill amount, subject to maximum of ₹50/-, whichever is less, is already available to the consumers for making payments of water and sewerage bills through BHIM app upto 30.06.2018.
- Treated affluent, if available at the site of treatment plant, shall be provided @ ₹2/- per KL for consumption other than agriculture. In case the infrastructure already exists to carry treated effluent from site of treatment plant to the doorstep of industrial unit, treated effluent shall be supplied ₹3/- per KL.
- All the charges shall be automatically hiked @ 5% on the first day of every financial year.
- Late payment charges @ 10% per month or part thereof shall be applicable.
- For any other details/clarifications, HUDA water regulations 2001 shall be deemed to be applicable.

Dated Panchkula, the

J. Ganesan, IAS,
Chief Administrator, HUDA
Panchkula

Endst. No. 14962

Dated: 23.01.2018

A copy of the above, is forwarded to the following for information and necessary action :

1. All the Zonal Administrator, HUDA (in the state)
2. The Chief Controller of Finance, HUDA Panchkula.
3. The Additional Chief Engineer HUDA, Gurugram.
4. All the Superintending Engineers HUDA (in state)
5. All the Executive Engineers HUDA (in state)
6. The Secretary HUDA, Panchkula.
7. The General Manager (I.T), HUDA Panchkula with the request to upload the revised tariffs on website of HUDA.
8. The Dy. ESA, HUDA Panchkula.
9. PS/PSTCP, HUDA for kind information of Ld. Principal Secretary to Govt. of Haryana, Town & Country Planning Department, Chandigarh.
10. PS/CA, HUDA for kind information of Ld. Chief Administrator, HUDA Panchkula.

-sd/-
Chief Engineer-I
for Chief Administrator, HUDA
Panchkula

From

Chief Engineer-I/II,
HSVP, Panchkula.

To

Additional Chief Engineer,
HSVP Gurugram.
All the Superintending Engineers,
HSVP (in the state)

Memo No.CE-I/II-HSVP/SE(HQ)/EE(HQ)/CHD (G)/2018/12077-108 Dated:-18.01.2018

Sub-Instructions to avoid **unnecessary enhancements** of contract agreement

Please refer to this office letter No. 191689/691-699/702-711 dated 12.10.2017 (copy enclosed for ready reference) on the subject cited above, vide which the following instructions to avoid unnecessary enhancements of contract agreements were given to your office :

1. Wherever the scope of work exceeds the agreement amount by more than 25%, enhanced work should be stopped at site and “in principle” approval of the Chief Engineer concerned should be arranged before re-starting the work.
2. Enhancement shall be allowed only at the same site of work and against the single approved estimates. No work of another estimate for another site of work shall be allowed to be included in the enhancement for original work.
3. In case where Non Schedule Items are more than the competency of XEN/SE/ACE or 10% of total amount of work, whichever is lower, the approval of next higher authority must be arranged prior to execution of work at site.
4. In case the originally allotted work is less than Rs. 1.00 Crore, third party inspection agency shall be deputed for the entire scope of work (original as well as enhanced).
5. Accordingly, it is again requested to ensure compliance of above instructions in letter and spirit with immediate effect.

DA/As above.

-sd/-

Superintending Engineer (HQ),
For Chief Engineer-I,II HSVP,
Panchkula.

CC to:

1. The Executive Engineer (HQ), O/O Chief Engineer -II HSVP, Panchkula .
2. PA to CE-I/CE -II for information of Chief Engineer -I/II HSVP Panchkula.
3. SDE /CHD(G)/CHD(H)/CHD(R/F)/HDM(P) O/o Chief Engineer-I/II HSVP Panchkula .

From

The Chief Engineer-I/II,
HSVP, Panchkula.

To

Additional Chief Engineer,
HSVP Gurugram.
All the Superintending Engineers,
HSVP (in the state).

Memo.No.CE-I/II-HSVP/SE(HQ)/EE(HQ)/CHD(G)/ADM(G)2017/191689/691-699/ 702-711
Dated:-12.10.2017

Subject:-Instructions to avoid unnecessary enhancements of contract agreement

Please refer to this office letter no. 5521-38 dated 12.05.2016 and 143008-18 dated 30.12.2016 on the subject cited above, vide which instructions to avoid unnecessary enhancement of contract agreements were given to your office.

1. It has been observed that the instructions already issued vide letter referred above are not being followed in letter and spirit. It seems that your office and concerned Executive Engineers are least interested in framing DNIT's and prefer to get the work executed by way of enhancing the scope of work covered in existing contract agreements.
2. It has become a routine practice to get the works executed (from contractual agency) beyond the scope of work originally allotted, even from agencies who have executed the entire scope of work as per the contract agreement but the agreement has not been closed due to pending final bill.
3. As per instructions already issued by this office, only in case of compelling circumstances/site conditions, enhancement in scope of work may be done but it should be limited to only 25% increase on the amount of work already allotted. However, field offices are least bothered towards compliance of these instructions. It has been observed that in many cases, the increase in the scope of work was even more than 100% of the agreement amount and these works were executed without prior approval of the competent authority. This is very serious lapse on the part of field offices and needs to be dealt strictly.
4. In many of the cases, works have been got executed against the saving of various other approved estimates which are even not of similar nature. This is not only a gross violation of rules and regulations but also make the situation more serious as the saving is considered keeping in the view expenditure incurred against the approved estimates without keeping in view the pending liability against the other approved estimates.
5. The expenditure is being incurred on the works, which are not the part of approved estimates. This expenditure is cross booked for the time being taking the plea that transfer entry shall be made to other estimates, which are either under the process of approval or require revision.
6. The Executive Engineers in field have the tendency of execution of work even without prior "in principle" approval from the competent Authority and later on process the enhancement case for ex-post facto approval. Under such circumstances, this office is left with no option but to approve the case fait accompli so as to regularize the matter. This is gross violation of PWD Code/norms.
7. In order to curb this unhealthy practice, the following decisions have been taken:
 - a.) Wherever the scope of work exceeds the agreement amount by more than 25%, enhanced work should be stopped at site and "in principle" approval of the Chief Engineer concerned should be arranged before re-starting the work.
 - b.) Enhancement shall be allowed only at the same site of work and against the single approved estimate. No work of another approved estimate for another site of work shall be allowed to be included in the enhancement of original work.

c.) In cases where Non Scheduled items are more than the competency of XEN/SE/ACE, or 10% of total amount of work, whichever is lower, the approval of next Higher Authority must be arranged prior to execution of work at site.

d.) In case the originally allotted work is less than Rs. 1.00 Crore and the enhanced scope of work goes beyond Rs. 1,00 Crore, third party inspection agency shall be deputed for the entire scope of work (original as well as enhanced).

8. Accordingly, it is requested to ensure compliance of above instructions in letter and spirit with immediate effect.

-sd/-

Superintending Engineer (HQ),
For Chief Engineer-I,II HSVP,
Panchkula.

CC to:

1. The Executive Engineer (HQ), O/O Chief Engineer -II HSVP, Panchkula.
2. PA to CE-I/CE-II for information of Chief Engineer -I/II HSVP Panchkula.
3. SDE /CHD(G)/CHD(H)/CHD(R/F)/HDM(P) O/o Chief Engineer HSVP Panchkula .

To

1. M/s WAPCOS Limited,
SCO 826, 2nd floor, NAC, Manimajra,
Chandigarh-160101
2. M/s PEC – Centre for Consultancy in Engineering,
Sector – 12, Chandigarh -160012.

Memo No. CE-I/SE(HQ)/CHD(G)/ADM(G)2017/138227-231 Dated 24.07.2017

Sub:- Panel for **Third Party Inspection agencies** for Development Works amounting to Rs. 1.00 crore and above in HUDA – **validity extended till new panel comes into effect.** (in continuation of letter dated 11.04.2017)

1. Please refer to this office letter dt. 11.04.2017 on the subject cited above vide which panel of Third Party Inspection Agencies was extended for a period of one year i.e. from 08.05.2017 to 07.05.2018 for doing Third Party Inspection on Development works of HSVP amounting to ₹ 1.00 crore and above.
2. In this regard it is to intimate that HSVP has initiated the process of constituting a new panel for Third Party Inspection of various development works. Accordingly it is informed that the Competent Authority has decided to restrict the validity of present panel upto 31.08.2017 or date on which new panel comes into effect, whichever is later.

-sd/-
Superintending Engineer (HQ),
Fo Chief Engineer- I, HSVP,
Panchkula.

OFFICE OF THE CHIEF ENGINEER, HUDA C-3, SEC-6, PANCHKULA

To

All the Superintending Engineers,

HUDA (in the State),

All the Executive Engineers,

HUDA (in the State),

Memo No.: CE-II/SE (W)/CHD(G)/ADM(G)/2017/64410-414

Dated: 11.04.2017

Subject: Panel for **Third Party Inspection agencies** for Development Works amounting to Rs. 1.00 crore and above in HUDA – **validity extended upto May/2018.**

1. In continuation of this office letter No. CE-II/EE(W)/CHD(G)/ADM(G-II)/2016/11838/840 dated 17.11.2016 on the subject cited above.
2. I have been directed to intimate that the validity of panel of following 3 No. TPI agencies is hereby extended for a period of one year (08.05.2017 to 07.05.2018) for carrying out Third Party Inspection for development works amounting to Rs. 1.00 Crore and above in HUDA on the same rates terms & conditions as already conveyed vide letter referred above and CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012, However the same have been reproduced as under:

Sr. No.	Name of Agency	Name of Station
1	M/s RITES Ltd.	Gurgaon, Faridabad (For works costing Rs. 1.00 Crore & above)
2	M/s WAPCOS Ltd.	Whole of Haryana (For works costing Rs. 1.00 Crore & above)
3	M/s PEC-Centre for Consultancy in Engineering	Panchkula, Ambala, Karnal, Yamuna Nagar, Panipat, Rohtak, Bahadurgarh. (For works costing Rs. 1.00 Crore & above)

The amount payable to the TPI Agency will be as under:

Sr. No.	Cost of Work	Amount Payable
1	Work costing Rs. 1.00 Crore to Rs. 10.00 Crore	0.5%+Service Tax as applicable
2	Works costing more than Rs. 10.00 Crore	0.4%+Service Tax as applicable

Note	<p>i) In case of works of Water Supply, Sewerage and Storm Water Drainage-the cost of material for all type of Pipes shall be excluded from the allotted work for arriving at the amount for payment to the TPI agency. In case of inspection of material, if it is to be got done, separate rates will be decided mutually with any of the above agency/ any other specialized agency.</p> <p>ii) In case the amount of allotted work costing upto Rs. 10.00 Crore gets enhanced, payment for TPI for the enhanced work above Rs. 10.00 Crore shall be made @ 0.40% + Service Tax.</p> <p>iii) In case the amount of allotted work costing more than Rs. 10.00 crore is finalized/ gets completed at amount at Rs. 10.00 core or below, payment for TPI shall be made at the same rate at which it was originally allotted i.e. @ 0.40% + Service Tax.</p>	
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3. Name of TPI agency will be conveyed by the Chief Engineer-I/Chief Engineer-II, HUDA (as per jurisdiction) while conveying the approval of allotment of the tender for the work.
4. The Executive Engineer concerned shall enter into an agreement with the TPI agency as per given in the allotment letter of the work and as per specimen already circulated vide this office letter no. CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012.

5. The amount payable to the Third Party Inspection Agency shall be paid, on satisfactory performance of TPI agency subject to all the conditions of agreement, simultaneously with payment of work to the contractor. However, the TPI agency would submit a claim bill alongwith the report clearly certifying the activities carried out in the period.
6. CE-I/CE-II, HUDA reserves the right to award the TPI work to either of the agency from empanelled list of TPI or to any other agency as per necessity/urgency of the work/project.
7. I am further directed to request you to ensure that the Third Party Inspection is carried out for the works amounting to Rs. 1.00 crore and above as per terms & conditions of the agreement as stated above.

-sd/-
Superintending Engineer (W),
For Chief Engineer- II, HUDA,
Panchkula.

Endst No. CE-II/SE(W)/CHD(G)/ADM(G)/2017/64415/422/424/426/430-43

Dated: 11.04.2017

A copy of the above is forwarded to the following for information and necessary action in continuation to this office endst. No CE-II/EE (W)/CHD(G)/ADM(G-II)/2016/11854/859/874/880/896/900/902/905/907/910 dated 17.11.2016:-

1. M/s RITES Ltd., RITES Bhawan No. I, Sector-29, Gurgaon-122001/RITES Bhawan-II, Plot No. -144, Sector-44 Gurgaon-122003.
2. M/s WAPCOS Ltd., SCO-826, 2nd Floor, NAC Manimajra, Chandigarh-160101.
3. M/s PEC-Center for Consultancy in Engineering, Sector-12, Chandigarh-160012.
4. SE(W)/SE(M)/EE(HQ) O/o Chief Engineer-I/II, HUDA, Panchkula.
5. PS to CA HUDA for information of Chief Administrator, HUDA, Panchkula.
6. PA to CE-I/CE-II HUDA for information of CE-I/CE-II, HUDA, Panchkula.

-sd/-
Superintending Engineer (W),
For Chief Engineer- II, HUDA,
Panchkula.

From

The Chief Engineer-II,
HUDA, Panchkula

To

The Additional Chief Engineer,
HUDA, Gurugram

All the Superintending Engineers
HUDA, (in the State)

Memo No.: CE-II-HUDA/EE(HQ)/HDM(P)/2017/40735-749

Dated: 06.03.2017

Subject:

Minutes of meeting held on 27.12.2016 at 11:30 AM under the Chairmanship of Chief Secretary, Govt. of Haryana, Civil Secretariat, Chandigarh, in committee room regarding **utilization of Fly Ash.**

I have been directed to enclose herewith a photocopy of minutes of meeting held on 27.12.2016 under the Chairmanship of Chief Secretary, Govt. of Haryana at Chandigarh, to discuss utilization of fly ash, alongwith copy of notification dated 25.01.2016, for information and necessary action/compliance in the matter.

DA/As above

-sd-

Executive Engineer (HQ),
for Chief Engineer-II, HUDA,
Panchkula

CC:

1. All the Zonal Administrators, HUDA (in the State).
2. Superintending Engineer (W) O/o Chief Engineer-I, HUDA, Panchkula.
3. SDE/CHD(G)/CHD(R)/CHD(F/S)/HDM(P/K)/HDM(R) O/o Chief Engineer-I & II, HUDA, Panchkula.
4. PA/CE-I for information of Chief Engineer-I, HUDA, Panchkula.
5. PA/CE-II for information of Chief Engineer-II, HUDA, Panchkula.

HARYANA STATE POLLUTION CONTROL BOARD

C-11, Sector-6, Panchkula

No. HSPCB/2017/3328-40

Dated; 08.02.2017

To

1. The Engineer-in-Chief, Haryana PWD (B&R) Department Nirman Sadan, Plot No.01, Dakshin Marg, Sector-33-A, Chandigarh.
2. The Chief Engineer/Projects, Haryana Power Generation Corporation Ltd., C-7, Urja Bhawan, Sec-6, Panchkula.
3. The Chief Administrator, Haryana Urban Development Authority, Sec-6, Panchkula.
4. The Managing Director, HSIIDC, Panchkula
5. The Managing Director, Marketing Board, Sector-6, Panchkula
6. The Managing Director, Haryana Police Housing Corporation, Sector-6, Panchkula
7. The Director General, Central Public Works Department (CPWD), Ministry of Urban Development, 101-A, Nirman Bhawan, New Delhi
8. The Director, Urban Local Body, Bay No.11-14, Sector-4, Panchkula
9. The Engineer-in-Chief, Haryana PWD, Public Health Department, Sector-4, Panchkula
10. The Engineer-in-Chief, Haryana PWD, Public Health Department (Sinchai Bhawan) Sector-5 Panchkula
11. The Chief Engineer, Panchayati Raj, Haryana.
12. The Chairman, National Highway Authority of India, G5 & 6, Sector-10, Dwarka, new Delhi
13. The Chairman, Haryana Housing Board, Sector-6, Panchkula.

Sub: Minutes of the meeting held on 27.12.2016 at 11:30 AM under the Chairmanship of Chief Secretary, Govt. of Haryana, Civil Secretariat Chandigarh, in Committee Room regarding utilization of Fly Ash.

Kindly refer to the above note subject.

In this connection please find enclosed here with the copy of Minutes of the Meeting held on 27.12.2016 at 11:30 AM under the Chairmanship of Chief Secretary, Govt. of Haryana, Civil Secretariat, Chandigarh, in Committee Room with ACS PW(B&R) and P.S. Environment, Haryana, regarding utilization of Fly Ash alongiwth copy of notification dt. 25.01.2016 for your information and necessary action / compliance.

DA/As above

Sr. Scientist,
For Chairman

Minutes of the meeting held on 27.12.2016 at 11.30 A.M under the Chairmanship of Chief Secretary, Govt. of Haryana Civil Secretariat, Chandigarh regarding utilization of Fly Ash in Committee Room.

List of participants is enclosed as Annexure-I

At the outset Chief Secretary apprised new amendment in the notification of fly ash utilization dt. 25.01.2016 and also letter dt. December 1, 2016 received from Hon'ble Minister of Urban Development, Housing & Urban Poverty Alleviation Govt. of India. Regarding use of fly ash based product in public building, road embankment etc. Sh. Rakesh Manocha, Engineer-in- Chief informed that PWD (B&R) is using fly ash in different ongoing projects of PWD (B&R). It was also informed during the meeting that dry fly ash is being used by the cement grinding units located adjacent to thermal powers plants and further fly ash can be used for earth filling, embankment of roads, for flyover mining pits without of much problem.

Representative of Pollution Control Board informed that different agencies of the State which are engaged in construction should make provision in their tender document regarding use of fly ash for construction activity / road projects since there are mandatory provision in the fly ash notification. In the latest amendment of dt. 25.01.2016 every construction activity within the territory of 300 KM of thermal power plant is required to utilized fly ash.

After detailed discussion it was decided that:

- a) HSPCB will issue reminder to all stack holders i.e. PWD(B&R) /_HUDA/Irrigation Deptt. / Marketing Agriculture Deptt. / Urban Local Bodies Depit./NHAI for compliance of amended notification of fly ash dt. 25.01.2016.

As per amendment of fly ash notification dt. 25.01.2016 of (1 A) is as follows:

- 1(a) in sub-paragraph I(A), for the words “hundred kilometers”, the words “three hundred kilometres” shall be substituted.
- b) HPGCL to submit the latest status of fly ash utilization alongwith the name and quantity of agencies to whom fly ash has been provided from all the three power plants.
- c) Indira Gandhi Super Thermal Power Project, Jharli, Distt. Jhajjar and CLP Jhajjar Pvt Ltd., Vill. Bajitpur Distt. Jhajjar will also submit the latest status of fly ash utilization.
- d) NHA I, PWD(B&R) and all other Govt. agencies will comply the fly ash notifications and include necessary items / work in their tender documents. The directions as per fly ash notifications amended till date are as follows:

“(IA) Every construction agency engaged in the construction of buildings within a radius of hundred kilometres from a coal or lignite based thermal power plant shall use only fly ash based products for construction, such as cement or concrete, fly ash bricks or blocks or tiles of clay fly ash bricks, blocks or tiles or cement fly ash bricks or bricks or blocks or similar products or a combination or aggregate of them in every construction project.”

(1B) The provisions of sub-paragraph (IA) shall be applicable to all construction agencies of Central of State or Local Government and Private or Public sector and it shall be the responsibility of the agencies either undertaking construction or approving the design or both to ensure compliance of the provisions of sub-paragraph (IA) and to submit annual returns to the concerned State Pollution Control Board or Pollution Control Committee, as applicable

The meeting ended with vote of thank to chair.

Sub.: Meeting held on 27.12.2016 at 11.30 A.M under the Chairmanship of Worthy Chief Secretary, Govt. of Haryana Civil Secretariat, Chandigarh regarding utilization of Fly Ash.

Sr.No.	Name of Officer	Department	Signature
1	Sh. Hardeep Kumar, IAS	ACS, PWD (B&R)	-sd-
2	Sh. Rakesh Manocha, Engineering-in-Chief	PWD (B&R)	-sd-
3	Sh. Dinesh Kumar Sr. Scientist	HSPCB, Panchkula	-sd-

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 25th January, 2016

S.O. 254 (E)— Whereas a draft of certain amendments to the Government of India in the Ministry Environment, Forests and Climate Change number S.O. 763(E). dated the 14th September, 1999 (hereinafter referred to as the said notification) which the Central Government proposes to make under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environmental (Protection) Rules, 1986, was published in the Gazette of India Extraordinary, Part II, section 3, Sub-section (ii). *vide* S.O. 1396(E), dated the 25th May, 2015 inviting objections with suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date winch copies of the Gazette containing the said draft amendments were made available to the public.

And, whereas copies of the said Gazette were made available to the public on 25th May, 2015:

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (31 of rule 5 of the Environment (Protection) Rules. 1986, the Central Government hereby makes the following amendments to the said notification, namely: —

1. In the said notification, in paragraph I.-
 - (a) in sub-paragraph 1(A), for the words “hundred kilometers”, the words “three hundred kilometers” shall be substituted:
 - (b) in sub-paragraph (3). for the figures and letters “100 km”, the words “three hundred kilometers” shall be substituted:
 - (c) in sub-paragraph (5), for the words “hundred Kilometers”, the words “three hundred Kilometers” shall be substituted:
 - (d) in sub-paragraph (7), for the words “hundred Kilometers”, the words “three hundred Kilometers” shall be substituted.
2. **In the said notification, in paragraph 2:-**
 - (a) **alter sub-paragraph (1), the following proviso shall be inserted, namely:-**
“provided further that the restriction to provide 20 % of dry ESP fly ash free of cost shall not apply to those thermal power plants which are able to utilize 100 % fly ash in the prescribed manner.”
 - (b) **after sub-paragraph (7), the following sub-paragraphs shall be inserted, namely :-**
 - “(8) Every coal or lignite based thermal power plants (including captive and or co-generating stations) shall, within three months from the date of notification, upload on their website the details of stock of each type of ash available with them and thereafter shall update the stock position at least once a Month.
 - (9) Every coal or lignite based thermal power plants shall install dedicated dry ash silos having separate access roads so as to ease the delivery of fly ash.
 - (10) The cost of transportation of ash for road construction projects or for manufacturing of ash based products or use as soil conditioner in agriculture activity within a radius of hundred kilometers Iron, a coal or lignite based thermal power plant shall be borne by such coal or lignite based thermal power plant and the cost of transportation beyond the radius of hundred kilometers and up to three hundred kilometers shall be shared equally between the user and the coal or lignite based thermal power plant.
 - (11) The coal or lignite based thermal power plants shall promote, adopt and set up (financial and other associated infrastructure) the ash based product manufacturing facilities within their premises or in the vicinity of their premises so as to reduce the transportation of ash.

- (12) The coal or lignite based thermal power plants in the vicinity of the cities shall promote, support and assist in setting up of ash based product manufacturing units so as to meet the requirements of bricks and other building construction materials and also to reduce the transportation.
- (13) To ensure that the contractor of road construction utilizes the ash in the road, the Authority concerned for road construction shall link the payment of contractor with the certification of ash supply from the thermal power plants.
- (14) The coal or lignite based thermal power plants shall within a radius of three hundred kilometers bear the entire cost of transportation of ash to the site of road construction projects under Pradhan Mantri Gramin Sadak Yojna and asset creation programmes of the Government involving construction of buildings, road, dams and embankments”.

3. In the said notification, in paragraph 2, sub-paragraph (2A) be read as sub-paragraph (15) and at the end of the said sub-paragraph, the following sub-paragraph shall be added, namely: -

“and the coal or lignite based thermal power plants located in coastal districts shall support, assist or directly engage into construction of shore line protection measures.”

4. In the said notification, in paragraph 3, after sub-paragraph (7), the following shall be inserted, namely :-

- “(8) It shall be the responsibility of all State Authorities approving various construction projects to ensure that Memorandum of Understanding or any other arrangement for using fly ash or fly ash based products is made between the thermal power plants and the construction agency or contractors.
- (9) The State Authorities shall amend Building Bye Laws of the cities having population One million or more so as to ensure the mandatory use of ash based bricks keeping in view the specifications necessary as per technical requirements for load bearing structures.
- (10) The concerned Authority shall ensure mandatory use of ash based bricks or products in all Government Scheme or programmes e.g. Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MNREGA), SWACHH BHARAT ABHIYAN, Urban and Rural Housing Scheme, where built up area is more than 1000 square feet and in infrastructure construction including buildings designated industrial Estates or Parks or Special Economic Zone:

From

The Chief Administrator,
HUDA, Panchkula

To

The Additional Chief Secretary to Govt. Haryana,
Department of Sports & Youth Affairs,
Chandigarh

The Director,
Department of Sports & Youth Affairs,
Haryana, Chandigarh

Memo No.: CA-HUDA/CE-I/CEII/EE(W)/EE(HQ)/HDM(F/S)/2017/12574/12578

Dated:19.01.2017

Subject: Handing over of Sports Complex/Stadia construction by HUDA to department of Sports & Youth Affairs

1. As you are well aware that as part of development works, HUDA has constructed Sports Complex/Stadia in various Urban Estates of Haryana. This infrastructure requires regular maintenance involving substantial financial implication (including recurring expenditure towards energy charges, water charges, security charges etc) & deployment of HUDA staff.
2. Accordingly, I have been directed to enclose herewith a copy of policy regarding handing over of Sports Complex/Stadia constructed by HUDA to Department of Sports & Youth Affairs, with the request to issue directions to the concerned Officers of your department for taking over the said infrastructure from HUDA in accordance with the enclosed policy.
3. The policy has been approved by Hon'ble CM Haryana-cum-Chairman HUDA as well as by the Haryana Urban Development Authority in its 112th meeting held on 10.01.2017.

DA: As Above

-sd-
Executive Engineer (HQ)
for Chief Administrator, HUDA,
Panchkula

Endst. No.: CA-HUDA/CE-I/CEII/EE(W)/EE(HQ)/HDM(F/S)/2017/12614/12641 Dated:19.01.2017

A copy of the above is forwarded to the following for information and further necessary action in the matter:

1. The Administrator (HQ), HUDA, Panchkula
2. All the Zonal Administrators, HUDA (in the State)
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.

5. The Chief Architect, HUDA, Panchkula.
6. The Additional Chief Engineer, HUDA, Gurugram.
7. All the Superintending Engineers, HUDA (in the State)
8. The General Manager (IT), HUDA, Panchkula.
9. All the Executive Engineers, HUDA (in the State)
10. All the Estate Officers, HUDA (in the State)
11. The Secretary, HUDA, Panchkula
12. The Superintendent, Authority Branch, HUDA, Panchkula.
13. The Executive Engineer (W), O/o Chief Engineer-I, HUDA, Panchkula.
14. The Sub Divisional Engineer/ CHD(G)/ CHD(R)/ HDM(F/S)/ HDM(P) O/o Chief Engineer-I/II, HUDA, Panchkula.
15. PS/PSTCP for kind information of Ld. Principal Secretary to Govt. Haryana, Town & Country Planning Department, Chandigarh.
16. PS/CA, HUDA for kind information of Ld. Chief Administrator, HUDA, Panchkula.
17. PA/CE-I, HUDA for information of Ld. Chief Engineer-I, HUDA, Panchkula.
18. PA/CE-II, HUDA for information of Ld. Chief Engineer-II, HUDA, Panchkula.
19. The Dy. ESA, HUDA, Panchkula.

DA: As above

-sd-

Executive Engineer (HQ)
For Chief Administrator, HUDA,
Panchkula

OFFICE OF THE CHIEF ENGINEER, HUDA C-3, SEC-6, PANCHKULA

To

All the Superintending Engineers,
HUDA (in the State),

All the Executive Engineers,
HUDA (in the State),

Memo No.: CE-II/EE (W)/CHD(G)/ADM(G-II)/2016/ 11838/844

Dated: 17.11.2016

Subject: Panel for **Third Party Inspection agencies** for Development Works amounting to Rs. 1.00 crore and above in HUDA – **validity further extended.**

In continuation of this office letter No. CE/SE(HQ)/EE(M)/CHD(G)/ADM(G-II)/2015/14602-03 dated 10.11.2015 on the subject cited above.

1. I have been directed to intimate that the validity of panel of following 3 No. TPI agencies is hereby extended for a period of next 6 (six) months (08.11.2016 to 08.05.2017) for carrying out Third Party Inspection for development works amounting to Rs. 1.00 Crore and above in HUDA on the same rates terms & conditions as already conveyed vide letter referred above and CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012, However the same have been reproduced as under:

Sr. No.	Name of Agency	Name of Station
1	M/s RITES Ltd.	Gurgaon, Faridabad (For works costing Rs. 1.00 Crore & above)
2	M/s WAPCOS Ltd.	Whole of Haryana (For works costing Rs. 1.00 Crore & above)
3	M/s PEC-Centre for Consultancy in Engineering Panchkula, Ambala, Karnal, Yamuna Nagar, Panipat, Rohtak, Bahadurgarh.	(For works costing Rs. 1.00 Crore & above)

The amount payable to the TPI Agency will be as under:

Sr. No.	Cost of Work	Amount Payable
1	Work costing Rs. 1.00 Crore to Rs. 10.00 Crore	0.5%+Service Tax as applicable
2	Works costing more than Rs. 10.00 Crore	0.4%+Service Tax as applicable

Note	<p>i) In case of works of Water Supply, Sewerage and Storm Water Drainage-the cost of material for all type of Pipes shall be excluded from the allotted work for arriving at the amount for payment to the TPI agency. In case of inspection of material, if it is to be got done, separate rates will be decided mutually with any of the above agency/ any other specialized agency.</p> <p>ii) In case the amount of allotted work costing upto Rs. 10.00 Crore gets enhanced, payment for TPI for the enhanced work above Rs. 10.00 Crore shall be made @ 0.40% + Service Tax.</p> <p>iii) In case the amount of allotted work costing more than Rs. 10.00 crore is finalized/gets completed at amount at Rs. 10.00 core or below, payment for TPI shall be made at the same rate at which it was originally allotted i.e. @ 0.40% + Service Tax.</p>	
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2. Name of TPI agency will be conveyed by the Chief Engineer-I/Chief Engineer-II, HUDA (as per jurisdiction) while conveying the approval of allotment of the tender for the work.
3. The Executive Engineer concerned shall enter into an agreement with the TPI agency as per given in the allotment letter of the work and as per specimen already circulated vide this office letter no. CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012.
4. The amount payable to the Third Party Inspection Agency shall be paid, on satisfactory performance of TPI agency subject to all the conditions of agreement, simultaneously with payment of work to the contractor. However, the TPI agency would submit a claim bill alongwith the report clearly certifying the activities carried out in the period.
5. CE-I/CE-II, HUDA reserves the right to award the TPI work to either of the agency from empanelled list of TPI or to any other agency as per necessity/urgency of the work/project.
6. I am further directed to request you to ensure that the Third Party Inspection is carried out for the works amounting to Rs. 1.00 crore and above as per terms & conditions of the agreement as stated above.

-sd/-
Executive Engineer (W),
For Chief Engineer- II,
HUDA, Panchkula

EndstNo.CE-II/EE(W)/CHD(G)/ADM(G-II)/2016/11854/859/874/880/896/900/902/905/907/910

Dated: 17.11.2016

A copy of the above is forwarded to the following for information and necessary action in continuation to this office endst. No. 14604-14 dated 10.11.2015:-

1. M/s RITES Ltd., RITES Bhawan No. I, Sector-29, Gurgaon-122001/RITES Bhawan-II, Plot No. -144, Sector-44 Gurgaon-122003.

2. M/s WAPCOS Ltd., SCO-826, 2nd Floor, NAC Manimajra, Chandigarh-160101.
3. M/s PEC-Center for Consultancy in Engineering, Sector-12, Chandigarh-160012.
4. EE(W)/EE(M)/EE(HQ) O/o Chief Engineer-I/II, HUDA, Panchkula.
5. PS to CA HUDA for kind information of Chief Administrator, HUDA, Panchkula.
6. PA to CE-I/CE-II HUDA for kind information of CE-I/CE-II, HUDA, Panchkula.

-sd/-

Executive Engineer (W),
For Chief Engineer- II
HUDA, Panchkula

OFFICE THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA

To

All the Zonal Administrators,

HUDA (in the State)

All the Superintending Engineers,

HUDA (in the State)

Memo No. CE-I/CE/EE (W)/ EE (HQ)/SDE/2016/ 57575/578/580/581/582/5831/584

Dated: 30-08-2016

Subject: - Maintenance of Water Supply & Sewerage Services in respect of HUDA Sectors recently transferred to Municipal Corporation /Municipal Committee

In continuation to this office memo no. 45355/357/365/369/370/371/372 dated. 10.08.2016, I have been directed to clarify that water supply & sewerage services in HUDA Sectors (except in Gurgaon and Faridabad) recently ordered to be transferred to Municipal Corporations/Municipal Committees, vide CA HUDA letter no. 3641-42 dated 28.03.2016 and no.5151 dated 20.04.2016 shall be maintained by HUDA, wherever either the Municipal Corporations/Municipal Committees have refused to take over the Sectors or the concerned employees have not received salary from Municipal Corporations/Municipal Committees. It is requested to take further necessary action in the matter accordingly.

This shall supersede the directions earlier issued vide this office memo no. 45355/ 357/ 365/369 /370/371/372 dated. 10.08.2016

This has approval of Chief Administrator HUDA.

-sd/-

Executive Engineer (HQ)
For Chief Administrator, HUDA,
Panchkula.

CC:

1. PS/ACSTCP for kind information of Ld. Additional Chief Secretary, Town & Country Planning Department, Haryana Chandigarh.
2. PS/CA for kind information of Ld. Chief Administrator, HUDA, Panchkula
3. PA/CE-I for information of Chief Engineer-I, HUDA, Panchkula
4. PA/CE for information of Chief Engineer, HUDA, Panchkula
5. The Executive Engineer (W), O/o Chief Engineer-I, HUDA Panchkula

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3 SECTOR-6, PANCHKULA

To

1. Additional Chief Engineer,
HUDA, Gurgaon
2. Superintending Engineer, HUDA
Circle- Panchkula, Karnal, RGEC- Sonipat,
Rohtak, Hisar, Gurgaon –I /II, Faridabad

Memo No. CE/EE (W)/CHD (G)/ 2016/ 46616 to 46634

Dated 11.08.2016

Sub:- Supply of Sewerage Treated Water from HUDA STP to **Industries** falling in Urban estate of **Haryana**

Ref:- In continuation of email sent on 10.08.2016 at 11.22 AM

I have been directed to intimate that proposal to use the tertiary treated water from HUDA sewerage treatment plant for industrial use in HUDA area for implementation all over the State which has been approved in 111th Authority meeting held on 27.07.2016 under the Chairmanship of Chief Minister cum Chairman of HUDA. The copy of agenda item no Auth.111th (23) & proceeding of Authority meeting circulated on 04.08.2016 & copy of approval letter with relevant terms & conditions issued vide this office memo no-44059/077/090/094/109/110 dated 09.08.2016 is also enclosed herewith.

You are requested to take necessary action in the matter for the area falling in your jurisdiction.

DA/- As Above

-sd/-
Executive Engineer (W)
For Chief Administrator,
HUDA, Panchkula.

CC to the following for information & necessary action:-

1. PS to Additional Chief Secretary Town Country Planning Deptt , Haryana
2. PS to Principal Secretary Industries Deptt. Haryana
3. PS to Chief Administrator, HUDA, Panchkula
4. PA to CE/CE-I HUDA, Panchkula

OFFICE THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA

To

All the Zonal Administrators,

HUDA (in the State)

All the Superintending Engineers,

HUDA (in the State)

Memo No.CE-I/CE/EE(W)/EE(HQ)/SDE/2016/45355/357/365/369/370/371/372

Dated:10.08.2016

Subject: - Maintenance of Water Supply & Sewerage Services in respect of HUDA Sectors recently transferred to Municipal Corporation /Municipal Committee

I have been directed to intimate that water supply & sewerage services in HUDA Sectors (except in Gurgaon and Faridabad) recently ordered to be transferred to Municipal Corporations/Municipal Committees, vide CA HUDA letter no. 3641-42 dated 28.03.2016 and no.5151 dated 20.04.2016 may be maintained by HUDA, wherever either the Municipal Corporations/Municipal Committees have refused to take over the Sectors or the concerned employees have not received salary from Municipal Corporations/Municipal Committees. It is requested to take further necessary action in the matter accordingly.

This has approval of Chief Administrator HUDA.

Executive Engineer (HQ)
For Chief Administrator, HUDA,
Panchkula.

CC:

1. PS/ACSTCP for kind information of Ld. Additional Chief Secretary, Town & Country Planning Department, Haryana Chandigarh.
2. PS/CA for kind information of Ld. Chief Administrator, HUDA, Panchkula
3. PA/CE-I for information of Chief Engineer-I, HUDA, Panchkula
4. PA/CE for information of Chief Engineer, HUDA, Panchkula
5. The Executive Engineer (W), O/o Chief Engineer-I, HUDA Panchkula

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3 SECTOR-6, PANCHKULA

To

Additional Chief Engineer,
HUDA, Gurgaon.

Memo No. CE/EE (W)/CHD (G)/ 2016/ 44059 -110

Dated 09.08.2016

Sub:- Supply of Sewerage Treated Water from the 120 MLD STP to Industries at Behrampur Road, Gurgaon.

Ref:- Your office UO no- 1085 dated 02.06.2016 & UO no- 1314 dated 16.06.2016

I have been directed to intimate that proposal to use the tertiary treated water from HUDA sewerage treatment plant for industrial use in HUDA area has been approved in 111th Authority meeting held on 27.07.2016 under the Chairmanship of Chief Minister cum Chairman of HUDA. The copy of agenda item no Auth.111th (23) & proceeding of Authority meeting circulated on 04.08.2016 is enclosed herewith.

The tertiary treated water shall be charged ` 3.00 per kl.(if water is supplied by HUDA through pumping and pipe line laid by HUDA) and ` 2.00 per kl if customers takes it own cost from STP to users end through it own means for industrial use only. The approval is further subject to following terms & conditions:-

1. The pipe line from STP Behrampur Industrial area will be laid from GCCI/Industries at their own cost. GCCI shall ensure that there shall be no leakage in the pipe line laid. If any leakage is noticed, the same shall be repaired by them on top priority. The line shall also be maintained by GCCI.
2. The tertiary/treated water will be supplied to GCCI/Industries at Behrampur road Gurgaon for the industries on Behrampur road for tenure of 33 years on continuous basis subject to the availability of tertiary treated water.
3. The cost of building and infrastructure pipe, line may not be adjusted in EDC payable by GCCI/ Industries at Behrampur Road Gurgaon.
4. Treated water shall be used only for Industrial purposes and Horticulture/ landscape uses. GCCI/ Industries in Behrampur Gurgaon will not further misuse/sale the same for any commercial or other purposes.
5. Rates of treated water shall be revised from time to time as decided by CA HUDA on mutual acceptable terms & conditions with the applicant/industries after the approval of Govt /Chairman HUDA. The final decision of Govt/Chairman HUDA in this regards shall be binding to the parties.
6. Proper agreement with detailed terms & conditions shall be got executed within 60 days between the applicant GCCI /industries & concerned Executive Engineer of HUDA the incharge of the Sewerage treatment plant from where the treated water is to be supplied after completing all formalities.
7. All statutory approvals/technically clearances connected with the project from the concerned department/authorities shall be taken prior to take up the work in hand by the GCCI/industries.

D/A as above

-sd/-

Executive Engineer (W)
For Chief Administrator,
HUDA, Panchkula.

CC to the following for information & necessary action:-

1. PS to ASTCP , Haryana
2. PS to Principal Secretary Industries Deptt. Haryana
3. PS to CA, HUDA, Panchkula
4. PA to CE/CE-I, HUDA, Panchkula

OFFICE OF CHIEF ADMINISTRATOR, HUDA, C-3, SEC-6, PANCHKULA

To

1. Principal Secretary to Govt. Haryana,
Urban Local Bodies Department.
2. Director, Urban Local Bodies, Haryana,

Memo No. CE /EE(W)CHD(G)/2016/5105-06

Dated: **20.04.2016**

Sub :- Transfer of developed sectors to Urban Local Bodies.

Ref:- In-continuation of this office memo no. 3607- 44 dt. 28.03.2016, the following sectors which were left inadvertently may also be included in the list. :-

Sr. No.	Name of Urban Estate	Residential Sectors	Industrial Sector
1	Faridabad	Sec- 55, 62, 64,& 65	
2	Sonepat	Sec-13	
3	Panipat Sec-40		
4	Jagadhri	Sector-15 (Part-only), Sector – 17 (except 17 Part- II) Sector -18 (Part-I only)	
5.	Bahadurgarh	Sector 2, 6, 7(HBC), 9, 9A	Industrial 21 (MIE) 22 (MIE)
6.	Gurgaon	Sector-1(Pocket A & B) Palam Vihar Sector –2 (Pocket C) Palam Vihar Sector – 12	

-sd/-
Chief Engineer-I,
for Chief Administrator, HUDA,
Panchkula.

Endst No.5107-54

Dated 20-4-2016

A copy of the above is forwarded to the following for information and necessary action

- i. Administrator (HQ) HUDA/Zonal Administrator HUDA, Panchkula/Hisar/ Gurgaon/ Rohtak/Faridabad with the request that they shall ensure the transfer of sectors to the concerned Municipal Corporation/ Committee by 30th April 2016.

- ii. The Chief Controller of Finance, HUDA, Panchkula.
- iii. The Chief Engineer/Chief Engineer-I, HUDA Panchkula.
- iv. The Chief Town Planner, HUDA, Panchkula.
- v. The Chief Architect, HUDA, Panchkula.
- vi. Additional Chief Engineer, HUDA, Gurgaon
- vii. SE-I/II, HUDA, Gurgaon, Faridabad/REGC Sonapat/Karnal/Rohtak/ Panchkula/ Hisar.
- viii. The Secretary, HUDA, Panchkula.
- ix. The General Manager, (IT), HUDA, Panchkula.
- x. All EO'S. in HUDA.
- xi. PS to ACSTCP Haryana for kind information of Additional Chief Secretary Town & Country Planning, Haryana.
- xii. PS to CA HUDA for kind information of Chief Administrator HUDA.
- xiii. Superintendent/Dy.Suptd.(Urban Branch), HUDA Panchkula.

-sd/-
Chief Engineer-I,
for Chief Administrator, HUDA,
Panchkula.

OFFICE OF CHIEF ADMINISTRATOR, HUDA, C-3, SEC-6, PANCHKULA

To

1. Principal Secretary to Govt. Haryana,
Urban Local Bodies Department.
2. Director, Urban Local Bodies, Haryana,

Memo No. CE /EE(W)CHD(G)/2016/ 3607-08

Dated: **28.03.2016**

Sub :- Transfer of developed sectors to Urban Local Bodies.

As per HUDA Act, 1977 u/s 92 the following provisions have been made to transfer the developed sectors to the local authorities:-

“92 Power of Local Development Authority to require local authority to assume responsibilities in certain cases-

1. Where any area has been developed by the Local Authority, it may require the local authority within whose local limits the area so developed is situated, to assume responsibility for the maintenance of the amenities which have been provided in the area by the Local Development Authority and for the provisions of the amenities which have not been provided by the Local Development Authority and local authority, and where such terms and conditions cannot be agreed upon, then on a reference of the matter to the State Government by the Local Development Authority on terms and conditions settled by the Government in consultant with the local authority.
2. The transfer of a developed area shall take effect immediately after five years after completion of development works or a may be decided by the Local Development Authority and it shall be obligatory on the part of local authority to take over the area under sub-section(1) above.
3. If the local authority recovers taxes from such an area prior to the period of five years, the transfer shall take effect from the date of recovery taxes”.

Keeping in view the provisions in HUDA Act the Government has decided to transfer developed sectors of all Urban Estates in HUDA to the Urban Local Bodies of Haryana after concurrence of Urban Local Bodies Department with the following terms and conditions:-

- i. That all existing developed sector shall be handed over to the local bodies (MC) for maintenance.
- ii. That maintenance will include maintenance of water supply, sewerage, storm water, street light, roads, horticulture services and sanitation service
- iii. The ownership of the open spaces shall vest with local body (MC). However, ownership of the land reserved for undetermined use and unsold sites of all types i.e. residential, institutional and commercial etc. shall continue to be with HUDA.
- iv. That staff of HUDA posted and involved in maintenance will be initially sent on deputation to concerned local body (MC). No deputation allowance will be given to the staff who is sent on deputation to local body (MC). Thereafter, the staff as mutually decided will be transferred to

local body (MC). The service & pay of staff who will merge with local body (MC) will be protected.

- v. That extension fee, transfer fee, other recoveries related to the plots will be recovered by HUDA. However, 75% of the recovery of extension fee, building application fee, composition charges etc. recovered by HUDA shall be remitted to the local body(MC), by 15th of following month and 25% will be retained by HUDA. The recovery of water and sewerage charges and property taxes etc. will be recovered by local body (MC).
- vi. The vehicles and machineries required for maintenance shall also be transferred to local body(MC).
- vii. The development of essential infrastructure like provision of Slaughter House, Meat market, cremation Ground, transport Nagar, Disposal land fills sites etc. for Solid Waste Management and sewerage treatment plants will be done by HUDA.
- viii. That deficiencies in service as agreed upon mutually between HUDA and local body (MC) will be rectified by HUDA within a period of three months. In case there are deficiencies in these service then HUDA should either complete the deficiencies or deposit the estimated cost of deficiencies as mutually agreed by HUDA and by local body (MC) before transfer. But HUDA shall be liable for only those services and their maintenance which are accounted for in the price fixation of the sector or EDC of the Urban Estate.
- ix. HUDA shall submit the layout plans of individual sectors proposed for transfer indicating all services/community facilities which were supposed to be provided by HUDA as per original estimates. The local body (MC) shall not have any power to change or alter the layout, demarcation and zoning plan etc. under any circumstances. However, in case of exigency, if any, alteration or change is required in the public interest, local body (MC) shall forward the proposal to HUDA for approval.
- x. The functions concerning sanction of building plans, composition of unauthorized construction and issue of Occupation Certificate in such transferred HUDA sectors shall continue to be with HUDA.
- xi. That HUDA shall transfer 50% of profit margin of the receipt of the unsold sites of all types made through sale or auction by HUDA after deducting updated cost (Land cost + Development Cost + Government fee) incurred on these properties.

It is requested that the necessary directions may be issued to Urban Local Bodies (Municipalities) to takeover developed sectors as per the list enclosed herewith by 30th April 2016.

Encl: List of developed sectors

-sd/-
Chief Engineer –I,
for Chief Administrator, HUDA,
Panchkula.

Developed Sectors to be handed over to Municipal Corporations-existing for more than 5 year

<u>Sr.No.</u>	<u>Name of Circle</u>	<u>Urban Estate</u>	<u>Developed Sectors (More than 5 years period) for transfer to MCs</u>			
			<u>Residential Sector</u>	<u>Industrial Sector</u>	<u>Institutional Sector</u>	<u>Remarks</u>
1.	<u>I-Gurgaon</u>	Gurgaon	5,3,6(P),12A,14,17,21,22,23,23A,30, 31,39,40,41,45,46,51,52 Total = 19	18 Total = 1	32,44 & 23 Part	
	<u>II-Gurgaon</u>	Gurgaon	4,7,7Extn.,7HBC,9,9A,10,10A,27,28,42,43, 38,47,54,55,56 Total = 17	37 P-I, 37 P-II, 33 T/Nagar & 34 EHTP Total = 4		
			Total = 19 + 17 = 36	Total = 5	Total = 3	
	<u>II- Gurgaon</u>	Rewari	1-NMT, 3, 4 Total = 3			
	<u>II- Gurgaon</u>	Dharuhera	4A, 6P-I, 6 P-II Total = 3	Industrial Area Total = 1		
	<u>II- Gurgaon</u>	Narnaul	1 (P-I & P-II) Total = 2			
		Kosli	MTS Total = 1			
2.	<u>Faridabad</u>	Faridabad	2,3,21-C (P-III),21-D,30,31,45,46,48 Total = 9	58,59 Total = 2		
		Palwal	2 Total = 1			
		Rojka-Meo		Industrial Area Ph-I,II,III Total = 3		
	<u>Sonepat</u>	Sonepat	7,12,14,15,23 Total = 5			
		Gohana	7 Total = 1			
		Panipat	6,7,8,11,12,13,17,18,24,25 P-I Total = 10	25 P-II Housing, 29-I, 29-II (Dying Units) Total = 3		
4.		Rohtak	1	-	-	-

<u>Sr.No.</u>	<u>Name of Circle</u>	<u>Urban Estate</u>	<u>Developed Sectors (More than 5 years period) for transfer to MCs</u>			
			<u>Residential Sector</u>	<u>Industrial Sector</u>	<u>Institutional Sector</u>	<u>Remarks</u>
			2	-	-	-
			3	-	-	-
			4	-	-	-
			4 Extn.	-	-	-
			14 Govt. Land	-	-	-
			Total=6			
5.		Hissar	Urban Estate-II, (Sector-12)	-	-	-
			Sector-13	-	-	-
			Sector-15	-	-	-
			Sector-16&17	-	-	-
			Police Line Area Sector-15	-	-	-
			Mela Ground Area Sector-21	-	-	-
				Sector-27&28A (Industrial Area)		
			Sector-9&11			
			14-P			
			Total=10	Total=2		
		Hansi	M.T. Hansi	-	-	Transferred to HUDA from Colonization Deptt. in 1987
			Sector-6P-I	-	-	-
			Total=2			
		Jind	Sector-10	-	-	-
			Sector-11	-	-	-
			Sector-11 Extn.	-	-	-
			Diwankhana Land	-	-	-
			M.T. Narwana	-	-	Transferred to HUDA from Colonization Deptt. in 1987
			Total=5			
		Bhiwani	Sector-13	-	-	-
			Sector-23	-	-	-

<u>Sr.No.</u>	<u>Name of Circle</u>	<u>Urban Estate</u>	<u>Developed Sectors (More than 5 years period) for transfer to MCs</u>			
			<u>Residential Sector</u>	<u>Industrial Sector</u>	<u>Institutional Sector</u>	<u>Remarks</u>
				Sector-21&26 (Industrial Area)	-	-
			M.T. Bhiwani	-	-	-
			M.T. Bhiwani Khera	-	-	-
			Total=4	Total=2		
		Fatehabad	Sector-3P-I	-	-	-
			M. T Area RCC-I & II	-	-	-
			Total=3			
		M.T Bhattu	M.T Area	-	-	-
			Total=1			
		Ratia	M.T Area	-	-	-
			Total=1			
		Tohana	M.T Area	-	-	-
			Total=1			
		Sirsa	Sector-20-P-I	-	-	-
			M.T Area R-I,II,III,IV & V	Industrial Area-I,II,III	-	-
			Total=6	Total=3		
		M.T Ellenabad	R-I	-	-	-
			Total=1			
		Kalanwali	R-I	-	-	-
			Total=1			
		Dabwali	Mandi Township Area	-	-	-
			Total=1			
6.	Karnal	Karnal	4-II	-	-	-
			5	-	-	-
			6	-	-	-
			7	-	-	-
			8	-	-	-
			8-II	-	-	-
			9	-	-	-
			9-II	-	-	-
			12-II	-	-	-

<u>Sr.No.</u>	<u>Name of Circle</u>	<u>Urban Estate</u>	<u>Developed Sectors (More than 5 years period) for transfer to MCs</u>			
			<u>Residential Sector</u>	<u>Industrial Sector</u>	<u>Institutional Sector</u>	<u>Remarks</u>
			13			
			13 Extn.	-	-	-
			14-I	-	-	-
			14-II	-	-	-
			16	-	-	-
			Total=14			
		Kaithal	19-I	-	-	-
			19-II	-	-	-
			20	-	-	-
			M.T Kaithal	-	-	Except S/centre adjoining Dharamshala at Jind Road Kaithal
			Total=4			
		Ambala City	1 Jail Land	-	-	-
			Sec-7	-	-	-
			Sec-8	-	-	-
			Sec-9	-	-	-
			Sec-10	-	-	-
			Total=5			
		Ambala Cantt.	Sec-32	-	-	-
			Sec-34	-	-	-
			Total=2			
		Kurukshetra	Sec-2	-	-	-
			Sec-3	-	-	-
			Sec-4	-	-	-
			Sec-5	-	-	-
			Sec-7	-	-	-
			Sec-8	-	-	-
			Sec-30	-	-	-
			Sec-13	-	-	-
			Total=8			
		Shahabad	Sec-1	-	-	-
			Total=1			
		Naraingarh	Sec-4	-	-	-

Sr.No.	Name of Circle	Urban Estate	Developed Sectors (More than 5 years period) for transfer to MCs			
			<u>Residential Sector</u>	<u>Industrial Sector</u>	<u>Institutional Sector</u>	<u>Remarks</u>
			Total=1			
		Pehowa	Mandi Township	-	-	-
			Total=1			
		Jagadhari	15-I	-	-	-
			17-I	-	-	-
			18-I	-	-	-
			Total=3			
		Pundri	Residential Area	-	-	Partly commercial Partly Residential
			Total=1			
		Gulla Cheeka	R-I,II,III			
			Total=3			
8.		Panchkula	20 (Roads, Sanitation, Street lights, parks, internal sewerage & storm water drainage system)	-	-	-
			21 do	-	-	-
			23 (Roads, Sanitation, Street lights, parks, internal sewerage & storm water drainage system)	-	-	-
			25 do	-	-	-
			26 do	-	-	-
			27 do	-	-	-
			28 do	-	-	-
			28 Part-II do	-	-	-
			Total=8			
			Road between sector 7 - 18	-	-	-
			Road between sector 7 - 8	-	-	-
			Road between sector 5 - 6	-	-	-
			Road between sector 6 - 7	-	-	-

			Road between sector 1 - 6	-	-	-
			Road between sector 1 - 2	-	-	-
			Road between sector 20-21			
			Road between sector 24 - 25	-	-	-
			Road between sector 25 - 26	-	-	-
			Road between sector 26 - 27	-	-	-
			Road between sector 27 - 28	-	-	-
		Grand Total	164	21	3	

OFFICE OF THE CHIEF ENGINEER ,HUDA, C-3 SECTOR-6, PANCHKULA

To

1. Additional Chief Engineer,
HUDA, Gurgaon.
2. All Superintending Engineer,
HUDA, Panchkula/Karnal/RGEC,
Sonapat/Gurgaon-I/II, Faridabad/Rohtak
and Hisar.

Memo No. CE/EE(W)/2016/ 2323-37

Dated: 24.02.2016.

Sub:- Amendment in terms & conditions for RMC works in HUDA projects

I have been directed to intimate that following amendment be made for RMC work in HUDA area with immediate effect for future works.

The old condition regarding the makes of RMC Plants established by reputed Cement manufacturing companies i.e RMC will be procured from plant of ACC / L&T/Birla located at Faridabad / Gurgaon/ Delhi or equally located distance, is not there in DNIT being approved by PWD, B&R, Deptt. Haryana. Hence, the same may be amended as under :-

“RMC shall be procured from the plant of any cement manufacturing company, registered with Ministry of Commerce and Industries, Govt. of India, who have established their RMC plant at suitable distance from the site of work so that desired quality standard of Ready Mix Concrete is maintained during transportation and execution of work. No RMC shall be procured from Mini RMC Plant”.

Other terms & conditions will remain same. The necessary amendment wherever required in the DNIT be made for tender to be floated for RMC works in future. The above instructions must be followed meticulously with immediate effect.

-sd/-
Executive Engineer (W)
For Chief Engineer, HUDA,
Panchkula.

CC: to the following information and necessary action.

- i. PA to CA HUDA for kind information of Chief Administrator HUDA.
- ii. PA to CE / CE-I, HUDA Panchkula for kind information of Chief Engineers.
- iii. EE (W) / EE(HQ)/ EE(M) for information and necessary action.

-sd/-
Executive Engineer (W)
For Chief Engineer, HUDA,
Panchkula

Circular-8

To

Administrator,
HUDA , Gurgaon , Faridabad, Rohtak

Superintending Engineer-I/II
HUDA , Gurgaon & Faridabad ,
Rohtak , REGC Sonipat ,

Superintending Engineer,
Horticulture, Panchkula

Memo no -114152-154/114160-165/114176

Dated :-21.01.2016

Subject: - Implementation of **orders of Hon'ble National Green Tribunal** dated 10.11.2016 passed in MA NO. 284 of 2015 & MA No. 1050 of 2016 in OA No. 21 of 2014 & MA No. 156 of 2016 in OA No. 21 of 2014) & OA NO. 21 of 2014 (only Notices) & OA No. 21 of 2014 (MA No. 172 of 2016-1162/2016) & OA No. 95 of 2014 (MA No. 1156/2016) & OA No. 303/2015 & OA No. 181/2013(MA No. 824 of 2015) and OA No. 609/2016, in the matter of "Vardhman Kaushik Vs. Union Of India & Ors. Sanjay Kulshrestha Vs. UOI & Ors & Supreme Court Women Lawyers Association Vs. UOI & Ors. & Omesh Saigal Vs. Govt. of NCT of Delhi & Ors & Diya Kapur & Ors. Vs. Union of India & Ors. (**NGT order dt. 10.11.2016 – Responsibility of Central/ Stale level committee**)

Ref :- Scientist 'C' (HQ) for Haryana Staff Pollution Control Board, no-2394-2492 dated 11.11.2016 & Email dated 11.11.2016 from Dharmesh Sharma, DDA, Gurgaon

I have been directed to intimate that the directions given by National Green Tribunal vide order dated 10.11.2016 already stands issued vide letter referred above

Hon'ble NGT has given some directions to the Govt of NCT Delhi and nearby State Govt including Haryana state to issue guidelines regarding improving Ambient Air Quality and to implement the fundamental right that is granted to the citizens of India.

All the concerned Officers, Authorities, Legal Authorities, Pollution Control Boards and other Corporations etc. would be responsible for proper implementation and enforcement of the directions contained in these orders in relation to different sources of pollution.

Two committees have been constituted by the NGT for ensuring proper implementation of the judgments and the laws relating to prevention and control of air pollution:-

- (i) Centralized monitoring Committee
- (ii) State Monitoring Committee

The Centralised Monitoring Committee shall consist of:-

- a. Secretary, Ministry of Environment, Forest and Climate Change (Chairman).
- b. Chief Secretaries of the States of Punjab, 12 Item No. 01 to 08 November 10, 2016 SS, AK & JG Haryana, Uttar Pradesh, Rajasthan and NCT, Delhi.
- c. Member Secretary of the Central Pollution Control Board and the Member Secretaries of the State Pollution Control Boards.
- d. Professor Mukesh Khare from I.I.T., Delhi.
- e. Member Secretary of each State Pollution Boards would be at liberty to bring one expert with him, if they so desire.
- f. Additional Director General of Health Services to be nominated by the Union Secretary, Health.

State Level Committee.

Following shall be the composition of State Level Committees:

- 1. Chief Secretary as the Chairperson, 14 Item No. 01 to 08 November 10, 2016 SS, AK & JG
- 2. Secretary Environment,
- 3. Secretary Urban Development and Housing,
- 4. Member Secretary of the Pollution Control Board of the States,
- 5. Chairman of the Development Authority of the District/State,
- 6. Secretary of the Department responsible for Developing Agency and Corporations of the State,
- 7. Director of Medical Services who is a professional shall be the Member of the Committee,

The Chairman of the Centralised as well as State Committee shall be at liberty to invite or summon any Officer/Expert/ Official from any other department or Ministry or Research Organisation for carrying on the business and object of the Committee more effectively. If invited no officer/Expert of any department or Ministry or Research Organisation would avoid to appear before the Committee and provide its required input.

The State committee shall be responsible for the following: -

- (i) Enforcement of the directions/orders/judgments and the law in relation to prevention and control of air pollution more particularly judgment afore-referred.
- (ii) To verify that the directions are actually implemented at the ground level and would not leave the things on mere paper.
- (iii) To prepare action plan in consonance with the advance circular the same and ensure their implementation.
- (iv) To constitute a special task force to ensure that there is no burning of waste of any kind, roads are mechanically cleaned and there is no undue traffic congestion in the city particularly during the period of environmental emergency.

- (v) The state level committee shall hold its meeting every month & shall submit the report to the centralised committee at least three days in advance to the date of the meeting of that committee.

Hon'ble tribunal has also given the certain directions in its order dated 10.11.2016 regarding taking following measures without delay and default already stands circulated. However, the directions pertaining to HUDA areas are given as under:-

1. All the construction, demolition activities and transportation of construction material shall be stopped temporarily till the ambient air quality standards are brought down below the severe pollution standards afore-stated.
2. The authority would ensure that the DG sets if in operation anywhere should be adhering to the prescribed norms. In the event of default they should be not only shut down but even confiscated.
3. All the States Governments, Public Authorities and Development Agencies shall introduce 19 Item No. 01 to 08 November 10, 2016 SS, AK & JG vacuum cleaning machines for removal of dust and waste from the roads in a gradual manner. Cleaning of dust manually should be stopped. Mechanical cleaning of the roads should be introduced. Manual cleaning of dust only helps in re-generation of pollution and does not effectively cause cleaning of roads or air either.
4. It should be ensured that there should be no leaves, municipal solid waste, plastic, agriculture residue, oil and oil products are burnt in open or otherwise. Strict punitive action should be taken in accordance with the orders of the Tribunal, if any person is found to be violating these directions and orders passed by the Tribunal.
5. 50% of the staff of the Corporations, Committees, Development Agencies and the concerned department of the Government should be on field inspection to ensure proper and effective implementation of the directions. The staff on field duty shall submit a report to the Officer in-charge, who would then submit a report to the State Committee, bring to its notice whether the implementation and effectiveness of the orders and directions by the said authorities was satisfactory or not. 20 Item No. 01 to 08 November 10, 2016 SS, AK & JG.
6. All the concerned authorities shall ensure that the waste dumping sites are not put on fire, under any circumstances.
7. All the government departments, PWD etc are at liberty to bring before the Tribunal offenders or defaulting persons with complete details. If such list is filed, the Tribunal shall issue notice to them for payment of environmental compensation and for passing of such other punitive orders as may be necessary in the facts and circumstances of the case.
8. All the amounts collected under the orders of the Tribunal for environmental compensation should be utilized only for the purpose of prevention and control of air and water pollution in NCT of Delhi and the concerned States subject to the orders of the Tribunal. The copy of this order be furnished by dasti.

The compliance of above direction shall be ensured on top priority and meticulously in the letter & spirit, The above said case is listed for hearing on 9th January, 2017. The action report/against the offenders/defaulters be sent to HSPCB , the nodal agency of the state within a week's time under intimation to this office.

-sd/-

Executive Engineer (W)
For Chief Engineer-II
HUDA, Panchkula

CC to the following for kind information & necessary action:-

1. Member Secretary, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula

Circular no. 7

OFFICE OF THE CHIEF ENGINEER –I, HUDA, C-3, SECTOR-6, PANCHKULA.

To

1. The Administrator,
HUDA, Panchkula/ Gurgaon/Faridabad /Rohtak /Hisar.
2. Superintending Engineer,
HUDA, Panchkula/Karnal/RGEC, Sonapat/
Gurgaon-I/II, Faridabad, Rohtak and Hisar,
3. SE- Horticulture, HUDA, Panchkula.

Memo No. CE/EE(W)CHD(G)1-16

Dated 01.01.2016

Sub:- Original Application No. 21 of 2014 Vardhman Kaushik V/s Union of India & others and OA No. 95 of 2014, Sanjay Kulshrestha Vs. Union Of India & others. (NGT direction dated 11.12.2015 – Burning of waste & challan made against violations).

Ref:- In continuations of CE, HUDA No.15622-43 dated. 10.12.2015 addressed to all Administrators / SE's in HUDA.

I have been directed to intimate that hearing in the Hon'ble Green Tribunal, New Delhi on 11.12.2015 which was attended by Chief Engineer, HUDA along with SE's Faridabad. The main emphasis of the Tribunal was on pollution from vehicles especially diesel vehicle in NCTD and NCR Region of Gurgaon, Faridabad & Bahadurgarh. The other issues discussed regarding Air Pollution Cause were :-

- a. Burning of waste
- b. Construction material, construction activity and debris.

Hon'ble Tribunal specifically asked the information about the following :-

- i. How-many persons have been challaned for violation of NGT orders and MOEF guidelines of 2010
- ii. How – much challan amount have been realized.
- iii. Details of construction material confiscated for the violation.

Besides, a condition is required to be imposed in the approval letter of building plans that owner

will comply with the NGT orders and MOEF guidelines 2010. For this, Administrators/Estate Officers are requested to ensure the compliance. of NGT orders.

In addition, the contact numbers, name of the officers/officials who can be contacted whenever any violation is noticed, needs to be displayed especially in NCR Region.

The above details will be required on next date of hearing to be held on 06.01.2016.

-sd/-
Executive Engineer (W)
For Chief Engineer-I, HUDA,
Panchkula.

CC: to

XEN (W) and XEN (HQ), HUDA for follow up action in the area under their jurisdiction.

SPECIAL CONDITIONS REGARDING PREVENTION OF AIR POLLUTION as per orders of National Green Tribunal (NGT) New Delhi.

1. The agency shall ensure that there should be no hot mixing on the road side. During construction and maintenance of road, it shall be also ensured that coal tar, bitumen and asphalt is brought in molten condition and same is neither burnt nor fire is put to melt these substances on open roads.
2. The demolition material and construction material is transported by contractor with proper coverage and precautions, in order not to cause serious air pollution.
3. Contractor/ builders would not be permitted to store and dump construction material or debris on the metalled road.
4. The agency will ensure that such storage does not cause any obstruction to the free flow of traffic and / or inconvenience to the pedestrians. The construction material is completely covered by tarpaulin, to ensure that no dust particles are permitted to pollute the air quality as a result of such storage.
5. The builder / contractor will be responsible and ensure that their activity does not cause any air pollution during the course of the construction and / or storage of material or construction activity as per NGT orders time to time. Defaulter shall be liable to be prosecuted under the law in force.
6. All trucks or vehicles of any kind which are used for construction purposes and / or are carrying construction materials like cement sand and other allied material shall be fully covered dust free and / or other precautions would be taken to ensure that en-route their destination, the dust, sand or other particles are not permitted to be released in the air and / or contaminate air. Any truck which is not complying with these directions may not be permitted to enter in the region.
7. The agency shall put tarpaulin on scaffolding around the area of construction and the building. Builder/ agency shall not be permitted to store any construction material particularly sand on any part of the street, roads in any colony.
8. The construction material of any kind that is stored in the site will be fully covered in all respects so that it does not disperse in the air in any form.
9. All the construction material and debris shall be carried in the trucks or other vehicles which are fully covered and protected so as to ensure that the construction debris or the construction material does not get dispersed into the air or atmosphere in any form what so ever.
10. The dust emissions from the construction site should be completely controlled and all precautions taken in that behalf.
11. The vehicle carrying construction material and construction debris of any kind should be cleaned after unloading of any type of material.
12. Every worker working on the construction site and involved in loading, unloading and carriage of construction material and construction debris shall be provided with Mask to prevent inhalation of dust particles.

13. The agency shall be under obligation to provide all medical help, investigation and treatment to the workers involved in the construction of building and carrying of construction material and debris relatable to dust emission.
14. The agency will transport construction material and debris waste to the construction site, dumping site or any other place in accordance with rules.
15. The agency will take appropriate measures and to ensure that the terms and conditions of the orders already passed and to be passed by National Green Tribunal should be strictly complied with.
16. In case of non compliance of any condition the executing agency shall be liable for action to be taken as per law and as per terms and conditions of the agreement.

Circular no. 6

OFFICE OF THE CHIEF ADMINISTRATOR HUDA, C-3, SECTOR-6, PANCHKULA.

To

The Administrator,
HUDA, Panchkula/ Gurgaon/Faridabad /Rohtak /Hisar.
Superintending Engineer,
HUDA, Panchkula/Karnal/ RGEC, Sonapat/
Gurgaon-I /II, Faridabad, Rohtak and Hisar.
Horti.Circle, Panchkula.

Memo No. CE/EE-W/CHD(G) 15622-43

Dated:- 10.12.2015.

Sub:- **O.A. No. 21/2015** titled as Vardhaman Kaushik Vs. UOI & Ors., O.A. No. 95/2014 titled Sanjay Kulshrestha Vs. UOI & Ors. O.A. No. 303/2015 titled as Supreme Court Woman Lawyers Association Vs UOI & Ors. pending before Ld. **National Green Tribunal, New Delhi.**

Ref: In continuation of instructions already issued vide CE- No 2121-37 dated 23.02.2015, No. 2609-19 dated 05.03.2015, No. 4412-21 dated 22.04.2015, No. 4971-89 dated 30.04.2015, No. 5442-5457 dated 11.05.2015 on the above subject matter.

I have been directed to intimate that instructions regarding penalty and responsibility of the officers in HUDA area have already been circulated vide instruction/ circular dated 30.04.2015 and relevant para are as under:-

Para 5 :-

For every incident of burning of any such above stated material, the person who is found actually burning such and/or responsible for or abating such burning would be liable to pay compensation in terms of the Section 15 of the Nation Green Tribunal Act, 2010 for polluting the environment and would be liable to pay a sum Rs. 5000/- to be paid instantaneously.

Para 10 :-

Each officer under whose jurisdictions the area would fall, would be personally responsible and all the Officers. Officials working under him would be personally responsible for imposition of compensation and costs. If any activity is could to be carried out in any area of NCR of Delhi in violations to the Orders of the Tribunal and the law in force in that regard, the Deputy Commissioners, Director Horticulture, SHO concerned, Assistant Commissioners,

Sanitary Officers of the area would be personally responsible. Similarly Officers from the State of Haryana would be personally responsible for compliance of these directions.

It has been observed that no due attentions are being paid towards the public complaints, offence, compensation and imposing penalties in HUDA area to implement the orders of Hon'ble Green Tribunal effectively, NGT has taken a series view. therefore, the following officers are designated to impose penalty/ action against the defaulters :-

- i. **Estate Officer** - shall be responsible for the area of Urban Estate falling under his jurisdiction.
- ii. **Executive Engineer** - shall be responsible for offence in execution of works under his jurisdiction for HUDA development and maintenance works.
- iii. **XEN Horticulture** – shall be responsible for burning of leaves etc in Parks Green Belts/open space in HUDA area.

The above information shall also be displayed on notice boards at suitable public places to be got identified by Zonal Administrator in their jurisdiction.

The above instructions shall be implemented meticulously shall be implemented meticulously with

immediate effect

-sd/-

Executive Engineer (W)
For Chief Administrator,
HUDA, Panchkula.

CC to the following for information and necessary action:-

1. PA to CA HUDA for kind information of Chief Administrator HUDA.
2. PA to CE/ CE-I, HUDA for kind information of Chief Engineer HUDA.
3. EE works/ EE,(HQ), HUDA, Panchkula for information & necessary action.
4. GM (IT Cell) HUDA for uploading the instructions on website of HUDA.

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA

To

All the Superintending Engineers,
HUDA (in the State),

All the Executive Engineers,
HUDA (in the State),

Memo No.: CE/SE(HQ)/EE (M)/CHD(G)/ADM(G-II)/2015/14602-03 Dated: 10.11.2015

Sub: Panel for **Third Party Inspection agencies** for Development Works amounting to Rs. 1.00 crore and above in HUDA – **validity extended.**

In continuation of this office letter No.CE/ SE(HQ)/EE(M)/ EE(AS)/ ADM/1 3622-33 dated 18.11.2014 on the subject cited above.

I have been directed to intimate that the validity of panel of following 4 (four) no. TPI agencies is hereby extended for a period of one year (09.11.2015 to 08.11.2016) for carrying out Third Party Inspection for development works amounting to Rs. 1.00 Crore and above in HUDA on the same rates terms & conditions as already conveyed vide letter referred above and CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012, However the same have been reproduced as under:

S. No.	Name of Agency	Name of Station
1	M/s RITES Ltd.	Gurgaon, Faridabad (For works costing Rs. 1.00 Crore & above)
2	M/s WAPCOS Ltd.	Whole of Haryana (For works costing Rs. 1.00 Crore & above)
3	M/s PEC-Centre for Consultancy in Engineering	Panchkula, Ambala, Karnal, Yamuna Nagar, Panipat, Rohtak, Bahadurgarh. (For works costing Rs. 1.00 Crore & above)
4	M/s Shriram Institute for Industrial Research	Whole of Haryana (For works costing more than Rs. 10.00 Crore & above)

The amount payable to the TPI Agency will be as under:

Sr. No.	Cost of Work	Amount Payable
1	Work costing Rs. 1.00 Crore to Rs. 10.00 Crore	0.5%+Service Tax as applicable
2	Works costing more than Rs. 10.00 Crore	0.4%+Service Tax as applicable
Note	<p>i) In case of works of Water Supply, Sewerage and Storm Water Drainage- the cost of material for all type of Pipes shall be excluded from the allotted work for arriving at the amount for payment to the TPI agency. In case of inspection of material, if it is to be got done, separate rates will be decided mutually with any of the above agency/ any other specialized agency.</p> <p>ii) In case the amount of allotted work costing upto Rs. 10.00 Crore gets enhanced, payment for TPI for the enhanced work above Rs. 10.00 Crore shall be made @ 0.40% + Service Tax.</p> <p>iii) In case the amount of allotted work costing more than Rs. 10.00 crore is finalized/gets completed at amount at Rs. 10.00 core or below, payment for TPI shall be made at the same rate at which it was originally allotted i.e. @ 0.40% + Service Tax.</p>	

Name of TPI agency will be conveyed by the Chief Engineer/Chief Engineer-I, HUDA (as per jurisdiction) while conveying the approval of allotment of the tender for the work.

The Executive Engineer concerned shall enter into an agreement with the TPI agency as per given in the allotment letter of the work and as per specimen already circulated vide this office letter no. CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012.

The amount payable to the Third Party Inspection Agency shall be paid, on satisfactory performance of TPI agency subject to all the conditions of agreement, simultaneously with payment of work to the contractor. However, the TPI agency would submit a claim bill alongwith the report clearly certifying the activities carried out in the period.

CE/CE-I, HUDA reserves the right to award the TPI work to either of the agency from empanelled list of TPI or to any other agency as per necessity/urgency of the work/project.

I am further directed to request you to ensure that the Third Party Inspection is carried out for the works amounting to Rs. 1.00 crore and above as per terms & conditions of the agreement as stated above.

-sd/-

Superintending Engineer (HQ),
For Chief Administrator, HUDA,
Panchkula

Endst No. CE/SE(HQ)/EE (M)/CHD(G)/ADM(G-II)/2015/ 14604-14 Dated: 10.11.2015

A copy of the above is forwarded to the following for information and necessary action in continuation to this office endst. No. 13624-33 dated 18.11.2014.

1. M/s RITES Ltd., RITES Bhawan No. I, Sector-29, Gurgaon-122001/RITES Bhawan-II, Plot No. -144, Sector-44 Gurgaon-122003.
2. M/s WAPCOS Ltd., SCO-826, 2nd Floor, NAC Manimajra, Chandigarh-160101.
3. M/s PEC-Center for Consultancy in Engineering, Sector-12, Chandigarh-160012.
4. M/s Shriram Institute for Industrial Research, 19, University Road, Delhi-110007.
5. EE(W)/EE(M)/EE(HQ) O/o Chief Engineer, HUDA, Panchkula.
6. PS to CA HUDA for kind information of Chief Administrator, HUDA, Panchkula.
7. PA to CE/CE-I HUDA for kind information of CE/CE-I, HUDA, Panchkula.

-sd/-
Superintending Engineer (HQ),
For Chief Administrator, HUDA,
Panchkula

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3, SEC-6, PANCHKULA

To

Superintending Engineer,
HUDA Circle, Panchkula/ Karnal/ RGEC-Sonepat/
Gurgaon-I& II / Faridabad/Rohtak/ Hisar.

Sub:- Memo No. CE /EE (W)/CHD (G)/9532-41 Dated 23.07.2015
Implementation of the **orders passed by National Green Tribunal** dated 26-11-2014, 4-12-2014, 19-01-2015 and **7-04-2015** in **original Application No. 21 of 2014** in the matter of Vardhman Kaushik vs Union of India and ors.

I have been directed to intimate you that the instructions were issued for HUDA area vide letters numbers and dates given below to implement the orders passed by NGT in the above said court case:

- i) The instructions have already been issued to all Administrator / SE's in HUDA vide **CE- No 2121-37 dated 23.02.2015**, for implementation of orders passed NGT dated 26.11.2014, 04.12.2014 and 19.01.2015 in original Application No. 21 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors.
- ii) The instructions have also been issued separately to all SE's in HUDA vide **CE- No. 2609-19 dated 05.03.2015** to incorporate the directions of NGT in the DNIT/Contract Agreement of public works in HUDA.
- iii) A check list has also been circulated to all SE's in HUDA vide **CE- No. 4412-21 dated 22.04.2015** for on going works to ensure the compliance of directions of NGT.
- iv) Special conditions regarding prevention of Air Pollution for incorporating in the DNIT/Agreement of contractual public works in HUDA have been circulated to all SEs of HUDA vide **CE, HUDA No. 5442-5457 dated 11.05.2015** for implementation of NGT orders.
- v) The draft public notice received from Administrator, HUDA, Gurgaon has been sent to Dy. ESA, HUDA, Panchkula vide CE, HUDA office memo No. 6504 dated 28.05.2015 for publication and one copy of the same separately sent to DGTCP, Haryana vide CE, HUDA office memo No. 6505 dated 28.05.2015 to issue notification in the matter.

On the basis of above instructions issued, the affidavit of CA, HUDA was sent to Addl. AG Sh. Anil Grover for filing the same before the pervious date of hearing held on 20.07.2015.

The action taken report in the matter may be sent within a week's time so that status may be filed before next date of hearing.

-sd/-
Executive Engineer (W)
for Chief Engineer, HUDA,

Panchkula.

CC to

XEN (W) and XEN (HQ), HUDA for follow up action in the area under their jurisdiction.

OFFICE OF THE CHIEF ENGINEER, HUDA C-3, SEC-6, PANCHKULA

To

All the Superintending Engineer's, In HUDA

Memo No. CE/EE (W)/CHD(G)/ADM(G-II)/2015/7001-10

Dated: 10.06.2015

Sub- To avoid **Misuse of Financial Powers** (quotation work and minor work up to Rs. 20,000/-) vested under the SDO or other officer for the maintenance/repair/ construction works in Engineering Wing.

Ref: In continuation of Chief Engineer HUDA no. 377-80 dated 11.01.2010, endorsed to ACE, HUDA Gurgaon and all HUDA SEs, in the State of Haryana, on the subject cited above.

I have been directed to intimate that after the investigation on the complaint received from Member, District Public Relations and Grievances Committee regarding misuse of powers by officers of Engineering Wing by inviting the quotations for different kind of works instead of inviting the tenders, the instructions were issued to CE/CE-I HUDA vide CA, HUDA memo no. EA-2-2009/852-53 dated 06.11.2010, which was further endorsed to ACE Gurgaon and all SEs in HUDA vide this office letter no. 377-80 dated 11.01.2010 (copy enclosed).

It was observed that subordinate offices of HUDA are executing the work by collecting sport quotations for even petty works by splitting the entire scope of work which should have been executed through tenders and it was decided that in future, the quotations should be called only in extremely urgent and unavoidable circumstances and all the works should be executed through tenders and not through quotation.

It was also requested to issue necessary directions to the subordinate offices in the State not to resort to the work by splitting in parts by calling quotations, so the work should be executed by inviting tenders for a single work after taking requirement from Sub-Divisions. Any laxity in this regard will be viewed very seriously.

Despite of above instructions already issued, it has been observed that no due attentions are being paid by the field officers in HUDA and process of calling quotations is still continue. This matter is already under investigation in one of the complaint no. 320 of 2011 before Lokayukta Haryana filed by Sh. Raman Sharma, Resident of Gurgaon.

You are therefore requested to look into the matter and ensure that no work is executed by splitting in parts by calling quotation in future. Any laxity in this regard will be viewed very seriously. The Divisional and Sub-Divisional Officers who are not following the instructions shall be liable to face punitive disciplinary action in the matter.

DA/As above

-sd/-

Executive Engineer (W),
For Chief Engineer, HUDA,
Panchkula

CC to.

1. Executive Engineer (Works)/ Executive Engineer (HQ), in O/o Chief Engineer HUDA alongwith copy of instruction dated 06.01.2010 for information and necessary action.

DA/As above

Circular No. -5

From

The Chief Engineer
HUDA, Panchkula.

To

The Superintending Engineer,
HUDA Circle, Panchkula/ Karnal/ RGEC-Sonepat/
I-Gurgaon/ II-Gurgaon/ Faridabad/Rohtak/ Hisar.

Memo No. 5442-5457

Dated:- 11.05.2015

Subject:- **Special conditions** regarding **prevention of Air Pollution** as per orders of National Green Tribunal (NGT), New Delhi.

Please refer to this office memo No. 212-37 dated 23.02.2015, No. 2609-19 dated 05.03.2015 and No. 4420 dated 22.04.2015 vide which instructions/ directions given by National Green Tribunal dated 26.11.2014, 04.12.2014, 19.01.2015 and 10.04.2015 were circulated to your office to incorporate these instructions in the DNIT/ agreement of contractual public works in HUDA.

In this regard, I have been directed to enclose herewith Special conditions regarding prevention of Air Pollution as per orders of National Green Tribunal (NGT), New Delhi for incorporation of these instructions in the DNIT/ agreement of contractual Public works in HUDA.

DA/- As above.

-sd/-
Executive Engineer(W)
for Chief Engineer, HUDA,
Panchkula.

Copy to:

1. PA/CE for kind information of Chief Engineer, HUDA Panchkula.
2. EE(HQ), O/o Chief Engineer, HUDA Panchkula.

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3, SECTOR-6, PANCHKULA.

To

The Administrator,
HUDA, Panchkula/ Gurgaon/Faridabad /Rohtak /Hisar.

Superintending Engineer,
HUDA, Panchkula/Karnal/ RGEC, Sonapat/
Gurgaon-I /II, Faridabad, Rohtak and Hisar.

Horti.Circle, Panchkula

Memo No. CE/EE-W/CHD(G)/ 4971-89

Dated 30.04.2015

Sub:- Original Application No. 21 of 2014. (Main directions of NGT order dated 28.04.2015 and to hoist telephone no./ whatsapp/ facebook account of EOs/XENs and display notice for public.)

I have been directed to intimate that on last hearing held on 28.04.2015, Hon'ble National Green Tribunal has issued the following directions in O.A. No. 21 of 2014 and O.A. No. 95 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors.

The basic issues mentioned in the orders are regarding three main sources of air pollution in the NCR of Delhi i.e Dust, emissions resulting from burning and industrial pollution and vehicular pollution etc.

The main directions are as under:-

1. All the direction contained in our order dated 04th December, 2014 shall continue to be in force and the Authorities concerned would carry out the said directions in their true spirit and substance.
2. There shall be complete prohibition of burning of any kind of garbage leave, waste plastic, rubber, self-moulding compound and such other materials in the open. Any person affected or concerned would have a right to make a complaint in writing of otherwise to the SHOs of the concerned area, the office of the Corporation, Council or Local Authority under whose jurisdiction that area falls. NGT has directed that every public Authority, Corporation, State Governments of NCT of Delhi, Uttar Pradesh and Haryana to forthwith notify the telephone numbers, website addresses or any other electronic media and process to which the complainant can make a complaint to any or all of the Authorities as indicated herein above. The Complaints preferably should be made to the Authorities concerned who have jurisdiction over the area in which the offending activities is being carried on has been carried on.
3. NGT further directed that all the Corporations concerned states falling in NCR.within two days from 28.04.2015 would notify on their websites. The website address and Mobile Number to which such complaint can be made/sent.
4. Immediately upon receipt of such complaint, the concerned Authority and /or Authorities the designed Officers would proceed to take action in accordance with law.

5. For every incident of burning of any such above stated material, the person who is found actually burning such and/or responsible for or abating such burning would be liable to pay compensation in terms of the Section 15 of the National Green Tribunal Act, 2010 for polluting the environment and would be liable to pay a sum Rs. 5000/- to be paid instantaneously.
6. In the event such offender refuses to comply with the directions of the Authorised Officers, the Authorised Officers would be at liberty to serve a Notice upon him for appearing before the Tribunal and to show cause why the person burning, abating or responsible for such burning materials afore indicated, be not directed to pay compensation as may be determined by the Tribunal in accordance with law.
7. The orders of the NGT are to be complied with as a decree/order of the Civil Court. All these Authorities and the Police are duty bound to carry out the directions/orders of the Tribunal in accordance with law. The money so collected, shall be maintained by the Corporation and /or any Authority as a separate fund to be utilized for improvement, restoration and restitution of the environmental degradation resulting from such activity or otherwise.
8. The payment of such compensation shall not absolve the offender of other liabilities that such person may incur under different laws in force including other provisions of the National Green Tribunal Act, 2010.
9. NGT has directed that there is no burning of leaves or horticulture residue, all the Corporations, Authorities and the State Governments to ensure that there is proper composting pits area-wise prescribed within one week from today (28.04.2015). The composting will be only at those sites and all the Corporations, Authorities and the State Governments shall be responsible to provide due space for collection and deposit of horticulture waste including leaves for composting purposes at these sites.
10. Each officer under whose jurisdictions the area would fall, would be personally responsible and all the Officers. Officials working under him would be personally responsible for imposition of compensation and costs. If any activity is could to be carried out in any area of NCR of Delhi in violations to the Orders of the Tribunal and the law in force in that regard, the Deputy Commissioners, Director Horticulture, SHO concerned, Assistant Commissioners, Sanitary Officers of the area would be personally responsible. Similarly Officers from the State of Haryana would be personally responsible for compliance of these directions.
11. The composting sites should be provided nearer to the places where there is a large numbers of trees, gardens and compost bits which also convert into self-manure should be used for horticulture purposes to ensure that the burden on the site does not increases beyond its capacity.
12. Decision in regard the land fill sites should be taken expeditiously as possible in any case not later than three weeks from 28.04.2015. Such adequate number of sites if not earmarked, should be identified by the respective Corporations and Authorities if not done so far.
13. No one would permit the burning of plastic and allied products in NCR area. If Authorities notice any burning of such materials they would not only ensure that such activity does not persist but even would be entitled to seize the entire material which is illegally and unauthorisedly stored held by a person is does not possess of a license or authorization for dealing with such products in accordance with the Plastics Waste Management and Handling Rules, 2011. Upon seizure of such material, the Authorities would take

a direction from the Tribunal and dispose off the same by giving it to the Authorised Dealer in accordance with directions issued.

It is requested to ensure the compliance of above orders dated 28.04.2015 passed by NGT in the above said original application, for the areas under yours jurisdiction.

In addition all Estate Officers and Executive Engineers in HUDA may be directed to get their Telephone Numbers, Whatsapp Nos. and Facebook Accounts etc. hoisted on website of HUDA as directed by NGT in the orders dated 28.04.2015. The copy of orders of NGT have already sent through emails to all Zonal Administrators and SEs in HUDA on 30.04.2015.

The above information should also be displayed by way of notice boards at suitable public places as identified by the Zonal Administrator in HUDA area.

This issue is with the approval of CA, HUDA.

-sd/-

Executive Engineer (W)

For Chief Engineer,HUDA, Panchkula.

CC to the following for information and necessary action:-

1. PA to CA HUDA for kind information of Chief Administrator HUDA.
2. PA to CE HUDA for kind information of Chief Engineer HUDA.

3. EE works/ EE,(HQ), HUDA, Panchkula for information & necessary action.
4. GM (IT Cell) HUDA for uploading the instructions on website of HUDA.

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-3, SEC-6, PANCHKULA

To

All the Superintending Engineers,
HUDA, in the State of Haryana

Memo No. CA/CE/EE (W)/CHD(G)/ADM(G-II)/2015/ 4378-86

Dated: 22.04.2015

Sub- Eligibility Criteria for various work in HUDA. (Corrigendum)

On the subject cited above, it is intimated that word “appropriate category” is not appearing in para no. I at NP-7 approved by Worthy CA HUDA (photocopy of note page no. 7 - 8 enclosed) whereas it was mentioned inadvertently in this office letter no. CA/CE-I/SE(HQ)/EE (W)/SDE/ADM/2014/2798-2813 dated 28.02.2014. Accordingly, amendment after deleting the word appropriate category, in the eligibility criteria for inviting tenders for the works amounting more than Rs. 5.00 crore is hereby made:

S. No.	Para as per letter dated 28.02.2014	Amended Para
1	The reputed firms/contractors enlisted in appropriate category in PWD B&R, HUDA, MES, CPWD, Central Govt./State Govt., Central Govt. Undertakings/State Govt. Undertaking, having executed the following works, are eligible to participate in the tender.	The reputed firms/contractors enlisted with PWD B&R, HUDA, MES, CPWD, Central Govt./State Govt., Central Govt. Undertakings/State Govt. Undertakings, having executed the following works, are eligible to participate in the tender.

Other contents of letter dated 28.02.2014 will remain same.

You are requested to ensure the compliance of the above instructions in letter and spirit in areas under your jurisdiction for inviting the tender in future.

This has approval of CA HUDA.

-sd/-
Executive Engineer (W),
For Chief Administrator, HUDA,
Panchkula

Endst No. CE/EE (W)/CHD(G)/ADM(G-II)/2015/4387-93

Dated.22.04.2015

A copy of the above is forwarded to the following:

1. The Chief Controller of Finance, HUDA, Panchkula.
2. S.E(HQ)/EE(HQ)/EE(W)/EE(M).
3. PS to CA HUDA for information of CA HUDA, Panchkula.
4. PA to CE HUDA for information of CE HUDA, Panchkula

-sd/-

Executive Engineer (W),
For Chief Administrator, HUDA,
Panchkula

Circular -3

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3, SECTOR-6, PANCHKULA.

To

Superintending Engineer,
HUDA, Panchkula/Karnal/RGEC, Sonapat/
Gurgaon-I/II, Faridabad, Rohtak and Hisar.

Memo No. CE/EE-W/4412-21

Dated 22.04.2015

Sub:- Implementation of the **orders passed by National Green Tribunal** dated 26.11.2014, 04.12.2014 and 19.01.2015 and 10.04.2015 in original Application No. 21 of 2014 in the matter of Vardhman Kaushik Union of India and Ors.

I have been directed to request you to issue the check list to ensure compliance of directions/orders of National Green Tribunal.

CHECK LIST FOR XENs IN COMPLIANCE TO THE INSTRUCTIONS ISSUED BY NATIONAL GREEN TRIBUNAL.

S. No	Directions/orders	Commitment / report of contractual agency	Report of compliance by J.E. & S.D.E. In charge
1.	Arrangement for tarpaulin on scaffolding around the area of construction.		
2.	Arrangement for covering stacked material to prevent dispersion in the air.		
3.	Arrangement to avoid dispersion of construction material during transportation.		
4.	Arrangement for dust omission during construction site.		
5.	Arrangement of cleaning vehicle used for transportation of construction material after unloading.		
6.	Arrangement of masks for the workers at construction site involved in loading, unloading carriage of material and construction debris.		
7.	Arrangement of medical help and treatment for workers involved at construction site.		
8.	Arrangement for disposal of debris waste of the construction site to the designated dumping site.		
9.	Arrangement of use of wetjet in grinding and stone cutting.		

10	Arrangement of providing wind breaking wall around construction site.		
11.	Undertaking from the contractual agency that during construction and maintenance of roads, coal tar and bitumen shall not be burnt to melt the substances on open roads.		
12.	Undertaking from the contractor not to store and dump construction material /debris on metalled road.		
13.	Undertaking from the contractor that construction activity will not cause in air pollution during construction storage of material or construction activity,		
14	Undertaking from the contractual agency that the work will be carried out as per the Ministry of Environment, guidelines and NGT directions and in case of violation, he shall liable to punishment as per the provision in the Law.		

Signature of E.E Signature of SDE Signature of J.E Signature of Contractor

The Executive Engineers are requested to ensure compliance of above check list in the tenders to be allotted/ invited and in the allotted works /works in progress or is being allotted works, these conditions should be issued / imposed on the work for compliance as per the direction of NGT in the case of Vardhman Kaushik Union of India.

Hence you are requested to issue necessary directions to all Executive Engineers under your jurisdictions to ensure that all ongoing works shall be carried out as per the above instructions and in case any agency does not follow these instruction, the work should be got stopped and should be restarted only when the above instructions are complied with.

-sd/-
Executive Engineer (W)
For Chief Engineer, HUDA, Panchkula.

CC :-

- 1) EE-(HQ) HUDA for information and necessary action.
- 2) P.S. to CA HUDA for kind information of Chief Administrator HUDA.

I have been directed to intimate that on last hearing held on 28.04.2015, Hon'ble National Green Tribunal has issued the following directions in O.A. No. 21 of 2014 and O.A. No. 95 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors.

The basic issues mentioned in the orders are regarding three main sources of air pollution in the NCR of Delhi i.e Dust, emissions resulting from burning and industrial pollution and vehicular pollution etc.

The main directions are as under:-

1. All the direction contained in our order dated 04th December, 2014 shall continue to be in force and the Authorities concerned would carry out the said directions in their true spirit and substance.
2. There shall be complete prohibition of burning of any kind of garbage leave, waste plastic, rubber, self-moulding compound and such other materials in the open. Any person affected or concerned would

- have a right to make a complaint in writing or otherwise to the SHOs of the concerned area, the office of the Corporation, Council or Local Authority under whose jurisdiction that area falls. NGT has directed that every public Authority, Corporation, State Governments of NCT of Delhi, Uttar Pradesh and Haryana to forthwith notify the telephone numbers, website addresses or any other electronic media and process to which the complainant can make a complaint to any or all of the Authorities as indicated herein above. The Complaints preferably should be made to the Authorities concerned who have jurisdiction over the area in which the offending activities is being carried on has been carried on.
3. NGT further directed that all the Corporations concerned states falling in NCR within two days from 28.04.2015 would notify on their websites. The website address and Mobile Number to which such complaint can be made/sent.
 4. Immediately upon receipt of such complaint, the concerned Authority and /or Authorities the designed Officers would proceed to take action in accordance with law.
 5. For every incident of burning of any such above stated material, the person who is found actually burning such and/or responsible for or abating such burning would be liable to pay compensation in terms of the Section 15 of the National Green Tribunal Act, 2010 for polluting the environment and would be liable to pay a sum Rs. 5000/- to be paid instantaneously.
 6. In the event such offender refuses to comply with the directions of the Authorised Officers, the Authorised Officers would be at liberty to serve a Notice upon him for appearing before the Tribunal and to show cause why the person burning, abating or responsible for such burning materials afore indicated, be not directed to pay compensation as may be determined by the Tribunal in accordance with law.
 7. The orders of the NGT are to be complied with as a decree/order of the Civil Court. All these Authorities and the Police are duty bound to carry out the directions/orders of the Tribunal in accordance with law. The money so collected, shall be maintained by the Corporation and /or any Authority as a separate fund to be utilized for improvement, restoration and restitution of the environmental degradation resulting from such activity or otherwise.
 8. The payment of such compensation shall not absolve the offender of other liabilities that such person may incur under different laws in force including other provisions of the National Green Tribunal Act, 2010.
 9. NGT has directed that there is no burning of leaves or horticulture residue, all the Corporations, Authorities and the State Governments to ensure that there is proper composting pits area-wise prescribed within one week from today (28.04.2015). The composting will be only at those sites and all the Corporations, Authorities and the State Governments shall be responsible to provide due space for collection and deposit of horticulture waste including leaves for composting purposes at these sites.
 10. Each officer under whose jurisdictions the area would fall, would be personally responsible and all the Officers. Officials working under him would be personally responsible for imposition of compensation and costs. If any activity is carried out in any area of NCR of Delhi in violation to the Orders of the Tribunal and the law in force in that regard, the Deputy Commissioners, Director Horticulture, SHO concerned, Assistant Commissioners, Sanitary Officers of the area would be personally responsible. Similarly Officers from the State of Haryana would be personally responsible for compliance of these directions.

11. The composting sites should be provided nearer to the places where there is a large numbers of trees, gardens and compost bits which also convert into self-manure should be used for horticulture purposes to ensure that the burden on the site does not increases beyond its capacity.
12. Decision in regard the land fill sites should be taken expeditiously as possible in any case not later than three weeks from 28.04.2015. Such adequate number of sites if not earmarked, should be identified by the respective Corporations and Authorities if not done so far.
13. No one would permit the burning of plastic and allied products in NCR area. If Authorities notice any burning of such materials they would not only ensure that such activity does not persist but even would be entitled to seize the entire material which is illegally and unauthorisedly stored held by a person is does not possess of a license or authorization for dealing with such products in accordance with the Plastics Waste Management and Handling Rules,2011. Upon seizure of such material, the Authorities would take a direction from the Tribunal and dispose off the same by giving it to the Authorised Dealer in accordance with directions issued.

It is requested to ensure the compliance of above orders dated 28.04.2015 passed by NGT in the above said original application, for the areas under yours jurisdiction.

In addition all Estate Officers and Executive Engineers in HUDA may be directed to get their Telephone Numbers, Whatsapp Nos. and Facebook Accounts etc. hoisted on website of HUDA as directed by NGT in the orders dated 28.04.2015. The copy of orders of NGT have already sent through emails to all Zonal Administrators and SEs in HUDA on 30.04.2015.

The above information should also be displayed by way of notice boards at suitable public places as identified by the Zonal Administrator in HUDA area.

This issue is with the approval of CA, HUDA.

-sd/-

Executive Engineer (W)

For Chief Engineer, HUDA, Panchkula.

CC to the following for information and necessary action:-

1. PA to CA HUDA for kind information of Chief Administrator HUDA.
2. PA to CE HUDA for kind information of Chief Engineer HUDA.
3. EE works/ EE,(HQ), HUDA, Panchkula for information & necessary action.
4. GM (IT Cell) HUDA for uploading the instructions on website of HUDA.

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3, SECTOR-6, PANCHKULA.

To

Superintending Engineer,
HUDA, Panchkula/Karnal/RGEC, Sonapat/
Gurgaon-I/II, Faridabad, Rohtak and Hisar.

Memo No. CE/EE-W/2609-19

Dated 05.03.2015

Sub:-

Implementation of the orders passed by National Green Tribunal dated 26.11.2014, 04.12.2014 and 19.01.2015 in original Application No. 21 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors. (for incorporating the instructions in DNIT/ Agreement in HUDA).

Ref:-

In continuations of CE, HUDA No. 2121-37/dated.23.02.2015 addressed to all Administrators and SE's in HUDA.

In order to implement the directions given by National Green Tribunal dated 26.11.2014, 04.12.2014 and 19.01.2015 in Original. Application No. 21 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors. I have been directed to request you to incorporate the following instructions in the DNIT / agreements of contractual Public Works in HUDA henceforth.

- (i) The concerned EE shall ensure that there should be no hot mixing on the road side. During construction and maintenance of road, it shall be also ensure that coal tar, bitumen and asphalt is brought in molten condition and same is neither burnt nor fire is put to melt these substances on open roads.
- (ii) The demolition material and construction material is transported by contractor with proper coverage and precautions, in order not to be cause serious air pollution.
- (iii) No Govt. authority, contractor, builders would be permitted to store and dump construction material or debris on the metalled road.
- (iv) Such storage does not cause any obstruction to the free flow of traffic and/or inconvenience to the pedestrians. Every builder, contractor or person shall ensure that the construction material is completely covered by tarpaulin. To ensure that no dust particles are permitted to pollute the air quality as a result of such storage.
- (v) The builder/contractor will be responsible and ensure that their activity does not cause any air pollution during the course of the construction and/or storage of material or construction activity. Defaulter shall be liable to be prosecuted under the law in force.
- (vi) All trucks or vehicles of any kind which are used for construction purposes and/or are carrying construction materials like cement sand and other allied material shall be fully covered dust free and/or other precautions would be taken to ensure that en-route their destination, the dust, sand or other particles are not permitted to be released in the air and/or contaminate air. Any truck which is not complying with these directions would not be permitted to enter in the NCR region.

You are requested to ensure the compliance of these instructions in HUDA area to implement to the orders of NGT referred above.

This issue is with the approval of Chief Engineer, HUDA.

-sd/-

Executive Engineer (W)

For Chief Engineer, HUDA, Panchkula.

CC to the following for information and necessary action:-

1. PA to CE HUDA for kind information of Chief Engineer HUDA.
2. EE works/ EE, (HQ), HUDA, Panchkula for information & necessary action.

OFFICE OF THE CHIEF ENGINEER, HUDA, C-3, SECTOR-6, PANCHKULA.

To

The Administrator,
HUDA, Panchkula/ Gurgaon/Faridabad /Rohtak /Hisar.

Superintending Engineer,
HUDA, Panchkula/Karnal/RGEC, Sonapat/
Gurgaon-I/II, Faridabad, Rohtak and Hisar.

Memo No. CE/EE-W/ 2121-37

Dated 23.02.2015

Sub:- **Implementation of the orders passed by National Green Tribunal dated 26.11.2014, 04.12.2014 and 19.01.2015 in original Application No. 21 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors. (List of directions of NGT to ensure compliance).**

Ref:- In continuations of CE, HUDA No. 2068-73/dated.19.02.2015 addressed to all Administrators in HUDA and No.1907-16 dated16.02.2015 addressed to all SE's in HUDA.

I have been directed to intimate that the directions given by National Green Tribunal dated 26.11.2014, 04.12.2014 and 19.01.2015 in original Application No. 21 of 2014 in the matter of Vardhman Kaushik V/s Union of India and Ors. were discussed in the meeting held on 12.02.2015 under the Chairmanship of Principal Secretary, Environment Department, Govt. of Haryana. The copy of minutes of meeting issued by Haryana Pollution Control Board Panchkula vide No-HSPCB/2015/ 1165-68 dated 12.02.2015, already sent along with copy of with orders of NGT through E-mail for sending the stats report.

The list of directions past by the NGT also applicable to HUDA. area under the jurisdictions of Zonal Administrators/E.O.s and Engineering Wing of HUDA.

It is requested that the following directions shall be complied with immediate effect to ensure the compliance of above orders of NGT.

Orders dated 26.11.2014

1. No person shall be permitted to burn plastic or any other material in the open area. If any person is found to be burning plastic or any other material including tree leaves in the open area, he would be liable to be proceeded against in accordance with law. Necessary steps shall be taken with the help of police to ensure that such activity is stopped forthwith.
2. HUDA shall create a web portal where and person aggrieved can tale the photographs and upload the same with details of location etc. bringing it to the notice of these authorities.
3. HUDA shall create special force to enforce this direction and ensure its compliance.
4. HUDA shall ensure that tarred roads for regular traffic are not permitted to be used for parking thus causing avoidable congestion of traffic.
5. It shall be ensured that there is a free flow of traffic and is not unnecessarily obstructed by excessive and unregulated parking on the road.

Orders dated 04.12.2014

6. Administrator in HUDA shall consider the proposal of charging of higher parking fee, higher registration

fee and imposition of congestion charges.

7. Administrator concerned shall ensure that there is no unauthorised parking and whenever a vehicle breaks down on the roads, the same should be removed immediately and without any undue delay. The arrangement shall be made with the help of police for towing cranes easily accessible.
8. HUDA shall coordinate HSIIDC wherever required to ensure expeditious completion of the project of Kundli-Manesar-Palwal (KMP) Express way by year 2016.
9. HUDA shall take up the projects for completion of Fly way if any and to connect all existing Fly Over without obstruction and traffic lights on top priority.
10. HUDA shall coordinate the concerned organizations if required, to ensure the time bound completion of Eastern Peripheral Express (EPE) Way.
11. HUDA shall take immediate effective step so that parking are marked distinctly and no vehicle is permitted to be parked beyond parking areas to ensure that free flow of traffic is maintained in the shopping/city center and commercial belts in HUDA area.
12. HUDA shall ensure the complete prohibition on burning of garbage, plastic, rubber or other material in the open area. Estate Officers in charge of the area shall be personally responsible for activities of cleanliness. If any person is found to be causing such pollution then besides the action that can be taken against him. Such person shall be liable to pay compensation in terms of Section 15 of the N.G.T Act 2010 under the principle of polluter pays. This compensation may vary depending on facts and circumstance of the case from Rs. 20,000 to Rs.1 lakh per incident.
13. HUDA shall ensure that there should be no hot mixing on the road side. During construction and maintenance of road, it shall be also ensure that coal tar, bitumen and asphalt is brought in molten condition and same is neither burnt nor fire is put to melt these substances on open roads.
14. The demolition material and construction material or transported without proper coverage and precautions, thus causing serious air pollution.
15. No Govt. authority, contractor, builders would be permitted to store and dump construction material or debris on the metalled road.
16. Such storage does not cause any obstruction to the free flow of traffic and/or inconvenience to the pedestrians. Every builder, contractor or person shall ensure that the construction material is completely covered by tarpaulin. To ensure that no dust particles are permitted to pollute the air quality as a result of such storage.
17. It shall also be ensured that appropriate protection measures are taken by raising of wind breakers of the appropriate height on all the sides of plot/area using plastic and/or other similar material, to ensure that no construction material dust fly outside the plot area.
18. The builder/contractor will be responsible and ensure that their activity does not cause any air pollution during the course of the construction and/or storage of material or construction activity. Defaulter shall be liable to be prosecuted under the law in force.
19. Executive Engineers of HUDA would be personally responsible for effective compliance of these directions and submit to report to his Chief Engineer without delay and default every week. This will apply to construction of all the roads highways in the NCR region.
20. All trucks or vehicles of any kind which are used for construction purposes and/or are carrying construction materials like cement sand and other allied material shall be fully covered dust free and/or other precautions would be taken to ensure that en-route their destination, the dust, sand or other particles are not permitted to be released in the air and/or contaminate air. Any truck which is not complying with these directions would not be permitted to enter in the NCR region.
21. HUDA shall ensure that no burning any material earmarked at the land fill sites.

Orders dated 19.01.2015

22. To identify the places where multilevel parking can be constructed.

The above instruction shall be strictly / meticulously followed to ensure the compliance of orders National Green Tribunal.

This issue is with the approval of Chief Administrator HUDA.

-sd/-

Executive Engineer (W)

For Chief Engineer,
HUDA, Panchkula.

CC to the following for information and necessary action:-

1. PA to CA HUDA for kind information of Chief Administrator HUDA.
2. PA to CE HUDA for kind information of Chief Engineer HUDA.
3. EE works/ EE,(HQ), HUDA, Panchkula for information & necessary action.

OFFICE OF THE CHIEF ENGINEER-I, HUDA, C-3, SECTOR 6, PANCHKULA

To

1. Administrator
HUDA, Panchkula, Gurgaon,
Faridabad, Rohtak, Hisar,
2. Superintending Engineer,
HUDA, Panchkula, Karnal, Sonapat,
Faridabad, Circle-I & II, Gurgaon, Rohtak, Hisar
3. Chief Town Planner,
HUDA, Panchkula
4. Senior Town Planner
HUDA, Panchkula

Memo No. CE-HUDA-EE (W)/CHD(G)/951-58

Dated. 23.01.2015

Subject:- Earthquake risk reduction in National Capital Region.

I have been directed to enclose herewith copy of note of ACS-TCP Hry, Dated 29.12.2014 regarding discussions held and observations made during the meeting held on 22.12.2014 at Room no-119, North Block, New Delhi regarding the issues connected with present mitigation and enforcement measures on earthquake reduction in NCR.

It is requested that follow up action on the point mentioned in the note may please be taken at the earliest.

DA/-Note-29.12.2014

-sd/-

Executive Engineer (W),
For Chief Engineer-I, HUDA,
Panchkula

CC to:

XEN (Works), XEN(HQ) & XEN-Monitoring in O/o Chief Engineer HUDA, Panchkula for information and necessary action.

Sub:- Earthquake risk reduction in National Capital Region.

The undersigned attended the meeting convened by the Government of India, Ministry of Home Affairs to discuss various issues connected with present mitigation and enforcement measures on earthquake risk reduction in National Capital Region, held on 22.12.2014 at Room No. 119, North Block, New Delhi. The FCR also attended the meeting, on behalf of Government of Haryana.

The undersigned explained that the Town and Country Planning department, HUDA and the Urban Local Bodies Departments of Haryana have amended their building bye-laws/regulations/rules suitably to ensure that the new buildings coming up in their respective areas conform to the standards laid down in the National Buildings Code and the Indian Standard Codes, particularly relating to 'earthquake risk reduction/mitigation'. HUDA has a panel of structural engineers to certify conformity with the regulations. So far no detailed survey based on rapid visual screening of public buildings has been carried out nor any specific steps with regard to retrofitting of identified public buildings have been undertaken in Haryana. Further, slums and unauthorized constructions have not been specifically taken up for earthquake risk reduction measures.

It was requested, on behalf of the Haryana Government that the Government of India may organize workshops/capacity building programmes to train out engineers/officers about the rapid visual screening methods for public buildings and also about retro fitting of identified buildings. The suggestions were accepted by the Government of India.

The following observations were also made during the meeting:-

1. It was pointed out by NDMA officers that the amended provisions of law/regulations/rules are not strictly being enforced in several area. The undersigned requested the NDMA/GoI to specifically bring out instances where such deviations were noticed.
2. The BMTPC, Ministry of HUPA has offered to organize training programmes for officers/engineers in this regard. Contact Officer is Dr. Shailesh Kumar Aggarwal, Execute Director, BMTPC, Ministry of HUPA, New Delhi(Cell No. 09871114692).
3. The technical and skilled labour, including masons, also need to be adequately trained, while constructing buildings, to adequately ensure that there is no deviation from the laid down standards as well as usage of good quality materials.
4. The Department/Agencies must carryout regular checking of construction of buildings and take exemplary action against defaulters/violators.
5. Guidelines for carrying out rapid visual inspection and retrofitting, available on the NDMA website, must be examined and suitably acted upon.
6. Unauthorized constructions/slums, prone to damage during natural calamities like earthquake must be taken up for redevelopment, as may be necessary.
7. As stilt floors are stated to be unsafe in with standing seismic loads, such structures need to be adequately strengthened.
8. Independent 3rd party inspection may be carried out to ensure that the amended building bye-laws/regulations/rules are being strictly complied with.
9. Feasibility of giving adequate incentives for voluntary compliance of regulations that lead to adequate safety for the residents as well as people living nearby such structure may be explored.

Please take follow up action on the above points at the earliest.

-sd/-

(P.Raghavendra Rao)

ACSTCP

29.12.2014

OFFICE OF THE CHIEF ENGINEER HUDA, C-3, SECTOR-6, PANCHKULA.

To

1. All the Superintending Engineers,
HUDA (in the State).
2. All the Executive Engineers,
HUDA (in the State).

Memo No: CE/ EE (M)/ ADM (M)/ 13808-15

Dated: 20.11.2014

Sub: Implementation of **E-tendering system** in HUDA. (all works **costing Rs. 1.00 Lakh & above** be floated by way of e-tendering only).

Ref: This is in continuation to this office memo No. 3274-80 dt. 6.6.2012, No. 14074-75 dt. 17.10.2012 and No. 10818-22 dt. 1.8.2013 on the subject cited above.

I am directed to convey that you were earlier informed vide this office letters cited under reference above that Chief Administrator, HUDA has given his approval for implementation of E-tendering system of NIC for which the service provider agency will be M/s nCode Solution Private Limited, Division of GNFC Limited (GNFC House E-223) New Delhi. It was also intimated to you that the tendering system of NIC will be used in all the Circles of HUDA for the works costing Rs. 10.00 lacs or more (vide this office memo No. 10818-22 dt. 1.8.2013).

I am further directed to convey that **in future all works costing Rs. 1.00 lac and above be called on E-tendering system only.**

These instructions are issued as per the orders of worthy Chief Administrator, HUDA.

-sd/-
Executive Engineer (M),
For Chief Engineer,
HUDA, Panchkula.

CC to:

1. PS/ CA, HUDA for kind information of worthy Chief Administrator, HUDA, Panchkula please.
2. PA/CE-I and PA/CE for information of Chief Engineer-I and Chief Engineer, HUDA, Panchkula
3. EE (W)/ EE (HQ)/ EE (AS)/ EE (E) O/o CE, HUDA, Panchkula.
4. EE (Vigilance.) HUDA Panchkula w.r.t. his office letter No. EE (Vig.)-2014/2478-79 dt. 13.11.2014.

OFFICE OF THE CHIEF ENGINEER, HUDA C-3, SEC-6, PANCHKULA

To

The Director General,
Town and Country Planning Department,
Haryana, Chandigarh,

The Administrator,
HUDA, Panchkula/Hisar/Rohtak/ Gurgaon/Faridabad

The Superintending Engineer,
HUDA Circle-Panchkula/Karnal/Hisar/Rohtak/
RGEN Sonepat/I/II Gurgaon/Faridabad

All the Executive Engineers,
HUDA (in the State),

The Secretary,
HUDA Panchkula,

All the Estate Officers,
HUDA (in the State)

Memo No. CE-I/EE (W)/EE(AS)/ADM/2014/13675-94 Dated: 19.11.2014

Sub- Notification Amendments in HUDA Byelaws (Inclusion of mandatory use of dual button flushing cistern) -Notification thereof.

Please find enclosed herewith copy of notification dated 13.08.2014 on the subject cited above. It shall be mandatory for plot holders to provide dual/two buttons or lever flush system in toilets in all residential, commercial and institutional buildings on HUDA plots in various Urban Estates of Haryana. Also it shall be mandatory to provide dual/two button or lever flush system in toilets in all Government buildings and in toilets of all the colonies (residential, commercial, institutional establishments etc.) being developed by various colonizers/developers/licencees in the State of Haryana. Accordingly, I have been directed to request you to ensure implementation of the enclosed notification in letter and spirit.

DA/As above

-sd/-

Executive Engineer (W),
For Chief Engineer, HUDA,
Panchkula

Endst. No. CE-I/EE (W)/EE(AS)/ADM/2014/13695-705 Dated: 19.11.2014

A copy of the above alongwith copy of notification is forwarded to the following for information and necessary action.

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Architect, HUDA, Panchkula.
4. The Superintending Engineer (HQ), HUDA, Panchkula.
5. EE(W)/EE(HQ)/EE(M)/EE(AS) O/o Chief Engineer, HUDA.
6. PS/CA HUDA for kind information of Chief Administrator, HUDA.
7. PA/CE/CE-I HUDA for kind information of CE/CE-I, HUDA.

DA/As above.

-sd/-

Executive Engineer (W),
For Chief Engineer, HUDA, Panchkula

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA

To

All the Superintending Engineers,
HUDA (in the State),

All the Executive Engineers,
HUDA (in the State),

Memo No.: CE/SE(HQ)/EE (M)/CHD(G)/ADM(G-II)/2015/13622-23 Dated: 18.11.2014

Sub: Panel for **Third Party Inspection agencies** for Development Works amounting to Rs. 1.00 crore and above in HUDA. **(Revised)**

In continuation of this office letter No.CE/SE(HQ)/EE(M)/EE(AS)/ADM/13622-33 dated 18.11.2014 on the subject cited above.

I have been directed to intimate that the validity of panel of following 4 (four) no. TPI agencies is hereby extended for a period of one year (09.11.2015 to 08.11.2016) for carrying out Third Party Inspection for development works amounting to Rs. 1.00 Crore and above in HUDA on the same rates terms & conditions as already conveyed vide letter referred above and CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012, However the same have been reproduced as under:

S. No.	Name of Agency	Name of Station
1	M/s RITES Ltd.	Gurgaon, Faridabad (For works costing Rs. 1.00 Crore & above)
2	M/s WAPCOS Ltd.	Whole of Haryana (For works costing Rs. 1.00 Crore & above)
3	M/s PEC-Centre for Consultancy in Engineering	Panchkula, Ambala, Karnal, Yamuna Nagar, Panipat, Rohtak, Bahadurgarh. (For works costing Rs. 1.00 Crore & above)
4	M/s Shriram Institute for Industrial Research	Whole of Haryana (For works costing more than Rs. 10.00 Crore & above)

The amount payable to the TPI Agency will be as under:

Sr. No.	Cost of Work	Amount Payable
1	Work costing Rs. 1.00 Crore to Rs. 10.00 Crore	0.5%+Service Tax as applicable
2	Works costing more than Rs. 10.00 Crore	0.4%+Service Tax as applicable

Note	<p>i) In case of works of Water Supply, Sewerage and Storm Water Drainage-the cost of material for all type of Pipes shall be excluded from the allotted work for arriving at the amount for payment to the TPI agency. In case of inspection of material, if it is to be got done, separate rates will be decided mutually with any of the above agency/ any other specialized agency.</p> <p>ii) In case the amount of allotted work costing upto Rs. 10.00 Crore gets enhanced, payment for TPI for the enhanced work above Rs. 10.00 Crore shall be made @ 0.40% + Service Tax.</p> <p>iii) In case the amount of allotted work costing more than Rs. 10.00 crore is finalized/gets completed at amount at Rs. 10.00 core or below, payment for TPI shall be made at the same rate at which it was originally allotted i.e. @ 0.40% + Service Tax.</p>	
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Name of TPI agency will be conveyed by the Chief Engineer/Chief Engineer-I, HUDA (as per jurisdiction) while conveying the approval of allotment of the tender for the work.

The Executive Engineer concerned shall enter into an agreement with the TPI agency as per given in the allotment letter of the work and as per specimen already circulated vide this office letter no. CE/EE(M)/SDE(W)/15269-312 dated 09.11.2012.

The amount payable to the Third Party Inspection Agency shall be paid, on satisfactory performance of TPI agency subject to all the conditions of agreement, simultaneously with payment of work to the contractor. However, the TPI agency would submit a claim bill alongwith the report clearly certifying the activities carried out in the period.

CE/CE-I, HUDA reserves the right to award the TPI work to either of the agency from empanelled list of TPI or to any other agency as per necessity/urgency of the work/project I am further directed to request you to ensure that the Third Party Inspection is carried out for the works amounting to Rs. 1.00 crore and above as per terms & conditions of the agreement as stated above.

-sd/-

Superintending Engineer (HQ),
For Chief Administrator, HUDA,
Panchkula

Endst No. CE/SE(HQ)/EE (M)/CHD(G)/ADM(G-II)/2015/ 13624-33

Dated: 18.11.2014

A copy of the above is forwarded to the following for information and necessary action in continuation to this office endst. No. 13624-33 dated 18.11.2014.

1. M/s RITES Ltd., RITES Bhawan No. I, Sector-29, Gurgaon-122001/RITES Bhawan-II, Plot No. -144, Sector-44 Gurgaon-122003.
2. M/s WAPCOS Ltd., SCO-826, 2nd Floor, NAC Manimajra, Chandigarh-160101.
3. M/s PEC-Center for Consultancy in Engineering, Sector-12, Chandigarh-160012.
4. M/s Shriram Institute for Industrial Research, 19, University Road, Delhi-110007.
5. EE(W)/EE(M)/EE(HQ) O/o Chief Engineer, HUDA, Panchkula.
6. PS to CA HUDA for kind information of Chief Administrator, HUDA, Panchkula.
7. PA to CE/CE-I HUDA for kind information of CE/CE-I, HUDA, Panchkula.

-sd/-

Superintending Engineer (HQ),
For Chief Administrator, HUDA,
Panchkula

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-3, SEC-6, PANCHKULA

To

All the Superintending Engineers,
HUDA, in the State of Haryana

Memo No. CA/CE/EE (W)/CHD(G)/ADM(G-II)/2015/ 2798-2813

Dated: 28.02.2014

Sub- Eligibility Criteria for various work in HUDA.

I have been directed to intimate that the following eligibility criteria has been approved by competent Authority for various work with estimated cost of Rs. 5.00 crore or more, to be carried out in HUDA.

The reputed firms/contractors enlisted in appropriate category in PWD B&R, HUDA, MES, CPWD, Central Govt./State Govt., Central Govt. Undertakings/State Govt. Undertaking, having executed the following works, are eligible to participate in the tender.

- i. Average Annual financial turnover during the last years ending 31st March of the previous financial year of the agency/contractor should not be less than as under:

ii.

Time period for execution of work	Average Annual Turnover
3 years or more	30% of the estimated cost of the work
2 years	50% of the estimated cost of the work
1-1/2 years	70% of the estimated cost of the work
1 year	100% of the estimated cost of the work

- iii. Experience of having successfully completed similar nature of works during last seven years ending last day of month previous to the one in which tenders are invited should be either of the following:
One similar nature of completed work costing not less than 80% of the estimated cost of the work.

OR

Two similar natures of completed works costing not less than 50% of the estimated cost of the work.

OR

Three similar nature of completed works costing not less than 40% of the estimated cost of the work.

- iv. Financial net worth of bidder shall not be less than 25% of contract value as on 31st March of the previous financial year and should be certified by the Regd. Chartered Accountants. The net worth shall be worked out as under:

Net Worth = (Paid Up Equity + Reserves) – (Revaluation Reserves Misc. expenditure not written off and accrued liabilities)

- v. Solvency i.e. evidence of access to line(s) of credit and availability of other financial resources facilities 25% of contract value, duly certified the Bankers (not more than 3 months old).

- vi. Joint Ventures are not allowed.

- vii. The certificate of performance that the contractual agency is not associated directly or indirectly with HUDA or any other entity that has prepared design, specification & other documents of project.

In addition to the above, the following shall also be applicable:

- (a) Definition of similar nature work shall be as under:

Road Work	Road work completed in all respect
Building Work	Complete Building Work
Public Health Work	Water Supply, Sewerage and Storm Water Drainage complete in all respect (except Water Treatment Plant (WTP)/ Sewage Treatment Plant (STP)/ Common Effluent Treatment Plant (CETP))
Water Treatment Plant (WTP)/ Sewage Treatment Plant (STP)/Common Effluent Treatment Plant (CETP)	Water Treatment Plant (WTP)/ Sewage Treatment Plant (STP)/ Common Effluent Treatment Plant (CETP) based on any technology and complete in all respect.
All Electrical Works	All Electrical works.

(b) The satisfactory performance certificates of the works already executed must be taken from the client for whom the bidder has executed the works and it should be signed by the Officer not below the rank of Executive Engineer or equivalent officer. The same may also be verified, if required, by the office of Executive Engineer before allotment of work.

(c) The bidder must have the following number of Engineers on rolls atleast for a period of six months before opening of tender:

For works with estimated cost between Rs. 5 crore to Rs. 50 crore

----- 2 nos. Degree holders and 2 nos. Diploma Holders

For works with estimated cost between Rs. 50 crore to Rs. 100 crore

-----3 nos. Degree holders and 4 nos. Diploma Holders

For works with estimated cost above Rs. 100 crore

-----4 nos. Degree holders and 5 nos. Diploma Holders

(d) If the rates are found to be on higher side, negotiations shall be carried out with lowest bidder only. In case the lowest bidder refuses to reduce his quoted rates, tenders may be re-invited.

You are requested to ensure the compliance of the above instructions in letter and spirit in areas under your jurisdiction.

Sd/-

Executive Engineer (W),
For Chief Administrator, HUDA,
Panchkula

CC to:

1. The Chief Controller of Finance, HUDA, Panchkula.
2. S.E(HQ)/EE(HQ)/EE(M)/EE(W).
3. PS / CA HUDA for information of CA HUDA, Panchkula.
4. PA / CE HUDA for information of CE HUDA, Panchkula.
5. PA / CE-I HUDA for information of CE-I HUDA, Panchkula.

Sd/-

Executive Engineer (W),
For Chief Administrator, HUDA,
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY

Notification

The 13th August, 2014

No. Auth.-2014/14278- In exercise of the powers conferred by Clause 54 (d) of Section 54 of the Haryana Urban Development Authority Act, 1977, (Act 13 of 1977) and all other powers enabling him in this behalf, and with the previous approval of the State Government conveyed vide their memo no. Auth./2014/14278, dated the 7th June, 2014 Haryana Urban Development Authority hereby makes the following regulations further to amend the Haryana Urban Development Authority (Erection of Buildings) Regulations (with upto date amendments), 1979, namely:

1. These regulations may be called the Haryana Urban Development Authority (Erection of Buildings) Amendment-Regulations, 2014.
2. In the Haryana Urban Development Authority (Erection of Buildings) Regulation, 1979 (hereinafter called the said regulation), S. No. 2 under Clause 61 (Water Closet) under the Head “Sanitary Fittings” of HUDA-Erection of Buildings-Regulations (with upto date amendments)- 1979 may be replaced with the following:

“No part of the water closet apparatus shall be directly connected with water supply distribution pipe. For flushing and cleaning of the pan, the cistern shall incorporate a dual control method of operation, that is, one initiating a full flush and the other initiating a half flush. In case of old constructions, the design of bore may not suit 6/3 litres dual flush cistern, as such, 10/5 litres dual flush cistern is allowed in old constructions. In case of new construction, dual flush cistern of 6/3 litres capacity shall only be provided. The discharge capacity and discharge rate shall be as follows:

- | | |
|---------------------|--------------------------------------|
| a) Full Flush ----- | 10 ± 0.5 litres within 6 seconds |
| | 6 ± 0.5 litres within 6 seconds |
| b) Half Flush ----- | 5 ± 0.5 litres within 3 seconds |
| | 3 ± 0.5 litres within 3 seconds |

The flushing cisterns of 6/3 litres capacity shall be used with sanitary appliances of equivalent capacity. Dual control may be operated by two top buttons, two handles/knobs on the front side, two concentric but separate handles or any other device in which one knob/handle actuates the full flush and the other knob/handle actuates the half flush. The cisterns so provided should conform to:

Plastic Flushing cisterns-----IS: 7231::1994 (with upto date amendments)

Other than plastic flushing cisterns-----IS:774::2004 (with upto date amendments)

It shall be mandatory for plot holders to provide dual/two buttons or lever flush system in toilets in all residential, commercial and institutional buildings on HUDA plots in various Urban Estates of Haryana. Also it shall be mandatory to provide dual/two button or lever flush system in toilets in all Government buildings and in toilets of all the colonies (residential, commercial, institutional establishments etc.) being developed by various colonizers/developers/licencees in the State of Haryana.”

(A.K.Singh, IAS)
Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

Policy for handing over of sports complex/stadia constructed by Haryana Urban Development Authority (HUDA) to Department of Sports & Youth Affairs

Sports complex/stadia constructed by HUDA shall be handed over to Department of Sports & Youth Affairs since this infrastructure created by HUDA is being utilized for holding various sports events of national level and requires regular maintenance involving substantial financial implication. These sports complex/stadia constructed by HUDA shall be transferred to Department of Sports & Youth Affairs subject to the following conditions:

1. The sites will be allotted on lease hold basis, for which nominal lease money may be charged.
2. The ownership of buildings/land will continue to vest with HUDA.
3. Any addition/alteration in the building will not be carried out except with the prior approval of HUDA. In case of any major addition/ alteration in the building, the work shall be executed by HUDA as deposit work of Department of Sports & Youth Affairs.
4. The operation/running and maintenance of building shall be done by Department of Sports & Youth Affairs.
5. All the dues such as energy charges, water charges, security charges etc. shall be borne by the Department of Sports & Youth Affairs.
6. Department of Sports & Youth Affairs shall pay all cesses/taxes chargeable to the land/ building.
7. The use of land other than for which it is earmarked, will not be allowed in any case and the building would revert back to HUDA in case of any violation.
8. In case of any damage to property or loss of life in the sports complex/stadia, Department of Sports & Youth Affairs shall be responsible.
9. If there is any breach of any of the conditions, HUDA shall have the right to take back the land, along with structures created thereupon, without paying any compensation.

Agenda Item No–Auth. 111th (23)

Supply of Tertiary Treated Water from the 120 MLD STP to Industries at Behrampur Road, Gurgaon.

Water is scarce natural resource and keeping in view the scarcity of water HUDA has started reusing/recycling of waste water. HUDA has started tertiary treatment of water for reuse of waste water. HUDA is spending huge amount of supplying fresh water to its customers. Presently tertiary treated water from its STP's being discharged in drains. HUDA is implementing a scheme for utilizing tertiary treated water from its STP's in town of Gurgaon and Panchkula. Presently there is no policy to utilize water by end users and charge this treated water. The use of tertiary treated water be encouraged by incentivizing it. Although, HUDA is spending good amount on treatment of water but practically it is not possible to recover complete cost involved in it.

Gurgaon Chamber of Commerce & Industries (GCCI) had submitted a proposal to use tertiary treated water from Behrampur STP. They have also submitted that the water will be carried from STP to industries at their own cost. The proposal has been examined. As there is no policy to allow users to use the treated water and charges are also not prescribed for use of tertiary treated water, it is proposed that tertiary treated water may be charged ₹.3.00 per kl.(if water is supplied by HUDA through pumping and pipe line laid by HUDA) and ₹.2.00 per kl if customers takes it own cost from STP to users end through it own means for industrial use only.

After the comments of HUDA & Industry Department in the matter, the proposal has been approved by Hon'ble Chief Minister-cum-Chairman HUDA on 08.07.2016.

The above agenda is placed before the Authority for consideration and ex-post-facto approval for implementation in all over the State.

IMPORTANT

E-MAIL

OFFICE OF THE CHIEF ENGINEER HUDA C-3, SECTOR-6, PANCHKULA.

To

1. All the Superintending Engineers,
HUDA (in the State).
2. All the Executive Engineers
HUDA (in the State).

Memo No: CE/ EE (M)/ ADM (M)/ 10818 -22

Dated: 01.08.2013

Subject: Implementation of **E-tendering** system in HUDA. (all works **costing Rs. 10.00 Lakh & above** be floated by way of e-tendering only).

Ref: This is in continuation to this office memo No. 3274-80 dt. 6.6.2012 and No. 14074-75 dt. 17.10.2012 on the subject cited above.

I am directed to convey that you were earlier informed vide this office letters cited under reference above that Chief Administrator, HUDA has given his approval for implementation of E-tendering system of NIC for which the service provider agency will be M/s nCode Solution Private Limited, Division of GNFC Limited (GNFC House E-223) New Delhi. It was also intimated to you that the tendering system of NIC will be used in all the Circles of HUDA for the works costing Rs. 50.00 lacs or more.

I am further directed to convey that in future all works costing Rs. 10.00 lacs and above be floated by way of e-tendering only.

These instructions are issued as per the orders of worthy Chief Administrator, HUDA.

-sd/-

Executive Engineer (M),
for Chief Engineer,
HUDA, Panchkula.

CC to:

1. The Additional Chief Engineer, HUDA, Sonapat for information and necessary action please.
2. PS/ CA, HUDA for kind information of worthy Chief Administrator, HUDA, Panchkula please.
3. PA/CE-I, HUDA for information of Chief Engineer-I, HUDA, Panchkula please.
4. EE (W)/ EE (HQ) O/o CE, HUDA, Panchkula.

OFFICE OF THE CHIEF ENGINEER, HUDA C-3, SECTOR-6, PANCHKULA.

To

1. The Administrator, HUDA, Faridabad/Gurgaon/ Hisar/ Panchkula/ Rohtak.
2. The Superintending Engineer, HUDA Circle, Faridabad/ Gurgaon-I/
Gurgaon-II/ Hisar/ Karnal/ Panchkula/Rohtak/ RGEC-Sonepat

Memo No: CE/EE (M)/ ADM (M)/ 10118-34

Dated: 22.07.2013

Sub: Regarding prohibition on engaging sanitation workers for cleaning of septic tanks.

Please refer to memo No. 16/24/2013- 2C1 dated NIL of Principal Secretary to Govt. Haryana Urban Local Bodies Department, Chandigarh alongwith the enclosures on the subject cited above (Copy enclosed).

I am directed to inform you that the “Prohibition of Employment as Manual Scavengers and their Rehabilitation Bill, 2012” formulated by the Ministry of Social Justice & Empowerment was introduced in the Parliament on 3.9.2012 and the same is likely to become an Act shortly, wherein the Sanitation Workers have to be provided with mechanical means and safety gears for cleaning of sewers and septic tanks. Hon’ble Supreme Court of India has directed the need for proper equipment, adequate protection and safety gears to sewer workers who enter into the manhole for cleaning blocks. The Central Monitoring Committee (CMC) constituted under the Chairmanship of Cabinet Secretary is reviewing the implementation of “Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993”.

Further, during the 11th meeting of the Central Monitoring Committee (CMC) held under the Chairmanship of Cabinet Secretary on 22.01.2013, it has been decided that the States and ULBs should be advised that “terms of approval of building plans/ site maps should include a condition that the builder or house owner will not resort to manual scavenging by engaging sanitation workers for cleaning of septic tanks”.

It is requested that the above stated directions may be complied with and all the offices under your control may also be apprised accordingly and compliance report be sent to this office.

These instructions are issued as per the orders of worthy PSTCP.

DA/As above

-sd/-

Executive Engineer (M),
for Chief Engineer,
HUDA, Panchkula.

CC to:

1. PS/ PSTCP for kind information of worthy Principal Secretary to Govt. Haryana, Town and Country Planning Department, Chandigarh.
2. PS/CA, HUDA for kind information of worthy Chief Administrator, HUDA, Panchkula.
3. PA/CE-I, HUDA for kind information of Chief Engineer-I, HUDA, Panchkula.
4. SE (HQ)/ EE (HQ)/ EE (W) O/o Chief Engineer, HUDA, Panchkula.

DA/As above.

OFFICE OF THE CHIEF ENGINEER,HUDA,C-3 SEC-6,PANCHKULA

To

The Superintending Engineer,
HUDA, Horticulture-Circle, Panchkula

Memo No.: C.E./EE(HQ)/CHD(P)/2013/385-87

Dated 08.01.2013

Subject: Instructions regarding **three years maintenance & defect liability period, free of cost for horticulture works** in HUDA.

I have been directed to instruct you to take the provision of three years maintenance & defect liability period, free of cost where civil works are involved. No tender will be considered without provision of above said maintenance & defect liability period in future. In case of default, you will be personally responsible for any implication since this office will not be in position to give approval of such works.

-sd/-
Executive Engineer (HQ)
for Chief Engineer, HUDA,
Panchkula.

C.C. to:

PA to CE-I/CE HUDA Panchkula for information of W/Chief Engineer-I & W/Chief Engineer, HUDA Panchkula.

OFFICE OF THE CHIEF ENGINEER,HUDA,C-3 SEC-6, PANCHKULA

To

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Architect,HUDA, Panchkula.
3. All the Superintending Engineer,
HUDA in the State. PKL/KNL/RHK/HSR/FBD/GGN-I-II/SNP

Memo No.: C.E./EE(HQ)/CHD(P)/12/17293-302

Dated 19.12.2012

Subject: Minutes of meeting held on 15.10.2012 at 3.00 PM under the Chairmanship of the EIC, PW (B&R) Deptt.
Regarding possibility of **Incorporating Energy Saving Technology in Government Buildings.**

Find enclosed herewith a photocopy of letter no. 10081-87 dated 26.11.2012 as received from the Engineer-in-Chief, Haryana PW(B&R), Department Chandigarh for information and necessary action please.

DA/- As above

-sd/-

Executive Engineers (HQ),
for Chief Engineer, HUDA,
Panchkula.

To

All the Estate Officers of HUDA
(in the State of Haryana)

Memo No. CA/CE/SE(HQ/EE(W)/HUDA/2012/16314

Dated:30.11.2012

Subject: CWP No. 9111 of 2012-Vikram Singh Vs. UOI etc. (Regarding **use of dual /two button or lever flush system in toilets**)

With reference to the subject cited CWP, I have been directed to intimate that in future the following condition shall invariably be incorporated at the time of approval of building plans in respect of various residential, commercial and institutional buildings on HUDA plots in various Urban Estates of Haryana:

“It shall be mandatory for the developer to provide dual / two button or lever flush system in toilets”

This has approval of Chief Administrator, HUDA, Panchkula.

-sd/-
Executive Engineer (Works),
for Chief Administrator, HUDA,
Panchkula

C.C.

PS/CA, HUDA for kind information of Worthy Chief Administrator, HUDA, Panchkula please.

**HARYANA PUBLIC WORKS (B&R) DEPARTMENT NIRMAN SADAN PLOT NO.1,
SECTOR-33-A, CHANDIGARH**

PH: 0172-2618100 E-mail-pwd-eicehry.nic.in

From

The Engineer-In-Chief,
Haryana PW(B&R) Department,
Chandigarh.

To

1. The Engineer-In-Chief, Haryana,PW(B&R) Deptt.54, Chandigarh.
2. The Engineer-In-Chief, Haryana,Public Health Engineering Department.Panchkula
3. The Engineer-In-Chief, Haryana,Irrigation Deptt. Sinchai Bhawan,Panchkula
4. The Chief Engineer (Bldgs.),Hr. PW(B&R) Deptt. Chandigarh
5. The Chief Administrator,Haryana State Agriculture Marketing Board,Sector-6, Panchkula.
6. The Chief Administrator,HUDA ,Panchkula.
- 7 The Chief Architect, Haryana,Deptt. of Architecture Haryana,Chandigarh.

Memo No. 10081-87/WI

Dated 26.11.2012

Subject: Minutes of the meeting held on 15.10.2012 at 3.00 PM under the chairmanship of the EIC, PW(B&R) Deptt. regarding possibility of **Incorporating Energy Saving Technology** in Government Buildings.

Please find enclosed the minutes of the meeting held on 15.10.2012 under the chairmanship of the EIC, PW(B&R) Deptt. regarding possibility of Incorporating Energy Saving Technology in Government buildings for your kind information and further necessary action please.

-sd/-

Superintending Engineer (Bldgs.)
for Engineer-In-Chief, Haryana PW (B&R)
Deptt. Chandigarh.

Minutes of the meeting held on 15.10.2012 at 3.00 PM under the Chairmanship of the E-In-C, PW (B&R) Deptt. regarding possibility of Incorporating Energy Saving Technology in Government Buildings

A meeting was held on 15.10.2012 under the Chairmanship of the E-In-C, PW(B&R) Deptt. regarding possibility of Incorporating Energy Saving Technology in Government Buildings.

The following Officers attended the meeting:-

S.No.	Name of Officer	Deptt./ Designation
1.	Sh. Mahesh Kumar	E-In-C, PW (B&R) Deptt.
2.	Sh. A.K. Gupta	Chief Engineer/BWS, Irrigation Deptt.
3.	Smt. Sunita Monga	Chief Architect, Architecture Deptt.
4.	Sh. Anup Chauhan	SE(Bldgs.), PW (B&R) Deptt.
5.	Sh. B.R.Saroha	EE(Bldgs)PW(B&R) Deptt.

The following decisions were taken:-

1. It was discussed that for design and construction of a complete Green Building, additional cost comes to be apprx. 20% more as various materials/ measures like Double glass glazing panels, Heat resistant tiles, UPVC frames for window, underground storage tanks and water treatment plants required for reusing waste water, outside double walls, solar water heating are expensive. Haryana Police Housing Corporation has recently constructed the head quarter Green building of the HAREDA in Sector-17, Panchkula. Therefore, it was decided that cost effective measures may be taken for construction of partly Green building.
2. The issue of giving a few projects to the Central Building Research Institute (CBRI) Roorkee was also discussed and it was decided that for the time being, in house knowledge is sufficient for construction of partly Green building.
3. The issue of using Fly ash bricks was discussed. The availability is limited and brick kilns have not yet started using Fly ash in manufacturing of bricks. Moreover, the strength is less and water absorption is more. It was decided to use Autoclaved aerated concrete light weight blocks on outer walls of the buildings, as these are heat / fire resistant and Fly ash is partly used in manufacturing and moreover it is an HSR item no. 11.104.
4. The Architecture Deptt. will try to design most of the buildings with South-West corridors to cut the direct sunlight.
5. Structural glazing will be provided for increase in natural light in the building.
6. The Architecture deptt. will try to design most of the building with central courtyard.
7. Solar water heating and Rain water harvesting will be provided.
8. Sufficient Green cover will be provided.

Meeting ended with a vote of thanks to the chair.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. The Additional Chief Engineer,HUDA, Sonapat.
2. All the Superintending Engineers,HUDA.
3. All the Executive Engineers,HUDA.

Memo No. CE/EE (M)/SDE (W)/15269-331

Dated: 09.11.2012

Sub: Panel for Third Party Inspection Agencies for Development Works amounting to Rs. 1.00 Crore and above in HUDA.

I am directed to intimate that the following 4(Four) no. agencies are hereby taken on the panel for a period of 2 (two) year for doing Third Party Inspection for Development works amounting to Rs. 1.00 Crore & above in HUDA:

Sr. No.	Name of Agency	Name of Station.
1.	M/s RITES Ltd.	Gurgaon, Faridabad (For works costing Rs. 1.00 Crore & above)
2.	M/s WAPCOS Ltd.	Whole of Haryana (For works costing Rs. 1.00 Crore & above)
3.	M/s PEC- Centre for Consultancy in Engineering	Panchkula, Ambala, Karnal, Yamuna Nagar, Panipat, Rohtak, Bahadurgarh. (For works costing Rs. 1.00 Crore & above)
4.	M/s Shriram Institute for Industrial Research	Whole of Haryana(Only for Works costing more than Rs. 10.00 Crore).

The amount payable to the TPI Agency will be as under:-

Sr. No.	Cost of Work	Amount payable.
1.	Work costing Rs. 1.00 Crore to Rs. 10.00 Crore	0.5%+ Service Tax as applicable
2.	Work costing more than Rs. 10.00 Crore	0.4% + Service Tax as applicable
Note:-	<p>i) In case of works of Water Supply, Sewerage and Storm Water Drainage- the cost of material for all type of Pipes shall be excluded from the allotted work for arriving at the amount for payment to the TPI agency. In case of inspection of material, if it is to be got done, separate rates will be decided mutually with any of the above agency/ any other specialized agency.</p> <p>ii) In case the amount of allotted work costing upto Rs. 10.00 Crore gets enhanced, payment for TPI for the enhanced work above Rs. 10.00 Crore shall be made @ 0.4% + Service Tax .</p> <p>iii) In case the amount of allotted work costing more than Rs. 10.00 Crore is finalized/gets completed at amount at Rs. 10.00 Crore or below, payment for TPI shall be made at the same rate at which it was originally allotted i.e @ 0.4% + Service Tax.</p>	

Name of the TPI agency will be conveyed by the Chief Engineer/Chief Engineer-I/Addl. Chief Engineer (as per the jurisdiction) while conveying approval of the allotment of the tender for the work.

The Executive Engineer, concerned shall enter into an agreement with the TPI agency as per given in the allotment letter of work and as per the specimen enclosed herewith.

The amount payable to the Third Party shall be paid, on satisfactory performance of TPI agency subject to all the conditions of the agreement, simultaneously with payment of work to the contractor. However the TPI agency would submit a claim bill alongwith the report clearly certifying the activities carried out in the period.

CE/ CE-I/ ACE, HUDA reserves the right to award the TPI work either to any agency from empanelled list of TPI or to any other agency as per necessity/ urgency of the work/ project.

I am further directed to request you to **ensure that the Third Party Inspection is carried out for the works amounting to Rs. 1.00 Crore and above as per the terms and conditions of the agreement, as stated above.**

DA/As above

(Specimen of Agreement)

-sd/-

Executive Engineer (M),
For Chief Administrator,
HUDA, Panchkula.

Endst. No:CE/EE(M)/SDE(W)/15313-21

Dated: 09.11.2012

A copy of the above is forwarded to the following for information and necessary action please:-

1. M/S RITES Ltd., RITES Bhawan, No.1, Sector-29, Gurgaon.
2. M/S WAPCOS Ltd., SCO 826, 2nd Floor, NAC, Manimajra, Chandigarh.
3. M/S PEC-Centre for Consultancy in Engineering, Sec-12, Chandigarh.
4. M/S Shriram Institute for Industrial Research, 19, University Road Delhi.
5. EE (HQ)/ EE (W) O/o Chief Engineer, HUDA.
6. PA/CA HUDA for kind information of Chief Administrator, HUDA.
7. PA/CE/CE-I, HUDA for kind information of CE/CE-I.

-sd/-

Executive Engineer (M),
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Engineer,
HUDA, Panchkula.

To

All the Superintending Engineers,HUDA in the State.

Memo No. C.E./EE.(HQ)/CHD (P)/12/ 10305-20

Dated:- 07.08.2012

Sub:-Provision of 3 years free mtc. in the DNIT's for road works.

In the meeting held on 21.06.2012 and 22.06.2012 under the Chairmanship of Principal Secretary, Town & Country Planning Deptt, Haryana it was decided that in case of estimate for road works, maintenance shall be kept free of cost for three years. After completion of strengthening/ special repair works, C.D. be prepared and also thereafter on completion of maintenance work every year so as to keep record of condition of roads.

Accordingly condition of 3 years mtc. and defect liability period without any extra cost and additional condition of 5% performance Security to be got deposited from contractual agency is to be incorporated in the DNIT's.

I have been directed to request you to incorporate the provision of 3 years free mtc and performance security in the DNIT for road work to be prepared in future. Terms & conditions to be added in the DNIT's are enclosed herewith for ready reference.

DA/- As above

-sd/-
Executive Engineer(HQ)
For Chief Engineer-I,
HUDA, Panchkula.

CC to :-

The Executive Engineer (HQ), Executive Engineer (W), Executive Engineer (M), SDE(W), CHD (G), CHD (R), CHD(F) for information and necessary action.

Performance Security

Within 21 days of receipt of the letter of Acceptance, the successful Bidder shall deliver to the Engineer-In-Charge a Performance Security in any of the form given below for an amount equivalent to 5% of the contract price.

- i) A Bank Guarantee in favour of the Engineer-In-Charge.
- ii) Banker Cheque/ Bank Draft/ Pay Order in favour of the Engineer-In-Charge.

If the performance security is provided by the successful Bidder in the form of a bank Guarantee, it shall be issued either (A) at the Bidder option, by the Nationalized/ Scheduled Indian Bank or (b) by a foreign bank located in India and acceptable to the Engineer-In-Charge.

Failure of the successful Bidder to comply with the requirement shall constitute sufficient grounds for cancellation of the award and forfeiture of the Earnest Money.

Maintenance and Defect Liability Period(three years without any extra cost)

A defect in any part of the works not completed in accordance with the Contract or distressed development in the work irrespective of any cause.

The Defects Liability Period is the period named in the contract data and calculated from the completion date.

The Maintenance and Defect Liability Period is three years without any extra cost calculated from the Completion date. It is contingent to work and nothing extra is payable.

The Maintenance and Defect Liability Certificate is the certificate issued by Engineer-In-Charge of the work after the defect liability period has ended and upon correction of Defects by the Contractor.

The performance security shall be provided to the Engineer-In-Charge not later than the date specified in the letter of acceptance and shall be issued in an amount and form and by a bank or surety acceptable to the Engineer-In-Charge, and dominated in Indian Rupees. The Performance Security shall be valid until a date 28 days from the date of expiry of Defects Liability Period.

OFFICE OF THE CHIEF ENGINEER-I, HUDA, C-3, SEC-6, PANCHKULA

To

- 1) All the Superintending Engineers,HUDA (In the State).
- 2) All the Executive Engineers, HUDA (in the State).

Memo No. 8734-45

Dated:- 03.07.2012

Sub:-Preventive measures/ precautions to be taken in maintaining the Water Supply , Sewerage, Storm Water Drainage (**uncovered manholes and abandoned tube wells**).

It has been observed that proper care is not being taken in covering the manholes & abandoned tube well/ bore holes.

Recently two such cases of falling of children in the bore wells of private owners have occurred as reported in the newspaper.

It is therefore instructed that:-

- a) No bore well/ abandoned tube well of water supply should be left open. It should be filled back with earth (in case no pipe assembly) and in case pipe assembly is there, it should be covered with MS Cap.
- b) The indication boards/ sign board indicating the bore wells/ tube wells should be installed, in the near by place.
- c) No manhole of sewer/ storm water should be left uncovered.
- d) It should be ensured that any type of excavation for the execution of work i.e. laying of sewers etc. or any type of pit digging for the purpose of mtc. etc. should be properly cordoned so that no one falls in the excavated trench/ pit.

It will be the responsibility of concerned J.E./ Work Munshi/ Mortar Mate and concerned field staff of the respective assigned area. If any accident occurs because of uncovered bore wells/ tube wells/ man holes responsibility of SDE/J.E should be fixed by name with specified area's & ensure that all area's/ jurisdiction is covered.

Strict compliance of the instructions should be ensured at all levels of Administrative/ field staff & a report be sent to this office by 04.07.2012.

-sd/-

Executive Engineer(HQ)
Chief Engineer-I,
HUDA, Panchkula.

CC:-

P.A. to Chief Engineer/ Chief Engineer-I, HUDA, Panchkula for kind information of Chief Engineers.
ACE, HUDA, Sonipat, Executive Engineer(M), Executive Engineer (HQ), SDE(W), CHD (P/G/R/E).

OFFICE OF THE CHIEF ENGINEER HUDA PANCHKULA.

To

1. All the Superintending Engineers, HUDA Circles.
2. All the Executive Engineer, HUDA Divisions.

Memo No. 3276

Dated: 06.06.2012

Sub: Implementation of E-Tendering System in HUDA- Training Schedule.

On the above noted subject I have been directed to inform you that Chief Administrator, HUDA has given his approval for implementation of E-tendering System of NIC for which the service provider agency will be M/s nCode Solution Pvt. Limited, Division of GNFC Limited, (GNFC House E- 223) New Delhi.

From now onwards the tendering system of NIC will be used in all the circles of HUDA for the work costing Rs. 50.00 lacs or more. The E-tendering cost will be brought down to Rs. 5.00 lacs after successful implementation of E-tendering at all the stations. The service provider will provide service and customization support and will impart training to the HUDA staff and contractor as per schedule enclosed annexure 'A'.

The E-tenders which are already in progress on E-Tendering System of M/s NexTender will continue to be processed on their portal till the final allotment of the tenders.

All Superintending Engineers, Executive Engineers, Deputy Superintendent, Section Officer & Head Draftsman will attend the training.

Sh. Hari Dutt Sharma, Executive Engineer will act as Nodal Officer for implementation of E-tendering system in Circle-I&II Gurgaon. He is provide the necessary support of computers, printer, training support and office space to the service provider agency i.e M/s nCode Solutions Pvt. Limited.

You are also requested to direct all the contractors to attend the training for E-Tendering System.

DA/As above

-sd/-
Superintending Engineer,
For Chief Engineer, HUDA,
Panchkula.

Endst. No. 3277-80

Dated: 06.06.2012

A copy of the above is forwarded to the followings for information and necessary action please:-

1. P.S to Worthy Chief Administrator, HUDA, Panchkula.
2. P.A to Chief Engineer, HUDA, Panchkula.
3. P.A to Chief Engineer-I, HUDA, Panchkula.
4. The General Manager, IT Cell HUDA Panchkula.

DA/ As above

-sd/-
Superintending Engineer,
For Chief Engineer, HUDA,
Panchkula.

OFFICE OF THE CHIEF ENGINEER,HUDA,C-3 SEC-6,PANCHKULA

To

All the Superintending Engineers,
of HUDA, in the State.

Memo No.: C.E./EE(HQ)/CHD(P)/12/6158-66

Dated 14.05.2012

Sub: Revision of instructions of Provision of prompt service to the citizen. **“Providing Water Supply/Sewerage Connection- Road Cut Charges.”**

The amount on account of restoration of road cut, charges as calculated on the present day rates be charged from the allottees as per detail given below so as to make the cost at par with its restoration in all the Urban Estate of HUDA.

Type of connection	Type of Roads	Road cut charges in Rs.				
		Metal Width of the Road in metres				
		3.66	5.50	7.00	10.00	14.00
Water Connection	Bituminous	Rs. 850/-	Rs. 1300/-	Rs. 1650/-	Rs.2350/-	Rs.3300/-
	Cement Concrete	Rs. 1900/-	Rs.2850/-	Rs. 3600/-	Rs.5150/-	Rs.7200/-
Sewer Connection	Bituminous	Rs. 1500/-	Rs. 2300/-	Rs.2900/-	Rs.4150/-	Rs. 5800/-
	Cement Concrete	Rs. 3550/-	Rs. 5350/-	Rs. 6800/-	Rs.9700/-	Rs.13550/-

These rates are with respect to the prevailing rates of year 2012-13. These rates may be upgraded @ 5% per year w.r.t. base year of 2012-13. These rates are applicable only for road cuts made for water/sewer connections by the consumers and not by other departments/not for other purposes.

This has the approval of Chief Administrator, HUDA, Panchkula.

-sd/-
Executive Engineer(HQ)
For Chief Engineer,
HUDA, Panchkula

CC to

A copy is forwarded to Engineers-in-Chief, PHED, Panchkula w.r.t. his letter No. 3223-3298 dated 02.03.2012 for kind information please. HUDA, has already informed its stand to the committee in its meeting held on 16.11.2011/21.11.2011 that HUDA, has its own independent system for giving water, sewer connection and road cut charges as per HUDA Water Regulation/Building Byelaws.

HARAYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Sub:- Officer order regarding **maintenance of Major Parks.**

In partial modification to the earlier orders regarding maintenance works of parks/green belts issued vide memo. no. 15450-53 dated 16/12/2009 it is hereby ordered that the maintenance of Civil/Electrical/ Horticulture works of various major parks of HUDA, City Centre parks, Town parks & special parks etc. will be done by the concerned wing as under :-

- Maintenance of Civil structures , fountains works in above parks will be done by Civil Engineering wing.
- Maintenance of lighting system/ electrification in above parks will be done by the Electrical wing of HUDA.
- Maintenance of Horticulture works will continue to be done by Horticulture Wing of HUDA as usual.

In addition to above Executive Engineer , (Hort.) concerned will be Nodal Office for liasioning and co-ordination with Civil and Electrical wings for proper upkeep and maintenance of parks.

Dated, the Panchkula
26th May, 2011

-sd/-
(D.P.S. Nagal, IAS)
Chief Administrator, HUDA,
Panchkula

Endst. No. CE/EE(HQ)/CHD(P)/2011/ 7442-46

Dated :-10/06/2011

A copy of the above is forwarded to the following for information & necessary action, please.

1. All the Administrators, HUDA in State.
2. The Addl. Chief Engineer, HUDA, Gurgaon.
3. All the Superintending Engineers of HUDA in the State.
4. All the Executive Engineers of HUDA in the State.
5. P.A./ to C.E. / C.E.-I for information of worthy Chief Engineer and Chief Engineer-I HUDA.

-sd/-
Executive Engineer (HQ),
For Chief Administrator,
HUDA, Panchkula.

OFFICE OF THE CHIEF ADMINISTRATOR,HUDA,C-3 SEC-6,PANCHKULA

To

All the Administrators,
HUDA, Panchkula/Hisar/Rohtak/Faridabad/Gurgaon.

Memo No. HUDA/CE/EE (HQ)/CHD (P)/11/7429-33

Dated 09.06.2011

Sub:-Public participation in maintenance of sector parks developed by HUDA in different Urban Estates.
(Regarding increasing of maintenance charges).

In continuation to this office memo No. HUDA/CE-I/EE (M)/ CHD (Hort.)/2007/17766-70 dated 12.12.2007 vide which, the policy for giving the maintenance of HUDA parks to Sectors Welfare Association was circulated for implementation of policy.

In view of increasing maintenance charges, it has been decided to give maintenance charges of parks to the registered Sectors Welfare Association for maintenance purpose @ Rs. 1.35 P. Sqm., per month instead of Rs. 1/-P. Sqm., per month from the date of issue of this communication.

-sd/-

(S.P. Singh)
Executive Engineer (HQ),
Chief Administrator, HUDA,
Panchkula

Endst. No. HUDA /CE/EE (HQ)/CHD(P)/11 /7434-37 Dated: 09/06/2011

A copy of the above is forwarded to the following for information and necessary action please:

1. The Superintending Engineer, (Hort.) Circle HUDA, Panchkula. He is requested to do the needful for preparation of press release and get it vetted from this office before issue.
2. P.S. to C.A. HUDA for kind information of Worthy Chief Administrator, HUDA please.
3. P.A. to C.E./CE-I for information of worthy Chief Engineer/ Chief Engineer-I, HUDA Panchkula

-sd/-

(S.P. Singh)
Executive Engineer (HQ),
for Chief Administrator, HUDA,
Panchkula

From

The Chief Engineer,
HUDA, Panchkula.

To

All the Superintending Engineers,
HUDA in the State.

Memo No. 3599

Dated:- 17.03.2011

Sub:- Execution of various development works in HUDA.

A meeting of Technical Committee for checking of estimates was held on 21.02.2011 under the Chairmanship of Worthy FCTCP, Haryana wherein it was decided that detail estimate will be framed and got sanctioned from the Committee before incurring any expenditure on the work.

You are requested to frame detailed estimate for all the works costing more than Rs. 4.00 Crores and send the same to this office with a copy to the Engineer-In-Chief concerned (for estimates of Public Health, estimate be referred to EIC, PHED and for roads & building works, estimate be referred to EIC, PWD B&R) in advance for comments on estimate to be discussed in the committee for approval of detailed project report. This procedure should be followed in future for all estimates to be approved by Chief Administrator, HUDA.

In addition following decisions were also taken which may be complied with:-

- i) PWD Code 2009 will be followed in letter and spirit in respect of all the works executed by HUDA.
- ii) It should be ensure that DPR/DNITs are as per provisions of approved estimate for each and every project.
- iii) The contingency and other indirect charges shall be taken as per the provisions made in the PWD Code.
- iv) The maintenance cum defect liability period should be defined properly as per the instructions of PWD B&R. The periodicity to check the maintenance and defects of the project along with the time in which the same will be rectified should be defined properly in the DNIT.
- v) The norms of IRC as amended from time to time be followed in the case of maintenance of roads.
- vi) In the first instance the work may be executed upto WBM level and black top be executed within six months or as per actual necessity whichever is earlier for which single tender may be called with the provision of paying/ recovering the additional/ reduced cost of bitumen in case of increase/ decrease than provided in the tender.
- vii) The third party inspection will be got approved from CA, HUDA along with scope of 3rd party inspection.
- viii) Road crust thickness should be got designed on the basis of CBR value before processing the estimate for administrative approval.
- ix) Technical scheme for disposal of rain-water from the road surface should also be made part of the estimates for construction of roads.

-sd/-

Executive Engineer(W)
For Chief Engineer-I,
HUDA, Panchkula.

CC to :-

ACE HUDA Gurgaon/SE(HQ)/EE(W)/EE(HQ)/SDE(W)/CHD(G)/ CHD(H)/ CHD(F) for information and necessary action.

From

The Chief Administrator,
HUDA Panchkula

To

The Chief Engineer,
HUDA Panchkula

The Chief Engineer-I
HUDA Panchkula

Memo No. EA-2-2009/852-53

Dated: 06.11.2010

Sub- To avoid **Misuse of Financial Powers** (quotation work and minor work up to Rs. 20,000/-) vested under the SDO or other officer for the maintenance/ repair/ construction works in **Engineering Wing**.
Reference on the subject cited above.

A complaint was received from Member, District Public Relations and Grievances Committee that the officers of Engineering Wing are misusing the powers by inviting the quotations for different kind of works which should have been done by inviting the tenders. The matter has been got investigated and it has been observed that subordinate offices of HUDA are executing the work by collecting spot quotations for even petty works by splitting the entire scope of work which should have been executed through tenders. So it has been decided that in future the quotations should be called only in extremely urgent and unavoidable circumstances and all the works should be executed through tenders and not through quotation.

You are requested to issue necessary directions to the subordinate offices in the State not to resort to the work by splitting in parts by calling quotations, so the work should be executed by inviting tenders for a single work after taking requirement from Sub-Divisions. Any laxity in this regard will be viewed very seriously.

This has the approval of Chief Administrator, HUDA.

-sd/-
(M. Sharma)
Secretary,
For Chief Administrator, HUDA
Panchkula

Endst. No: CE/HUDA/SE(HQ)/EE(W)/SDE/2010/377 Dated: 11.01.2010

A copy of the above is forwarded to the following for information and necessary action.

1. Additional Chief Engineer, HUDA Gurgaon.
2. All the Superintending Engineers, HUDA, (in the State of Haryana)(I-Gurgaon).

-sd/-
(V.K.Ghai)
Executive Engineer (W),
For Chief Engineer, HUDA,
Panchkula

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-3, SECTOR-6, PANCHKULA

To

1. All the Administrators,
HUDA, in the State of Haryana
2. The Additional Chief Engineer,
HUDA, Gurgaon
3. All the Superintending Engineers,
HUDA, in the State of Haryana

Memo No: CE/HUDA/SE(HQ)/EE(W)/SDE/2010/8129-44

Dated: 29.06.2010

Sub.: Policy for **construction of Master Roads** or any other infrastructure **by Licensees**.

Policy for construction of infrastructural facilities, including Master Roads, by Licensee has been approved by Hon'ble Chairman, HUDA-cum-Chief Minister, Haryana as well as by the Authority in its 103rd meeting held on 21.04.2010. This policy allows construction of Master Roads or any other infrastructure by the licensee. The guidelines are as detailed in the policy (copy enclosed). However, specific approval in every case will have to be sought from Head Office.

A copy of policy for construction of infrastructural facilities, including Master Roads by Licensee" is enclosed for information and further necessary action.

DA: As Above

-sd/-
(V.K. Ghai)
Executive Engineer (Works),
for Chief Administrator, HUDA, Panchkula

Endst. No: CE/HUDA/SE(HQ)/EE(W)/SDE/2010/

Dated: 29.06.2010

A copy of the above is forwarded to the General Manager, IT, HUDA, Panchkula with the request to get the policy uploaded on the website of HUDA.

DA: As Above

-sd/-
(V.K. Ghai)
Executive Engineer (Works),
for Chief Administrator, HUDA, Panchkula

POLICY FOR CONSTRUCTION OF INFRASTRUCTURAL FACILITIES, INCLUDING MASTER ROADS, BY LICENCEES

BACKGROUND

The Town & Country Planning Department, Haryana has notified the Development Plan of Gurgaon-Manesar Urban Complex-2021 AD whereby the population of the area has been projected to be 37 lacs by the end of 2021. With a view to cope up with the demand for the settlement of the projected population, the Department has planned for 115 sectors in Gurgaon and 16 sectors in Manesar.

Further, in view of rapid urbanization in the National Capital Region, especially Gurgaon zone, a number of licences to private developers and builders have been granted and quite a few are further under process for the development of the residential and commercial pockets in the new area as per the approved Development Plan-2021.

It is the prime duty of the Haryana Urban Development Authority (HUDA) to provide Infrastructural Facilities including Master Roads to the allottees and the public at large. However, in view of the complexities involved in the acquisition of land and the trend of land owners challenging each and every acquisition in the court upto the highest level, the process of acquiring land becomes very tedious and time consuming. It, therefore, invariably leads to delay, at times quite long, in providing the infrastructural facilities within the stipulated period. It has also been observed that sometimes the land is transferred to the State Government or HUDA even by the licencees for the construction of roads and laying master services in the area. Hence, a series of initiatives are required to be taken to provide the requisite infrastructural facilities in an expeditious manner in the new area planned to be carved out to meet the need of projected population and therefore, it is deemed necessary in public interest to encourage the private builders and developers to take up the construction of Infrastructural Facilities including Master Roads wherever feasible and desirable. If it is so done, it will not only accelerate the pace of development but also enhance the salability of the properties being offered by the Authority and private builders alike. It will also benefit all the stake holders, namely allottees, general public, developers, licencees and HUDA.

In the past before 1990, one of the licenses, DLF constructed the Cyber City Master Road much below the market rates. Recently, it has been proposed to take up the project of improvement & Up-gradation of selected master Roads of Gurgaon on 50% cost sharing basis which stands approved in principle, being beneficial to all the stack-holders as mentioned above.

GUIDELINES

In view of the above, it has, therefore, been deemed desirable to frame a policy on the subject for the construction of Infrastructural Facilities including Master Roads by the licencees approved by the Town & Country Planning Department. The following guidelines are hereby laid down for the purpose-

1. That in view of one of the stipulations while granting licence for setting up a residential or commercial colony at various places in the State, the portion of Master Road falling in the licensed area shall be transferred free of cost to the State Government as per the Haryana Urban Development & Regulation Act, 1975.
2. That if any approved licencee in an Urban Estate is willing to construct a Master Road or any other infrastructure in the same Urban estate as per the specifications laid down by HUDA, he may be allowed at the following terms and conditions-
 - (a) That the licencee shall execute the work at the rates worked out by HUDA on the basis of HSR + Ceiling Premium Rates fixed by PWD (B&R) at the time of grant of permission. OR the tendered rates (not more than 6 months old), whichever is less.
 - (b) That the specifications can be improved by the licencee with the approval of HUDA but no extra cost on this account shall be paid.
 - (c) That an agreement shall be entered into with usual conditions for execution of works as deemed appropriate by HUDA.

- (d) That a Third Party of repute like EIL, RITES etc. shall be appointed by HUDA for certifying the quality and quantification of work executed or to be executed. That the Third Party shall be appointed by HUDA for inspection and certification and the cost thereof shall be borne equally both by HUDA and the concerned licensee.

Provided that if more than one licensee in the same Urban Estate is willing to take up the same work, work shall be allotted after calling quotations.

3. That the Master Road or any other infrastructure so created shall continue to be the property of HUDA and the licensee constructing the road or any other infrastructure will have no special rights over it. It will also not be banned for use by general public.
4. That no tax or toll of any kind shall be levied by the licensee for the Master Road or any other infrastructure constructed by him.
5. That no rebate or relaxation of any kind will be granted to the licensee in EDC payable to HUDA on account of taking up such project.
6. That the licensee shall be obliged to maintain this Master Road or any other infrastructure so constructed by him for a period of next five years without any charges to be paid by HUDA or State Government on this behalf.

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA

To

1. All the Administrators,HUDA.
2. The Addl. Chief Engineer, HUDA, Gurgaon.
3. All the Superintending Engineer'sHUDA.
4. All the Executive Engineer',HUDA

Memo No. CE/SE (HQ)/SDE (M)/14194-200

Dated : 19.11.2009

Sub:-Submission of Inspection Reports and Quality Assurance of works.

To streamline the job of submission of Inspection Reports and quality assurance of works the duties of the departmental officers/officials have been formulated and are as under :

A) Inspection of Development works (by Engineering Wing)

i) Frequency of Inspection.

In order to have effective quality assurance of the development works, frequency/schedule of inspection by various levels is given below :

Sr.No.	Designation	Frequency of Inspection
1	Junior Engineer	i) All works once a week; important works more frequently. However, for the important works such as during concrete work, bitumen work, boring of tube well etc., he should be present full time at site. In emergency, immediately i.e. without any delay. ii) He should inspect the area under his jurisdiction to check unauthorized water and sewer connections at least twice a month.
2	Sub Divisional Engineer	i) All works twice a month; important works more frequently. In emergency, immediately i.e. without any delay. ii) He should inspect the area under his jurisdiction to check unauthorized water and sewer connections at least once a month and send quarterly report to the Executive Engineer.
3	Executive Engineer	Inspection of works should be done at least 3 times in a month. Inspection of the sewer/storm water drainage system before the monsoon to ensure proper functioning of the system and frequently during the rains. In emergency, immediately i.e. as soon as possible.
4	Superintending Engineer/ Addl. Chief Engineer	Inspection of works should be done at least once in a month. Inspection of the sewer/storm water drainage system before the monsoon to ensure proper functioning of the system and frequently during the rains. In emergency, immediately i.e. as soon as possible.
5	Chief Engineer	Important works of each circle once in 4 months, critical ones more often. In emergency as early as possible depending on the gravity.
6	Engineer-in-Chief:	Important works of the department, whenever possible. In emergency as early as possible, depending on the gravity.

The frequency of inspection mentioned above is the minimum, however depending upon the gravity of the site requirement, it can be increased accordingly.

The proformas for submission of inspection reports relating to the works viz. Road work, Building Work, Water Supply, Sewerage/SWD, Electrical Work & Horticulture Work are appended herewith.

ii) Operation of Site order book:-

Site order book must be maintained for all the works & it should be issued by Executive Engineer Concerned at the time of award of work. This shall be available at all the times at the site of work. Observations recorded in this book shall be reviewed /examined at the time of preparation of bill to ensure compliance of orders/observations & accordingly a certificate shall be recorded that the “orders/instructions recorded in the site order book have been complied with”. Photocopy of the site order book should also be attached with every running bill & original with the Final bill.

Section officer/Accountant shall not pass/release the payment until the certificate is recorded in the Measurement Book.

Operation of this Site order book shall be mandatory & the inspecting officer should record his observations. However this does not prohibit the inspecting officer from issuing inspection notes also.

iii) Frequency of the operation of the site order book:-

- i) JE in-charge shall operate it minimum once a week for works costing more than Rs.2.00 lacs.
- ii) SDE in-charge shall operate it minimum twice a month for works costing more than Rs.2.00 lacs.
- iii) EE concerned shall examine / operate the site order book once a month for works costing more than Rs.10.00 lacs.
- iv) SE concerned shall examine/ operate the site order book once a month for works costing more than Rs. 25.00 lacs.

Any instructions given/ recorded in site order book will have same binding as if given in person to the contractor and/or his authorized representative.

It is, however, added that issue of the above instructions do not absolve the various provisions contained in the PWD Manual of order, PWD Code etc.

B) Quality Assurance Through Third Party :-

Quality Assurance of works costing more than Rs. One Crore shall be assured through the third party of repute. The checking reports submitted by the third party shall be examined regularly by the SDE/EE to ensure the quality of the work as per specifications. These reports shall be submitted to the SE for his information & necessary action, being controlling officer. These reports shall be certified by the third party consultant that the work has been executed as per the specifications & become part of the bill before releasing running as well as final payment.

C) Inspection by Administrators/ Estate Officers:-

In order to up keep about the developed as well as un developed land acquired by HUDA, following instructions are to be followed by the field officers:-

1) Administrator:-

- i) Routine inspection of the sectors for checking general cleanliness, maintenance of Essential Services, unauthorized use/ occupation or encroachment of any area/ land , buildings relating to HUDA. etc. at least once in two months in a sector .
- ii) To up date the status of the land already acquired, for taking further action for its planning, development & disposal. at least once in three months.
- iii) To review the status of the already sold plots where possession has not been offered due to non development or non demarcation etc. at least once in three months .
- iv) To check all the development works costing more than Rs. One Crore atleast once in three months.

2) Estate Officer:-

- i) Routine inspection of the sectors with RWA's for checking general cleanliness, maintenance of Essential Services, unauthorized use / occupation or encroachment of any area / land, buildings relating to HUDA. etc. at least once in 15 days in a sector .
- ii) Regular inspection of maintenance of PUS, unauthorized display of advertisement boards awarded on BOT basis atleast once in a month.
- iii) To check the quality of cleanliness & requisite number of labour employed by the agency to whom the work of cleanliness has been awarded at least once in two months.
- iv) To up date the status of the land already acquired, for taking further action for its planning, development & disposal. at least once in two months.
- v) To review the status of the already sold plots where possession has not been offered due to non development or non demarcation etc. at least once in two months for taking up the matter with quarter concerned.

3) Sub Divisional Engineer (Survey):-

- i) Regular inspection of maintenance of PUS, unauthorized display of advertisement boards etc awarded on BOT basis at least once in 10 days.
- ii) To check unauthorized use/ occupation or encroachment of any area / land, building relating to HUDA. etc. at least once in 10 days in a sector.
- iii) To check the quality of cleanliness & requisite number of labour employed by the agency to whom the work of cleanliness has been awarded at least once in 10 days.

4) Junior Engineer (Survey):-

- i) Regular inspection of maintenance of PUS, unauthorized display of advertisement boards etc. awarded on BOT basis at least once in 7 days.
- ii) To check unauthorized use/ occupation or encroachment of any area / land, building relating to HUDA. etc. at least once in 7 days in a sector.
- iii) To check the quality of cleanliness & requisite number of labour employed by the agency to whom the work of cleanliness has been awarded at least once in 7 days.

The Estate Officer shall send inspection reports carried out with RWAs to the concerned Administrator every month and Administrators shall review these for taking correctives measures for improvement of basic services & they should send action taken reports to head office quarterly. Similarly, for releasing payments to contractors for cleanliness, inspection reports as well as report of SDE survey shall be kept in view & a certificate shall be recorded in every bill that the work has been executed as per the clauses of the agreement and to the satisfaction of JE (SURVEY)/ SDE (SURVEY) & E.O. before making any payment. Section officer/Accountant shall not pass/ release the payment until this certificate is recorded on the bill.

These instructions must be followed in letter and spirit & should also be brought to the notice of all the concerned for strict compliance.

DA/- As above.
(Proformas- 6 Nos.)

-sd/-
Superintending Engineer (HQ)
for Chief Administrator, HUDA
Panchkula.

C.C. to :

1. PS to Chief Administrator, HUDA, Panchkula for kind information of CA, HUDA.
2. PA to Chief Engineer, HUDA, Panchkula for kind information of CE.
3. PA to Chief Engineer-I, HUDA, Panchkula for kind information of CE-I.

INSPECTION REPORT (ROAD WORK)

- 1 Name and Designation of Inspecting Officer _____
2. Date of Inspection: _____
3. Officers/ Officials present during inspection _____
4. Name and amount of work inspected _____
5. Admn. approval amount, No. & date _____
6. Name of Contractual agency _____
7. Date of start of work _____
8. Scheduled date of completion of work _____
9. Item being executed at the time of inspection _____

(Report be given of item checked as per relevant item given below)

(A) Earth Work:

Description	Remarks	Corrective Measures suggested.
Watering	Ok/ Not	
Compaction	Ok/ Not	

(B) Sub Grade:

Description	Remarks	Corrective Measures suggested.
Camber	Ok/ Not	
Leveling	Ok/ Not	

(C) Water Bound Macadam:

Description	Remarks			Corrective Measures Suggested.
	1 st Layer	2 nd Layer	3 rd Layer	
Thickness of layer	Ok/ Not	Ok/ Not	Ok/ Not	
Compaction	Ok/ Not	Ok/ Not	Ok/ Not	

(D) Granular Sub Base:

Description	Remarks	Corrective Measures suggested.
Thickness of layer	Ok/ Not	
Compaction	Ok/ Not	
Camber	Ok/ Not	

(E) Wet Mix Macadam:

Description	Remarks	Corrective Measures suggested.
Thickness of layer	Ok/ Not	
Compaction	Ok/ Not	
Camber	Ok/ Not	

(F) Bituminous Layer:

(i) Premix/ Mix seal

Description	Remarks	Corrective Measures suggested.
Thickness of layer	Ok/ Not	
Camber	Ok/ Not	
General Appearance/ riding Surface	Ok/ Not	

(ii) BM/ DBM/ BC

Description	Remarks	Corrective Measures suggested.
Thickness of layer	Ok/ Not	
Camber	Ok/ Not	
General Appearance/ riding Surface	Ok/ Not	

(G) RMC

Description	Remarks	Corrective Measures suggested.
Thickness of layer	Ok/ Not	
Camber	Ok/ Not	
Curing	Ok/ Not	

Signature of Inspecting Officer.

INSPECTION REPORT (BUILDING WORK)

1. Name and Designation of Inspecting Officer _____
2. Date of Inspection: _____
3. Officers Officials present during inspection _____
4. Name and amount of work inspected _____
5. Admn. approval amount, No. & date _____
6. Name of Contractual agency _____
7. Date of start of work _____
8. Scheduled date of completion of work _____
9. Item being executed at the time of inspection _____

(Report be given of item checked as per relevant item given below)

Structure

Sr. No.	Description	Remarks			Corrective Measures Suggested
		Workmanship	Curing	Mix used	
1.	Lean Concrete Mix	Ok/ Not	Ok/ Not	Ok/ Not	
2.	Concrete in foundation & Plinth	Ok/ Not	Ok/ Not	Ok/ Not	
3.	Brick work in foundation & plinth	Ok/ Not	Ok/ Not	Ok/ Not	
4.	DPC	Ok/ Not	Ok/ Not	Ok/ Not	
5.	Brick work in superstructure	Ok/ Not	Ok/ Not	Ok/ Not	
6.	Columns/ Beams	Ok/ Not	Ok/ Not	Ok/ Not	
7.	Shuttering of Roof Slab	Ok/ Not	-	-	
8.	Roof slab	Ok/ Not	Ok/ Not	Ok/ Not	
9.	Wall Plaster	Ok/ Not	Ok/ Not	Ok/ Not	
10.	Roof Plaster	Ok/ Not	Ok/ Not	Ok/ Not	
11.	Flooring sub base	Ok/ Not	Ok/ Not	Ok/ Not	
12.	Concrete Flooring	Ok/ Not	Ok/ Not	Ok/ Not	
13.	Marble/ Stone flooring	Ok/ Not	Ok/ Not	Ok/ Not	
14.	Wood Work	Ok/ Not	-	-	
15.	White Washing/ Painting/ Snowcem	Ok/ Not	Ok/ Not	-	

Signature of Inspecting Officer.

INSPECTION REPORT (WATER SUPPLY)

1. Name and Designation of Inspecting Officer _____
2. Date of Inspection: _____
3. Officers/ Officials present during inspection _____
4. Name and amount of work inspected _____
5. Admn. approval amount, No. & date _____
6. Name of Contractual agency _____
7. Date of start of work _____
8. Scheduled date of completion of work _____
9. Item being executed at the time of inspection _____

(Report be given of item checked as per relevant item given below)

Sr. No.	Description	Remarks	Corrective Measures Suggested.
1.	Earth work/ Excavation of earth	Ok/ Not	
2.	Laying of Line	Ok/ Not	
3.	Jointing	Ok/ Not	
4.	Fixing of Specials	Ok/ Not	
5.	Testing of Line	Ok/ Not	

Signature of Inspecting Officer

INSPECTION REPORT (SEWERAGE/ SWD)

1. Name and Designation of Inspecting Officer _____
2. Date of Inspection: _____
3. Officers/ Officials present during inspection _____
4. Name and amount of work inspected _____
5. Admn. approval amount, No. & date _____
6. Name of Contractual agency _____
7. Date of start of work _____
8. Scheduled date of completion of work _____
9. Item being executed at the time of inspection _____

(Report be given of item checked as per relevant item given below)

Sr. No.	Description	Remarks			Corrective Measures Suggested
		Workmanship	Curing	Mix used	
1.	Earth work/ Excavation of earth	Ok/ Not	Ok/ Not	-	
2.	Laying of Line	Ok/ Not	Ok/ Not	-	
3.	Joining	Ok/ Not	Ok/ Not	Ok/ Not	
4.	Manhole	Ok/ Not	Ok/ Not	Ok/ Not	
5.	Manhole Cover fixing	Ok/ Not	Ok/ Not	Ok/ Not	
6.	Testing of line	Ok/ Not	Ok/ Not	-	

Signature of Inspecting Officer

INSPECTION REPORT (ELECTRICAL WORK)

1. Name and Designation of Inspecting Officers _____
2. Date of Inspection _____
3. Officers/ Officials present during inspection _____
4. Name and amount of works inspection _____
5. Admn. Approval amount No. & date _____
6. Name of Contractual agency _____
7. Date of start work _____
8. Scheduled date of completion of work _____
9. Item being executed at the time of inspection _____

(Report be given of item checked as per relevant item given below)

Description	Remarks	Corrective Measure Suggested
a) Underground cabling I. Depth of excavation II. Sand cushion III. Laying of cable IV. Brick Cover	Ok/ Not Ok/ Not Ok/ Not Ok/ Not	
b) Overhead (LT/HT I. Pole to Pole span II. G.I. Wire III. Sagging of Conductors	Ok/ Not Ok/ Not Ok/ Not	
c) Fixing of Poles I. PCC Pole i) Erection ii) Brackets II. Steel Tubular Pole i) Concrete Base ii) Erection iii) Muff iv) Junction Box Fixing v) Brackets	Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not	

Description	Remarks	Corrective Measure Suggested
d) Street Light I. Fixing of Fitting/ Luminaries II. Working of Lights III. Earthing	Ok/ Not Ok/ Not Ok/ Not	
e) Transformer I. Erection/ fixing II. Fixing of fuse units III. Fixing of G.O. Switch IV. Earthing	Ok/ Not Ok/ Not Ok/ Not Ok/ Not	
f) Internal Electrification in Building I) Conduit pipes II) Wiring III) Earthing IV) Testing of Points (Light/ Plug/ Power) V) Testing of Main Board/ sub main board (MCB,BDB etc)	Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not	
g) Sub Station (Indoor) I. Fixing of LT/ HT panels II. Earthing III. Fixing of transformer IV. Cable laying in trench V. Fire extinguishers	Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not	

Signature of Inspecting Officer.

INSPECTION REPORT (HORTICULTURE WORK)

1. Name and Designation of Inspecting Officers _____
2. Date of Inspection _____
3. Officers/ Officials present during inspection _____
4. Name and amount of works inspection _____
5. Admn. Approval amount No. & date _____
6. Name of Contractual agency _____
7. Date of start work _____
8. Scheduled date of completion of work _____
9. Item being executed at the time of inspection _____

(Report be given of item checked as per relevant item given below)

Description	Remarks	Corrective Measure Suggested
a) Quality of Grass I. Cutting II. Weeding III. Watering	Ok/ Not Ok/ Not Ok/ Not	
b) Plants I. Health II. Erection III. Hoeing & Watering	Ok/ Not Ok/ Not Ok/ Not	
c) Hedges I. Health/ condition II. Erection III. Alignment	Ok/ Not Ok/ Not Ok/ Not	

Description	Remarks	Corrective Measure Suggested
d) Tree Guards I. Weight (in case material is steel) II. Quality (in case of SFRC) III. Dimensions IV. Erection	Ok/ Not Ok/ Not Ok/ Not Ok/ Not	
e) Parks I. Boundary wall i) Workmanship ii) Weight of Grill iii) Curing II. Walking Path i) Workmanship ii) Curing III. Benches i) Specification ii) Fixing	Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not Ok/ Not	

Signature of Inspecting Officer.

OFFICE OF THE CHIEF ADMINISTRATOR HUDA, C-3, SEC-6, PANCHKULA

To

1. The Director, Town & Country Planning Department, Haryana, Chandigarh.
2. The Administrator HUDA, Panchkula/Gurgaon/Faridabad/Hissar/Rohtak
3. The Chief Controller of Finance, HUDA, Panchkula
4. The Chief Town Planner, HUDA, Panchkula
5. The Senior Architect, HUDA Panchkula
6. The Additional Chief Engineer, HUDA, Gurgaon
7. The Superintending Engineer, HUDA Circle-I & II Gurgaon/Faridabad/Hissar/Rohtak/Knl/Pkl

Memo no-CE-HUDA/E.E(W)CHD(G)16200-19

Dated 07.10.2008

Sub:-New policy for development of village falling in Urban area being developed by HUDA.

I have been directed to enclose herewith copy of new policy for development of village falling in urban areas being developed by HUDA, which has been approved in authority meeting held in 11.06.2008 under the Chairmanship of Hon'ble Chief Minister, Haryana.

DA/- Copy of policy

-sd/
Executive Engineer (W),
For Administrator, HUDA,
Panchkula

C.C to :-

1. PS/CA HUDA for kind information of Worthy Chief Administrator, HUDA, Panchkula.
2. PA/CE/CE-I for kind information of Chief Engineer /Chief Engineer –I HUDA, Panchkula

NEW POLICY FOR DEVELOPMENT OF VILLAGES, FALLING IN URBAN AREAS, BEING DEVELOPED BY HUDA.

- Phasing system is to be dispensed with. Development works are to be carried out in comprehensive manner in one Phase.
- Total development plan of village is to be prepared after incorporating the existing services and integrating with nearby master services.
- Water demand is to be worked out @ 100 LPCD.
- Under ground sewerage system is to be provided, wherever possible.
- Open storm water drains shall be provided which will be connected to existing drains of HUDA.
- Concrete roads/pavements will be provided.
- Street light at feasible location will be provided.
- Individual water sewer connections will be given to houses, wherever possible. Common toilets to be constructed at other places. The water & sewerage charges will be same as in case of HUDA sectors.
- Need based Social infrastructure will be provided and the following facilities will be provided under social infrastructure wherever required:-
 - Primary schools
 - Dispensary buildings
 - Play ground
 - Chopal/Community Centres
 - For the purposes of maintenance, various services may be handed over to the respective departments/ Local Bodies after 5 years of commissioning.
 - Funds

The funds required for the development of villages will be included in EDC and shall be charged as the part of the EDC.

EXTRACT OF PROCEEDING OF THE 101ST MEETING OF HARYANA URBAN DEVELOPMENT AUTHORITY HELD ON 11.06.2008 AT 03.30 P.M UNDER THE CHAIRMANSHP OF HON'BLE CHIEF MINISTER/CHAIRMAN OF THE AUTHORITY IN THE COMMITTEE ROOM (4TH FLOOR) HARYANA CIVIL SECRETARIAT , CHANDIGARH

Agenda Item No-A- 101SL (13)

Policy for development of villages falling in Urban Area developed by HUDA Approved.

OFFICE OF THE CHIEF ENGINEER, HUDA C-3, SECTOR-6, PANCHKULA

To

1. The Chief Engineer-I,HUDA Panchkula.
2. The Addl. Chief Engineer,HUDA, Gurgaon.
3. All the Superintending Engineers of HUDA.

Memo No. CE/HUDA/Supdt.(E)/14472-83

Dated: 05.09.2008

Subject: Grant of extension of time for completion of works.

It has been observed by the higher authorities that various development works are not being completed in time because of which either there are cost over runs or there are financial losses to authority. It has, therefore, been decided that following procedure shall be followed for grant of extension of time for completion of work:

- | | |
|-----------------------------|-------------------|
| a) Chief administrator | Full powers |
| b) Chief Engineer | Upto six Months |
| c) Zonal Administrators | Upto Three Months |
| d) Superintending Engineers | Upto two months |

No other authority shall exercise the above powers and these powers shall be exercised sparingly and shall contain detailed reasons for such grant. In case, the delay is beyond six months from the original time limit specified in the contract agreement, the matter shall be brought to be notice of Chief Administrator with reasons for delay for granting extension, fixation of responsibility and for taking corrective measures.

-sd/-

Superintending Engineer (HQ),
for Chief Engineer, HUDA, Panchkula

OFFICE OF THE CHIEF ENGINEER, HUDA,C-3,SECTOR 6, PANCHKULA

To

All the Superintending Engineers,
HUDA (in the State).

Memo No.C.E./E.E.(M)/CHD/P)/08/12994-13003

Dated:14.08.2008

Sub.:Guide lines for taking necessary **precaution while laying under ground sewerage/drainage lines** in HUDA works

1. I would like to draw your kind attention towards existing policy / guidelines while carrying out the works of underground sewerage / drainage lines and underground structures which are being adhered to, according to which the contractors are bound by the terms & conditions of the agreement entered between the contractor and Executive Engineer on behalf of Haryana Urban Development Authority.
2. The relevant clauses of the contract agreement & PWD specifications Book of 1990 Edition with upto date amendments for carrying out the work are reproduced as under:

Clause-11 of Contract Agreement:

Works to be executed in accordance with specifications drawing orders etc:

The contractor shall execute the whole and every part of the work in most substantial and workmen like manner, both as regards to materials and otherwise in every respect in strict accordance with Haryana P.W.D. specification latest edition/specifications as may be specifically provided for. The contractor shall also confirm exactly, fully and faithfully to the designs, drawing and instructions in writing relating to the work (signed by the Engineer-in-Charge) and lodged in the office and to which the contractor shall be entitled to have access at his office or at the site of the work. For the purpose of inspection during office hours, the contractors shall if so requires, be entitled at his own expenses to make or cause to be made copies of the specifications and of all such designs and instruction as aforesaid.

Para No. 12 of Haryana PWD specification contained in Chapter No. 29.1

Contractor to Maintain Works for the protection of the Public: The contractor shall at his own expense and charges provide and maintain all fencing, boarding, strutting, lighting and watchmen necessary, for or in consequence of any works and all enclosures for materials or machinery on works for the protection of the public and shall be responsible for any damage resulting from neglect of the proper precautions.

Para No. 14 of Haryana PWD specification contained in Chapter No. 29.1

Contractor to be Responsible for Accidents or Damages:- The Contractor shall be responsible, answerable for all accidents and damages of any kind arising and anything to the detriment of any person or persons whatsoever which may occur during the performance of the contract which in the opinion of the Engineer-in-charge as consequent upon or in any way attributable to the execution of the works and he is forthwith to reimburse and compensate at his own costs and charges the Government or other injured or aggrieved parties the case may require for all expenses, losses or injuries which they in consequence of any such accident or damage may have sustained or become liable for; and in the event of the Contractor failing to meet, reimburse or defray any claims, costs and charges in respect of such accidents, the Engineer-in-charge or some other person appointed by the Government may settle all claims and restore any damage done and the cost shall be recovered from any moneys due to the Contractor or shall be recovered from him.”

3. It is further made clear that the instructions contained in the Haryana P.W.D. Specifications Book of 1990 Edition with up to date amendments are to be followed strictly and utmost care should be given to the following: -
 - The trench to be excavated for laying of sewerage/drainage lines must be adequately fenced on both sides by the contractor by reflective tape/Nariyal rope/PVC rope so as to caution the passerby.

- The adequate cautionary boards depicting the nature of work under execution at site be erected all around the work place.
- The contractor shall depute watchman after working hours and during suspension of work to avoid any accident for protection of public.
- The contractor shall be entirely responsible to pay compensation in the event of any accident or damage if occurred at site.
- The contractor will not leave any unattended work and shall ensure that even the manholes are properly covered with suitable material to avoid any accident.
- The contractor shall ensure dewatering of trenches if required in the event of rains/filling of trenches by any other way and make necessary precautions/safe guards for the same.
- The contractor shall take up the excavation of minimum workable stretch of work only as per requirement so as to avoid accidents.
- The contractor shall make necessary arrangements for safe diversion of traffic during execution of work.
- The contractor shall ensure the proper shuttering, centering, strutting and shoring during the execution of work in order to avoid land sliding or caving of earth and thereby likely to endanger the life and property of public.
- The contractor shall re-store all sorts of damages at his own risk and cost to their original shape during the execution of work.
- The contractor shall provide all sort of safety gazettes such as helmets, Gloves, Oxygen Masks, Safety Belts, shoes and stairs etc. to their workers during the execution of work.

The above instructions shall be followed meticulously in HUDA with immediate effect and shall be made part of the contract agreement also. Concerned XENs shall be responsible for compliance of these instructions by the contractors.

These instructions have the approval of Chief Administrator HUDA

-sd/-
Executive Engineer (HQ),
for Chief Engineer, HUDA,
Panchkula

C.C. to:

CE/CE-I/ACE (Gurgaon)/SE (HQ)/EE(W)/EE(M)/SDE (HQ)/SDE (W)/ CHD(K)/ CHD(G)/ CHD(R)/ CHD(E&H)/ADM (M)

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-3, SECTOR-6, PANCHKULA.

To

All the Superintending Engineers,
HUDA (in the State).

Memo No. CE/ EE (M)/ ADM (M)/ 9316

Dated: 05.06.2008

Sub: Deduction of cess and transferring the same in Haryana Building and other construction Workers Welfare fund.

Please refer to the minutes of the meeting of HODs held on 26.6.2007 under the Chairmanship of Hon'ble Finance, Planning and Labour and Employment Minister, Haryana on the issue of implementation of the building and other construction workers Welfare Cess Act, 1996 circulated vide this office letter No. CE/ EE (M)/ ADM (M)/ 16155 dated 12.11.2007.

I have been directed to intimate you that it has been decided that for the works being executed where no clause regarding deduction of Cess exists in the agreement, the amount deducted on account of cess be refunded to the concerned agency and the cess due after 2.11.2006 be deposited by HUDA.

-sd/-
Executive Engineer (M),
For Chief Administrator,
HUDA, Panchkula

Endst. No. CE/ EE (M)/ ADM (M)/ 9317

Dated: 05.06.2008

A copy of the above is forwarded to the All the Superintending Engineers, HUDA for information and necessary action.

-sd/-
Executive Engineer (M),
For Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Administrators,
HUDA, Panchkula / Gurgaon / Faridabad / Rohtak / Hisar.

Memo No. HUDA/CE-1/EE(M) CHD(Hort.)/2007/17766-70

Dated : 12.12.2007

Sub:- Public participation in maintenance of Sector parks developed by HUDA in different Urban Estates (Regarding Implementation of policy for maintenance of HUDA parks).

Please find enclosed herewith the policy for giving the maintenance of HUDA parks to Sector Welfare Association for maintenance purposes.

I have been directed to request you to implement it immediately.

DA / Copy of Policy.

-sd/-

(S.P. Singh)

Executive Engineer (M)

For Chief Administrator, HUDA,
Panchkula.

Endst no. HUDA/CE-1/EE(M) CHD(Hort.)/2007/17771-72

Dated : 12.12.2007

A copy of the above is forwarded to the following for information and necessary action.

1. The Superintending Engineer, HUDA Horti, Circle, Panchkula alongwith copy of policy for information and necessary action. He is also requested to do the needful for preparation of press release and get it vetted from the office before issue.
2. P.S. to C.A., HUDA for kind information of Worthy Chief Administrator, HUDA, please.

DA / Copy of Policy.

-sd/-

(S.P. Singh)

Executive Engineer (M)

For Chief Administrator, HUDA,
Panchkula.

POLICY FOR GIVING THE MAINTENANCE OF HUDA PARKS TO SECTOR WELFARE ASSOCIATION FOR MAINTENANCE PURPOSES.

1. The total number of parks within the sector shall be considered as one unit for giving parks / open spaces for maintenance purposes.
2. Registered sector welfare Association / Registered Body of that sector shall only be allowed to take the mtc. work.
3. The Administrator, HUDA will be the Nodal agency for all purposes.
4. For maintenance purposes Rs.1/- per sqm per month which includes labour component and cost of Farm Yard Manure, Pesticides / Insecticides and other T&P Articles etc. will be paid to maintaining agency.
5. Payment to the maintaining Agency will be released by 7th of every Succeeding Month on certification by the concerned JE(Hort) / SDE(Hort) or any other officer empowered by the Administration, HUDA, on his behalf.
6. That the Registered Body / Welfare Association shall maintain the said parks to the satisfaction of concerned XEN (Hort) or any other officer empowered by Admn., HUDA on his behalf as per the terms and conditions laid herein under:-
 - i) The Registered Body / Welfare Association shall not utilize or permit to utilize the said parks belonging to HUDA for any other purpose whatsoever except to maintain it as a green. The Registered Body shall ensure that no encroachment is made in the park.
 - ii). That the ownership control, possession and supervision of said parks shall remain with HUDA and the Registered body will only have the right to display its name on a small board of the size not more than 4'x2.5' as approved by the Administrator, HUDA or any other Officer empowered by him on his behalf and the number of such boards shall not be more than four i.e. one on each entry of the parks, the decision of the Administrator, HUDA or any their officer empowered by him on behalf shall be final. The inscription on the board shall be approved by the Administrator, HUDA or any other officer empowered by him on his behalf.
 - iii) The Registered Body / Welfare Association shall not have any right, title or interest in the greeneries of said HUDA parks nor shall it be deemed to have possession or be considered as being conferred with any right, title or interest in respect of the said greeneries / parks except the permission to maintain the said park for a specified period.
 - iv) That the Registered Body / Welfare Association shall prominently display that the said park is a HUDA park. The fact that the Registered body (Welfare Association) has only been permitted to maintain the park.
 - v) That the Registered Body / Welfare Association shall be paid @ Rs.1/- per square meter per month to cover the entire costs and expenses on the maintenance of the said HUDA park.
 - vi) The Registered body / Welfare Association be solely responsible for keeping the said HUDA park in neat and healthy condition to the satisfaction of Administrator, HUDA or any other officer empowered by him on his behalf and Association should not permit park for holding marriage and functions etc. For holding of marriages or other religious functions, approval of HUDA will be obtained.
 - vii) That the said HUDA park shall be open to the general public without any restrain / entry fee or prohibition whatsoever. The Registered Body / Welfare Association shall use the land of the HUDA park only for maintenance of the park shall not transfer the maintenance of the park to any other person, society, company, department, organization etc. and the association shall not enter into sub-agreement for maintenance etc. with others.
 - viii) That Registered body / Welfare Association shall enter into an agreement for maintenance of the said HUDA park with HUDA.
 - ix) That in the event of termination of agreement prior to agreed period or on expiry of period of the agreement for maintenance to the said HUDA park, all assets (movable and immovable), shall vest with HUDA.
 - x) The Registered Body / Welfare Association shall not remove or cut any plant, tree etc. including any other item from the said HUDA park.

- xi) That the Registered body / Welfare Association shall not erect, construct or put any sort of structure, movable or immovable, temporary, or permanent or semi-permanent without the written consent of Administrator, HUDA or any other officer empowered by him on his behalf for the purpose of maintenance of the said HUDA park.
- xii) That in case the Registered body / Welfare Association wants to install any pipeline, etc. for maintenance purpose of park / green space the Registered body / Welfare Association shall not do so without the written permission of the Administrator, HUDA or any other officer empowered by him on his behalf and expenses there of shall be borne by the Registered body / Welfare Association itself and the Registered body / Welfare Association shall not claim any money, compensation or loss for the same at the time of expiry of the agreement as referred to in Para ix here-in-above and the same shall become the property of HUDA.
- xiii) That in case of any breach or violation of any terms and conditions of this agreement for the maintenance of the said park agreement shall stand terminated and the decision of Administrator, HUDA or any other officer empowered by him on his behalf shall be final. However, before the initiation of termination proceedings the Registered body / Welfare Association would be given a 15 days to show notice to explain the position.
- xiv) That the Registered body / Welfare Association not be entitled to allow any other person to develop the park or any part thereof. Even in the event of winding up of the Registered body / Welfare Association or Registered body / Welfare Association becoming insolvent or dissolved, the agreement for maintenance of park shall stand terminated automatically and the transferees or assignees etc. of the Registered body / Welfare Association shall not be entitled to continue with the maintenance of the said HUDA park and shall not claim any right title or interest in the said park.
- xv) That the Registered body / Welfare Association shall be responsible for all damages or loss of property of the said HUDA park due to the reasons for which it or its servant are directly responsible and shall be liable to make good any loss or damages that may be sustained by HUDA except those due to normal wear and tear or such as caused by storms, earthquake or any natural calamity beyond its control. The decision of the Administrator, HUDA or any other officers empowered by him on his behalf with regard to the extent and quantum of compensation to be paid to the HUDA shall be final and binding upon the Registered body / Welfare Association.
- xvi) The all dispute and difference arising out of or any way touching or concerning the agreement, regarding maintenance of HUDA Park otherwise herein before provided for shall be referred to sole arbitration to Administrator, HUDA or his nominee. There will be no objection to any such appointment, that the arbitrators appointed is a government servant or that he had to deal with the matter of which this indenture refers and that during the course of his duties as such Govt. servant has expressed view on all or any other matters in dispute or differences. The award of the arbitrator so appointed shall be final and binding upon the parties.
- xvii) That Registered body / Welfare Association shall also abide by all the instructions and orders issued by Administrator, HUDA or any other officer empowered by him to it from time to time.
- xviii) That the Registered body / Welfare Association shall not use the flowers or any other fruit, plants etc. for sale for any commercial use and responsibility of agency is to keep the park green & free from all encroachments / misuse etc.
- xix) That the HUDA will not be responsible or liable for paying any compensation or damages to the Registered Body / Welfare Association in case of any loss caused by theft, fire and natural calamities, riots or for any other reason whatsoever. The HUDA shall be free to remove or clean the land from all the features created by the agency on termination of the agreement.
- xx) That the HUDA shall have no liability (Civil or Criminal) in respect of any claim of any third person against the Registered body / Welfare Association in connection with the maintenance of the said HUDA park.

- xxi) That the HUDA shall have the right to post its supervisors in the said HUDA park at their discretion and its officers or Authorized representatives shall have access to it at all hours to the said HUDA part or any part thereof and the Registered body / Welfare Association shall have no objection whatsoever for the same.
- xxii) That the HUDA shall be free to use the said HUDA park for any purpose whatsoever and the Registered body / Welfare Association shall not raise any objection to it on any ground whatsoever.
- xxiii) The HUDA shall be competent to dispose off or sell the timber, trees and other forests, produce etc. of the said HUDA park being the owner thereof.
- xxiv) That the stamp duty payable for the execution of the agreement of maintenance of the said HUDA park shall be borne by the Registered body / Welfare Association.

OFFICE OF CHIEF ENGINEER, HUDA, PANCHKULA

To

All the Superintending Engineer,
HUDA, PKL/GGN-I & II/GBD/KNL/RTK/HSR

Memo No.16074-80

Dated 08.11.2007

Sub.:Eligibility criteria for the pre-qualifying agencies for Ashiana Scheme and other major works costing for Rs.5.00 Crores to Rs.40.00 Crores.

It has been observed that different eligibility criteria is adopted while fixing pre-qualifying condition in view to avoid this, it has been decided to follow the following eligibility criteria for Ashiana Scheme / building works valuing for Rs.5.00 Crores to Rs.40.00 Crores.

1. The firm / contractor should have completed similar nature of works as under:-
 - i) One work for value not less then 60% of the estimated value of the contract during last 5 years (updated 10% per annum compoundable).
 - ii) Two work for value not less then 35% of the estimated value of the contract during last 5 years (updated 10% per annum compoundable).
2. Annual turnover shall not be less then 100% of the estimated value of the work.
3. Solvency i.e. evidence access to line(s) of credit and availability of other financial resources facilities (10% of control value), certified by the Bankers (Not more then 3 months old).

The above guidelines be followed in future while fixing pre-qualifying / eligibility criteria for the building works valuing for Rs.5.00 crores to Rs.40.00 crores. If there is necessity for relaxing some condition for particular work, same shall be reviewed on case to case basis.

-sd/-

Executive Engineer (W)
For Engineer-in-Chief, HUDA,
Panchkula.

OFFICE OF THE ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR 6, PANCHKULA

To

- 1) The Superintending Engineers,HUDA Circle, Panchkula / Elect. Panchkula / Hort. Panchkula / Karnal / Faridabad / Gurgaon-I & II / Hissar / Rohtak.
- 2) Executive Engineer, HUDA, Electrical Division ,Panchkula / Hisar / Gurgaon.

Memo no. 13097-107,110

dated 18.09.2007

Sub:-Energy efficient lighting in all **Govt. depts** / Boards / Corporation Building and premises and **street lights** in Urban Estate of HUDA.

Please refer to this office letter no.EIC, HUDA/11598-60 dated 29.8.2007 on the subject as cited above.

A meeting was held under the chairmanship of Engineer-in-Chief, HUDA Panchkula on 5.9.2007, wherein Additional Chief Engineer, HUDA, you and electrical consultant were present. The following points were discussed and decided.

- i) All the existing no. of points in HUDA building and community building with HUDA as well as street lighting in all the Urban Estates of HUDA be identified for the purpose of estimation by you under energy efficient scheme.
- ii) The estimates be prepared on the basis of rates to be circulated by HAREDA as intimated by Director Renewal Energy Department and HAREDA, Chandigarh vide memo no.HAREDA/2007/2781-92 dated 17.8.2007 Copy of minutes of meeting circulated vide memo no. HAREDA/2007/2781-92 dated 17.8.2007 is enclosed herewith for ready reference.
- iii) It was decided that in the mean time the rates of energy efficient lighting are circulated by HAREDA, draft estimate / DNIT be prepared so as to achieve the time in adhering the above scheduled dates. You handed over information regarding identified street light points for energy efficient lighting whereas the information regarding replacement of old lamps with CFL in buildings was missing. You informed that updated consolidated information regarding street light points for energy efficient lighting, replacement of old lamps with CFL in building would be supplied by 25.9.2007 positively.
- iv) It was decided that separate distribution transformer for feeding street light points in future sectors be designed & provided and actual load of residential plots category wise be surveyed / assessed by you and electrical consultant in consultation with HVPNL / UHBVNL / DHBVNL.
- v) Executive Engineer (Elect), HUDA, Panchkula and electrical consultant were requested to obtain the actual lux level obtained with energy efficient lighting from HAREDA.
- vi) It was decided that following dates for achievement of energy efficient lighting in building as well as in street lighting be adhered to :-

1. Replacement of Energy Efficient lamps in buildings

By 1st Nov - 07

2. Replacement of Energy Efficient lamps in street lightning By

1st Jan - 08

“You are requested to take urgent effective steps on the above points and supply the desired information / details by 25.9.2007.”

DA/ As above.

-sd/-

Executive Engineer (W)
For Engineer-in-Chief, HUDA,
Panchkula.

CC to :- PS to CA HUDA for kind information of Chief Administrator, HUDA.

OFFICE OF THE ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR 6, PANCHKULA

To

The Superintending Engineers,
HUDA Circle, Panchkula / Elect. Panchkula / Hort. Panchkula / Karnal / Faridabad /
Gurgaon-I & II / Hissar / Rohtak.

Memo no. 12034-42

Dated 30.08.2007

Sub:-Enlistment of contractors - prospectus for guidelines – To obtain an **affidavit** from contractor/firm in respect of compliance of provision **under EPF Act & Rules**.

Please refer to this office memo no.11295-303 dated 10.08.2007 on the subject as cited above.

You are requested to obtain an affidavit from the contractors / firms that he will comply with provision under EPF Act & Rules, Labour and other construction works Welfare Rules and various rules and regulation notified for Welfare of Labour from time to time. This may be taken at the time of enlistment / renewal of contractor / firms.

-sd/-

Executive Engineer (W)
For Engineer-in-Chief, HUDA,
Panchkula.

OFFICE OF THE ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR-6, PANCHKULA

To

The Superintending Engineer,
HUDA Circle, Panchkula/Hisar /Rohtak
Karnal/Faridabad/ Gurgaon-I/II/Elect. Panchkula/Hort. Panchkula

Memo No. 11295-303

Dated: 10.08.2007

Sub.:Enlistment of Contractors – Prospectus for guidelines.

Please find enclosed herewith a copy of prospectus indicating the guidelines for enlistment of contractors under various categories. It is requested to go through the guidelines carefully and in future all cases recommended for enlistment of contractors should be strictly as per guidelines.

DA /As above

-sd/-
Executive Engineer (W)
For Engineer-In-Chief
HUDA, Panchkula

To

1. The Superintending Engineers of HUDA.
2. All the Executive Engineers of HUDA.

Memo No.

Dated:

Sub.: Enlistment of contractors in HUDA.

In order to bring about uniformity and to streamline the work of enlistment of contractors in various circle of HUDA "Guidelines for enlistment of contractors in HUDA" have been framed after going through the practices being followed for adopting with immediate effect of the enlistment and renewal of enlistment of contractors for 2000-2001 and onwards.

The 'Clause': of contractors and enlistment fee will be as under:-

Type/Class	Tendering limit	Enlistment fee
Class-I-A	Tendering limit exceeding Rs. 200.00 Lacs	Rs. 10,000/-
Class-I-B	Tendering limit upto Rs. 200.00 Lacs	Rs. 8,000/-
Class-II	Tendering limit beyond Rs. 20.00 Lacs & upto Rs. 50.00 Lacs	Rs. 5,000/-
Class-III	Tendering limit upto Rs. 20.00 Lacs	Rs. 3,000/-
Class-IV	Tendering limit exceeding upto Rs. 10.00 Lacs	Rs. 2,000/-
Class-V	Tendering limit upto Rs. 2.00 Lacs	Rs. 1,000/-

For special type of works/non-conventional works requiring specialized Technical Skill, pre-qualification of contractors shall be done separately for such individual works.

The renewal for Class-I-A & I-B/II/III would be done after two years by charging 50% of enlistment fee. While in case of Class-IV & V renewal would be done every year @25% of the enlistment fee.

During the financial year 2007-08, all the earlier enlisted contractors would be re-classified in the above categories/classes and for this purpose a committee at the level of the Superintending Engineer consisting of the following is constituted to decide the re-classification of the contractors into the new category:-

Superintending Engineer concerned	Chairman
One Executive Engineer of the Circle	Member Secretary
Executive Engineer of the O/o Chief Engineer, HUDA	Member

While sending cases for enlistment/increase in tendering limits, the attested photo must invariably be got affixed. All contractors must be issued photo identity cards by Superintending Engineers. Bank solvency & property detailed should at random be got verified before forwarding applications. Affidavit that firm or any of its partners has not been black listed by any State / Central Govt. organization.

The receipt of the letter may please be acknowledged.

DA/Guidelines for the enlistment of the contractor (Annexure-X)

-sd/-

Executive Engineer (W)
For Engineer-In-Chief
HUDA, Panchkula

Endst. No.

Dated:

A copy of the above is forwarded to the following for information & necessary action please:-

1. PS to CA, HUDA for kind information of Chief Administrator, HUDA Panchkula
2. PA to EIC, HUDA for kind information of Engineer-in-Chief, HUDA Panchkula
3. PA to CE, HUDA for kind information of Chief Administrator, HUDA Panchkula
4. PA to ACE, HUDA for kind information of Additional Chief Engineer, HUDA Panchkula.

-sd/-

Executive Engineer (W)
For Engineer-In-Chief
HUDA, Panchkula

OFFICE ORDER

In super session to the instructions circulated by this office vide Endst. No. CE-HUDA-96-W/4135-38 dated 28.05.1996, it is hereby ordered that the enlistment of the contractors in Haryana Urban Development Authority shall henceforth be done as per the modified procedure given below with immediate effect for the enlistment and renewal of enlistment of contractors for 2007-2008 and onwards.

1. Submission of application

The prospective contractor/firm desirous of enlistment shall apply on the application form so prescribed to:

- i) Concerned Superintending Engineer, HUDA, The concerned SEs shall forward the application of Clauses-I-A, I-B, II & III to Engineer-in-Chief/Chief Engineer, HUDA with their recommendations.
- ii) Concerned Superintending Engineer, HUDA (Enlistment for works upto Rs. 10.00 lacs i.e. for Class-IV)
- iii) Concerned Executive Engineer, HUDA (Enlistment for works upto Rs. 2.00 Lacs i.e. for Class-V)

The circle wise jurisdiction of districts is given below:

Name of Circle	Jurisdiction
S.E. Panchkula	Distt. Panchkula including state of Punjab, Himachal Pradesh and U.T. Chandigarh
S.E. Karnal	Distt. Kurukshetra, Karnal, Panipat, Kaithal, Yamuna Nagar and Ambala including State of U.P.
S.E. Hisar	Distt. Hisar, Sirsa, Jind and Bhiwani and State of Punjab
S.E. Faridabad	Distt. Faridabad including state of U.P. and Delhi
S.E. Gurgaon	Distt. Gurgaon including state of Rajasthan, Delhi and any other state except Punjab, Himachal Pradesh, U.T. and Delhi
S.E. Rohtak	Distt. Rohtak, Jhajjar, Sonapat, Mohindergarh & Rewari

2. Power to enlist the contractors

II ENLISTMENT FOR AMOUNT OF WORKS UPTO RS. 2.00 LACS.

Executive Engineer concerned HUDA

III ENLISTMENT FOR AMOUNT OF WORKS UPTO RS. 10.00 LACS

The Superintending Engineer concerned, HUDA (As per jurisdiction & guidelines circulated separately).
The certificate of enlistment will also be

Sent to the Chief Engineer, HUDA and all Superintending Engineers in HUDA.

IV ENLISTMENT FOR AMOUNT OF WORKS ABOVE RS. 10.00 LACS

The Committee for enlistment of contractors for works costing more than Rs. 10.00 lacs will remain the same and consists of the following officers of HUDA.

- | | |
|--|------------------|
| a) Engineer-in-Chief / Senior Most CE, HUDA, Panchkula | Chairman |
| b) Chief Engineer / Chief Engineer-I / II, HUDA, Panchkula | Member |
| c) Superintending Engineer M & QC, HUDA | Member |
| d) Executive Engineer (Works) Executive Engineer (M) Head Office | Member Secretary |
- i) The committee for the enlistment of contractor will have its meeting in its 1st, 4th, 7th & 10th month of the financial year, in the office of the Engineer-in-Chief, HUDA, Panchkula or earlier if necessitated. The date of the meeting is to be intimated by the Member Secretary from time to time.
 - ii) The Member Secretary will put up the applications to the committee of the contractors after examining the same to the committee.

- iii) The Superintending Engineer, HUDA concerned (as per jurisdiction described) will issue the certificate of enlistment to the contractors/forms concerned based on the proceeding of the meeting of the committee under intimation to the Chief Engineer, HUDA and all Superintending Engineers of HUDA.

Dated, the Panchkula
July 2007

Chief Administrator
Haryana Urban Development Authority

Endst No.

Dated:

A copy of the above is forwarded to the following for information and necessary action:-

1. PS/CA, HUDA for kind information of Chief Administrator, HUDA Panchkula
2. PA/EIC, HUDA for kind information of Engineer-in-Chief, HUDA Panchkula
3. PA/CE, HUDA for kind information of Chief Engineer, HUDA Panchkula
4. PA/ACE, HUDA for kind information of Additional Chief Engineer, HUDA Panchkula
5. All the Superintending Engineers in HUDA
6. All the Executive Engineers in HUDA

ANNEXURE X

GUIDELINES FOR ENLISTMENT OF CONTRACTORS IN HUDA

The following guidelines have been brought out for the enlistment of the contractors /firms in HUDA:

1. Class-I-A

Enlistment of contractor for unlimited amount of work upto any extent.

- (a) The agency desirous of enlistment in this category will be required to have executed satisfactorily at least 5 works of similar nature costing more than Rs. 100.00 lacs each during the last five years or single work of Rs. 500.00 lacs or more or two works of Rs. 250.00 lacs or so. Sum total of works exceeding Rs. 100.00 lacs should be Rs. 500.00 lacs.
- (b) The contractor/firm will be required further to show his financial soundness. Employment of at least two Graduate Engineer with 5 years experience. Owning equipment's warranted for effective execution of work of nature for which applied applicant should also submit affidavit that he will comply with provisions under EPF labour and other construction works welfare rules and various rules and regulations notified for welfare of labour from time to time.

II CLASS-I-B

ENLISTMENT OF CONTRACTOR FOR AMOUNT OF WORK UPTO RS.200.00 LACS FOR SPECIFIC NATURE OF WORK

- (a) The agency desirous of enlistment in this category will be required to have executed satisfactorily at least 4 works of similar nature costing more than Rs. 50.00 lacs each during the last 5 years or the aggregate of individual works exceeding Rs. 50.00 lacs should be Rs. 200.00 lacs.
- (b) The contractor/firm will be required further to show his financial soundness, employment of at least one Graduate Engineer with 5 year experience, holding equipments warranted for effective execution of work of nature for which applied applicant should also submit affidavit that he will comply with provisions under EPF labour and other construction works welfare rules and various rules and regulations notified for welfare of labour from time to time.

III CLASS II

ENLISTMENT OF CONTRACTOR FOR AMOUNT OF WORK UPTO Rs. 50.00 LACS FOR SPECIFIC NATURE OF WORK

- a) The agency desirous of enlistment in this category will be required to have executed satisfactorily at least 5 works of similar nature costing more than Rs. 10.00 lacs each during the last five year or the aggregate of individual works exceeding Rs. 10.00 lacs should be Rs. 50.00 lacs.
- b) The contractor/firm will be required to show his financial soundness employment of at least one Graduate Engineer with 5 years experience. Holding equipment warranted for effective execution of work of nature for which applied applicant should also submit affidavit that he will comply with provisions under EPF labour and other construction works welfare rules and various rules and regulations notified for welfare of labour from time to time.

IV CLASS-III

ENLISTMENT OF CONTRACTOR FOR AMOUNT OF WORK UPTO RS. 20.00 LACS FOR SPECIFIC NATURE OF WORK

- a) The agency desirous of enlistment in this category will be required to have executed satisfactorily at least 5 works of similar nature costing more than Rs. 4.00 lacs each during the last five years or works or the aggregate of individual works exceeding Rs. 4.00 lacs should be Rs. 20.00 lacs.

OR

A contractor having a qualification of Graduate Engineer or Diploma holder in engineering with 8 years of experience will also be eligible for enlistment for this category.

- b) The contractor will be required to show his financial soundness, holding equipment, warranted for effective execution of work of nature for which applied applicant should also submit affidavit that he will comply with provisions under EPF labour and other construction works welfare rules and various rules and regulations notified for welfare of labour from time to time.

V CLASS-IV

ENLISTMENT OF CONTRACTOR FOR AMOUNT OF WORK

UPTO RS. 10.00 LACS FOR SPECIFIC NATURE OF WORK

- a. The agency desirous of enlistment in this category will be required to have executed satisfactorily at least 5 works of similar nature costing more than Rs. 2.00 lacs each during the last three years works of similar nature of an equivalent amount which means even or the aggregate of individual works exceeding Rs. 2.00 lacs should be Rs. 10.00 lacs.

OR

A contractor having a qualification of diploma holder in Engineering with 2-3 years of experience will also be eligible for enlistment for this category.

- b. The contractor will be required to show his financial soundness holding equipment warranted for effective execution of work of nature for which applied, applicant should also submit affidavit that he will comply with provisions under EPF labour and other construction works welfare rules and various rules and regulations notified for welfare of labour from time to time.

VI CLASS -V

ENLISTMENT OF CONTRACTOR FOR AMOUNT OF WORK

UPTO RS. 2.00 LACS FOR SPECIFIC NATURE OF WORKS

Executive Engineer, concerned will decide the case on merits.

VII FOR SPECIAL TYPE OF WORK/NON CONVENTIONAL WORK REQUIRING SPECIFIED TECHNICAL SKILL

Irrespective of the category to which contractor/firm is enlisted by HUDA, the contractor/firm has to fulfill all the pre-qualifying conditions and get pre-qualified where it has been decided by Chief Engineer, HUDA that tenders are to be invited only from pre-qualified contractors.

2. List of Documents

- i) Certificate of immovable property with its market value duly attested by the collector of first Class Magistrate.
- ii) Solvency Certificate from any Schedule Bank indicating clearly the financial position viz, cash in hand, in the Band of credit limit of 25enlistment required for registration as per annexure-B.
- iii) Registered copy of partnership deed or Memorandum of Association in case the part is a firm/company.
- iv) If the firm or the limited company wants to get itself enlisted, it should produce the registered partnership deed alongwith the name of the person holding the power of Attorney. An attested copy of the Power of Attorney should also be enclosed.
- v) Detail of machinery tools and plants including the number of tracks etc.
- vi) Details of Technical staff permanently employed.
- a) For enlistment works costing more than Rs. 20.00 lacs. Qualified Engineer is required to be employed for Technical guidance; proof regarding employment of a degree/diploma holder Engineer or having equivalent qualifications is required to be enclosed along with application.
- vii) List of previous enlistment from Haryana PWD, B&R Public Health Department from U.T. Chandigarh, Administration or any other Govt. or Public Sector enlisting agency.

- viii) The agency should attach a list of works done duly supported by allotment letters during the last five years.
- ix) Certificates from the Superintending Engineer / Executive Engineer regarding satisfactory completion of the work executed should be enclosed.
- x) PAN No.
- xi) Original receipt of fee. Original document shall also be produced for verification if the application is found in order.
- xii) Furnishing an affidavit that he would abide by the EPF Act and shall deposit the necessary contribution of his employees with the RPF, Commissioner.

3. **General**

(Contractor who are near relatives of Engineering officers of the grades of Superintending Engineer / Executive Engineers and Assistant Engineers, Junior Engineer, Section Heads, such as Head Clerk, Accountant, Head Draftsman etc. in HUDA will not be allowed to tender for works in the Circle responsible for award and execution of contract) where their near relatives will be working. Contractors who are near relatives of a Chief Engineer will not be allowed to work in the HUDA.

Note:-

- i) By the term near relative is meant wife, Husband, Parents, Children, Brother, Sister, Brother/Sister-in-law, Son/Daughter-in-law, Uncle, First Cousin and Father-in-law.
- ii) They should also intimate the change in their permanent address if any, in future, in case they fail to intimate such changes to the department, their name will be removed from the approved list of the contractors.
- iii) The contractor/firm shall not enter into any fresh partnership without the prior knowledge of the Department, such proposal if any shall be submitted in advance giving full detail of the intending partnership/ sole-proprietorship along-with the draft partners deed/affidavit. Any departure from this will render the Contractor/ Firm liable to be removed from the approved list of contractors of this department.
- iv) The contractors will be required to certify that they will not get themselves registered under more than one name.

4. **Submission of Application**

The prospective Contractor/Firm desirous of enlistment should apply on application form so prescribed to:

The concerned SE, HUDA

The SEs shall forward the applications for enlistment of Class-I-A, Class-I-B, II & III to Chief Engineer, HUDA with their recommendation after verifying the documents attached with the applications.

The Circle wise jurisdiction of districts is given below:-

Name of Circle	Jurisdiction
S.E. Panchkula	Distt. Panchkula including state of Punjab, Himachal Pradesh and U.T. Chandigarh
S.E. Karnal	Distt. Kurukshetra, Karnal, Panipat, Kaithal, Yamuna Nagar and Ambala including State of U.P.
S.E. Hisar	Distt. Hisar, Sirsa, Jind and Bhiwani
S.E. Faridabad	Distt. Faridabad including state of Delhi
S.E. Gurgaon	Distt. Gurgaon including state of Rajasthan and any other state except Punjab, Himachal Pradesh, U.T. Chandigarh, Delhi
S.E. Rohtak	Distt. Rohtak, Jhajjar, Sonapat, Mohindergarh & Rewari

5. Renewal of enlistment

- a) The contractor will seek renewal of enlistment in the circle under whose jurisdiction the permanent address given by the contractor falls, as described above.
- b) Delisting of contractor
Name of the contractor who fails to submit for three successive tenders, after getting the tender form issued can be de-listed from the list of contractors. The enlistment of a contractor will not be renewed if he fails to submit an affidavit on this account.
- c) In case the contractor has failed to complete the work in time or has left it in complete and action under clause-II & III of the contract agreement has been taken against the agency, he shall be de-listed from the approved list of the contractors any his enlistment shall not be renewed for a period of at least three years.
- d) In case of any dispute with regard to renewal/delisting of contractor the appeal shall lie with CE, HUDA and whose decision shall be final and binding on both the parties.

APPLICATION FOR ENLISTMENT OF CONTRACTORS

1	a) Name of Applicant and Full Address	
	b) Place of Business (Head Office and Branches) If any	
	c) Telephone No. / Telegraphic Address	
2.	Whether the firm is a private or Public Ltd. Co. or undivided Hindu Family or individual registered partnership firm (Attested copies of deeds or Articles of Association to be enclosed.)	
3.	Name of Person holding the power of Attorney (Attested copy of power of attorney to be enclosed.)	
4.	Name of Partners with their respective shares in the firm (Attested copy of the partnership deed to be enclosed).	
5.	a) Name of Bankers and Full address (Attach copy of solvency certificate annexure 'A')	
	b) In case of Limited Liability Companies, copy of last balance sheet duly audited should be attached.	
	c) Particulars of Immovable properties with their fresh market value (attach certificates from Deputy Commissioner / Collector a First Class Magistrate)	
6	Class & Category in which enlistment is sought.	
7	Area in which the contractor wants to work.	
8	List of works executed in the last 5 years:-	
	a) Name of work.	
	b) Amount of work executed.	
	c) Year of Execution.	
	d) Authority under which carried out to be shown in separate statement.	
9.	Resources of Contractors:-	
	a) Details of technical staff permanently employed, technical qualifications and experience of each employee.	
	b) Details of Tools, Plants and machinery & Transport etc. (Annexure 'C')	
	c) Details of workshop, if any, with location.	
10	For Contractors seeking enlistment for public health works whether the applicant is a licensed plumber or has a licensed plumber under his employment? Attested copy of plumbing licence to be enclosed.	
11	For Contractors seeking enlistment as Electrical contractors.	
	a) Whether the applicant possesses a valid electrical licence (Attested copy of licence to be attached).	
	b) Details of technical personal employed with their qualifications and experience.	

12	a) Whether the applicant is already enlisted in Haryana/ Punjab PWD B&R/Public Health/Irrigation Branches and Capital project or any other Public Sector undertaking, if so in which class and category.	
	b) Whether enlisted with any other Deptt. If so in which class and category, showing amount up to which qualified to tender 7.	
13	Whether the applicant or any of his partner of any firm enlisted in this department or any other department.	
14	Whether the applicant or any of his partners or share holders is/are members of the Indian Parliament or any State Legislature?.	
15	Has the applicant or any of his partners or share holder been black listed or removed from the approved list of contractors, demoted to a lower class or orders passed banning, suspending business with the applicant etc. by any department in the past?	
16	Whether the contractor has read the rules for enlistment of contractors and is prepared to abide by them.	
17	EPF No. allotted by the regional Provident Fund Commission.	

(Signature of the Contractor)

(Name of the Contractor)

CERTIFICATE

1. I/We certify that I/we will not get myself/ourselves registered as contractor in the HUDA under more than one name.
2. I am having Property / House No. _____ in village / City _____ District _ _____ State _____ having an area of _____.
3. I have taken EPF No. from RPFC or I will obtain EPF No. from RPFC enlistment as contractor.
4. I/We attach a list of those persons who are working with me/us in any capacity and who are near relatives of any officers in HUDA. I/We also undertake to intimate names of such persons who are employed by me/us subsequently.

(Contractors who are near relatives of Engineering officers of the grades of Superintending Engineer/Executive Engineers and Assistant Engineers, Junior Engineers, Section Heads, such as Head Clerk, Accountant, Head Draftsman etc. in HUDA will not be allowed to tender for works in the circles responsible for award and execution of contract) where their near relatives will be working. Contractors who are near relatives of a Chief Engineer will not be allowed to working in the Department.

Note:- By the term near relatives is meant wife, husband, partners, Children, brothers, sister-in-law, son/daughter-in-law, uncle, first cousin and father in law.

I further certify that I/We am /are not a dismissed Government Servant and undertake not to employ directly or indirectly any persons dismissed from Government service in my business without the prior permission of the registering authority.

(For individuals seeking enlistment in their own name.)

Partner(s) is/are

1. We further certify that Partner(s) is/are Director (s) is/are not dismissed Government servant and we undertake not to employ directly or indirectly any person dismissed from government service in our business without the prior permission of the registering authority.
2. (The inapplicable certificate may be dealt according to an individual or a limited company or a partnership firm is seeking enlistment)
3. I/We agree to notify the officer accepting this application and registering my/our names on the HUDA list of contractor of any names in the foregoing particulars as they occur and to verify and confirm these particulars annually on 1st April.
4. I/We not that registration as a contractor does not carry with it the right to tender for works. I/We also understand and agree that the appropriate HUDA, Authority have right, as they may decide notice issue tender form in any particular case and to suspend in the event of submission or no-benefited tenders or for technical or other delinquency in regard to which decision of the appropriate HUDA authority shall be final and conclusive.
5. I/We certify that the above particulars are correct. If at any stage it is found that I/we have given a false certificate/have failed to notify that fact subsequently, my/our name is liable to be removed from the HUDA's List of contractors.

Dated:

(Signature of the applicant and address)

IMPORTANT NOTES:-

1. All relevant certificate should be attached with the application.
2. Income-Tax clearance certificate for the latest assessment year should be sent alongwith the application.

ANNEXURE 'A'

Specimen form of Solvency Certificate from the Scheduled Bank.

This is to certify that to the best of our knowledge and information M/s (Name) _____
_____ Sh. _____
_____ having marginally note address, a customer of our Bank is
respectable and can be treated as a good for any engagement upto a limit of _____
(Rupees) _____
_____.

This certificate is issued without any guarantee or responsibility on the Bank or any of the officer.

Signature
For the Bank

AFFIDAVIT FROM ALL ENGINEERS EMPLOYED BY THE FIRM/CONTRACTOR

AFFIDAVIT

I _____ resident of _____
_____ do hereby affirm and declare as under:-

1. That I am permanently employed with (Name of the firm) _____
_____ since _____ as a (Designation) _____

2. That I am a graduate Engineer.

3. I am wholly engaged for the supervision of the Construction work undertaken by the firm/Contractor

DEPONENT

VERIFICATION:

I _____ the above name deponent further
solemnly affirm and declare that my above statement is true and correct to the best of my knowledge and belief and
nothing has been concealed therein.

DEPONENT

Dated:

Place:

AFFIDAVIT ON BEHALF OF CONTRACTOR

AFFIDAVIT

I / We _____ resident of _____
_____ having the office of the firm / company at _____
_____ do hereby solemnly affirm and declare as under:-

I). That I/We have employed a Permanently graduate Engineer Since _____ whose particulars are as under:-

1. Name of the Engineer _____
2. Qualification _____
3. Experience _____
4. Period of Employment _____
5. Salary Paid _____

DEPONENT

VERIFICATION

I _____, the above deponent further solemnly affirm and declare that my above statement is true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

Dated:-

Place:-

ANNEXURE ‘C’

LIST OF MACHINERY & PLANTS AS PER PERFORMA GIVEN AS UNDER

Sr. No.	Names of Machinery Tools & Plants.	Make	Model	Capacity	Quantity	Present Place of Location	Year of Manufacturing

AFFIDAVIT

I, _____ S/o _____ R/O _____
_____ do hereby solemnly affirm and declare as under:-

- 1) That my permanent address is _____
- 2) That my Present address is _____
- 3) I am having Property / House / Land measuring _____ sft. / sqm in my name in Vill. / City _____ District _____ State _____ and attach copy of the same alongwith.
- 4) That I have not been blacklisted by any Govt. Department or any Govt. undertaking etc.
- 5) That none of my near relative is working as SE / EE / SDE / J.E. / Dy.Suptd. / Accountant / HDM / CDM in HUDA as per terms of relatives defined in HUDA rules.
- 6) That I am not a Income Tax defaulter.
- 7) That I have not already been enlisted as contractor in HUDA in any capacity i.e, Individual, Proprietorship, Partnership or limited concern whatsoever if may be. I undertake not to get myself registered anywhere in HUDA under more than one name.
- 8) That I have not failed to submit my purchased tender form to the Tender Receiving Committee for 3 successive tender.
- 9) That no action under clause –2 & 3 in any of my contract agreement have been taken by HUDA against me during the last three years.
- 10.) That I am not a dismissed Govt. servant and further undertake not to employ a dismissed govt. servant in my business without the prior permission of the registration authority.
- 11) That I undertake to intimate to deptt. Change of my address, if any, that takes place in future.
- 12) That there is no change in the partnership deed of the firm. That I/firm shall not enter into any fresh partnership without the prior knowledge of the deptt/registering authority (Required only in case of partnership firm).
- 13) That there is no change in the Board of Directors of the company. Any change in the Board of Directors will be intimated to the registering authority immediately (required only in case of limited company.)
- 14) That I have the following moveable and immovable property:-
 - i) Moveable Property : _____
 - ii) Immovable Property: _____

DEPONENT

Verification

Verified that my above statement is true and correct to the best of my knowledge and belief and nothing has been concealed therein

Place:

Dated:

DEPONENT

ANNEXURE – ‘C’

Passport Size
Photo duly
attested by
authority
issuing the
licence

IDENTITY CARD

1. Name of contractor/Agency/Firm/Society : _____
2. Present address : _____
: _____
3. Permanent Address : _____
: _____
: _____
4. Name of authorized representative in case of
firm / society stment : _____
5. Signature of contractor / authorized
representative. : _____

Signature

Name of Issuing authority _____

Designation _____

Seal

OFFICE OF THE ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR-6, PANCHKULA

To

1. All the Superintending Engineers in HUDA,
2. The Executive Engineer, HUDA Elect, Division, Panchkula / Hisar / Gurgaon.

Memo No. /10591-602

Dated: 31.07.2007

Sub :- Use of Energy Efficient Fittings.

A meeting on use of energy efficient lighting & efficient pumps was held on 27.07.2007 at 3.00 PM under the Chairmanship of Hon'ble Chief Minister, Haryana.

During this meeting, it was decided that :

1. All the traditional bulbs should be replaced by CFL bulbs by 01.11.2007 I.e. Haryana Day.
2. All street light should be replaced by CFL lights by March ,2008.
3. In future all electric appliances of only 3 star and above rating in energy efficient should be purchased by the Government Departments / PSU's.

You must take necessary steps for implementation of above decisions.

Whereas, decision at Sr. No. 1 should be urgently implemented and a time schedule for implementation of 2 & 3 above be prepared and sent . In addition following information is required to be supplied within three days urgently.

1. Number of street light points being operated by HUDA.
2. Monthly electricity bill for street lighting.
3. For purpose of replacement , what is the average life that has been fixed for sodium vapour lamps and mercury halogen lamps.
4. Total number of tubewells being operated by HUDA and whether energy efficient pumps are being used.
5. What will be cost of replacing ordinary chokes with electronic chokes in the street lighting system?
6. Electricity bill being paid (detail to be furnished , attached and starting from 01.01.2007) alongwith Meter No / account No. in the following Performa:-

Name of Office :-

S.No	Meter No/ A/C No.	Location	Meter functional or not	Last Bill	No. of units	Amount	period

You must provide the information related to you within stipulated period of 3 days without delays.

-sd/-

Executive Engineer (W),
For Engineer-in-Chief, HUDA,
Panchkula.

OFFICE ORDER

Sub :- Office order regarding **ACR of field Staff.**

It has been observed that the annual confidential report of regular work charged field staff class-III & IV employees are not being maintained properly in the Circle / Division offices. Necessary clarification regarding writing of ACRs of regular work charged field employees are as under :

Class-IV Employees

Initiating Authority	Work Munshi supervisor / Road Inspector / Work Inspector / Work Mistri
Reviewing Authority	Junior Engineer / Sub Divisional Engineer
Accepting Authority	Executive Engineer

All annual confidential reports to be maintained by Executive Engineer in his Office.

Class-III Employees

Initiating Authority	Junior Engineer
Reviewing Authority	Sub Divisional Engineer / Executive Engineer
Accepting Authority	Superintending Engineer

All annual confidential reports shall be maintained in the office of Superintending Engineer in his Office.

Dated : 15th June 2007.

(K. K. Bhugra)
EIC , HUDA, Panchkula.

Endst No. 8173-74

Dated : 15.06.2007

A copy of the above is forwarded to the following for strict compliance:-

1. All the Superintending Engineers of HUDA.
2. All the Executive Engineer of HUDA.

-sd/-
Superintending (Estt.)
For Engineer-in-Chief,
HUDA, Panchkula.

OFFICE OF THE CHIEF ADMINISTRATOR , HUDA, C-3, SECTOR-6, PANCHKULA

To

All the Superintending Engineers,
In HUDA.

Memo No. /7168-76

Dated: 29.05.2007

Sub :Implementation of energy Efficient light Equipments.

A Meeting was held under the Chairmanship of Financial Commissioner (Power) on the subject cited issue wherein it was decided that the following Energy conservation measures shall be implemented for providing energy efficient luminaries in the Department.

- i) In all the new HUDA Buildings use of CFL Lights is made mandatory.
- ii) In the existing building all the installed lighting fixtures shall be replaced with CFL or T-5-28 Watt. tube lights having electronics ballast. Existing street lighting at Panchkula is to be replaced by energy efficient fitting through ESCO Mode ,Energy, efficient street light fittings are to be used in Educational City Sonapat.
- iii) All new street lights on road shall be made energy efficient by providing electronics ballast and T-5-28W tube light.
- iv) The sodium and metal halide street lights shall be provided with electronics ignitor and electronics ballasts to made them energy efficient.
- v) All the motors and pumps shall be ISI marked , should be of proper wattage and according to the load requirement to avoid overloading and under-loading.

You are hereby directed to insure implementation of above decisions the meticulously in areas under your control.

-sd/-
Executive Engineer (W)
For Chief Administrator,
HUDA, Panchkula.

Endst No. 7177

Dated29.05.2007

A copy of the above is forwarded to PS to worthy C.A., HUDA, Panchkula for kind information of Chief Administrator.

-sd/-
Executive Engineer (W),
For Chief Administrator, HUDA,
Panchkula

OFFICE OF THE ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR-6, PANCHKULA.

To

All the Superintending Engineers.

Memo No: 7132

Dated: 28.05.2007

Sub:-Deduction of cess and transferring the same in Haryana Building and other Construction Workers Welfare fund.

I have been directed to enclose herewith decision taken in the meeting held on 28.03.07 under the Chairmanship of CA, HUDA vide letter No. 5197-5204 dated 13.04.2007 (photocopy enclosed). The Secretary to Haryana Building & Other Construction Workers Welfare Board –cum-Labour Commissioner, Haryana vide his letter No. 1370-1495 dated 14.2.2007 has requested that cess may be deducted with immediate effect on all running projects in State of Haryana and same may be transferred in Haryana Building & other Construction Workers Welfare Fund. Copy of letter has already been sent to your office vide EIC, HUDA No. 2697-2705 dated 5.3.2007. This issue was discussed in meeting held on 28.03.2007 at 5.30 P.M. under the Chairmanship of Chief Administrator, HUDA and it was decided that:

HUDA must deduct cess @ 1% of gross construction cost from contractors for works executed after 02.11.2006.

A clause may be introduced in all tenders/ works allotted hence forth that cess will be deducted as such rate not exceeding 2% but not less than 1% of the cost of construction incurred by an employer, as the Government may notify in the Official Gazette from time to time specify.

You are requested to ensure strict compliance of above.

DA/As above

-sd/-
Executive Engineer (W)
For Engineer-in-Chief, HUDA,
Panchkula.

Endst. No: 7133

Dated: 28.05.2007

A copy of the above is forwarded to all the Executive Engineers, HUDA for information and necessary action.

-sd/-
Executive Engineer (W)
For Engineer-in-Chief, HUDA,
Panchkula.

Endst. No: 7134

Dated: 28.05.2007

A copy of the above is forwarded to all the Estate Officers, HUDA for information and necessary action. He is requested to take up the matter with regard to Pvt. Construction of residential house more than Rs. 10.00 lacs for sanction from Government for necessary amendment in rules & regulation in view of provisions of Building & other construction workers cess Rules- 1998 framed by Central Government under relevant acts.

DA/ Photocopy of letter & minutes of meeting.

-sd/-
Executive Engineer (W)
For Engineer-in-Chief, HUDA,
Panchkula.

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA.

To

1. The Administrator(H.Q.),HUDA, Panchkula.
2. The Chief Controller of Finance,HUDA, Panchkula.
3. The Chief Town Planner,Haryana.
4. The Chief Town Planner, HUDA.
5. The Addl. Chief Engineer,HUDA, Panchkula.

Memo No: 5197

Dated: 13.04.2007

Sub:Minutes of the meeting held on 28.3.2007 at 5.30 P.M. under the Chairmanship of CA, HUDA in his office room Chandigarh regarding **Deduction of cess and transferring** same in Haryana Building & other **Construction Workers Welfare Fund.**

I have been directed to enclose herewith the minutes of the meeting held on 28.3.2007 at 5.30 P.M. under the Chairmanship of CA, HUDA in his office room Chandigarh regarding Deduction of cess and transferring the same in Haryana Building & other Construction Workers Welfare Fund.

DA/Minutes of Meeting.

-sd/-

Executive Engineer (W),
For Chief Administrator, HUDA,
Panchkula.

Endst. No.

Dated:

A copy of the above alongwith proceeding of meeting is forwarded the followings for information and necessary action.

1. PS to C.A., HUDA for kind information of Chief Administrator, HUDA.
2. PA to EIC, HUDA for kind information of Engineer-in-Chief, HUDA.
3. PA to C.E., HUDA, Panchkula for kind information of Chief Engineer, HUDA.

DA/Minutes of Meeting.

-sd/-

Executive Engineer (W),
Chief Administrator, HUDA,
Panchkula.

Minutes of meeting held on 28.3.2007 at 5.30 P.M. under Chairmanship of Chief Administrator, HUDA to discuss deduction of cess and transferring same in Haryana Building & other Construction Workers Welfare Fund.

List of participants is as per Annexure.

At the outset, Engineer-in-Chief, HUDA explained the house about provision of cess deduction at a minimum rate of 1% of cost of construction from any work pertaining to building construction and other construction of a Govt. or public sector undertaking as per provisions of building & other Construction Workers Cess Rules-1998 framed by Central Govt. under relevant Acts. Activities covered under cess rules were explained by him. It was further informed that Haryana Building & other Construction Workers Welfare Board stands constituted vide notification dated 2.11.2006 which will carry out various welfare schemes like financial assistance to workers in case of Accidents, for purchase of tools, Maternity benefit etc. It was also informed to the house that:

- i) Cess is to be collected by Govt. / Public sector undertaking from bills paid for construction works of such work.
- ii) Where the approval of a construction work by a local authority is required every application for such approval shall be accompanied by a crossed demand draft in favour of the Board and payable at the notified rates on the estimated cost of construction.
- iii) It has been informed that as per request of Board that cess may be deducted with immediate effect on all such running projects in the State of Haryana Under the jurisdiction and the same is to be transferred in the Haryana Building & Other Construction Workers Welfare Fund of the said Board.
- iv) All the residential constructions incurring the cost of construction more than Rupees ten lacs employing building and other construction workers are also coverable under this Act. EIC, HUDA further explained that so far no clear-cut provision for deduction of cess on a/c of labour welfare exist in agreements.

The Board was constituted on 2.11.2006 and as such after detailed deliberations it was decided that:

- a) HUDA must deduct cess @ 1% of gross construction cost from contractors for works executed after 02.11.2006.
- b) Clause clarifying that cess at Minimum rate of 1% of Gross construction and Maximum @ 2% would be recoverable from contractual agencies should be introduced hence forth.
- c) Regarding construction by colonizers, case is to be moved by CTP as per relevant provisions.
- d) As regards construction of residential houses costing more than Rs. 10.00 lacs, the case will be taken up by E.O. (P) for sanction from Govt. and for necessary amendments in Rules, Regulations.

OFFICE OF THE ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR-6, PANCHKULA

To

1. All the Superintending Engineers in HUDA
2. All the Executive Engineers in HUDA

Memo No. 3566

Dated: 16.03.2007

Sub:-Regarding presence of extreme **levels of pollutants in the water Tanks** of the Municipal bodies and Public Health Department in the State.

Please refer to a news which appeared in the Tribune of 6th March 2007, regarding cleaning of clear water storage tanks. It is hereby directed that all the EE's should inspect their tanks and where ever they feel that it needs cleaning, needful be got done on priority subject to financial regularities, to avoid any ill effects on the health and hygiene of the people of area. The inspection of water tanks be carried out as a matter of routine after every six months and necessary report be submitted by the SDE incharge to their respective EEs.

-sd/-

Executive Engineer (M),
For Engineer-in-Chief,
Panchkula.

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA, C-3, SECTOR-6, PANCHKULA

To

The Superintending Engineer,
HUDA Circle, Panchkula/Karnal/Hisar,
Rohtak/Faridabad /Gurgaon –I /II.

Memo No. 13541-47

Dated: 19.12.2006

Sub.: Providing **clean drinking water** to **residents** of HUDA sectors in various Urban Estates.

I have been directed to request you to keep vigil in providing clean drinking water to residents of HUDA sectors in various Urban Estates in the State and also ensure that no situation arises where residents get contaminated water. Also compliance of the following guidelines must be ensured by field officers which will be helpful in providing clean drinking water to residents:-

1. Chlorination of water regularly and regular checking of residual chlorine during supply hours at source and as well as tail ends / farthest point.
2. Remedial steps by concerned Executive Engineers in maintenance of tube wells, repair of leakage of pipes in a time bound manner.
3. Testing of water samples from the laboratory frequently as early as possible and in case the samples are not upto the mark. XEN concerned should inform the higher office for necessary steps to be taken.
4. Prompt action may be taken on receipt of complaint from the residents with regards to contaminated water.

-sd/-

Executive Engineer (M)
For Chief Administrator,
HUDA, Panchkula.

OFFICE OF THE ENGINEER-IN-CHIEF HUDA C-3, SEC-6, PANCHKULA

To

All the S.E.'s of HUDA

Memo. No.12960

Dated 04.12.2006

Sub.:Guidelines with regard to **excavation of trenches** using 'Timbering & shoring upto 1.5m depths.

I have been directed to convey that while approving DNIT for Sewers / Storm Sewers, the item of excavation of earth work upto 1.5 m depth should be taken without timbering and rates should be incorporated as per note after of HSR Item No.6.10 under foot note (i). The rates should be depicted after deducting Rs. 730/- per 100 cum from basic rate of excavation. However for depth exceeding 1.5m the decision regarding Timbering and shoring is to be taken by S.E /E.E in charge of work keeping in view soil type, total depth of excavation etc.

The above information may be brought into the notice of all field staff / Drawing staff for information / compliance in future.

-sd/-

Executive Engineer (HQ)
For Engineer-in-Chief,
HUDA, Panchkula

C.C to :-

1. PS to C.A HUDA for kind information of Chief Administrator, HUDA.
2. Executive Engineer, Vigilance Cell, Panchkula.
3. Executive Engineer, HUDA (W) (M), O/o Engineer-in-Chief, HUDA.

OFFICE OF CHIEF ADMINISTRATOR HUDA, PANCHKULA

To

All the Superintending Engineers
HUDA

Memo. No.8121-29

Dated 26.07.2006

Sub.:Regularization and Court Cases of regular work charge field staff.

Kindly refer on the subject cited above.

It has been decided by the Higher Authority in such cases where the draft speaking order is required to be passed in compliance of Hon'ble Courts Orders. The same may be passed at your own level.

It is therefore, requested to pass speaking orders at your own level after considering the Govt./HUDA Policy/ directions and court orders, since you are the competent authority. In case any legal opinion / vetting is required, it may be got vetted from DDA concerned posted in Administrator Office. Examination of all such cases at Head Quarter (C.A. level) is not feasible.

These instructions should be complied strictly.

-sd/-
Superintending Engineer (HQ)
For Chief Administrator,
HUDA, Panchkula

Endst. No.8130-34

Dated 26.07.2006

A copy of the above is forwarded to all the Administrators, HUDA, for information necessary action please.

-sd/-
Superintending Engineer (HQ)
Chief Administrator,
HUDA, Panchkula

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA, C-3, SEC-6, PANCHKULA

To

The Administrator, HUDA, Panchkula / Hissar/ Gurgaon / Faridabad.

Memo. No.4667-71

Dated 24.04.2006

Sub.:Earthquake resistant- construction of building & structures in State of Haryana (amended).

In continuation to this office letter No.3293 dated 26.4.2005.

Haryana Urban Development Authority has amended the Building Bye laws for incorporating earthquake resistant design and construction, fire safety and other safety measures from natural hazards. These amendments were notified vide Gazette notification dated 9.9.2003 as Haryana Urban Development Authority (Erection of buildings) Amendment Regulation 2003. This Gazette notification were circulated to all the head of the Departments including Town & Country Planning Department vide Chief Administrator, HUDA Memo. No.18309 dated 20.04.2004. Brief of the amendments along with various changes made include submission of structure design, fire safety design, certificate of conformity to regulation and structural safety for building to be given by proof consultant or structural Engineer depending upon height and purpose of the building are enclosed.

I have been directed to inform you that the amended building bye laws are required to be enforced strictly so as to avoid any disaster due to earthquake and other natural hazards. Estate Officers being the sanctioning authority can enforce these regulation at the time of approval of building plans and also at time of grant of occupation certificates. So all the Estate Officers falling in your zone may be directed to ensure strict enforcement of the notification and to give wide publicity to the general public on the matter please.

Please ensure enforcement of these amended by laws.

-sd/-

Executive Engineer (M)
For Chief Administrator,
HUDA, Panchkula

C.C to

PS to C.A., HUDA for kind information of Chief Administrator, HUDA Panchkula please

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-6, SECTOR-6, PANCHKULA

To

1. All the Administrators of (HQ),HUDA Panchkula
2. The Chief Controller of Finance,HUDA, Panchkula
3. The Chief Town Planner,HUDA, Panchkula
4. The Chief Coordinator Planer (NCR),Haryana, Panchkula.
5. The Chief Town Planer,,HUDA Panchkula.
6. The District Attorney,HUDA, Panchkula

Memo. No. EIC-HUDA-2005-M/4741

Dated 07.06.2005

Sub.:Implementation of July 2004 amendment in EIA Notification.

I have been directed to intimate that a meeting will be held on 7.6.2005 at 12.15 P.M. under the Chairmanship of Chief Administrator, HUDA in his office room at Sector-18, Chandigarh to discuss the subject matter reference. A photocopy of notification dated 7.7.2004 issued by Ministry of Environment & Forest, New Delhi is enclosed herewith for discussion / implementation.

You are requested to make it convenient to attend the meeting at above said date time & venue.

-sd/-

Executive Engineer (M)
For Chief Administrator,
HUDA, Panchkula

C.C to

1. PS to C.A., HUDA for kind information of Chief Administrator, HUDA
2. PA to EIC, HUDA for kind information of Engineer-in-Chief, HUDA, Panchkula

**IN THE SAID NOTIFICATION
IN PARAGRAPH 3 –**

(i) in item (c) for the letters word and figures “Nos 3, 18 and 20” the letter word and figures “Nos 3, 18, 20, 31 and 32” shall be substituted.

(ii) offer sub para (f), the following shall be inserted namely:-

“(g) any construction project, falling under only 31 of Schedule I including new townships, industrial townships settlement colonies commercial complexes, hotel complexes hospital and office complexes for 1,000 (one thousand) persons or below or discharging sewage of 50,000 (fifty thousand) litres per day or below or with an investment of Rs.50,00,00,000/- (Rupees fifty crores) or below.

(h) any industrial estate falling under entry 32 of Schedule-I including industrial estates accommodating industrial units in an area of 50 hectares or below but excluding the industrial estate irrespective of area if their pollution potential high.

Explanation –

(i) New construction projects which were undertaken without obtaining the clearance required under this notification, and where construction work has not come up to the plinth level shall require clearance under this notification with effect from the 7th day of July 2004.

ii) In the case of new industrial estate which were undertaken without obtaining the clearance required under this notification and where the construction work has not commenced or the expenditure does not exceed 25% of the total sanctioned cost shall require clearance under this notification with effect from the 7th day of July 2004.

iii) Any project proponent intending to implement the proposed project under sub paras (g) and (h) in a phased manner or in another shall be required to submit the details of the entire project covering all phases on modules for appraisal under this notification.

Schedule I offer item 30 and the entry relating thereto the following shall ----namely

“3) New construction projects

EXTRAORDINARY
PART II SECTION 3 – SUB SECTION (H)
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi the 7th July, 2004

S.O. BOI (E), dated 7th July, 2004 – Whereas a draft of certain amendments of the notification of the Government of India in the Ministry of Environment and Forest number S.O. 60 (E), dated the 27th January 1994 was published in the Gazette of India, Extraordinary, Part II, Section 3, sub Section (ii) vide number S.O. 1236 (E), dated the 27th October, 2003 inviting objections and suggestions from all persons likely to be effected thereby within a period of sixty days from the date on which copies of the Gazettee containing the said notification were made available to the public.

And whereas copies of the said notification were made available to the public on dated 27th October, 2003.

And whereas, the orders of the Hon'ble Supreme Court in the Writ Petition (C) No.725 of 1994 with L.A No.20, 21, 1207, 1183, 1216 and 1251 in Writ Petition (C) No.4677 of 1985 in the matter of news item published in Hindustan Times filled "And Quiet Flows the Maily Yamuna" Vs. Central Pollution Control Board and Other have been duly considered;

And whereas the orders of Hon'ble High Court of Madras in W.P. (C) No.33493 of 2003 and W>P. Nos. 35205, 35517, 35691, 35692 and 35825 of 2003 and W.P. M.P. Nos. 40556, 42562, 43720, 45348 to 45350, 42791, 42792, 43882 43181, 43366 to 43369, 43544 and 43545 of 2003 between C.S. Kuppuraj and others Vs. the State of Tamil Nadu and others have also been duly considered.

And whereas all objections and suggestions received have been duly considered by the Central Government :

Now, therefore, in exercise of the power conferred by sub-section (1) and clause (v) of sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (22 of 1986) read with clause (d) of sub-rule (d) of rule 5 of the Environment (Protection) Rules, 1986 the Central Government hereby makes the following further amendments in the notification number S.O. 60 (E), dated the 27th January 1994 namely:-

In the paragraph 3 –

In para 5 of sub para (f) the following shall be substituted nemely:-

- (i) The quantum of existing industrial effluents and domestic sewage with incremental load to be released in the receiving activities along with water body due to the proposed activities along with consequent details.
- (ii) The quantum and quality of water in the receiving water body before and after disposal of solid wastes including municipal solid wastes industrial effluents and domestic sewage.
- (iii) The quantum of industrial effluents and domestic sewage to be released on land and type of land"

In para 6, for sub-para (a) the following shall be substitutes namely.

- (iv) Nature and quantity of solid wastes generated including municipal solid wastes biomedical wastes hazardous wastes and industrial wastes."

(No.Z-11011/1/2002-IA-I)
R. Chandramohan Jt. Secy.

Note : The principal notification was published in the Gazette of India vide number S.O. 60 (E) dated 24.1.1994 and subsequently amended vide:

- 1 S.O. 358 (E) dated 4th May, 1994
- 2) S.O. 318 (E) dated 10th April, 1997
- 3) S.O. 23 (E) dated 27th January, 2000.
- 4) S.O. 1119 (E) dated 13th December, 2000.
- 5) S.O. 737 (E) dated 1st August, 2001.
- 6) S.O. 1148 (E) dated 21st November, 2001.
- 7) S.O. 532 (E) dated the 13th June, 2002
- 8) S.O. 218 (E) dated 28th February, 2003
- 9) S.O. 506 (E) dated the 7th May, 2003
- 10) S.O. 591 (E) dated the 4th August, 2003
- 11) S.O. 108/(E) dated the 22nd September, 2003

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-6, SECTOR-6, PANCHKULA

To

1. All the Administrators of HUDA
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. All the Superintending Engineer of HUDA

Memo. No. EIC-HUDA-2006-M/4741

Dated 06.06.2005

Sub.: Implementation of July 2004 in EIA Notification

Please refer to this office memo. No. EIC-HUDA-2005-M/4741 dated 6.6.2005. The copy of the July 2004 amendment in EIA notification and the letter from Haryana State Pollution Control Board No. HSPCB/05/PLG/835 dated 18.5.2005 are enclosed herewith for immediate implementation and further necessary action.

DA/- July 2004 Notification

-sd/-

Executive Engineer (M)

For Chief Administrator HUDA

Panchkula

HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA

No. HSPCB/2005/PLG/835

Dated 28.03.2004

To

Govt. of India

Please refer to the Ministry of Environment & Forests, Govt. of India Notification No.SO 801(E) dated 7th July, 2004 vide which Govt. of India has made it mandatory to include following projects which are required to obtain environmental clearance from the Govt. of India, Ministry of Environment & Forest and also No. Objection Certificate from the Haryana State Pollution Control Board.

Entry No.31

New Construction Projects

Construction projects including new townships, industrial townships settlement colonies, commercial complexes, hotel complexes, hospitals and office complexes for 1,000 persons (one thousand) of discharging sewage of 50,000 (Fifty thousand) liters per day or with a investment of Rs.50 Crores (Fifty Crores). This will also include construction work where work has not come up to the plinth level on the 7th day of July 2004 i.e. the day of Notification.

Entry No. 32

New Industrial Estates

Industrial Estates including Industrial Estates accommodating industrial units in an area of 50 hectares or industrial estates irrespective of their area if their pollution potential is high. This will also include industrial estates where expenditure does not exceed 25% of the total cost on the 7th day of July, 2004 i.e. the day of Notification.

The above projects are required to obtain environmental clearance from the Ministry of Environment & Forests, Govt. of India.

I have been directed to request your good self to kindly direct all the project proponents as covered under Entry No.31 & 32 of the notification dated 7th July 2004 as mentioned above to immediately apply for the environmental clearance to the Ministry of Environment & Forests, Govt. of India and simultaneously they should apply for NOC from the Board.

I have been further directed to request you to please send the list of all such projects to the Haryana State Pollution Control Board so that necessary compliance of the notification may be ensured from them.

DA/- Copy of Notification

-sd/-

SCIENTIES 'C'-I (HQ)
For CHAIRMAN

HARNAYA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In supersession of this office order Endst. No. EA-6-99/38996-39025 dated 29.12.1999 and No. 2776-81 dated 18.04.2000, it is hereby ordered that the powers delegated to the Chief Engineer/Engineer-in-Chief, HUDA from time to time to deal with the promotions of Regular Work Charged Field Staff from Class-IV to Class-III and to next higher post within Class-III category working in Engineering Wing of HUDA are hereby delegated to the respective Superintending Engineer's of HUDA with immediate effect. A Committee under the Chairmanship of respective Administrators of HUDA with Superintending Engineers as a member of the Committee and Executive Engineer concerned as the Member Secretary, shall consider the approve the cases of promotion of such employees.

Dated, Panchkula, the
13TH April, 2005

S.S.DHILLON, I.A.S.
Chief Administrator, HUDA

Endst. No.: 4559

Dated: 31.05.2005

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators of HUDA
2. All the Superintending Engineers of HUDA
3. All the Executive Engineers of HUDA

-sd/-
Superintending Engineer(HQ)
for Chief Administrator, HUDA
Panchkula

Endst. No.: 4560-62

Dated: 31.05.2005

A copy of the above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula
2. The Addl. Director (Law), HUDA, Panchkula
3. PS/CA HUDA of kind information Worthy Chief Administrator, HUDA

-sd/-
Superintending Engineer (HQ)
For Chief Administrator, HUDA

OFFICE OF THE CHIEF ADMINISTRATOR, HUDA C-3, SECTOR-6, PANCHKULA

To

The Estate Officer,
HUDA

Memo. No.3293

Dated 26.04.2005

Sub.:Earthquake resistant – construction of building and structures in State of Haryana

Haryana Urban Development Authority has amended the Building Bye laws for incorporating earthquake resistant design and construction, fire safety and other safety measures from natural hazards. These amendments were notified vide Gazette notification dated 9.9.2003 as Haryana Urban Development Authority (Erection of buildings) Amendment Regulation 2003 (copy of the same enclosed). This Gazette notification were circulated to all the head of the Departments including Town & Country Planning Department vide Chief Administrator, HUDA Memo. No.18309 dated 20.04.2004. Brief of the amendments is attached along with various changes made include submission of structure design, fire safety design, certificate of conformity to regulation and structural safety for building to be given by proof consultant or structural Engineer depending upon height and purpose of the building are enclosed.

The amended building by-laws are required to be enforced strictly so as to avoid any disaster due to earthquake and other natural hazards. Being the sanctioning authority you can enforce these regulations at the time of approval of building plans and also at time of grant of occupation certificates.

Please ensure enforcement of these amended by laws.

DA- As Above

-sd/-
Executive Engineer (W-II)
For Chief Administrator
HUDA, Panchkula

C.C to

PS/CA, HUDA for kind information of Chief Administrator HUDA, Panchkula please.

HARYANA GOVERNMENT GAZETTE

Published by Authority

(C) Govt. of Haryana

No. 36] CHANDIGARH, TUESDAY, SEPTEMBER 9, 2003 (BHADRA 18, 1925 SAKA)

PART III

Notification by High Court, Advertisement, Notices and change of Name etc.

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

The 29th August, 2003

No. 243 Gaz. II/XXI, C.22 – In exercise of the power conferred by Section 13 (1) of the Code of Criminal Procedure, 1973, Hon'ble the Chief Justice and Judge have been pleased to confer upon the following I.A.S. Probationers the powers, noted against their names in Column No. 3 below to be exercised within the limits of the District shown in Column No.4 below:-

S.No.	Name of Officer	Power	Territorial Jurisdiction	Remarks
1.	2	3	4	5
1.	Sh. Mod. Shyin	Judicial Magistrate IInd Class	District Ambala	With effect from 9.2.2004 to 5.3.2004
2.	Sh. Satya Prakash T.L	-do-	Ambala	-do-

By order of the Hon'ble Chief Justice & Judges

(-sd/-)
Registrar
HIGH COURT OF PUNJAB
AND HARYANA AT CHANDIGARH

The 2nd September, 2003

No. 253 Gz. II / XXI. C.25 – In exercise of the power conferred by Section 260 of the Code of Criminal Procedure, 1973, Hon'ble The Chief Justice and Judges have been pleased to confer upon the following Judicial Magistrate(s) of the First Class, the power noted against his name (s):-

HARYANA URBAN DEVELOPMENT AUTHORITY

The 3rd September, 2003

No.28559 – In exercise of the power conferred by Section 54 (d) of the Haryana Urban Development Authority Act, 1977, and all other powers enabling it in this behalf and with the previous approval of the State Government conveyed vide their Memo. No. 10/1/98-2TCP, dated the 5th June, 2003 Haryana Urban Development Authority hereby makes the following regulations further to amend the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, namely:-

1. These regulations may be called the Haryana Urban Development Authority (Erection of Buildings) Amendment Regulations, 2003,
2. In the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979 (hereinafter called the said regulations), in Regulation 2 –

3.

- i) For clause (xviii) the following clause shall be substituted, namely:-

‘(xviii) “Engineer” shall be a person who is a graduate in Civil Engineering of a recognized Indian or Foreign University or corporate member of Civil Engineering Division of Institute of Engineers of India or equivalent Institute and / or registered as such with the Authority, employed for supervision of construction;

- ii) after clause (xxxviii) the following clause shall be inserted, namely:-

‘(xxxviii-a) “Proof Consultant” shall be a person who is structural Engineer or a group / firm of structural Engineers having post graduate qualification in structural Engineers with ten years experience in structural design and evaluation thereof, for multistoried and specialized structures, and / or an Institute of the following type, employed for evaluation / checking of the structural design of the building referred to in the relevant form BR VI:-

1. National Council for Building Material (NBC) Ballabgarh.
2. Institute of Structural Engineers (India)
3. Central Building Research Institute, Roorkee.
4. Various Engineering Institutes like:

- i) Indian Institutes of Technology.
- ii) Engineering College, Roorkee
- iii) Punjab Engineering College, Chandigarh.
- iv) Regional Engineering Colleges,
- v) Any other such Institute of repute:-

- vi) after clause (xxxiii) the following clause shall be inserted, namely:-

‘(xxxiii-a) “Structural Engineer” shall be a person who is a graduate in Civil Engineering of a recognized Indian or Foreign University or Corporate member of Civil Engineering Division of Institute of Engineers of India or equivalent Institute with a minimum of three years experience in structural engineering practice in designing structure and field work and / or registered as such with the Authority, employed for preparation of the structural design for residential and commercial buildings upto three storeys or 11 Metres height, However, only the structural engineers possessing post graduate qualification in structural engineering along with a minimum of three years experience in the design of multistory and specialized structures, and / or registered as such with the Authority, shall be employed to undertake and submit the structural design of building other than residential and commercial building up to three storeys or 11 metre height, as per the requirements of the relevant form BR, VIA or BR, VIB.’

3. In the said regulations, for regulation 3, the following regulations shall be substituted, namely:-
 - “3. Application for erection or re-erection of building – (1) Any person, excepting those mentioned in regulation 6, intending to erect or re-erect any building shall make an application in writing to the Estate Officer in from BR I accompanied by the following documents and forms, duly signed by a registered Architect, Engineer, Structural Engineer and Proof Consultant as required in the relevant forms / documents:-
 - a) a site plan as required by regulation 4;
 - b) a building plan or plans as required by regulation 5;
 - c) details of specifications of the work to be executed in form BR II.
 - d) Structural drawings (for record);
 - e) Fire safety design as required under National Building Code, duly approved by the Fire Officer;
 - f) Heating, ventilation, air conditioning (HVAC) service plan wherever required;
 - g) Certificate of conformity to regulation and structural safety for the relevant building (depending on type and height) in form BR. VIA or BR, VIB.
 2. Every person giving application under sub-regulation (I) above shall appoint a registered Architect for the drawing up of plans. The supervisions of erection or re-erection of residential and commercial buildings up to three storeyed or 11 Metre height may be undertaken by the Architect and / or the Engineer. However, in case of building other than residential and commercial buildings upto three storeyed or 11 Meter height, the supervision shall be undertaken both by the Architect and the Engineer.
 3. The application, plans, structural drawings, specifications and the certificates shall be signed by the applicant and the registered Architect, Engineer, Structural Engineer and Proof Consultant as required in the relevant forms / documents.
 4. The application shall be accompanied by a scrutiny fee to be calculated at the rate of Rs.10/- per Square Metre of the floor area.
 5. A refundable amount of Rs.1000/- shall be deposited by the applicant with the building application. The amount will be refundable to the applicant after construction of the building and after satisfying the Estate Officer or his representative regarding clearance of the site and removal of debris therefrom.
 6. In case where the supervising Architect / Engineer is different from the one who has prepared the designs, the plan shall be signed by both of them.”
4. IN the said regulations, in regulation 11, for sub-regulation (I) the following sub regulation shall be substituted, namely”:-

“(1) Every person who intends to occupy a building or a part thereof shall apply for the occupation certificate in form BR. IV A or BR. IVB which shall be accompanied by a certificate in from BR. VA or BR, VB, duly signed by Architect / Engineer”.
5. In the said regulations in regulation 21, the following regulation shall be substituted, namely:-

“21. Materials – All materials to be used for erection or re-erection of a building shall confirm to the specifications and standards, laid down in the National Building Code and relevant IS codes or as may be laid down by the Authority from time to time”.
6. In the said regulations, for regulation 22, the following regulation shall be substituted namely:-

“22, Site – No person shall erect or re-erect any building on any ground which has been filled in with offal or offensive vegetable or animal matter, or upon which any such matter is deposited unless and until the safety of the structure, including foundation, has been duly certified by the Structural Engineer.”

7. In the said regulations in regulation 23 -
 - (i) for the words and sign “The foundations of every building shall be so constructed as to sustain the combined dead load of the building and super imposed load and to transmit those loads to the sub-soil in such a manner that the pressure on the sub soil shall not exceed the same pressure specified below” the words, letters and signs “The foundation of every building shall be designed and constructed as per the requirements of National Building Code and relevant I.S. codes including codes for buildings resistant to earthquake and other natural hazards and also keeping in view the safe bearing capacity of the soil and other local conditions, in the area where the building is to be erected or re-erected” shall be substituted:
 - (ii) for the words, sign and figures “For eccentric loads, the maximum safe allowable pressure may exceed the values given above by 10 per cent”, the words, signs and letters “The above table provides only the guidelines for Architect / Structural Engineer, however, the provision of National Building code and I.S. code shall be followed for all structural designs” shall be substituted.
8. In the said regulations, in regulation 24 -
 - (i) for sub-regulations (1) and (2), the following sub-regulations shall be substituted, namely :-
 - “(1) Every wall of a public building or domestic building (including a pier forming a part of the wall or a compound wall) shall be provided with a damp roof course except when built of material such as cement concrete with or without the addition of any commercial damp proofing material.
 - (2) Materials specified as damp proof course shall be as indicated in the Haryana Public Works Department Specification 1990 edition or as provided in the National Building code.”
 - (ii) in sub-regulation (4) for the words “bitumenised bricks or cement concrete bricks laid in cement mortar or any other damp proof materials”, the words “proper damp proof materials” shall be substituted.
9. In the said regulations, for regulation 25, the following regulation shall be substituted, namely:-

“25, Loads – In addition to the dead load, the building shall be designed for live loads including wind pressure and seismic load as per IS: 800, the National Building code and other relevant IS code for structures resistant to earthquakes and other natural hazards with their latest amendments.”
10. In the said regulations, in regulation 26, for the words and figures “Punjab Public Works Department Specifications 1963 edition or as laid down by the Authority from time to time”, the words and figures “Haryana Public Works Department Specifications 1990 edition or as laid down in the National Building code” shall be substituted.
11. In the said regulations, in regulation 27, in sub-regulation (2) the following shall be added at the end, namely:-

“No drainage sanitary (including water supply) pipes shall be allowed in the common walls, Niches also shall not be permissible in the common walls.”
12. In the said regulations, for regulation 28, the following regulation shall be substituted, namely:-

“28. Thickness of walls - Where walls of building are constructed of bricks, stones, blocks or of other hard and incombustible material laid in horizontal beds of courses, every wall or a part of wall shall be designed and constructed as to be capable of safety sustaining and transmitting the dead loading, the superimposed loading and the horizontal and inclined forces including wind pressure and seismic loads to which it may be subjected to (calculated in accordance with the National Building code and relevant IS codes) without undue settlement or deflection and exceeding the permissible pressure / stress on the materials prescribed by the National Building Code and relevant I.S. Codes”.
13. In the said regulations, for regulation 29, the following regulation shall be substituted, namely:-

“29 Slanderness ratio – Slanderness ration must not exceed the limits prescribed by the National Building code and relevant I.S. codes.”

OFFICE OF ENGINEER-IN-CHIEF, HUDA C-3, SECTOR-6, PANCHKULA

To

1. All the Superintending Engineer,HUDA Circle
2. All the Executive Engineer,HUDA Division No.

Memo. No. 9616-17

Dated 14.09.2004

Sub.:Notification for use of Fly Ash. Compliance of orders of Hon'ble **High Court of Delhi.**

Please find enclosed along with copy of AC Slip No.1 to PWD specifications wherein specification of Fly Ash – clay bricks have been given

As far as Fly Ash filling in embankment is concerned the same shall be executed as per specifications contained in Indian Road Congress SP-58-2001. You must procure copies of the same and it should be available in all Divisional Offices.

Copies of AC Slip No.7 & 20 to HSR, regarding clarifications about inclusion of Fly Ash – clay bricks in chapter – 11 and Fly Ash in chapter-6 are also enclosed. These Addenda & Corrigenda must be added in all the tenders and works be carried out with fly ash bricks and fly ash in embankments as per provision in notification.

DA/- As above

-sd/-
Executive Engineer (W)
For Engineer-in-Chief
HUDA, Panchkula

**AGENDA AND CORRIGENDA TO THE HARYANA P.W.D. SCHEDULE OF RATES, 1988
(SECOND EDITION).**

A & C Slip No.7

Dated 10.12.1992

The following additional note shall be added after the existing note (XI) in the beginning of chapter No.11 brick works.

Page No.	Note	Description

55	XII	The rates for brick work in chapter 11 are both for clay moulded bricks and clay fly ash bricks.

AGENDA AND CORRIGENDA TO THE HARYANA P.W.D SPECIFICATION 1990 (FIRST EDITION)

A & C Slip No.1

Dated 10.12.1992

The following specifications shall be added in the Haryana P.W.D. specifications 1990 (first edition) at serial No. 3.69 of chapter No.3 of "MATERIALS" after page No. 143:-

Specification No.3.69 Clay – Fly ash Bricks

1. General Requirements:-

- 1.1 The clay fly ash bricks shall be sound, compact and uniform in shape and colour, Bricks shall have smooth rectangular faces with sharp and square corners. The bricks shall be free from visible cracks, flaws, warpage, nodules of free lime and organic material. The bricks shall be hand or machine moulded.
- 1.2 Brick of 9 cm height shall be with frog of 10 cm in length. 4 cm in width and 1 to 2 cm deep on one of its flat side. Where modular bricks are not readily available in the market, FPS bricks with suitable frog may be used, unless otherwise specified.

2. Dimensions and tolerances:

- 2.1 The size of clay fly ash bricks shall be as follow:

Brick size	Brick modular	FPS
1. Actual	19x9x9cms	22.5x11.1x7cms
2. Material	20x10x10 cms	22.9x11.4x7cms

The tolerances in dimensions, when tested as per the method prescribed in IS: 1077-1936 shall be +3% in length width and height. For class 75 and 50 slight distortion and found edges shall be allowed provided no difficulty shall arise on this account in laying uniform course.

3. Fly-ash;

Fly ash shall conform to grade 1 or grade 2 of IS : 3812-1981

4. Physical Requirements.

Classification : clay fly ash bricks shall be classified on the basis of the minimum compressive strength as given in Table-I below.

- 4.1 The clay fly ash bricks, when tested in accordance with the procedure laid down in IS :S/196-(part-I)-1976, shall have a minimum compressive strength as under:-

TABLE-I

Class designation	Average compressive strength in Kg/cm ²	
	Not less than	Not more than
100	100	125
75	75	100
50	50	75

Note:- In case any of the test result for compressive strength exceeds the upper limit for the class, the same shall be limited to upper limit of the class for the purpose of average.

The compressive strength of any individual bricks tested shall not fall below the average compressive strength specified for the corresponding class of clay fly ash bricks by more than 20 per cent.

4.2 Water absorption:

The clay fly ash bricks, when tested in accordance with the procedure laid down in IS: 3495- (Part-2)-1976, after immersion in cold water for 24 hours, the average water absorption shall not be more than 20 percent by weight.

5. Sampling:

Sampling and criterion for conformity of common clay fly ash bricks shall be in accordance with the procedure laid down in IS:5454-1978.

Efflorescence the bricks when tested in accordance with the procedure laid down in IS 3495-part III-1976, the rating of Efflorescence shall not be more than moderate.

A & C NO. 20 DATE : 21-5-03 HARYANA PWD SCHEDULE OF RATE – 1988

CHAPTER NO.6

Earth work

Note number VI shall be added after note V at page 24:-

V The word earthwork / soil / sand / silt/ clay will also include fly ash. However, the work of enrolment construction using fly-ash shall be executed as per specifications contained in Indian Road Congress SP:58-2001.”

A & C NO.21 – DATE : 21.5.2003 HARYANA PWD SCHEDULE OF RATES – 1988

CHAPTER NO. 19

Lining

The following items shall be inserted after Item No. 19.29

S.No.	Description	Unit	Labour Rate	Through Rate
19.30	Single layer brick lining for irrigation channels for discharge upto 150 cusec, consisting of i. 10mm thick cement plaster 1:6 on sub grade; ii. 10mm thick cement plaster 1:3 over first plaster; iii. First layer of 68.3mm thick brick layer (228.6x111.1mm) laid in 1:3 mortar over 6mm thick 1:3 cement mortar (Total thickness of lining as 94.3mm)			
	A. in Bed	Sqm	7.60	45.10
	B. On side slopes	Sqm	9.65	47.15
19.31	Single layer brick lining for irrigation channels for discharge 150 to 1000 cusecs, consisting of i. 10mm thick cement plaster 1:6 on sub grade; ii. 12mm thick cement plaster 1:3 over first plaster; iii. First layer of 68.3mm thick brick layer (228.6x111.1mm) laid in 1:3 mortar over 6mm thick 1:3 cement mortar (Total thickness of lining as 94.3mm).			
	A. In bed	Sqm	7.60	45.95
	B. On side slopes	Sqm	9.65	49.00

19.32	Single layer brick lining for irrigation channels for discharge above 1000 cusecs, consisting of i. 10mm thick cement plaster 1:6 on sub grade; ii. 16mm thick cement plaster 1:3 over first plaster; iii. First layer of 68.3mm thick brick layer (228.6x111.1mm) laid in 1:3 mortar			
	Total Thickness of lining as 94.3mm			
	A. In bed	Sqm	7.60	48.85
	B. On side slopes	Sqm	9.65	50.90

OFFICE OF ENGINEER IN CHIEF HUDA, PANCHKULA

To

1. All the Superintending Engineer, HUDA Circle.
2. All the Executive Engineer, HUDA, Division
3. All the Estate Officers, HUDA.

Memo No. 10936-38

Dated : 05.12.2003

Sub.:Use of Fly Ash in construction and implementation of notification dated 27.8.2003 issued by the Ministry of Environment and Forest.

A notification on the subject has been issued by the Ministry of Environment and Forest on 27.8.2003. This notification is amendment of earlier notification No.SO-763(E) dated 14.9.1999 issued by the Ministry of Environment and Forest Govt. of India. The salient features of the amendment are given below:-

- i) The pervue of the notification has been extended from 50 Km to 100 Km from coal / lignite based Thermal Power Stations.
- ii) The construction agencies engaged in the construction of building should include Fly Ash bricks / blocks and similar products in their construction in the time bound manner. It shall also be the responsibility of the construction agencies to ensure that Fly Ash bricks / products used in construction in a time bound manner achieving 100% in four years or two years as the case may be.
- iii) All road construction agencies have to include Fly Ash in the construction of roads and fly-over embankment, if the construction is within 100 Km of Thermal Power Plants subject to the condition that the Indian Road Congress guidelines in this regard are followed. Soil required for top or side cover and embankments shall be excavated from the embankment site and in case soil borrow area is used, the void created due to soil borrow shall be filled up with ash with proper compaction.
- iv) No agency can reclaim low-lying areas with soil. Only pond ash shall be used.
- v) All agencies concerned with the utilization of Fly Ash for construction purposed shall made provisions for the use of Fly Ash and Fly Ash bricks / blocks or tiles etc. in their tender documents, schedule of approved materials and ration as well as technical documents including those relating to soil borrow latest by 30th November, 2003.

Copy of the notification dated 27.8.2003 and notification dated 14.9.1999 are sent alongwith for ready reference.

Implementation of the provisions of the notification is being monitored by the High Court of Delhi. You are requested to ensure the implementation.

-sd/-

Executive Engineer (W)
for Engineer-in-Chief, HUDA,
Panchkula.

**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 27th August 2003.

S.O. 979 (E):- Whereas a draft of certain amendments to the Government of India in the Ministry of Environment and Forests notification number S.O.763 (E) dated 14th September, 1999 (hereinafter referred to as the said notification) which the Central Government proposes to make under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) dated the 6th November, 2002 *vide* S.O. 1164 (E), dated the 5th November, 2002 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft amendments were made available to the public.

And, whereas copies of the said Gazette were made available to the public on 27th November 2002;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments to the said notification, namely:

AMENDMENTS

1. In the said notification, in the preamble, for the words “fifty kilometers”, the words “one hundred kilometres” shall be substituted.
2. In the said notification, in paragraph 1,
 - (a) in sub-paragraph (1), for the words “fifty kilometers”, the words “one hundred kilometres” shall be substituted;
 - (b) after sub-paragraph (1), the following sub- paragraphs shall be inserted, namely: -

“(1A) Every construction agency engaged in the construction of buildings within a radius of fifty to one hundred kilometres from a coal or lignite based thermal power plant shall use fly ash bricks or blocks or tiles or clay fly ash bricks or cement fly ash bricks or blocks or similar products or a combination or aggregate of them in such construction as per the following minimum percentage (by volume) of the total bricks, blocks and tiles, as the case may be, used in each construction project, namely:-

 - (i) 25 per cent by 31st August 2004;
 - (ii) 50 per cent by 31st August 2005;
 - (iii) 75 per cent by 31st August, 2006; and
 - (iv) 100 per cent by 31st August 2007.

In respect of construction of buildings within a radius of 50 kilometres from a coal or lignite based thermal power plant the following minimum per centage (by volume) of use of bricks, blocks and tiles shall apply:

- (i) 50 per cent by 31st August 2004;
- (ii) 100 per cent by 31st August 2005.

- (1B) The provisions of sub-paragraph (1A) shall be applicable to all construction agencies such as Housing Boards and those in the private sector builders of apartments, hotels, resorts and cottages and the like. It shall be the responsibility of the construction agencies either undertaking the construction or approving the design or both to ensure compliance of the provisions of sub-paragraph (1A) and to submit such returns as may be called for and compliance reports to the State Government or Union territory Administration”;

- (c) for sub-paragraph (2), the following sub-paragraphs shall be substituted, namely:
 - “(2) The authority for ensuring the use of specified quantity of ash as per sub-paragraph (1) shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee, as the case may be.
 - (2A) The concerned State Government shall be the enforcing and monitoring authority for ensuring compliance of the provisions of sub- paragraph (1A).”;
- (d) in sub-paragraph (3), for the words, brackets and figure “under para (1)” the words, brackets and figure “under sub-paragraph (1)” shall be substituted;
- (c) after sub-paragraph (3), the following sub-paragraphs shall be inserted, namely: -
 - “(3 A) A decision on the application for manufacture of fly ash bricks, block, and tiles and similar other fly ash based products shall be taken within thirty days from the date of receipt of the application by the competent authority. A decision on consent to establish the brick kiln shall be taken by the Pollution Control Board or the Pollution Control Committee, as the case may be, within a period of thirty days from the date of receipt of application by it.
 - (3B) In case of non-compliance of the provisions of sub-paragraph (1) of paragraph 1, the competent authority, in addition to cancellation of consent order issued to establish the brick kiln, shall move the district administration for cancellation of the mining lease.
 - (3C) All authorities sanctioning or renewing any land, soil or clay mining lease shall not grant such lease or extension of lease or renewal to clay brick, block or tile manufacturing unit within a radius of one hundred kilometres of the coal or lignite based thermal power plant in cases where the manufacturer does not mix a minimum of 25 per cent by weight of fly ash or pond ash in the manufacture of bricks or blocks or tiles. The cancellation of mining lease shall be decided by the district administration after giving the holder of such lease an opportunity of being heard. To enable the competent authority to verify the actual use of ash, the thermal power plant shall maintain month-wise records of ash made available to each brick kiln.
 - (3 D) It shall be sufficient compliance of this notification if within twelve months from the date of issue of this notification, manufacturers of clay bricks, blocks and tiles located within a radius of 50 to 100 kilometres of a coal or lignite based thermal power plant comply with the provisions of sub-paragraphs (1) and (2).”.
- (f) in sub-paragraph (4), after brackets and letters “(AIBTMF)”, the words “or a representative of local brick kiln owners association, federation, group.” shall be inserted;
- (g) after sub-paragraph (4), the following sub-paragraphs shall be inserted, namely: -
 - “(5) No agency, person or organization shall, within a radius of 100 kilometres of a thermal power plant undertake construction or approve design for construction of roads or flyover embankments in contravention of the guidelines/ specifications issued by the Indian Road Congress (IRC) as contained in IRC specification No. SP: 58 of 2001. Any deviation from this direction can only be agreed to on technical reasons if the same is approved by Chief Engineer (Design) or Engineer-in-Chief of the concerned agency or organization or on production of a certificate of “Pond ash not available” from the thermal power plant(s) (TPPs) located within 100 kilometres of the site of construction. This certificate shall be provided by the TPP within two working days from the date of making a request for ash.
 - (6) Soil required for top or side covers of embankments of roads or flyovers shall be excavated from the embankment site and if it is not possible to do so, only the minimum quantity of soil required for the purpose shall be excavated from soil borrow area. In either case, the topsoil should be kept or stored separately. Voids created due to soil borrow area shall be filled up with ash with proper compaction and covered with topsoil kept separately as above. This would be done as an integral part of embankment project within the time schedule of the project.

- (7) No agency, person or organization shall within a radius of 100 kilometres of a coal or lignite based thermal power plant allow reclamation and compaction of low-lying areas with soil. Only pond ash shall be used for compaction. They shall also ensure that such reclamation and compaction is done in accordance with the bye-laws, regulations and specifications laid down by the authorities mentioned in sub- paragraph (3) of paragraph 3.”.
3. In the said notification, in paragraph 2,
- (a) for the marginal heading “**Utilisation of ash by Thermal Power Plants**”, the marginal heading “**Responsibilities of Thermal Power Plants**” shall be substituted;
 - (b) for the opening words, “All coal or lignite based thermal power plants shall utilise the ash generated in the power plants as follows: -”, “Every coal or lignite based thermal power plant shall take the following steps to ensure the utilisation of ash generated by it, namely: -”;
 - (c) in sub- paragraph (1),
 - (i) after the words “products such as cement, concrete blocks, bricks, panels”, the words “or a combination thereof” shall be inserted;
 - (ii) the following shall be added at the end, namely: -
“The thermal power plants have to ensure availability of fair quantity of ash to each user including brick kilns.”;
4. In the said notification, after paragraph 2, the following paragraph shall be inserted, namely:
- “**2A. Utilization of fly ash for reclamation of sea.**
“Subject to the rules made under the Environment (Protection) Act, 1986, (29 of 1986) reclamation of sea shall be a permissible method of utilization of fly ash.”.
5. In the said notification, in paragraph 3, the following sub-paragraphs shall be inserted, namely:
- “(2A) All agencies including the Central Public Works Department and State Government agencies concerned with utilization of fly ash for construction purposes shall, within three months from the 1st day of September, 2003 make provisions for the use of fly ash and fly ash based bricks, blocks or tiles or aggregates of them in the schedule of approved materials and rates.
 - (2B) All agencies undertaking construction of roads or fly over bridges including Ministry of Road Transport and Highways (MORTH), National Highways Authority of India (NHAI), Central Public Works Department (CPWD), State Public Works Departments and other State Government Agencies, shall, within three months from the 1st day of September, 2003
 - a. make provisions in their tender documents, schedules of approved materials and rates as well as technical documents, including those relating to soil borrow area or pit as per sub-paragraph (7) of paragraph 1; and
 - b. make necessary specifications/guidelines for road or fly over embankments that are not covered by the specifications laid down by the Indian Road Congress (IRC).” .

[F.No.16-2/95-HSMD]
(Dr. V. Rajagopalan)
Joint Secretary to the Govt. of India

Footnote. - The principal notification was published in the Gazette of India, Part II, Section 3, sub-section (ii) *vide* S.O.763 (E) dated 14.9.1999.

**THE GAZETTE OF INDIA
EXTRAORDINARY**

PART II -- Section 3 -- Sub-section (ii)

**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 14th September, 1999

8.0.763(E).- Whereas a draft notification containing certain directions was published, as required by subrule (3) of rule 5 of the Environment (Protection) Rules, 1986 under the notification of the Government of India in the Ministry of Environment and Forests number S.O. 453(E) dated 22nd May, 1998 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette of India containing the said notification are made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the same date;

And, whereas, the objections and suggestions received from the public in respect of the said draft notification have been duly considered by the Central Government;

Where as it is necessary to protect the environment, conserve top soil and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And, whereas, there is a need for restricting the excavation of top soil for manufacture of bricks and promoting the utilisation of fly ash in the manufacture of building materials and in construction activity within a specified radius of fifty kilometers from coal or lignite based thermal power plants;

And, Whereas, the Hon'ble High Court of Judicature, Delhi vide its order dated 25th August, 1999 in CWP No. 2145/99 Centre for Public Interest Litigation, Delhi v/s Union of India directed that the Central Government to publish the final notification in respect of fly ash on or before 26th October, 1999;

Now, therefore, in exercise of the powers conferred by sub-section (1), read with clause (v) of sub-section (2) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986); and in pursuance of the orders of the Hon'ble High Court, Delhi stated above, the Central Government hereby issues the following directions which shall come into force on the date of the publication of this notification, namely:-

1. Use of fly ash, bottom ash or pond ash in the manufacture of bricks and other construction activities.

- (1) No person shall within a radius of fifty kilometers from coal or lignite based thermal power plants, manufacture clay bricks or tiles or blocks for use in construction activities without mixing at least 25 per cent of ash (fly ash, bottom ash or pond ash) with soil on weight to weight basis. ‘
- (2) The authority for ensuring the use of specified quantity of ash as per para (1) above shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee as the case may be. In case of non-compliance, the said authority, in addition to cancellation of consent order issued to establish the brick kiln, shall move the district administration for cancellation of mining lease. The cancellation of mining lease shall be decided after due hearing. To enable the said authority to verify the actual use of ash, the thermal power plant shall maintain month-wise records of ash made available to each brick kiln.

- (3) In case of non-availability of ash from thermal power plant in sufficient quantities as certified by the said power plant, the stipulation under para (1) shall be suitably modified (waived/ relaxed) by the concerned State/Union Territory Government.

(4) Each coal or lignite based thermal power plant shall constitute a dispute settlement committee which shall include the General Manager of the thermal power plant and a representative of All India Brick and Tile Manufacture's Federation (AIBTMF). Such a committee shall ensure unhindered loading and transport of ash without any undue loss of time. Any unresolved dispute shall be dealt with by a State/Union Territory level committee to be set up by State/Union Territory Government comprising Member Secretary of the State Pollution Control Board/Pollution Control Committee, representatives of Ministry of Power in the State/Union Territory Government and a representative of AIBTMF.

2. Utilisation of ash by Thermal Power Plants.

All coal or lignite based thermal power plants shall utilise the ash generated in the power plants as follows:

- (1) Every coal or lignite based thermal power plant shall make available ash, for at least ten years from the date of publication of this notification, without any payment or any other consideration, for the purpose of manufacturing ash-based products such as cement, concrete blocks, bricks, panels or any other material or for construction of roads, embankments, dams, dykes or for any other construction activity.
- (2) Every coal or lignite based thermal power plant commissioned subject to environmental clearance conditions stipulating the submission of an action plan for full utilisation of fly ash shall, within a period of nine years from the publication of this notification, phase out the dumping and disposal of fly ash on land in accordance with the plan. Such an action plan shall provide for thirty per cent of the fly ash utilisation, within three years from the publication of this notification with further increase in utilisation by atleast ten per cent points every year progressively for the next six years to enable utilisation of the entire fly ash generated in the power plant atleast by the end of ninth year. Progress in this regard shall be reviewed after five years.
- (3) Every coal or lignite based thermal power plant not covered by para (2) above shall, within a period of fifteen years from the date of publication of this notification, phase out the utilisation of fly ash in accordance with an action plan to be drawn up by the power plants. Such action plan shall provide for twenty per cent of fly ash utilisation within three years from the date of publication of this notification, with further increase in utilisation every year progressively for the next twelve years to enable utilisation of the entire fly ash generated in the power plant.
- (4) All action plans prepared by coal or lignite based thermal power plants in accordance with sub- para (2) and (3) of para 2 of this notification, shall be submitted to the Central Pollution Control Board/ Committee and concerned, State Pollution Control Board/Committee and concerned regional office of the Ministry of Environment and Forests within a period of six months from the date of publication of this notification.
- (5) The Central and State Government Agencies, the State Electricity Boards, the National Thermal Power Corporation and the management of the thermal power plants shall facilitate in making available land, electricity and water for manufacturing activities and provide access to the ash lifting area for promoting

and setting up of ash-based production units in the proximity of the area where ash is generated by the power plant.

- (6) Annual implementation report providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April every year to the Central Pollution Control Board, concerned State Pollution Control Board/Committee and the concerned Regional Office of the Ministry of Environment and Forests by the coal or lignite based thermal power plants.

3. Specifications for use of ash-based products.

- (1) Manufacture of ash-based products such as cement, concrete blocks, bricks, panels or any other material or the use of ash in construction activity such as in road laying, embankments or use as landfill to reclaim low lying areas including back filling in abandoned mines or pitheads or for any other use shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Bureau of Mines, Indian Road Congress, Central Building Research institute, Roorkee, Central Road Research Institute, New Delhi, Building Materials and Technology Promotion Council, New Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government agencies.
- (2) The Central Public Works Department, Public Works Departments in the State/Union Territory Governments, Development Authorities, Housing Boards, National Highway Authority of India and other construction agencies including those in the private sector shall also prescribe the use of ash and ash-based products in their respective schedules of specifications and construction applications, including appropriate standards and codes of practice, within a period of four months from the publication of this notification.
- (3) All local authorities shall specify in their respective building bye-laws and regulations the use of ash and ash-based products and construction techniques in building materials, roads, embankments or for any other use within a period of four months from the date of publication of this notification.

[F. No. 16-2/95-HSMD]
V RAJAGOPALAN, Jt.. Secy.

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

1. Use of fly ash, bottom ash or pond ash in the manufacture of bricks and other constructions activities.

- (1) No provision shall within a radius of fifty kilometres from coal in lignite based thermal power plants, manufacture clay bricks or tiles or blocks for use in construction activities without mixing atleast 25 percent of ash (fly ash bottom ash or pond ash) with soil on weight to weight basis.
- (2) The authority for ensuring the use of specified quantity of ash as per para (1) above shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee as the case may be. In case of non-compliance, the said authority, in addition to cancellation of consent order issued to establish the brick kiln shall move the district administration for cancellation of mining lease. The cancellation of mining lease shall be decided after due hearing. To enable the said authority to verify the actual use of ash, the thermal power plant shall maintain month-wise records of ash made available to each brick kiln.
- (3) In case of non-availability of ash from thermal power plant in sufficient quantities as certified by the said power plant, the stipulation under para (1) shall be suitably modified (waived / relaxed) by the concerned State / Union Territory Government.
- (4) Each coal or lignite based thermal power plant shall constitute a dispute settlement committee which shall include the General Manager of the thermal power plant and a representative of the Indian Brick and Tile Manufacture's Federation (AIBTMF). Such a committee shall ensure unhindered loading and transport of ash without any undue loss of time. Any unresolved dispute shall be dealt with by a State / Union Territory level committee to be set up by State / Union Territory Government comprising Member Secretary of the State Pollution Control Board / Pollution Control Committee, representatives of Ministry of Power in the State / Union Territory Government and a representative of AIBTMF.

2. Utilization of ash by Thermal Power Plants. All coal or lignite based Thermal Power Plants.

S.O. (E) Whereas a draft notification containing certain directions was published, as required by sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 under the notification of the Government of India in the Ministry of Environment and Forests member S.O. 453 (E) dated 22nd May, 1998 inviting objections and suggestions from all personal likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette of India containing the said notification are made available to the public.

And, whereas copies of the said Gazette were made available to the public on the same date;

And, whereas, the objections and suggestions received from the public in respect of the said draft notification have been duly considered by the Central Government.

Whereas it is necessary to protect the environment conserve top soil and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And, whereas, there is a need for restricting the excavation of top soil for manufacture of bricks and promoting the utilization of fly ash in the manufacture of building materials and in construction activity within a specified radius of fifty kilometres from coal or lignite based thermal power plants;

And, whereas the Hon'ble High Court of Delhi vide its order dated 25th August, 1999 in CWP No.2145/99 Centre for Public Interest Litigation, Delhi V/s Union of India directed that the Central Government public the final notification in respect of fly ash or of before 26th October, 1999;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with clause (v) of sub-section (2) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986); and in pursuance of the orders of the Hon'ble High Court, Delhi stated above the Central Government hereby issues the following directions which shall come into force on the date of the publication of this notification, namely:-

Shall utilize the ash generated in the power plants as follows :-

- (1) Every coal or lignite based thermal power plant shall made available ash, for at least ten years from the date of publication of this notification, without any payment or any other consideration, for the purpose of manufacturing ash-based products such as cement, concrete blocks, bricks, panels or any other material or for construction of roads, embankments, dams, dykes or for any other construction activity.
- (2) Every coal or lignite based thermal power plant commissioned subject to environmental clearance conditions stipulating the submission of an action plan for full utilization of fly ash shall, within a period of nine years from the publication of this notification, phase out the dumping and disposal of fly ash on land in accordance with the plan. Such an action plan shall provide for thirty percent of the fly ash utilization, within three years from the publication of this notification with further increase in utilization by atleast ten percent every year progressively for the next six years to enable utilization of the entire fly ash generated in the power plant atleast by the end of ninth year. Progress in this regard shall be reviewed after five years.
- (3) Every coal or lignite based thermal power plant not covered by para (2) above shall, within a period of fifteen years from the date of publication of this notification, phase out the utilization of fly ash in accordance with an action plan to be drawn up by the power plants. Such action plan shall provide for twenty percent of fly ash utilization within three years from the date of publication of this notification, with further increase in utilization every year progressively for the next twelve years to enable utilization of the entire fly ash generated in the power plant.
- (4) All action plans prepared by coal or lignite based thermal power plants in accordance with sub-para (2) and (3) of para 2 of this notification, shall be submitted to the Central Pollution Control Board, concerned State Pollution Control Board / Committee and concerned regional office of the Ministry of Environment and Forests within a period of six months from the date of publication of this notification.
- (5) The Central and State Government Agencies, the State Electricity Board, the National Thermal Power Corporation and the management of the thermal power plants shall facilitate in making available land, electricity and water for manufacturing activities and provide access to the ash lifting area for promoting and setting up of ash-based production units in the proximity of the area where ash is generated by the power plant.
- (6) Annual implementation report providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April every year to the Central Pollution Control Board, concerned State Pollution Control Board / Committee and the concerned Regional Office of the Ministry of Environment and Forests by the coal or lignite based thermal power plants.

3. Specification for use of ash – based products:-

- (1) Manufacture of ash-based products such as cement, concrete blocks, bricks, panels or any other material or the use of ash in construction activity such as in road laying, embankments or use as landfill to reclaim low lying areas including back filling in abandoned mines of pitheads or for any other use shall be carried out in accordance with specifications and guidelines laid down by the Bureau of India Standards, Indian Bureau of Mines, Indian Road Congress, Central Building Research Institute, Roorkee, Central Road Research Institute, New Delhi, Building Material and Technology Promotion Council, New Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government agencies.
- (2) The Central Public Works Department, Public Works Departments in the State / Union Territory Governments, Development Authorities, Housing Boards, National Highway Authority of India and other construction agencies including those in the private sector shall also prescribe the use of ash and ash-based products in their respective schedules of specifications and construction applications, including appropriate standards and codes of practice, within a period of four months from the publication of this notification.
- (3) All local authorities shall specify in their respective building by-laws and regulations the use of ash and ash-based products and construction techniques in building materials, roads, embankments or for any other use within a period of four months from the date of publication of this notification.

(F.No.16-2/95-HSMD)

V. RAJAGOPALAN, Jt. Secy.

OFFICE OF THE CHIEF ENGINEER HUDA C-3, SECTOR-6, PANCHKULA

To

1. The Administrator,
HUDA, Panchkula/Hisar/Faridabad/Gurgaon
2. The Joint Director Legal HUDA, Panchkula
3. The Secretary HUDA, Panchkula
4. The Superintending Engineer, HUDA, Circle, Panchkula/Karnal/ Faridabad/Rohtak/Gurgaon/Hisar.
5. The Executive Engineer HUDA, Panchkula

Memo No. CE-HUDA-2002-M/11330/34

Dated:- 23.10.2002

Sub.: Haryana Urban Development Authority-Water Regulations-2001.

Find enclosed herewith 2 copies of the HUDA Water Regulations 2001 (English and Hindi version) as approved by the Authority in its 84th meeting held on 17-06-2002 under item No. A-84(4) (Suppl.) for implementation in Haryana Urban Development Authority with effect from 01-10-2002.

These regulations are to be called Haryana Urban Development Authority-Water Regulations-2001 and are applicable in all Urban States of HUDA.

DA/As above.

-sd/-
Executive Engineer(M)
For Chief Engineer, HUDA
Panchkula

Endst. No. CE-HUDA-2002-M/11335

Dated:- 23.10.2002

A copy of the above is forwarded alongwith the two copies of HUDA regulation-2001 for information and necessary action:

1. The Engineer-in- Chief, HUDA Panchkula.
2. The Chief Engineer HUDA Panchkula.
3. The Chief Controller of Finance, HUDA Panchkula
4. The Chief Town Planner, Haryana.
5. The Chief Town Planner, HUDA Panchkula.
6. The Senior Architect, HUDA Panchkula
7. PS to FCTCP for kind information of FCTCP.
8. PS to Chief Administrator, HUDA for kind information of Chief Administrator, HUDA Panchkula.

DA/As above

-sd/-
Executive Engineer(M)
For Chief Engineer, HUDA
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY WATER REGULATIONS

Title:- In exercise of powers conferred under the Haryana Urban Development Authority Act, 1977, Section 54 (g) the Haryana Urban Development Authority and all the other powers enabling on the behalf of the Governor of Haryana hereby makes the following water regulations namely:-

1.

- (i) These Water regulations may be called the Haryana Urban Development Authority water regulations, 2001.
- ii) They shall apply to all the Urban Estate of Haryana.
- iii) They shall come into force on the date of their publication in the official Gazette.

2. Definitions: In these regulations unless the context otherwise requires:-

- i) “Chief Administrator” means the Chief Administrator as defined in Haryana Urban Development Authority Act, 1977 and includes an officer declared by Haryana Urban Development Authority as such.
- ii) “Capacity” in relation to storage cistern means the capacity of the cistern measured up to the water line.
- iii) “Communication Pipe” means any pipe or system or pipes, along with all fittings thereto, by means of which water is supplied to a building, house or land from the city supply main and includes the “connection pipe” meter and their fittings.
- iv) “Connection Pipe” means by any pipe from the ferrule to the stop tap connecting the city supply main with a service pipe.
- v) “Consumer” means any corporate body person or persons supplied or applying to be supplied with, or using water from the city water works or Haryana Urban Development Authority water works or any person or persons otherwise liable for the payment of water charges.
- vi) “Consumer Pipe” and “Consumer’s fittings” means all pipes fittings such as taps, cocks, valves, meters, cistern baths water closets lavatories basins and other similar apparatus used in connection with the supply and use of water from the city water works which are not the property of the Haryana Urban Development Authority.
- vii) “Corrosion resisting alloy” means an alloy, which is highly resistant to Corrosion by water supplied by the Haryana Urban Development Authority.
- viii) “Cylinder” means a cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure.
- ix) “Distributing Pipe” means any consumer’s pipe, which is not subject to water pressure from the city supply main but carries water supplied by the Haryana Urban Development Authority from a storage cistern and under pressure from such cistern only.
- x) “Ferrule” means a ferrule connecting a connection pipe with the city supply main.
- xi) “House” means dwelling house, whether a private dwelling house or not, includes any part of a building if that part is occupied as a separate dwelling house or any land to which water from city water works or Haryana Urban Development Authority water works is supplied.
- xii) “HUDA” means Haryana Urban Development Authority.
- xiii) Specification means ISI Specification where they do not exist relevant British standard specification.
- xiv) “Service Pipe” means any pipe other than a connection pipe, for supplying water from a city supply main to any premises as is subject to water pressure from that main, or would be so subject but for the

closing of some tap.

- xv) "Schedule A and Schedule B" means Schedule A and Schedule B attached to these regulations.
- xvi) "Stand Post" means a point of public water supply provided with a tap or other mechanical contrivance for opening or closing the supply.
- xvii) "Storage Cistern" means any cistern, other than a flushing cistern, having a free water surface under atmosphere pressure from which water supplied from the water works is delivered for use otherwise than through a draw of tap fixed to the cistern.
- xiii) "Stop Tap" means stop cock, stop valve and any other device fitted at the end of a connection pipe furthering away from the city supply main, for the purpose of shutting of or regulating the supply of water from the main to any house, building or land.
- xix) Superintendent "Water Works" means officer appointed by HUDA for giving connections, collecting water charges and carrying out all functions relating to water supply under this bye-law. He may be Estate Officer, Asstt. Estate Officer Executive Engineer or Sub-Divisional Engineer, HUDA.
- xx) "Tank" means a non-cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure.
- xxi) "Temporary Purpose" in relation to the use of any pipe means building, demolition or constructional work for such periods as the work is in progress or any other temporary purpose for a period not exceeding one month or such longer period as the Chief Administrator may approve in any particular case.
- xxii) "Water Line" in relation to a cistern means the top water line by which the cistern is described to work.
- xxiii) "Warning Pipe" means an overflow pipe so fixed that its outlet is in an exposed and conspicuous position where the discharge of any water there from may be readily.

PUBLIC WATER SUPPLY

3. Use of Public Stand Post

- i) No person, unless duly authorized by the Chief Administrator in that behalf, shall open or in any way interfere with any main, pipe valve or fire plug hydrant connected with the water works.
- ii) No person shall willfully or negligently cause the water from a stand post to run waste, and every person after using the stand post shall turn off the tap.
- iii) No person shall use stand or public tap with the object to securing a supply of water for a purpose other than a domestic purpose.
- iv) No person shall use the stand post for bathing or for washing of clothes or other articles or animals.
- v) No person shall use water derived from the stand post, public tap or fire hydrant for any building operation or for the purpose of any manufacturing.
- vi) In case water is derived in contravention of above, the following charges will be recovered:-
 - a) Stand Post or public Tap Part thereof. Rs. 25.00 per day or
 - b) Fire hydrant part thereof Rs. 280.00 per day or

Explanation:- For the purpose of these regulations water for a domestic purpose shall not be deemed to include water:-

- a) For any trade manufacture or business or.
- b) For fountains, swimming baths or for any ornamental or mechanical purpose including that for cooling, air conditioning and water softening plants or.
- c) For gardens or for purpose of irrigation or.
- d) For watering roads or paths or.
- e) For animals or for washing vehicles.

4. Application for Connection:

From Schedule 'A'

- i) Every application for connection with the supply main for a private water supply or for the alteration or extension of any such existing connection shall be made to the Superintending Water works through a licensed plumber in from A given in Schedule a copy of which may be obtained free of charge from the office of the said officer.
- ii) With an application for a connection with a supply main a fee of Rs. 20/- shall be deposited in the office of the Superintending, Water works.
- iii) Such application shall be accompanied by the copy of the possession letter a site plan drawn to the scale of not less than 1:100 building plan and section clearly and indelibly made in ink on a durable material and drawn to scale of not less than 1:100 showing the nearest supply main from which the connection is applied for and the position of the required tap or taps, alignment of pipe lines, positions of all stop taps, cisterns, sinks, hot water boilers and other fittings. The specifications of the pipe, fittings and accessories to be used shall also be mentioned on the plan.
- iv) The owner of the land/house is questions will be given ferrule connection of required size as per eater requirement to be given by the owner and agreed by HUDA.
- v) Provisional sanction of water connection.

On receipt of the application for connection a provisional sanction to connect with Water Supply main shall be issued by Superintendant Water Works. The validity of this provisional sanction shall be not more than 2 years. The consumer shall pay the Water charges on the normal rates as per rule 13 during this period. This connection shall only be used for connection purposes and consumer shall not have the authority to use the water for any other purposes until and unless he has obtained a regular water

connection as per rule 4 (vi). In case of default he will attract the penalty as per the provisions in rule 4

vi) The provisional sanction water connection shall automatically be converted into Regular water connection as soon as the occupation certificate is issued by the competent authority.

a) The water shall be supplied at ground level & HUDA will not be responsible for the low pressure.

vii) Unauthorized water connection:

Any connection which does not have a regular sanction of water connection as per rule 4 (vi) or in which case the period of provisional sanction of water connection 4 (v) has lapsed shall be charged as under:

a) 5 times the normal rates prescribed under the water regulations (Rule 13) for a period of 6 months after the expiry of period mentioned in the rule 4 (v).

b) 10 times the normal rates prescribed under the water regulations (Rule 13) after the expiry of period mentioned under the rule 4 [vii (a)].

viii) Security

The water connection fees and security in cash as prescribed in regulations shall be deposited by the applicant.

5. Sanction of Connections, Alteration or

Extension:-

i) The applicant who wishes to have the connection, alteration or extension shall deposit the water connection fees and security in cash in the office of the Superintendent Water Works. The connection, alteration or extension is sanctioned by the Superintendent Water Works. The work of laying communication pipe and fittings shall be executed by the licensed plumber under the supervision of Superintendent Water Works. The remaining works of laying consumer's fittings and service shall be executed by the licensed plumber in accordance with these regulations and water supply regulations given in schedule B. If any conditions or limitations are imposed by the Superintendent Water Works while conveying sanction to the connection such conditions or limitation shall be binding on applicant.

From

Schedule "B"

ii) The licensed plumber, after completion of the work, shall submit a completion report in Schedule 'B' given in Schedule 'A'.

6. Requirement of meter

All connections for private water supply shall be metered.

7. Meter

i) The meter if supplied by the Superintendent Water Works the rent shall be charged for it on the following scale in addition to the charge of water consumed as specified in regulation 13.

Size of Meter	Monthly Rent
15mm	Rs. 5.00
20mm	Rs. 10.00
25mm	Rs. 20.00
40mm	Rs. 30.00
50mm	Rs. 40.00
80mm	Rs. 100.00
100mm	Rs. 125.00
150mm	Rs. 200.00
200mm	Rs. 225.00
250mm	Rs. 250.00
300mm	Rs. 300.00

And meter rent shall be charged for the period during which the meter is installed whether it is in working order or not provided that if the total period for which the charge is to be made is not more than 15 days in any one month, such period shall not be reckoned and a period of more than 15 days but less than one month shall be reckoned as 1 month.

- ii) The consumer may request the Superintendent Water Works in writing to install one or more sub meters for his house or premises and the rent of such sub meter shall be charged from the consumer @ specified in clause (i) the readings of Superintendent Water Works for the total water charged for the period.
- iii) A consumer may be permitted to have his own meter subject to the following:-
 - a) Meter shall be of a type approved by the Superintendent Water Works and in proper working order.
 - b) It shall be fixed under the supervision Superintendent Water works at the expense of the consumer.
 - c) If the consumer installs his own water meter the Water Meter shall be got tested from the Superintendent Water Works and the following testing charges shall be paid by the consumer:-

Size of meter	Testing Charges Rs.
15mm	Rs.50.00
20-25mm	Rs.100.00
40-50mm	Rs. 200.00
80-100mm	Rs.400.00
150mm	Rs. 500.00

The above charges shall not include the cost of any repairs.

- iv) A consumer may have this own sub meters installed with the sanction of Superintendent Water Works, but the Superintendent Water Works shall not be responsible for its mtc. or repair its, or for its reading.

8. Connection to mains:-

- a) All consumer's pipes and consumer's fittings shall be provided and laid in accordance with these regulations and water supply regulations given in schedule B and shall be perfectly sound and water tight before the water is laid on. On completion of the work a completion report as in form B given in schedule duly signed by the licensed plumber shall be submitted to the Superintendent Water Works and water will not be supplied to any house or premises so long as such certificate in form B is not supplied.
- b) All work in providing and laying of water supply pipe line and sewer line etc. up to the required place shall be carried out by the owner of house at his/her own cost & other incidental charges etc.

9. Alteration of removal of consumers pipes and fittings:-

No consumer pipe shall be removed altered or extended except in accordance with these regulations.

10. Making alteration of extension to private connection:

Application for supply-subject to the provisions of regulations 38, no connection with the city supply main from private connection and no alteration or extension of any such existing water connection shall be made in private premises or house except on the application of the owner of such premises or house or of his recognized agent who shall be registered as a consumer and shall be responsible for the observance of these regulations so far as the connection on his house or premises is concerned.

11. Connection pipe:

The connection pipe and all fittings thereto shall be supplied by the consumer and laid by the licensed plumber under the supervision of Superintendent Water Works at the expense of the applicant in the first instance and thereafter maintained by the consumer at his own expenses.

12. Size of connection pipe:

Water supply to any premises shall be supplied through a ferrule and connection pipe of the size, specified in Schedule B.

13. Charges for water consumed:

- i) The charges for water payable by the consumer for all type of use shall be fixed by the Chief Administrator from time to time for the place or places specified by him.
- ii) Penal rates as prescribed in para 4 (vii) shall be charged from the consumers who do not have a regular water connection sanctioned. This panel rate shall be applicable on water and sewer charges both.
- iii) A consumer who fails to pay water charges by the due date shall be liable to pay penalty their on @10% of the amount of water charges due from for him within 15 days from the date of default failing which his water connection shall be disconnected after giving him a notice of 7 days.
- iv) Recovery of the water charges shall be recovered from the consumer as per the arrears of the land Revenue Act.\

14. Position of Meters:

- i) Every meter shall be placed as near to the stop cock a possible and in a position where it can be conveniently examined. The position shall be selected by the Superintendent Water Works who shall have exclusive or meter and stop check.

From Schedule C

- ii) On account of the service and cost of repair of the meters installed by the Superintendent Water Works shall be kept in from C given in Schedule.

15. Interference with meter:

No meters shall be disconnected from the service pipe or otherwise interfered with expects with the permission of the Superintendent Water Works in writing.

16. Correctness of meter:

The registered consumer in respect of any meter connection may challenge the corrections of his meter within 15 days of receipt of reading of the meter on the payment of following and if on testing the meter is found to record 5% or more is excess, the feel shall be refunded.

Size of Meter	Testing	Sealing	Fees Removing	Refixing	Total
Not exceeding 25mm (i.e.15,20&25)	3.25	1.25	2.75	2.75	10.00
Exceeding 25mm but not exceeding 40mm (i.e.40mm)	4.75	1.25	3.50	3.50	13.00
Exceeding 40mm but not exceeding 80mm (i.e.50 & 80)	5.75	1.25	7.50	7.50	22.00
Exceeding 80mm but not exceeding 125mm (i.e.100&125)	6.75	1.25	13.50	13.50	35.00
Exceeding 125mm but not exceeding 200mm (i.e.150&200)	7.75	1.25	20.50	20.50	50.00
Exceeding 200mm but not exceeding 300mm (i.e.300mm)	11.25	1.25	38.75	38.75	90.00

17. Replacement of meter:

- i) The Superintendent Water Works shall cause a meter to be removed from service pipe and required to be replaced by a new meter which has been satisfactory repaired and tested.
- a) When the meter-reading book shows that the consumption has fallen off and the cause of the fall cannot be ascertained.
- b) Where the meter is damaged or is not recording or is otherwise out of order or.
- c) After continuous service of 24 months.

From Schedule D

- iii) The meter shall then be tested and shall not be passed for service unless its reading are accurate within five percent. The result of the test shall be recorded in the register in form D given in Schedule.

Note

- i) The Superintendent Water Works may withdraw or restrict water supply during peak load hours for non-domestic use or at any other time if it should appear necessary to do so in order to maintain a sufficient supply of water for domestic purpose.
- ii) The Superintendent Water Works HUDA shall withdraw water supply for irrigation purposes, whenever it is misused or during the period of building operation.

18. Authenticity of consumption

Entries in the register of a meter shall be prima-facie evidence of the quantity of water consumed.

19. Refund of excess consumption record:

If in the course of any month a meter is found to be registering not less than five percent in excess, the consumer shall be entitled to have the charge made to him for consumption of water reduced proportionately for the period from the first day of the month, previous to the month in which the testing fee, referred to in regulations 16 is deposited to the day on which the meter is set right.

20. Charges in case meter is removed or does not record

In all cases in which the Superintendent Water Works charges for water by measurement, it shall be the condition of such supply that the charges to be paid for water consumed while the meter is out of order or under repair or under test shall be computed on any one or more of the following basis as may be decided upon by the Superintendent Water Works at his discretion.

- A.
 - i) On the actual consumption recorded by the meter if the same is found non test to register correctly.
 - ii) On an average of the immediately preceding or succeeding reliable readings.
 - iii) On the consumptions of the corresponding period of the previous year.
 - iv) On discharging capacity of the connection having regards to its size, length and hours of supply etc.
 - v) On such reliable data as may be considered responsible.
- B. For the purpose of these rules a meter shall be deemed to be out of order if.
 - i) It is found on test to be registering either more than 5% fast or more than 5% slow.
 - ii) It is found on inspection to have been damaged or tampered with or its seal is missing.
 - iii) It has failed while on water connection to register to consumption of water drawn through it.
 - iv) The total consumption recorded by it is lower than the total of the consumption recorded by connected subsidiary meters more than 6%.
 - v) If there is reason to believe that the consumption recorded by the meter is not correct having regard to records under the past or subsequent readings & other circumstances of the case.

- C. When meter is found to be tampered with or where a connection is given without a meter due to a meter not being available or in case a private meter remained out of order for more than 2 months and is not replaced by a new one compounded charges may be levied on one of the following basis.

i) Discharging capacity of the connection taking into consideration its size, length, hours of supply etc.

or

ii) Twice the maximum monthly consumption recorded during previous 24 months.

Or

- i) Flat rates as fixed by HUDA or any of basis given in sub rule (a) above. In case of dispute regarding the correctness of water charges bill by meter measurement the consumer concerned will have to pay in advance a deposit equivalent to 10% of the disputed bill, failing which no dispute shall be entertained under any circumstances. First appeal shall be made to the Executive Engineer of the division concerned and the revision on the appeal will lie with the Superintending Engineer of the circle concerned, who will act as Arbitrator and whose decision will be final and binding on both the parties i.e. HUDA as well as consumers. Where the amount of the disputed bill is more than Rs. 25,000/- the appeal will be made to the Superintending Engineer, HUDA Circle, concerned whose decision shall be final & binding on both parties i.e. HUDA as well as consumers.

21. Bill Demand:

The bill of demand for meter rent and water consumed shall be presented to the consumer each month or bimonthly and shall be paid within fifteen days from the date of presentation of the bill.

Explanation:

For the purpose of this regulation a bill shall be deemed to have been duly presented if it is sent to the registered address of the consumer.

22. Connection

- i) Every private connection shall be fitted with at least a ferrule a stop tap meter service pipe and a tap. If in any house or premises the connection is found to be without the above fittings, the connection may be cut off as laid down in regulations 34 or closed as laid down in regulations-35.
- ii) All pipes ferrules, stop taps, meters and other fittings of the connection shall be under the control of the Superintendent Water Works access to these shall be had by any official authorized by him in that behalf at the time for repairing and altering the said pipe etc. or for Reading the meters.
- (iii) No portion of any meter connection or of the pipe or main leading to it or meter shall be tampered by any consumer in any way what ever, whether for the purpose of repair, alteration or any other purpose except with the written permission of the Superintendent Water Supply.
- (iv) The registered consumer shall be liable to pay the cost of damage and / or for loss of meter, its surface box or any other material installed by the Superintendent water works for giving connection to his house or premises.

23. Maintenance of Consumer's pipes and fittings

- (i) Every consumer shall maintain the stop taps, pipes and other fittings inside the house or premises in water tight conditions and in thorough working order.
- (ii) The Superintendent Water Works shall be entitled to depute any official to inspect the water supply installations within the house or premises of the consumer at any time during the day between 9.00 A.M. to 5.00 P.M. If the installation or any part thereof is found to be defective, the Superintendent Water Works may serve a notice on the consumer to remove the defect within 24 hours. In the case of serious defect involving heavy wastage of water or endangering safety of the residents or buildings, the connection may be cut off without notice as provided for in regulation 34 or closed as provided for in regulations 35.

24. Consumer's Fittings, testing and stamping

All consumers' fittings of whatever kind shall conform to the particulars and specification given in schedule B or to such further standards, as may from time to time be prescribed by the Chief Administrator and whether so specified or not shall be submitted for approval to the Superintendent Water Works, before being fixed. All such fittings shall be maintained, repaired and renewed at the consumer's expense to the satisfaction of the Superintendent Water Works. All consumers fittings or apparatus used in connection with the Water Supply of the HUDA shall be tested and stamped by the Superintendent Water Works and shall bear a test mark or stamp approved by Superintendent Water Works as guaranteeing conformity with these regulations. The fees as prescribed in schedule B for testing the consumer's pipes and consumer's fittings shall be charged.

25. Consumer's pipe and fittings

All consumer's pipes and consumer's fittings shall be provided by and laid at the consumer's cost and no consumer shall be entitled to supply of water unless and until such pipes and fittings, and laying and fixing thereof, are approved by the Superintendent Water Works as complying with these regulations, and unless proper drainage arrangements have been made for the disposal of waste water and approval for supply of water obtained from the Superintendent Water Works.

26. Erection of water closets to be approved

No connection shall be granted for the supply of water to any water closet or urinal unless its erection is approved by the Superintendent and sufficient storage is provided as specified in these regulations.

27. Premises not to be supplied through more than one communication pipe

No house or premises shall be supplied with water by the Superintendent Water Works by more than one communication pipe except as provided in Schedule B.

28. Separate Communication pipe to every premise

Every house or premises supplied with water by the Superintendent Water Works shall have its own separate communication pipe. No communication pipe shall be used to supply Water to more than one house or premises provided that in case of a group or block of houses or premises, the water charges of which are paid by one owner, the said owner may at his option have one communication pipe sufficient for such group or block.

29. Duties of consumers

No consumer shall use or suffer or permit to be used a connection in such a way as to cause waste or unauthorized use of water.

- a) Fix any tap in any court yard, passage or outside any house or premises, so as to be available for use by the public without special permission in writing from the Chief Administrator or fix any tap in close proximity to places where injurious gases are likely to be produced, or fix any cock or connection to any tank or reservoir so as to permit any part of the contents of the said tank or reservoir to syphon back into the consumer's pipe.
- b) To reopen any connection that has been stopped or reconnect the connection pipe with the Estate supply Main when the connection pipe has been served from the said main except with the permission of the Superintendent Water Works.
- c) To use or permit any contrivance having the effect of joining the HUDA system of pipes with any other source of water not belonging to HUDA or any cistern or other receptacle used for storage or rain water.
- d) To alter the index to any meter or prevent any meter from duly registering the quantity of water supplied.
- e) To obstruct or use water before it has been registered by a meter set for the purpose of measuring the same.
- f) A consumer shall pay for all water registered by meter fixed on his house or premises subsequent to a burst in the service pipes when the Superintendent Water Works is satisfied that adequate precautions had not been taken.

30. Prohibited connections of consumers pipes:

- (a) No service pipe shall be connected to any water closet, urinal, and steam boiler or to any hot water system or any apparatus used for heating or any closed vessel other than through a cistern of such size and description as the Superintendent Water Works may direct.
- (b) No booster will be installed directly on the line, carrying water from HUDA mains and in case, it is ever found that such booster has been installed the water connection will be disconnected without any notice, in writing by Superintendent Water Works.

31. Storage tank for domestic use in public buildings, Houses and Industrial buildings:

- I (a) In every public building ware house and Industrial building separate storage tank shall be provided for storage of water required for domestic purposes. The capacity of the tank shall be worked out at the rate of at least 25 liters per occupant.
- b) In case of commercial building separate storage tank for storage of water required for domestic purposes shall be provided of the capacity referred to in sub clause (a), so required by the Superintendent Water Works.

II) Character of cisterns and ball valves

- (a) Every storage and feed cistern shall be made and maintained water tight shall be properly covered with a close fittings dust tight, mosquito proof lid, rendering contamination impossible and fitted with locking arrangements, it shall be provided with a sound and suitable ball cock of the prescribed kind securely fixed to the cistern independently of the service pipe so that the ball will not become submerged, when the level of the water in the cistern is below the warning pipe or allow the water to rise within 2.5 cm of the lower side of the overflow or warning pipe and it shall be provided with an efficient and mosquito proof warning pipe.
- (b) The over flow of warning pipe shall be fixed in an exposed and conspicuous position where the discharge of water can be readily seen. The out let of every warning pipe shall not be less than 60 cm above the gully over which the same may be fixed. All warning pipe unions shall not be less than 20mm screwed to Indian Standard threads, so fixed that the bottom of the pipe shall be 25mm above top water level.
- (c) A scour pipe and valve shall be provided on the underneath of the cistern for securing and cleaning purposes.
- (d) A stopcock shall be provided on the outlet pipes of all cistern fixed in an accessible position.

32. Cistern to be accessible

Every cistern or storage tank shall be easily accessible and placed in such a position as to admit of thorough inspection and cleaning and if placed within a house or building shall have clear space of not less than 75 cm. Between its top and any ceiling, rafter and roof, No cistern or storage tank except those supplying closets, and urinals only cell be fixed in any closet, urinal or in any place in which injurious gases are likely to be produced and as far as practicable shall not be placed immediately over any water closet or urinal.

33. Cleaning of cisterns

Every feed cistern or storage cistern shall be cleaned by the owner at least once a year.

34. Cutting of a connection

Every feed cistern or storage cistern shall be cut off at the request of the consumer or by order of the Superintendent Water Works for any of the following reasons

- a) In the interest of water works.
- b) For the purpose of effecting repairs to any part of the water supply system.
- c) In case of Government residential house if it is in unauthorized occupation of a person.
- d) If the bill for water supply and meter rent remains unpaid for a period of one month from the date of presentation of the bill to the consumer.
- e) In any case where in the opinion of the Superintendent Water works the use of water causes the house of premises to become in sanitary.

- f) In any case where in the opinion of the superintendent water works adequate drainage arrangements have not been made for disposal of waste water.
- g) If in the opinion of the Superintendent Water Works danger is involved to the occupants of the house or premises or to the structural stability of such houses or premises or parts thereof.
- h) For misuse or infringement of any regulations or
- i) As provided for in regulations 22
- j) In case the consumer contravenes any other regulations framed by HUDA.

Explanation: The cutting off a connection means merely the closing of the stop tap.

35. Closing of a connection:

Any registered consumer who wishes to close his connection shall give seven days notice to the Superintendent Water Works. A fee of twenty five rupees shall be recoverable from the consumer. No charge shall be made for water or meter rent after the expiry of the period of notice.

Provided that the Superintendent Water Works reserved the right to close the connection as provided for the regulations (I) or 22 (iv) or for infringement of the provisions of these regulations.

Explanation:

The closing of a connection means the closing of connection from ferrule, removal of the meter and the severance of the service pipe at any point beyond the stop tap considered suitable by the Superintendent Water Works.

36. Reopening of a cut off connection:

A connection that has been cut off under regulation 34 shall be reestablished only on payment of fifty rupees as a reconnection fee.

37. Re-opening a closed connection:

Any application for restoring a connection that has been closed under regulations 35 shall be dealt with as if it were an application for a new connection.

38. Consumer other than an owner of premises:

If any person other than the owner of any premises to which a connection has been made or his duly authorized agent, wished to re-open a connection or to keep open a connection which would otherwise be closed he will obtain a clearance certificate from the Superintendent Water Works, HUDA in writing that no water charges are outstanding against the premises involved and then apply to the Superintendent Water Works in form A given in schedule "A" as laid down under regulations 5 and such person shall also undertake the responsibilities of the Registered consumer and shall remain responsible for the connection so long as it remains open. He will have to deposit security as laid down in clause 45. Any amount of water charges which remains unpaid at the time of closing the connection will be adjusted against the security deposit. The responsibility other than payment of dues which were previously of the owner, will rest with the party who got the connection. The responsibility for the damages to the premises both for which the application has been made and the adjoining premises due to such connection shall be that of the applicant.

39. Temporary connection

Any person requiring temporary connection for building purpose shall apply to the Superintendent Water Works in writing and the Superintendent Water Works may allow such connection. The meter rent and charges for fixing and removing of the connection and fittings, etc. shall be paid such person.

40. Private Water Trough

Watering trough for the use of horses or cattle supplied with the water from the Estate Water Works, shall be cast Iron or other material approved by the Superintendent Water Works and fitted with a ball cock specified in Schedule "B" such ball cock shall be enclosed in a box. The pipe supplying water to the trough shall be properly

and completely protected from damage to the satisfaction of the Superintendent Water Works.

41. List of Licensed Plumbers

Superintendent Water Works shall maintain a list of licensed plumbers, which shall be open for inspection to any person.

42. Work to be done by licensed Plumbers:

All work carried out by consumers in connection with the supply or use of water which is required to be done under any of those regulations shall only be executed by one or other plumber named in the list referred to in regulations 41 or their workman.

43. Plumber's name to be furnished

Every person who employs a licensed plumber to execute any such work shall be furnished to the Superintendent Water Works the name of such plumber.

44. Penalty for breach of Regulations

Except as otherwise provided for in the Act, any contravention of the Regulations shall be punishable with fine which may extend to five thousand rupees and in the case of continuing contravention, with an additional fine, which may extend to hundred rupees, for each day during which such contravention continue after the first conviction and the court, while passing any sentence. On conviction of any person for the contravention of any regulation, may direct that any property or part contravened shall be forfeited to the Authority.

Form "A"

See regulations 4 (i)

Form of application for a regular connection for water supply from the distribution mains of the Urban Estate of Haryana Urban Development Authority.

No. _____ dated _____

Presented by:

Name _____

Address _____

I/We, the undersigned, hereby make application to the Superintendent Water Works to be supplied with water at the house or premises and for the purpose described below and agree to such charges as the Chief Administrator, Haryana Urban Development Authority may from time to time be entitled to make/I/we undertake to act in respect of said supply in conformity with bye-laws and regulations made by the Chief Administrator, and also with such amended bye-laws and regulations as may be made from time to time.

I/We, agree that Superintendent Water Works shall with or without notice, have power to close water connection at any time to private service pipe to my house or premises if he considers it advisable or necessary to do so for any reason whatsoever.

Sh. M/s _____ licensed plumber has carried out the plumbing work.

The copy of occupation certificate issued by the Estate Officer, authorized to occupy the building for the purpose defined in the allotment letter, is enclosed.

The copy of completion plan of the building drawn to scale of not less than 1:100 clearly and indelibly made in ink on a durable material showing therein positions of tap or taps, alignment of pipe lines, position of all stop taps, cistern, sinks, hot water boilers and other fittings are shown, is enclosed.

Description of premises:

House or premise No. _____ situated in _____
road _____

Particular of connection:

Approximate length and diameter of service pipe _____

No. and diameter of tap _____

No. and details of sanitary fittings _____

No and details of hot water fittings _____ for which water is required.

AND

I/We, hereby undertake to give Superintendent Water Works due notice if any additions and/or alteration to the above mentioned supply which I/We may desire to make.

Signature of the owner

(Or his authorized agent)

I/We _____ licensed plumbers had carried out the plumbing works on the above mentioned premise of the applicant as per approved plan.

Signature of Plumber

Cost of Connection

(To be filled in my office)

a) ferrule complete Rs. _____

b) Connection pipe _____ mm Rs. _____

in diameter laid complete

Stop tap fixed complete including cost
of motor Chamber and cover with looking
arrangements

Rs. _____

Total Rs. _____

Note: In case material is supplied by owner _____

Labour rates will be provided.

Form "B"

(See regulations)

Form of Connection Report

Completion report of plumber with reference to application No. _____ Dated _____ of house connection.

Alteration of extension at the premises below as _____ sanctioned by the Superintendent Water Works, vide his No. _____ dated _____ sized of ferrule _____

Size of controlling stop tap _____

Date of installation of meter _____ } for office use.

Size _____ mm, Meter No. _____ Manufactured by _____

Diameter of pipes _____

No and size of Bib taps with description _____ Cold _____

Hot _____ No. of flushing cisterns with size and co. No of water closets stating patterns
_____ Connection _____

Size and capacity of storage cistern _____

Hot water fittings with _____

Date of completion of work by the plumbers _____

Certified that no deviations of the work as sanctioned by the Superintendent Water Works have been made.

Signature of Plumber

FORM C
(See Regulations)

Register of service and repair of water meters.

Size _____ mm _____ Meter No. _____

Manufactured by _____

Period of Series		Months and Days	Meter reading			Liters recorded in meter	Nature of repair of meter	Cost of repair		Remarks	
Put in service	Taken off		At date of issue	At date of return	Liters recorded			Material	Labour	Total	
1	2	3	4	5	6	7	8	9	10	11	12

FORM D
(SEE REGULATIONS)

Register of testing of water meters.

Size _____ mm _____ Meter No. _____

Manufactured by _____

Date of Test	Bill before test			Actual liters measured	Percentage Error		Remarks
	Meter at start	Reading at finish	Liters recorded		Slow	Fast	
1	2	3	4	5	6	7	8

OFFICE OF THE CHIEF ENGINEER HUDA C-3, SECTOR-6, PANCHKULA

To

1. The Administrator,
HUDA, Panchkula/Gurgaon/
Hisar & Faridabd
2. The Superintending Engineer,
HUDA, Circle, Panchkula/Karnal/
Faridabad/Rohtak/Gurgaon/Hisar.

Memo No.9166

Dated:- 19.08.2002

Sub.:Policy for granting **permission for boring of tubewells in Ind. Area** of HUDA for identify industries

I have been directed to enclose herewith a photocopy of Policy duly approved by the authority in its 84th meeting held on 26.2.2002 for allowing boring of tubewells in the Industrial areas of HUDA. Permission for boring of tubewells be recommended only in accordance with the conditions mentioned in Policy.

DA/As above.

-sd/-
Executive Engineer(M)
For Chief Administrator, HUDA
Panchkula

Endst. No. 9166

Dated:- 19.08.2002

A copy of the above alongwith a photo copy of Policy as followed in HUDA is forwarded to Managing Director, Haryana State Industrial Development Corporation, Deptt. of Industries for further action at their.

-sd/-
Executive Engineer(M)
For Chief Administrator, HUDA
Panchkula

POLICY FOR GRANTING PERMISSION FOR BORING OF TUBEWELL IN IND. AREA OF HUDA FOR IDENTIFIED INDUSTRIES

The permission for boring of the tubewells in the Industrials Estate for the identified industries is proposed to be given subject to the following conditions:-

- a) Any body who want to install a tubewell in his premises, shall have to seek prior approval of HUDA indicating in the request the size, depth and actual location of tubewell, He shall further supply the strata chart, assembly chart, development details of tubewell and the capacity/duties of the pump installed/proposed to be installed.
- b) In case of any exigency the owner shall allow the HUDA to use tubewell for public purpose. Energy charges shall however to borne by HUDA for running the tubewell in such situations
- c) The industry shall ensure the safety to the sub soil water against any contamination. HUDA/Public Health Deptt/Local Bodies/Water Pollution Control Board shall have full rights to inspect the premises and check the same. In case any deficiency is found in this regard, then the tubewell shall be taken over and any action as deemed fit shall be taken.
- d) The necessity and requirement to the water shall be supplied by the industries alongwith the justification for installation of tubewells.
- e) The industries shall have to deposit the charges for the disposal of effluent to HUDA at the rates fixed for this purpose from time to time.
- f) The effluent shall be disposed into HUDA sewer/Public sewer after proper treatment and shall ensure that it meets with the Water Pollution Control Board requirements.
- g) Cess charges shall be paid directly to the Pollution Control Board as per their assessment.
- h) To avoid any extra effluent into the existing HUDA sewer, it will be ensure by the Industries that their tubewell will not run during the water supply hours i.e. 5:00 A.M. to 9.00 A.M. in the morning 5.00 P.M. to 9:00 P.M. in the evening.
- i) No permission will be given to drill the tubewell within 150mtr. radius from the existing/proposed tubewell of HUDA/PWD Public Health.
- j) Permission if any required from any other authority such as Central/State Ground Water authority shall be obtained by the owner them selves.

The agenda has been considered by the Authority in its 84th meeting held on 26.02.2002 and approved.

**OFFICE OF THE ADDITIONAL CHIEF ENGINEER HUDA C-3, SECTOR-6,
PANCHKULA**

To

1. The Administrator,
HUDA, Panchkula/Hisar/
Faridabad/Gurgaon
2. The Secretary
HUDA, Panchkula
3. The Superintending Engineer,
HUDA, Circle, Panchkula/Karnal/
Faridabad/Rohtak/Gurgaon/Hisar.

Memo No. ACE-HUDA-2001-M/10200

Dated:- 10.12.2001

Sub.:Notification regarding Roof Top **Rain Water Harvesting** -conservation and artificial **Re-Charge of Ground water**. Areas/Urban Estates in Haryana notified for implementation.

Ref: In continuation to this office letter no. CE-HUDA-2001-M/9945-46 dated 29-11-2001.

I have been directed to enclose herewith notification dated 7-12-2001 on the subject cited above, wherein the Areas/Urban Estates in Haryana have been notified for implementation of provisions of "Rain Water Harvesting" in accordance with the rules framed by the Haryana Urban Development Authority already sent under this office Endst. Referred above.

DA/As above.

-sd/-

Executive Engineer(M)
For Add. Chief Engineer, HUDA
Panchkula

Endst. No. CE-HUDA-2001-M/10201

Dated:- 10.12.2001

A copy of the above is forwarded alongwith its enclosures is forwarded to the following for information and necessary action:

1. The Chief Engineer, HUDA Panchkula.
2. The Chief Controller of Finance, HUDA Panchkula
3. The Chief Town Planner, Haryana, Chandigarh.
4. The Chief Town Planner, HUDA Panchkula.
5. The Addl. Chief Engineer, HUDA Panchkula.
6. The Senior Architect, HUDA Panchkula
7. PS to CTCP for kind information of CTCP.
8. PS to Chief Administrator, HUDA for kind information of Chief Administrator, HUDA Panchkula.

DA/As above

-sd/-

Executive Engineer(M)
For Add. Chief Engineer, HUDA
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY

NOTIFICATION

In exercise of the powers conferred under clause Sub Section-9 of regulation 81A under heading “Rain Water Harvesting” of the HARYANA URBAN DEVELOPMENT AUTHORITY (Erection of Buildings) Regulations-1979, following areas/Urban Estates in Haryana are hereby notified for implementation of provision of Rain Water Harvesting in accordance with the rules framed by HARYANA URBAN DEVELOPMENT AUTHORITY.

1. Panchkula
2. Kurukshetra
3. Shahbad
4. Karnal
5. Panipat
6. Sonapat
7. Gohana
8. Faridabad
9. Yamuna Nagar
10. Gurgaon (Sectors on Southern side of NH-8)

The Chief Engineer/Additional Chief Engineer, HUDA will provide further guide lines about approximate depth of recharge well and sample strata chart for the purpose and implementation of these requirements.

Dated: 07.12.2001

(N. C. Wadhwa, I.A.S)
Chief Administrator,
HUDA, PAnchkula

OFFICE OF THE CHIEF ENGINEER HUDA C-3, SECTOR-6, PANCHKULA

To

1. The Administrator,
HUDA, Panchkula/Hisar/Faridabad/Gurgaon
2. The Secretary
HUDA, Panchkula
3. The Superintending Engineer,
HUDA, Circle, Panchkula/Karnal/
Faridabad/Rohtak/Gurgaon/Hisar.

Memo No. CE-HUDA-2001-M/9945

Dated:- 29.11.2001

Sub.:Roof top **Rain water Harvesting-** conservation and Artificial Re-Charge of Ground water.

Find enclosed herewith 10 copies of the notification dated 31-10-2001 on the subject cited above. Rain water Harvesting has been made mandatory by the Govt. Implementation of the new laws may please be ensured.

DA/As above.

-sd/-
Executive Engineer(M)
for Chief Administrator, HUDA,
Panchkula

Endst. No. CE-HUDA-2001-M/9946

Dated:- 29/11/2001

A copy of the above is forwarded along with the 10 copies of notification for information and necessary action:

1. The Chief Engineer, HUDA Panchkula.
2. The Chief Controller of Finance, HUDA Panchkula
3. The Chief Town Planner, Haryana.
4. The Chief Town Planner, HUDA Panchkula.
5. The Addl. Chief Engineer, HUDA Panchkula.
6. The Senior Architect, HUDA Panchkula
7. PS to CTCP for kind information of CTCP.
8. PS to Chief Administrator, HUDA for kind information of Chief Administrator, HUDA Panchkula.

DA/As above

-sd/-
Executive Engineer(M)
For Chief Administrator, HUDA,
Panchkula

OFFICE OF THE CHIEF ENGINEER HUDA C-3, SECTOR-6, PANCHKULA

To

The Superintending Engineer,
HUDA, Circle, Panchkula/Karnal/
Faridabad/Rohtak/Gurgaon/Hisar.

Memo No. CE-HUDA-2001-M/9913-18

Dated:- 28.11.2001

Sub.:Use of **water efficient fitting** in HUDA buildings.

I have been directed to request you to provide water efficient fittings in all HUDA Buildings. It shall be made mandatory for all HUDA building to be constructed, in future to provide 8 litres flushing cistern system instead of 10.00 litres or 12.5 litres capacity.

It should be brought to the notice of all the concerned.

-sd/-

Executive Engineer (M)
for Chief Administrator, HUDA,
Panchkula

HARYANA GOVERNEMENT
HARYANA URBAN DEVELOPMENT AUTHORITY
NOTIFICATION

The 31st October, 2001

Sub.:Notification regarding regulation of erection of building amendment regulation 2001.

No Auth. 2001/29449-In exercise of the powers conferred by Clause...(d) of section 54 of the HARYANA URBAN DEVELOPMENT AUTHORITY Act, 1977 (Act 13 of 1977) and all other powers enabling him in this behalf, and with the previous approval of the State Government conveyed vide their memo no. 10/1/98-2TCP, dated the 31st October, 2001 HARYANA URBAN DEVELOPMENT AUTHORITY hereby makes the following regulations further to amend the HARYANA URBAN DEVELOPMENT AUTHORITY (Erection of Buildings) Regulations, 1979, namely:

1. These regulation may be called the HARYANA URBAN DEVELOPMENT AUTHORITY (Erection of Buildings) Amendment- Regulations-2001.

They shall come into force with immediate effect.

2. HARYANA URBAN DEVELOPMENT AUTHORITY (Erection of Buildings) Regulations-1979 (hereinafter called the said regulations), in regulation-II after Sub regulation (3), the following regulation shall be added, namely. “(4) Construction of the works as laid down in regulations 81A shallpart of the occupation certificate. Unless such works are completed as per the approved drawings, no. occupation certificate shall be issue.”
3. In the said regulation 81, the following regulation be inserted, namely:

“81 A Rain Water Harvesting:

1. Arrangement of roof top rain water harvesting will have to be made by the plot owner, constructing the building on the plot allotted by HARYANA URBAN DEVELOPMENT AUTHORITY where the area of the roof is 100 square metre or more.
2. The system of collection, conveyance and dispersion of rain water for harvesting shall be made in such a manner that only clear water is able to enter. No contaminated/waste water from the building or surrounding area should find its way in this system.
3. The entry points of the rain water for harvesting shall be designed in such a manner that in normal days,these remain covered. Arrangement of segregation of the rain water from the first shower (containing wash water) shall also be there.
4. The arrangement of quick filtration of rainwater also be made in the rain water harvesting well/tube well so that rain water does not pollute or choke the strata.
5. The complete system of rain water harvesting will be constructed within the plot area allotted to the allottee as per allotment letter.
6. The recharge well shall be located at a distance of not less than 10 mtr. away from any structure handling sewage or industrial waste water (such as septic tank or effluent treatment plant etc.) this minimum distance of 10mtr. will not be applicable to manholes or sewer lines although it will be ensured that they are leak proof.
7. The detail proposal of the system comprising of collections, conveyance and dispersion of rain water from the roof top to rain water harvesting well/tubewell will have to be shown on the building plan submitted for approval to the building plan approval committee. The committee after scrutiny will approve the drawing for implementation at site.

8. Any Engineer not below the rank of Executive Engineer, HUDA so authorized by Chief Administrator, HARYANA URBAN DEVELOPMENT AUTHORITY/Director Town & Country Planning, Haryana will have the powers to inspect the system whenever considered necessary and direct the owner of the building to affect any changes/improvement as deemed necessary and the owner of the building will ensure compliance.
9. HARYANA URBAN DEVELOPMENT AUTHORITY shall notify the area where such rain water harvesting system is to be provided. Broad guide lines about the approximate depth of the recharge well and the sample starta chart will also be made available.
10. The water (prevention and Control of Pollution) Act 1974 (Act 6 of 1974) with all amendments made from time to time shall be applicable.

(N. C. Wadhwa, I.A.S)
Chief Administrator,
Haryana Urban Development Authority

NOTIFICATION

HARYANA URBAN DEVELOPMENT AUTHORITY

Sub.: Revision of water charges- Notification.

The Haryana Urban Development Authority has decided to revise the water and Sewerage charges with immediate effects as under:-

Revision of Water Charges

Sr. No.	Name of Work	Existing tariff	Revised tariff
(a)	(i) 1 st 15 K L	1.00 P K L	@ Rs. 1.25 P K L
	(ii) From 15 K.L to 30 K.L	1.00 P K.L	@ Rs. 2.50 P.K.L
	(iii) Above 30K.L	1.00 P.K.L	@ Rs. 4/- P.K.L
(b)	Institutional	2.00 P.K.L	@ Rs. 4/- P.K.L
(c)	Industrial and Commercial	2.50 P.K.L	@ Rs. 4/- P.K.L

(d) The premises not covered by 1 (a) to (c) above @ Rs. 4/- P/K/L

- i) Minimum charges of Rs. 20/- per connection for domestic and Rs. 50/- per connection for Institutional/Industrial/Commercial irrespective of the consumption shall be charged monthly.
- ii) If any, part of the house is used for purposes other than the domestic above with the approval of HUDA then the rates for whole of the supply shall be charged at the rates for the purpose for which authorisation has been given by HUDA.
- iii) Flat rate charges shall be levied if the meter remains out of order for more than 2 months.
- iv) For the water supply connection in the villages falling under the HUDA sectors and where HUDA has agreed to provide services to villages, then the water and sewerage rates of domestic water supply shall be charged at the rates of domestic water supply charges as mentioned at a, b, c, & d above.

2	i) Water connection fee	Rs. 300/- Rs. 500/-Upto 10 Marla Rs. 1000/- above 10 Marla Rs. 1000/- for Institutional Commercial & Industrial	
	ii) Water connection security	I) Upto 4 Marla II) Beyond 4 Marla upto 6 Marla III) More than 6 Marla but less than 10Marla IV) 10 Marla V) Beyond 10 Marla VI) For commercial VII) For Industrial & Institution a) Up to 1 Acre b) Above 1 Acre but upto 2.5 Acre c) Above 2.5 Acre	Rs. 200/- Rs. 300/- Rs. 400/- Rs. 500/- Rs. 1000/- Rs. 2000/- Rs. 2000/- Rs. 3000/- Rs. 5000/-

3. Boosting pumps installed Direct on line	Not allowed However, if Detected Penalty of Rs. 1200/- and Rs. 100/- per Month additional Charges	Not allowed However, if detected Penalty of Rs. 1200/- each time
4. Sewerage per W C	Rs. 5/- P. M.	Rs. 8- P.M.
Per Urinal	Rs. 1.50 P.M.	Rs. 3/- P.M.
Waste water charges Institutional/Industrial Commercial plots only.	Rs. 1/- P.K.L of 70% of W/S	Rs. 2/- PKL of 70% of water consumed
i)Sewer connection fee	Rs. 100/-	Rs. 300/- upto 10 Marla Rs. 500/- above 10 Marla Rs. 500/- for institutional Industrial & Commercial
ii)Sewer connection Security	(I) Upto 4 Marla (II) Beyond 4 Marla upto 6 Marla (III) More than 6 Marla but less than 10 Marla (IV) 10 Marla (V) Beyond 10 Marla (VI) for commercial (VII) for Industrial & Institution (a) Upto 1 Acre (b) Above 1 Acre but upto 2.5 acre (c) Above 2.5 acre	Rs. 200/- Rs.300/- Rs. 400/- Rs. 500/- Rs. 1000/- Rs. 2000/- Rs. 2000/- Rs. 3000/- Rs. 5000/-

Revised Flat Rate/ Unmetered Tariff for domestic Water Supply.

Sr. NO.	CATEGORY	EXISTING TARIFF HUDA	REVISED CHARGE
i)	EWS, 2M, 3M Single storey & More than one storey.	Rs. 45/- P.M	Rs. 50/-P.M
ii)	4 Marla Single Storey	Rs. 60/- P.M.	Rs. 60/- P.M.
iii)	4 Marla More than One storey	Rs. 60/- P.M.	Rs. 90/- P.M.
iv)	6 Marla single story	Rs. 60/- P.M.	Rs. 90/- P.M.
v)	6 Marla more than one Storey	Rs. 60/- P.M.	Rs. 135/- P.M.
vi)	8 Marla Single Storey	Rs. 80/- P.M.	Rs. 120/- P.M.
vii)	8 Marla More than One storey	Rs. 80/- P.M.	Rs. 180/- P.M.
viii)	10 Marla Single Storey	Rs. 105/- P.M.	Rs. 150/- P.M.
ix)	10 Marla More than One storey	Rs. 105/- P.M.	Rs. 225/- P.M.
x)	14 Marla Single Storey	Rs. 135/- P.M.	Rs.200/- P.M.
xi)	14 Marla More than One storey	Rs. 135/- P.M.	Rs.300/- P.M.
xii)	1 Kanal Single Storey	Rs. 180/- P.M.	Rs. 250/- P.M.
xiii)	1 Kanal Double Storey	Rs. 180/- P.M.	Rs. 375/- P.M.
xiv)	2 Kanal Single Storey	Rs. 360/- P.M.	Rs. 700/- P.M.
xv)	2 Kanal Double Storey	Rs. 360/- P.M.	Rs. 1000/- P.M.
xvi)	1 Acre Single Storey	Rs. 1650/- P.M.	Rs. 3000/- P.M.
xvii)	1 Acre Double Storey	Rs. 1650/- P.M.	Rs. 5000/- P.M.

Any storey constructed full or part thereof shall be considered as additional storey for the purpose of flat rates. (However the annexe above the garage shall be counted as part of the ground floor only.)

Size of ferrul upto 10 Marla	10mm
Beyond 10 Marla	12mm
1 Acre and above	15mm

Revised flat Rate for Commercial/ Industrial/Institutional water Supply.

The Flat rates for Industrial/Commercial/ Institutional shall be charged @ 150% of the flat rates for residential domestic water supply. For the plot area more than 1 Acre the flat rates shall be charged @ Rs. 5000/- plus Rs. 3500 per acre or part thereof.

Basement will not be counted towards a storey. House/Industrial/Commercial/Institutional constructed for more than one storey with covered area even, if less than permissible covered area on any floor shall be counted as a additional storey.

It has been observed that lot of water is wasted by the plot owners during the construction of houses by making the water connection at flat rates. In practice, once the water connection is taken on flat rates lot of quantity of water is wasted. To discourage, this practice of wastage of water, it is proposed that meter connection is allowed during construction of house and flat rate during construction are revised is as under:-

Water charges during construction of Houses before issue of Occupation Certificates

	Rate per Kilo litre	Flat rate per month
1) Up to 4 Marla	Rs. 3/-	Rs. 200/-
2) Above 4 Marla & upto 6 Marla	Rs. 3/-	Rs. 300/-
3) Above 6 Marla & less than 8 Marla	Rs. 4/-	Rs. 500/-
4) 8 Marla & less than 10 Marla	Rs. 4/-	Rs. 600/-
5) 0 Marla & less than 14 Marla	Rs. 4/-	Rs. 800/-
6) 14 Marla & less than 1 Kanal	Rs. 4/-	Rs. 1000/-
7) 1 Kanal & less than 1.5 Kanal	Rs. 4/-	Rs. 1200/-
8) 1.5 Kanal & less than 2 Kanal	Rs. 4/-	Rs. 1500/-
9) 2 Kanal	Rs. 4/-	Rs. 2000/-

Water charges during construction of Industrial/Commercial/Institutional places before issue of Occupation Certificates.

For metered water supply Rs. 4/- per K L shall be charged. The flat rates for Industrial/Commercial/Institutional upto 2 Kanal plot area shall be charged @ 150% of the flat rates for the domestic residential areas. The flat rates beyond 2 Kanal plot area shall be charged @ Rs. 3000/- plus Rs. 400/- per additional Kanal area of plot or part thereof.

This will make the people go in for meter connection during construction also and to use the water economically.

Water supply through Tanker (which shall not be obligatory) shall be charged as under:-

- 1) For domestic use Rs. 200/- for one tanker of 3000 litre capacity for half day and Rs. 300/- for tanker of 3000 litre capacity for full day.
- 2) If any private tanker wants to use the water supply for domestic purpose he will be charged Rs. 50/- per tanker of 3000 litre or part thereof.

Charges for Societies

Water connection shall be allowed to only those societies which are approved by HUDA and fall in the area being developed by HUDA.

1. Water connection fee
 - a) Rs.5000/-for a society upto total area of 4000 sqm.
 - b) Rs. 10,000/-for a total area beyond 4000 sqm. and upto 10000 sqm.
 - c) Rs. 15000/-for more than 10000 sqm. of total area.
2. Security (Refundable Security)
 - a) Rs. 20,000/-for area upto 4000 sqm.
 - b) Rs. 30,000/-for the area beyond 4000sqm and upto 10,000 sqm
 - c)Rs. 50,000/-for the area more than 10000/- sqm.

Water use for the construction purpose shall be charged as under:-

Minimum charges	Rs. 1000/-per month per connection & in case water is not being used
Metered supply	@ Rs. 4/- K L

Flat Rates

Sr. No.	Max. in Ferrule size	Max. in size of carrying line	Total area of security	Rates per Connection
1.	20mm 40mm	upto 2000sqm	Rs. 3000/- PM plus Rs.1000/additional for each 1000sqm. Area of plot or part Thereof more than 2000 sq. mtr.	
2.	20mm	40mm	Beyond 2000sqm Upto 4000 sqm.	-do-
3.	20mm	40mm	Beyond 4000sqm Upto 8000 sqm.	-do-
4	25mm	50mm	Beyond 6000sqm Upto 8000 sqm.	-do-
5	25mm	50mm	Beyond 8000sqm Upto 10000 sqm.	-do-
6.	To be decided by Executive Engineer as per site conditions		Beyond 10000sqm	-do-

Metered Rate for Society after issue of occupation certificate.

Sr. No.	Domestic	Tariff
		i) Rs. 1.25 P.K.L upto 15K.L. average consumption per flat per month
		ii) Rs. 2.50 P.K.L for average consumption beyond 15 K.L. upto 30 K.L per flat per month (This is irrespective of the fact whether any flat is occupied or not)
		iii) Rs. 3.60 per K.L for consumption beyond average 30 K.L per flat/month.

The water shall be supplied only in the underground tank of the society taking into consideration only one unit. In case the meter is out of order for more than 2 months flat rate charges shall be levied on the basis of number of flats as under:

Sr. No.	Covered Area of the flat	Rate per flat
1.	Upto 500sft.	Rs. 50/-
2.	Upto 750sft.	Rs. 75/-
3.	Upto 1000sft.	Rs. 120/-
4	Upto 1500sft.	Rs. 200/-
5.	Beyond 1500sft.	Rs. 250/-

Sewerage charges will be same on the basis of the number of urinals and W.C. as has been revised for individual domestic unit.

Water charges for bulk supply to colonizers, Municipal Committee/ Municipal Corporations etc.

Sr. No.	Water Tariff
1. Metered Water Supply	@ Rs. 2.80 P.K.L

The minimum charges for supplying bulk water to the colonizers/ Municipal Committee/ Municipal Corporations etc. shall be Rs. 10,000/- (irrespective of the consumption) be monthly.

The water will be supplied only in the underground tanks of the colonizers/ Municipal Committee/ Municipal Corporations etc. taking into consideration one unit where ever the pipe line not covered in the EDC for carrying water upto under ground tanks will have to be laid by the client deptt. In case meter is out of order for more than 2 months then the flat rates shall be levied on the basis of size of water supply pipe lines carrying water to the under ground tanks as under:

<u>Sr. No.</u>	<u>Rate</u>
i) Upto 50mm i/d Water supply pipe line	Rs. 5000/- PM
ii) Above 50mm i/d but upto 65mm i/d pipe line	Rs. 8000/-PM
iii) Above 65mm i/d but upto 80mm i/d pipe line	Rs. 15000/-PM
iv) Above 80mm i/d but upto 100mm i/d pipe line	Rs. 25000/-PM

The water charges for the water supply pipe line above 100mm i/d shall be increased on the basis of the area of water supply pipe line on proportionate basis considering the basic rate for 100mm i/d water supply pipe line @ Rs. 25000/- per month water Connection Fee.

Sr. No.	Rate per Connection
i) Upto 50mm i/d Water supply line	Rs. 20000/-
ii) Above 50mm i/d upto 65mm i/d pipe line	Rs. 30000/-
iii) Above 65mm i/d but upto 80mm i/d pipe line	Rs. 40000/-
iv) Above 80mm i/d but upto 100mm i/d pipe line	Rs. 50000/-
v) Above 100mm i/d pipe line	Rs. 75000/-

Security (Refundable)

Sr. No.	Rate per Connection
i) Upto 50mm i/d Water supply line	Rs. 50000/-
ii) Above 50mm i/d but upto 65mm i/d pipe line	Rs. 75000/-
iii) Above 65mm i/d but upto 80mm i/d pipe line	Rs. 100000/-
iv) Above 80mm i/d but upto 100mm i/d pipe line	Rs. 125000/-
v) Above 100mm i/d pipe line	Rs. 200000/-

Similarly, the revised rate of water supply and sewerage charges for the area adjacent but outside the HUDA sectors shall be as given below:-

Revised Water Supply and Sewerage charges for the areas adjacent but outside HUDA sectors:

There are certain residential, commercial and industrial areas adjacent but outside HUDA sectors. The following minimum rates shall be charged for these areas in respect of water & sewerage facilities to meet with capital cost.

The provision of infrastructures services will not be obligatory for the areas adjacent but outside HUDA sectors. However, individual cases be got approved from CA HUDA. In such cases the services being asked will be payable in advance. In addition to external development charges the connection charges/monthly charges and other charges shall be double than the normal rates of such charges in the area/Urban Estate developed by HUDA for respective categories.

In respect of released areas, which are falling within HUDA sectors, the water supply/sewerage/storm water drainage facilities shall be given only after recovering complete external development charges and internal development charges in advance as worked out by HUDA. The regular monthly charges, connection fee and other charges shall be same as is being charged to the plot holders in the areas developed by HUDA for the respective categories.

Villages falling in HUDA sectors or surrounded by HUDA areas Water Supply and sewerage charges will be as in case of areas acquired and developed by HUDA for respective categories. No charge shall be leviable for Public stand post in villages.

Dated: The 18th October 2001

(N.C. Wadhwa, I.A.S.)
Chief Administrator, HUDA,
Panchkula

Endst No. CE-HUDA-(M)-2001/8705-8711

Dated: 18.10.2001

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrator in HUDA
2. The Chief Controller of Finance, HUDA.
3. The Chief Town Planner, Haryana, HUDA.
4. All the Superintending Engineers of HUDA.
5. All the Executive Engineers in HUDA.
6. P.S. to C.T.C.P. Haryana.
7. P.S. to C.A. HUDA.

-sd/-
Executive Engineer(M)
For Chief Administrator, HUDA,
Panchkula

OFFICE ORDER

Sub.:Office order Work charge Establishment – delegation of powers. (Superseded by letter dated 31.05.2005 at Sr.No. 30)

In suppression of this office order Endst. No. EA-6-99/38996-39025 dated 29.12.99, it is hereby ordered that the powers delegated to the Chief Engineer, HUDA from time to time, to deal with posting/transfers, promotion, grant of benefits under Ex-gratia scheme to the dependents of the deceased employees and other related Establishment matters in respect of regular staff, work charged and Employee of Class-III working in the Engineering wing HUDA are hereby re-delegated to the Chief Engineer and respectively Superintending Engineers of HUDA as under:-

CHIEF ENGINEER

- i) Regularisation of service of Class-III & IV categories of field employees with the approval of Competent Authority.
- ii) Promotion from Class-IV to Class-III and to next higher post within Class-III category.
- iii) Posting/Transfer of inter Circle of the Class-III and IV category of field staff.
- iv) Ex-gratia Employment.

SUPERINTENDING ENGINEER

- v) Clearance of Promotion period of all categories of field staff.
- vi) Grant of ACP Scales and crossing of Efficiency Bar.
- vii) Sanction of L.T.C.
- viii) Settlements of claim of Seniority at Circle Level.
- ix) Initiating and finalization of the disciplinary cases etc.
- x) Powers regarding grant of extension beyond 55 years.
- xi) Benefits regarding retirements.
- xii) Ex-gratia benefits except the employment.
- xiii) Regarding employment detailed case shall be sent to office of Chief Engineer.
- xiv) ITI Scale.
- xv) Permission to Purchase Movable/Immovable property.
- xvi) Other permission with regard to further study or any others such permission.
- xvii) Transfer of Class-III & IV employees within their Circles only.
- xviii) An other except the Powers delegated to Chief Engineer mentioned at (I) to (iv) above.
- xix) Panchkula the dated

-sd/-

(N.C. Wadhwa, I.A.S.)

CHIEF ADMINISTRATOR, HUDA.

1. The Additional Chief Engineer, HUDA, Panchkula.
2. All the Superintending Engineers in HUDA
3. All the Executive Engineers in HUDA.

-sd/-

Superintending Engineer(HQ)
or Chief Administrator, HUDA,
Panchkula

Endst No. 2776-81

Dated: 18.4.2000

A copy of the above is forward to the following for information and necessary action:

1. The Chief Controller of Finance, HUDA Panchkula.
2. The Joint Director (Legal) HUDA, HQ Panchkula.
3. PS/CA, HUDA for information with C.A. HUDA.

-sd/-

Superintending Engineer(HQ)
For Chief Administrator, HUDA,
Panchkula

OFFICE OF THE CHIEF ADMINISTRATOR HUDA, PANCHKULA

To

- 1 The Administrator (HQ),
HUDA Panchkula.
- 2 The Administrator,
HUDA, Panchkula/Hisar/Karnal/Faridabad/Gurgaon/Rohtak
Memo No. CE-HUDA/EE/(W)/P/ 8357

Dated:- 13.07.1999

Sub.:Policy for the **removal of congress grass** and other Hazardous **wild growth** in various Urban Estates being development by HUDA.

The matter to adopt a uniform policy for the removal of congress grass and other hazardous wild growth from the various Urban Estates being developed by HUDA was under active consideration.

After thoughtful consideration the following decision have been taken in this regard:-

1. The concerned Executive Engineer HUDA (Civil) Division will continue to get the work of removal of congress grass done from the right of way of all the road whether external or internal through his existing staff or from his normal A/Mtc. estimates.
2. The concerned Executive Engineer, HUDA, Hort. Division will continue to get the work or removal of congress grass done from parks, open spaces and central verges of the roads through his existing staff.
3. The concerned Estate Officer, HUDA shall identify the plots residential/commercial or institutional which has been allotted but no construction has yet been carried out there. The notices to all such plot holders shall be issued by the concerned Estate Officer, HUDA with the specific time period for removal of the congress grass failing which the same shall be got removed by HUDA by charging the allottees @ Rs. 1/- per sqm. per year and it would be removed twice in a year, once during the month of March-April and then again during the months of July-August/September.

After the expiry of notice, list of all such plot holders which have not complied with the directions regarding removal of congress grass shall be supplied to the concerned Executive Engineer, HUDA, Hort. Division, for getting the congress grass removed from their plots.

4. The removal of congress grass from unallotted planned area of HUDA and open land declared as for undetermined use shall be done by the concerned.

Executive Engineer, Hort. Division after getting the requisite estimate sanctioned from the competent authority.

The demarcation for the above pockets of land shall be given to the concerned Executive Engineer, HUDA, Hort. Division by the concerned Estate Officer, HUDA and the concerned D.T.P.

You are requested to issue instruction to the office/officials concerned to ensure that the above policy guidelines are implemented in true spirit. This exercise must be completed in time bound manner.

-sd/-

Executive Engineer(W)
For Chief Administrator,
HUDA, Panchkula

Dated:- 13.07.1999

Endst. No. CE-HUDA-EE-(W)/P/8357

A copy of the above is forwarded to the following for information and necessary action:-

1. PS to CTCP & PS TO CA for kind information of C.T.C.P. & CA HUDA
2. PS to Chief Engineer, HUDA for kind information of C.E., HUDA.
3. The Chief Town Planner & CCF HUDA, Panchkula.

-sd/-

Executive Engineer(W)
For Chief Administrator,
HUDA, Panchkula

ESTABLISHMENT WING

INSTRUCTION /OFFICE ORDERS REGARDING DELEGATION OF POWERS/ FUNCTIONS

HARYANA SHEHRI VIKSA PRADHIKARAN

OFFICE ORDER

In supersession of this office order issued vide Endst. No. EA-3-2007/17860-63 dated 15.05.2007, in exercise of powers conferred under Section-51 of HUDA Act, 1977 and all other powers vested with me, for efficiency, speedy disposal of the cases and with a view to decentralize the powers, the following powers are hereby re-delegated to Secretary, HSVP, Panchkula, as under:-

1. Crossing of efficiency bar of Class-III & IV employees.
2. Sanction of higher standard/ACP Scale to Class-III & IV employees.
3. Sanction of LTC, if applicable to Class-III & IV employees.
4. Forwarding of applications of Class-III & IV employees to HPSC, HSSC and other departments for employment.
5. To grant extension in joining time up to 30 days beyond the already stipulated period.
6. To clear the probation period of Class-III & IV employees in clear cases.
7. Pay fixation of officers/officials of Class-III & IV employees.
8. To convey the adverse remarks recorded in ACRs of Class-III & IV employees.
9. Grant of permission for higher studies to Class-III & IV employees.
10. Grant permission for NOC regarding passport to Class-III & IV employees.
11. Sanction of Child Care Leave up to 30 days to Class-III & IV employees.

Dated, the Panchkula
19th March, 2019.

-sd-
D. Suresh, IAS
Chief Administrator, HSVP,
Panchkula.

Endst. No. 54865

Dated : 20/03.2019

A copy of the above is forwarded to the following for information and necessary action:-

1. The Secretary, HSVP, Panchkula.
2. PS/CA, HSVP, Panchkula.
3. PS/Secretary, HSVP, Panchkula
4. All the establishment Assistants of HSVP (HQ).

-sd-
Supdt. (E)
Chief Administrator, HSVP,
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In exercise of powers conferred under section-51 of HUDA Act, 1977 and all other powers vested with me, in the interest of efficiency, speedy disposal and with a view to decentralize the powers/functions, powers in respect of the cases regarding release of leave salary and gratuity to the employee of HUDA on superannuation are delegated as under:-

Sr. No.	Category of employees to whom leave salary/ gratuity is to be released on superannuation	Power delegated to
1.	Employees equivalent to Class-III and IV employees.	Secretary, HUDA
2.	Work charged employees	Chief Engineer, HUDA
3.	Employees equivalent to Class-II Officers.	Administrator (HQ), HUDA

Dated, Panchkula, the
28th February, 2008

T.C.Gupta, I.A.S
CHIEF ADMINISTRATOR,
HUDA Panchkula

Endst. No. EA-3-2008/10170-92

Dated: 18.03.2008

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators of HUDA in the State.
2. The Administrator (HQ), HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. All the Superintending Engineers of HUDA.
6. All the Assistants in Establishment Branch in HUDA (HQ).

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In exercise of powers conferred under section-51 of the HUDA Act, 1977 and all other powers vested with me, in the interest of efficiency, speedy disposal and with a view to decentralize the powers/functions, powers in respect of taking decisions of Ex-Gratia cases of Class-III and IV employees of HUDA is hereby delegated to the Zonal Administrators in their jurisdictions. They shall decide such type of cases strictly in accordance with New Ex-Gratia Policy circulated by the Haryana Government on 01.08.2006.

Dated, Panchkula, the
23rd September, 2007

T.C.Gupta, I.A.S
CHIEF ADMINISTRATOR,
HUDA Panchkula

Endst. No. EA-3-2007/33941-34010

Dated: 27.09.2007

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators of HUDA in the State.
2. All other field offices of HUDA in the State.
3. All Head of branches, HUDA (HQ), Panchkula.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In exercise of powers conferred under section-51 of the Haryana Urban Development Authority Act, 1977, in the interest of efficiency, speedy disposal and with a view to decentralize the powers/functions, powers pertaining to final payment of GPF and advances from GPF in respect of Class-III and IV employees are hereby delegated to the Chief Controller of Finance with immediate effect.

Dated, Panchkula, the
17th September, 2007
HUDA Panchkula

T.C.Gupta, I.A.S
CHIEF ADMINISTRATOR,

Endst. No. EA-3-2007/32884-964

Dated: 20.09.2007

A copy of the above is forwarded to the following for information and necessary action:-

1. All field offices of HUDA.
2. The Chief Controller of Finance, HUDA, Panchkula. He is requested to make the payments of GPF and advances from GPF may be made after following procedure and as per rule and regulations.
3. All Head of branches, HUDA (HQ), Panchkula.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

**INSTRUCTIONS/OFFICE ORDERS REGARDING DELEGATION OF POWERS/
FUNCTIONS:
HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER**

In pursuance of this office order endst. No. EA-3-07/24621-24661 dated 16.07.2007, the sectors falls in the West side of the National Highway i.e. Sector-3, 4, 5, 6, 7, 7-Extn., 9, 9-A, 10, 10-A, 12, 12-A, 14, 15, 17-A, B, C, 18, 21, 22, 23, 23-A, 37-I & H, Gymkhana Club, Sector-4 and any other area of Urban Estate, Gurgaon falls in the West side of National Highway are hereby allocated to Sh. V.S.Hooda, HCS, Estate Officer, HUDA, Gurgaon-I and Sector-27, 28, 29, 30, 31, 32, 33, 34, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 50, 51, 52, 55, 56, 57, Gymkhana Club, Sector-29 and any other area of Urban Estate, Gurgaon falls on the East side of the National Highway are allocated to Sh. Yashendra Singh, HCS, Estate Officer, HUDA, Gurgaon-II.

Dated, Panchkula, the
26th August, 2007

-sd/-
T.C.Gupta, I.A.S
CHIEF ADMINISTRATOR,
HUDA Panchkula

Endst. No. EA-3-2007/30338-398

Dated: 30.08.2007

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators of HUDA in the State.
2. The Engineer-in-Chief, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner/Senior Architect, HUDA, Panchkula.
5. All the Superintending Engineers of HUDA.
6. All the Estate Officers in HUDA.
7. All the Assistants in Establishment Branch in HUDA, They are directed to process the case for fill up the above stated newly created posts in accordance with the rules and regulations of HUDA.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

**ALLOCATION OF WORK/JURISDICTION:
HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER**

The jurisdiction of the Zonal Administrators and Superintending Engineers is hereby re-fixed in HUDA to harmonize and in public interest as under:-

Sr. No.	Jurisdiction of Administrators	Jurisdiction of SE
1.	PANCHKULA Zone i) Distt. Panchkula ii) Ambala iii) Yamunanagar iv) Kurukshetra v) Karnal vi) Kaithal	S.E. Panchkula i) Distt. Panchkula S.E. Karnal i) Distt. Ambala ii) Yamunanagar iii) Kurukshetra iv) Karnal v) Kaithal
2	FARIDABAD ZONE i) Faridabad ii) Mewat	S.E. Faridabad i) Distt. Faridabad ii) Mewat
3	Gurgaon ZONE i) Gurgaon ii) Rewari iii) Narnaul	S.E. Gurgaon i) Distt. Gurgaon ii) Rewari iii) Narnaul
4	HISAR ZONE i) Hisar ii) Sirsa iii) Fatehabad iv) Jind v) Bhiwani	S.E. Hisar i) Distt. Hisar ii) Sirsa iii) Fatehabad iv) Jind v) Bhiwani
5.	Rohtak Zone i) Rohtak ii) Jhajjar iii) Sonapat iv) Panipat	S.E. Rohtak i) Rohtak ii) Jhajjar iii) Sonapat iv) Panipat

24th April, 2007

Endst. No. EA-3-2007/16033-113

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators of HUDA.
2. The Engineer-in-Chief, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Legal Remembrancer, HUDA, Panchkula.
6. All the Superintending Engineers (Civil/Elect./Hort.) of HUDA.
7. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
8. All the Executive Engineers (Civil/Elect./Hort.) of HUDA.
9. All the Estate Officers of HUDA.

-sd/-

T.C.Gupta, I.A.S

Chief Administrator, HUDA, Panchkula

Dated: 11.05.2007

-sd/-

Secretary,
for Chief Administrator, HUDA, Panchkula

INSTRUCTIONS REGARDING ADJUSTMENT TRANSFER OF STAFF

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators,
HUDA in the State.
2. The Chief Engineer-I &II,
HUDA, Panchkula.
3. All Estate Officers of HUDA.

Memo No.EA-2-2008/6453-77

Dated:14.02.2008

Subject:-Regarding transfer/adjustment of staff.

Reference this office memo No.EA-3-2007/19228-32 dated 25.05.2007 which is addressed to all subordinate offices, on the subject noted above wherein it was intimated that concerned Zonal Administrators were permitted/ allowed to transfer Class-III employees of HUDA from one office to another office within the same station in their jurisdiction strictly on complaint basis. After making such type of transfers, send the information to this office alongwith ground of transfers of the employee immediately.

Now the matter has been considered again and it has been observed that Zonal Administrators are not intimating to the Head Office after making such type of transfers causing administrative problems. So it has been decided before making such type of transfers prior approval of the Chief Administrator, HUDA may be obtained. In case any transfer is made without prior permission of the Chief Administrator, HUDA disciplinary action will be initiated against the defaulting officers.

This has the approval of Chief Administrator, HUDA.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Zonal Administrators
HUDA in the State.

Memo No.EA-3-2007/19228-32

Dated:25.05.2007.

Subject:-Regarding transfer of Class-III employees.

Reference this office memo No.EA-3-2006/45095-179 dated 28.12.2006 which is addressed to all subordinate offices, on the subject noted above.

In order to increase the efficiency of the system, you are hereby permitted/ allowed to transfer Class-III employees of HUDA from one office to another office within the same station in their jurisdiction strictly on complaint basis. After making such type of transfers, send the information to this office along with ground of transfers of the employee immediately.

-sd/-
Secretary
for Chief Administrator, HUDA
Panchkula
Dated

Endst.No.EA-3-2007/

A copy of the above is forwarded to all the Establishment Assistants of HUDA (HQ), Panchkula.

-sd/-
Secretary
for Chief Administrator, HUDA
Panchkula

INSTRUCTIONS REGARDING ADJUSTMENT/TRANSFER OF STAFF:

From

The Chief Administrator,
HUDA, Panchkula

To

All the Subordinate Offices
of HUDA in the State.

Memo No. EA-5-2006/45095-179

dated 28.12.2006

Subject: Regarding transfer of Class-III employees.

Your attention is invited to the Head Office instructions issued vide No. EA-1-98/25497-565 dated 08.09.98, No. 2820-71 dated 08.02.2000 and other instructions issued by the State Government from time to time wherein field authorities have been restricted from making any transfer or even local adjustment at their own level. The transfers, local adjustment or shifting of Head Quarter temporarily of Class-III and above employees are only made by the Head Quarter on complaint, administrative reasons or mutual requests and under the Government directions/orders.

But, it has been observed that some the field officers are still making transfers/local adjustments of Class-III employees local stations as well as from one station to other station at their own level. This action at the field level is a clear cut stepping out of jurisdiction of powers and violation of Head office/Government instructions. Such unwanted actions have been creating administrative complications for Head Office.

It is again impressed upon you that in future no such transfer or even local adjustments be made at your own level in any circumstances. It is also made clear that in future no salary be paid by the concerned D.D.O. to such employees who has been transferred/adjusted by the field authority and payment to such unauthorized transferee will be at the risk and cost of concerned D.D.O.

These instructions be followed meticulously and any violation of these instructions/directions will tantamount to disciplinary action against the officers/officials at fault.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

Endst. No. EA-5-06/45180

Dated:28.12.2006

A copy of above is forwarded to all Assistants of Establishment Branch, HUDA (HQ), Panchkula for information and necessary action.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

INSTRUCTIONS REGARDING APPOINTMENT OF CONTRACTUAL STAFF AND JOINING AND RELIEVING OF DEPUTATIONISTS

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All Branch In charges of HUDA (HQ).
2. All Heads of the offices in the field of HUDA.

Memo No.EA-2-08/35721

Dated:16.10.2008

Subject:-Joining/ relieving of the officers/officials in HUDA on deputation.

It is mentioned at the outset that vide this office memo No.EA-2-08/498 dated 07.01.2008 Legal Remembrancer, HUDA, Panchkula was requested not to relieve any Law Officer without the permission of Chief Administrator, HUDA. It was also mentioned that in case an officer relinquishes the charge on his own without the permission from C.A. HUDA, he shall be treated as on unauthorized absence and disciplinary action shall be taken accordingly. Later on similar instructions were issued vide this office memo No.EA-3-08/1428-65 dated 15.01.2008 wherein it was directed that joining report of any Deputationist (From Department of Prosecution, Finance etc.) shall not be accepted without permission of C.A. HUDA. It was also directed that the DDO will not release the salary of the incomers without ensuring compliance of these instructions.

The experience regarding the implementation of these instructions for the last 6-7 months has not been soothing one. The Law Offices in particular have indulged in flagrant violation of these instructions and have relinquished their charges on their own without obtaining permission of C.A. HUDA. Further the L.R./D.A. HUDA have been moot spectators in this regard and have not submitted anything against any such Law Officer for initiation of disciplinary action. In fact, the earlier instructions were issued with a view to ensure that whenever of Law Officer is transferred and a new officer takes his place, the outgoing officer should not only handover the case-dairies and details of the court cases but should also brief his successor about important cases/Legal issues pertaining to his seat. The situation where a Law Officer relinquished his charge without resorting to the above said practice results in leaving the new officer and the Organization groping in dark. Such act on the part of some Law Officer has even burdened the Organization with cost imposed by the Courts. It so appears that nobody is ready to share the responsibility entrusted to him/her by the official duties/instructions. It hardly needs mention that discipline is the base of success of any Organization. If discipline loss its grip nothing can mitigate the woes of the Organization. and is bound to result in doom some day. In fact there is an impression that Organization has no value before self interests which perhaps is a wrong perception. It is really painful to note that even the senior officers remain oblivious to such kind of scenario. So much so, no effort is made even to ensure that the circulars/instructions are got noted from all concerned. Yet, there is a ray of hope always. If the members of the Organization start right now to have some sense of duty, respect for official dictum in the shape of rules, regulations and instructions, the worsening may be stalled. It is with expectation that the instructions referred above are reiterated for compliance. In future the following instructions will act as guide in the aforesaid circumstances:-

- i) Joining of any deputationist to HUDA shall not be accepted by he Head of the Office/Branch (HQ) on its own without permission of C.A. HUDA.
- ii.) As soon as the deputationist submits his joining report, the Head of the Office/In charge shall contact the Chief Administrator, HUDA either telephonically or through e-mail to seek his permission and shall direct the concerned deputationist to be present before the C.A. HUDA for interaction on the day and time to be intimated by the C.A. HUDA to the Head of the Office/Branch.
- iii.) Scope of duties to be given at the time of joining by the Establishment Branch.
- iv) Likewise the Head of the Office/Branch shall not relieve any deputationist on his transfer without permission from C.A. HUDA for obtaining of which he will follow the above mentioned course.

- v) No deputationist shall be allowed to relinquish the charge on his own and in case any officer/official chooses to relinquish his charge in violation of these instructions the Head of the Office/Branch shall immediately bring the facts to the notice of C.A. HUDA by submitting a proposal for disciplinary action against the defaulters immediately.
- vi) The deputationist, Law Officer specially shall handover, besides case-diaries etc. a list of important cases/issue pending at his seat which require immediate attention of the incoming officer.

To avoid the ending of this communication on a dismal note it is requested, with hope, to all the concerned to render compliance to these instructions in letter and spirit.

This has the approval of Chief Administrator, HUDA.

-sd/-
Secretary,
for Chief Administrator,
HUDA Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

All the field offices of HUDA
in the State.

Memo No.EA-3-2008/29880

Dated:20.08.2008.

Subject:-Regarding implementation of punishment orders awarded under Rule-7/8 of Haryana Civil Services (Punishment and Appeal) Rules, 1987 to the officers/officials of HUDA.

The decisions taken in respect of the officers/officials facing disciplinary proceedings are conveyed to the concerned Heads of the offices for further implementation. Such orders are required to be entered in the service books of the concerned officers/officials in red ink, but it has been observed that no such entries are made by the concerned Heads of the offices which results in difficulties in taking decisions regarding DCRG and pension cases etc. at the time of the retirement of the officers/officials. Besides, it has also been observed that in a number of cases even penalty of stoppage of increments or recovery of loss caused to HUDA has also not been effected by the concerned offices. It appears that the concerned offices merely believe in receiving and serving the orders of penalty and do not bother for further implementation there of which is a great lapse on the part of Head of the office, Superintendent/Dy. Superintendent and dealing Assistant of the office.

It is, therefore, reiterated that as and when orders imposing penalty are conveyed to the Head of the office, the same should not only be served upon the concerned officer/official but their implementation in letter and spirit should also be ensured and the acknowledgment as a token of the receipt by the concerned official should be sent to the Headquarters immediately. A report regarding implementation of the order issued from Headquarters since 01.04.2007 should also be sent to the Headquarters by 10.09.2008. Thereafter, orders in respect of all employees retiring in 2009 and then in 2010 should be taken up for scrutiny and entire exercise should be completed by 31.12.2008 and confirmation should be sent by 15.01.2009.

This has the approval of Chief Administrator, HUDA.

-sd/-
Secretary
for Chief Administrator, HUDA
Panchkula

Enst.No.EA-03-08/29881

Dated 20.08.2008

A copy of above is forwarded to all Incharges of branches at the HUDA Headquarters for similar action, if any.

-sd/-
Secretary
for Chief Administrator, HUDA
Panchkula

INSTRUCTIONS REGARDING APPOINTMENT OF CONTRACTUAL STAFF AND JOINING AND RELIEVING OF DEPUTATIONISTS

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Subordinate Offices
Of HUDA in the State.

Memo No.EA-1-2008/10001-81

Dated:18.03.2008.

Subject:-Regarding contractual appointment.

Reference on the subject noted above.

It has come to notice of this office that some of the field offices are making contractual appointments at their own level which is unhealthy practice on their post. So it has been decided that in future prior approval of Chief Administrator, HUDA, Panchkula may be obtained before contractual appointments.

This has the approval of Chief Administrator, HUDA.

-sd/-
Secretary
for Chief Administrator, HUDA
Panchkula

INSTRUCTION REGARDING DISCIPLINARY CASES

INSTRUCTIONS REGARDING DISCIPLINARY CASES:

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Subordinate Offices in the State.

Memo No. EA-1-08/2373

Dated: 02.09.2008

Subject: Regarding disciplinary cases.

Reference on the subject cited above.

It has been noticed that whenever more than one official are to be charged for a same offence, the field offices did not mention the stay of charged official in that office on that seat (in case of employee of Estate Office) or whether he was in charge of that sector if so that how much time that he dealt that particular seat or sector as two persons can not be charged for a same offence.

You are therefore requested that stay of the charged official in that office on particular seat (on a particular sector in case of employees of Estate Office) may be clearly spelt out in the charge sheet itself so that ambiguity in deciding the charge sheet could be avoided. Besides, date of birth of charged employee may also be mentioned in the charge sheet. These instructions may be brought in the notice of all concerned for strict compliance.

This has the approval of Chief Administrator, HUDA.

-sd/-
Secretary,
for Chief Administrator, HUDA,
Panchkula.

INSTRUCTIONS REGARDING GRANT OF 1ST AND 2ND ACP SCALES

INSTRUCTIONS REGARDING RECORDING AND SUBMISSION OF ACR:

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the field offices of HUDA.
- 2 All the Head of Branches at HQ.

Memo No. EA-2-2008/10094-169

Dated: 18.03.2008

Subject: - Writing of ACRs of HUDA employees for the years 2007-08.

1. Reference subject cited above.
2. It has been decided that no ACR of any officer/official of Class-I,II & III should be written without getting their self appraisal report from the concerned persons regarding the work done by him during the year while recording the ACRs. Special emphasis shall be given on the following point whenever applicable:-
 - i) Submission of replies of court cases and monitoring thereof;
 - ii) Redressal of public grievances;
 - iii) Timely replies of HQs references.
3. It has also been decided that the following schedule shall be observed for recording/submission of ACRs:-
 - a) Self appraisal submission 15th April.
 - b) Appraisal by Reporting Authority 30th May.
 - c) Appraisal by Reviewing Authority 15th May.
 - d) Appraisal by Accepting Authority 31st May.
4. It is also clarified to the Reporting/Reviewing officers that if serious discrepancies are noticed in the ACRs to be written by them and the actual performance of the officers/officials reported upon, they may be liable for disciplinary action.
5. These instructions may please be brought to the notice of all concerned officers/officials for strict compliance/information. The above instruction should be adhered to in letter and spirit so as to ensure that the complete ACRs of the officers/ officials become part of the relevant record at the HUDA HQs by 30.06.2008 under all circumstances.

This has the approval of Chief Administrator, HUDA

-sd/-
Secretary,
for Chief Administrator, HUDA,
Panchkula

INSTRUCTIONS REGARDING OFFICE PROCEDURE

INSTRUCTIONS REGARDING OFFICE PROCEDURE:

From

The Chief Administrator,
HUDA, Panchkula.

To

All the AEOs /Superintendent /Deputy Superintendents working in the field offices.

Memo No. EA-3/2008/29707-29767

Dated: 19.08.2008

Subject: - Regarding non monitoring reference in field offices of HUDA improving the system.

Please refer to the above noted subject.

1. It must be in the knowledge of all concerned that every month a number of monthly returns (Annexure 'A') pertaining to the working of Estate offices are being received in the Headquarters on file and /or Monthly Review Meetings. However, despite the fact that the short comings in such returns have been pointed out in different meetings, which is evident from the minutes (which are not only circulated but all hosted on the website regularly), it has not been possible to get correct returns from the Estate Offices. For instance, there have been cases where cases pending prior to the dates of three oldest cases mentioned by the office have been found pending and unattended. This is applicable to cases of transfer permission, NOC, permission to mortgage, conveyance deed, sanction of building plans, grant of occupation certificates etc. The applications remain pending and wrong dates of the oldest cases are mentioned in the monthly returns. This certainly puts a question mark on the authenticity and credibility of the information being reported by the Estate Offices to the Headquarters. These returns are not scrutinized in Administrators' offices at all. It is not only the duty of the Administrator but also that of the superintendent of the O/o the Administrators that the work in subordinate Estate Offices is done properly. They are also expected to scrutinize these Returns. This aspect has perhaps escaped the attention of senior officers till date. The net outcome is that applications remain buried in the heaps for longer period and public at large is made to suffer. The Redressal of their grievances remains elusive.
2. Therefore, in order to overcome this problem, it has been decided that a special report of pending cases as on 31.08.2008 shall be sent by 07.09.2008 making a mention of the date upto which the applications received in respect of transfer permission, NOC permission to mortgage, conveyance deed, sanction of building plans, grant of occupation certificates etc. have been disposed off.

It has also been decided that:-

- i) The applications shall be generally disposed off on first come first serve basis so as to ensure that a person submitting his application earlier gets the response earlier.
- ii) An advertisement shall also be inserted on monthly basis in the leading newspapers which will reflect the status of the applications pending with each Estate Office i.e it will reflect the date upto which the applications have been disposed off, so that the general public comes to know about the status of their applications. If no objection letter has been sent to the applicant, it shall be deemed to be pending. Copy of draft advertisement is enclosed at Annexure 'B'.
- iii) If it is found that any application is pending which was submitted before the cut off date mentioned in the advertisement, strict disciplinary action shall be taken against that person who kept it pending.
- iv) If more than 20 such applications are found to be pending, it shall be presumed that the concerned Superintendent/ Deputy Superintendent have not carefully sent the returns to the HQs and they shall immediately be placed under suspension and charge sheeted for major penalty which result in dismissal of such persons as there is no place for such inefficient persons in HUDA.

- v) In case, more than 50 such applications are found, then it shall be evident that the concerned Estate Officer has failed in his duties to monitor sending of such returns and case for initiation of disciplinary proceeding for major penalty will be sent to the Chief Secretary, Haryana for charge sheeting the concerned officer. At the same time, taking it to be a supervisory failure on the part of Zonal Administrator, his explanation shall also be called if discrepancies are found in the returns of September, 2008 to be sent by 07.10.2008. This time is sufficient for Administrators to check the veracity of Returns of their subordinate offices.
3. The above decisions are aimed at ensuring that a proper monitoring of the office work, especially the applications submitted by the general public, is done by the AEOs /Superintendent/Deputy Superintendent who have gone negligent in this regard. It appears that the AEOs/Superintendent/Deputy Superintendent feel that it is the responsibility of the officers alone and they do not have to share any responsibility. It is expected that they shall realize their responsibility as incharge of the office and shall come out of their lethargy and start working. Otherwise also, they are expected to exercise vigilant monitoring of the working of their respective offices. Any lapse in this connection shall be viewed very very seriously.

Acknowledgment of receipt of these instructions should be sent by name to Secretary, HUDA, Panchkula by 28.08.2008.

This has approval of the Chief Administrator, HUDA.

-sd/-
Secretary,
for Chief Administrator, HUDA,
Panchkula.

Endst. No.EA-3-08/29768-29810

Dated:19.08.2008

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators, HUDA in the State.
2. All the Superintending Engineers, HUDA in the State.
3. All the Estate Officers, HUDA in the State.
4. All the Executive Engineer, HUDA in the State.

-sd/-
Secretary,
for Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrator, HUDA in the State
2. All the Estate Officer, HUDA in the State.
3. All the Superintending Engineer, HUDA in the State.
4. All the Executive Engineer, HUDA in the State
5. All the branch in- charge at HUDA HQ.

Memo No. EA-2-2008/8404-69

Dated: 07.03.2008

Subject: -Observance of office procedure while sending communications.

It is, hereby ordered that in all the communications being sent by any official of HUDA, following things should be compulsorily mentioned:-

- i) Subject matter of the communication.
- ii) Reference number, if any.
- iii) Name of signatory alongwith the designation.
- iv) In case communication has been signed on behalf of some higher official whether the communication is being issued with the approval of that official or not, because sometimes, it has been seen that while the letters are being sent on behalf of Estate Officer/Administrator/ Chief Administrator their approvals have not been obtained on file before sending the communication. Therefore, the level of competent authority with whose approval communication is being sent must be mentioned incase it is being sent with the approval of higher authority other than the signatory.
- v) The memo number/letter numbers should be written in such a way that the branch/official sending the communication can be easily identified e.g if only memo No. 886 dated 25.02.2008 is sent by E.O it will not be possible to make out whether it has been sent by Assistant of a particular sector or legal cell or any other official. For instance, if this communication is being sent by Assistant of Sector -57, then ideally the number should be A-57/886 dated 25.02.2008 for instant identification/reference.
- vi) The head of the offices and branch incharge HUDA (HQ) shall ensure that all the dealing officials maintain diary in respect of time bound cases/reference and they are disposed off in a time bound manner. For instance if a communication seeks reply/report within ten days then the dealing official of the office from where the communication is originate shall note the detail of the case in his diary and check and put up the matter after the lapse of the stipulated period. Likewise, the official in the office where communication is received will also put up the matter immediately for disposal within the stipulated period. If the disposal of the matter in hand is likely to take more time than the stipulated time, an interim reply should be given. The head of the offices/branches incharge shall ensue that all such dealing official are provided with the official dairy of HUDA, if they have not been given already.
- vii) The D.O letters from officers of HQ should be dealt with on priority basis. The communication must be replied within a week. Besides, a return containing the details of D.O letters received and disposed office should be forwarded to the Headquarter on monthly basis in respect of D.O letters received w.e.f 01.01.2008 in following format:-

From	As on 01.01.2008 (Beginning of the month)	Received during the month	Replied during the month	Balance in month end
C.A				
Admn. (HQ)				
Secretary				
CCF				
CTP				
C.E				
S.A				
L.R				
Others				
Total				

viii) The reminders should be numbered as reminder No.1 or reminder No.2 etc as the case may be. However the concerned official to whom the reminder is marked for disposal shall immediately put up the same to the Head of the office as soon as a 3rd reminder is proposed to be sent/received. This will be applicable for HQs as well as field Offices.

Above instruction should be complied with immediately failing which displeasure note/notice under the signatures of Chief Administrator shall be sent to concerned officials.

This issued with the approval of Chief Administrator.

-sd/-
Secretary,
for Chief Administrator, HUDA,
Panchkula.

INSTRUCTIONS REGARDING RECORDING AND SUBMISSION OF ACR

Subject: Regarding sanction of Casual Leaves.

All the employees except Class IV of the Town & Country Planning, Urban Estates Department as well as HUDA should submit their Casual Leave applications for sanction to their controlling Officers on the enclosed prescribed proforma through e-mail. No leave should be sanctioned unless it is applied on the prescribed proforma. Class-IV employees may submit their applications in writing but it should also be on the same proforma. Please issue necessary instructions.

-sd/-
(T.C. Gupta, I.A.S.)
PSTCP

Dated:- 29.05.2013

DGTCP
DGUE
CA, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY

Endst. No. EA-6-2013/26833

Dated: 31.05.2013

A copy of letter is, forwarded to the following for information and compliance please:-

1. All field offices of HUDA in the State.
2. All Head of the Branches of HUDA (HQ), Panchkula.

DA/As above.

-sd/-
Supdt. (E),
for Chief Administrator, HUDA,
Panchkula.

Sub:- Regarding wearing of Uniform.

It has been observed that the employees who are getting uniform/uniform allowances are not wearing the uniforms. It is, therefore, ordered that all the employees who are getting uniform/uniform allowances from the Government/HUDA should wear their uniform failing which, Controlling Officer should take action against them. It is the responsibility of the Controlling Officers to ensure compliance of these instructions. Please issue suitable instructions.

-sd/-
(T.C.Gupta, I.A.S.)
PSTCP

Dated:- 29.05.2013

STCP
DGTCP
DGUE
CA, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY

Endst. No. EA-6-2013/26752

Dated: 31.05.2013

A copy of letter is, forwarded to the following for information and compliance please:-

1. All field offices of HUDA in the State.
2. All Head of the Branches of HUDA (HQ), Panchkula.

DA/As above.

-sd/-
Supdt.(E),
for Chief Administrator, HUDA,
Panchkula.

NAME OF DEPARTMENT

Casual leave/station leave

Year 2013

Name of the Officer/Official	
Designation	
Total C/L allowed as per entitlement	
Total leave availed	
Balance	
Period of Casual leave applied for	
Purpose of leave	
Balance after the above leave	
Period of Station leave applied for	
Address during station leave.	

Dated:

Signature of Officer

From

Chief Administrator,
HUDA, Panchkula.

To

All Heads of the Branches,
HUDA (HQ), Panchkula

Memo No. EA-2-2013/24691-99

Dated: 17.05.2013

Subject: -Regarding sending of copies of internal communications to the Government.

Please find enclosed a copy of note No. 02/2013 dated 15.05.2013 of Sh. T.C.Gupta, IAS, Principal Secretary to Government Haryana, Town and Country Planning Department, Chandigarh on the above noted subject.

You are requested to comply with the orders of the W/PSTCP in letter and spirit.

DA: As above

-sd/-
Secretary
for Chief Administrator, HUDA,
Panchkula.

Subject: Sending of copies of internal communications to the Government.

I have noticed that the HUDA (HQ), instead of getting the compliances done from its field offices, is sending them communications in routine and marking a copy thereof to the Government. This practice is not appreciated and should be stopped forthwith. It is the responsibility of CA, HUDA to get the compliance from Administrators/ Estate Officers and in case they are not sending the requisite information, he should either call them with record or recommend disciplinary action against them but merely sending a communication to them with copy to the Government can not substitute the real and effective action to be taken by CA, HUDA. You are advised not to send copies of such communications like the one which is enclosed i.e. No. EA-2-2013/23517-18 dated 14.05.2013 in future.

-sd/-
(T.C.Gupta, I.A.S.)
PSTCP
Dated: 15.05.2013

CA, HUDA
CC:

Secy, Town & Country Planning Department

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

All the Zonal Administrators, HUDA in the State.

Memo No: 218-241

Dated:10.01.2013

Subject: Guidelines for the Appellate and Revisional Authorities to decide the Appeals/Revisions U/s 17 of the HUDA Act, 1977-CWP No. 19503 of 2010 titled as Suresh Chand Vs State of Haryana and others.

The Hon'ble High Court in the above mentioned case directed on 04.12.2012 that the Haryana Urban Development Authority (HUDA) should evolve guidelines for the Appellate and Revisional Authorities to decide the appeals/revisions. In compliance thereof, the matter has been considered in depth in the Review Meeting held on 15.12.2012 under the Chairmanship of Principal Secretary, Town & Country Planning Department and it has been decided that henceforth the Appellate and Revisional Authorities shall keep in mind the following guidelines while deciding the appeals/revisions as per the provisions of HUDA Act, 1977:-

1. The Authorities shall not give relief to the allottees on arbitrary grounds by using expressions like financial hardship, unavoidable circumstances, routine health problems, illness of relatives, long period of absence from the Country/place of residence, ignorance of payment schedule, technical infirmities in the letter of allotment like condition of payment of interest in hand written form instead of typed form etc. However, in the following circumstances, the Authorities may consider providing relief:-
 - i.) If, allottees goes in coma and remains under coma for the period when the payments were due and recovers subsequently.
 - ii.) If, allottee has to incur major financial expenditure on treatment of serious diseases like cancer, major surgeries, accident traumas rendering him unable to discharge the liabilities of such due payments. In such cases, the allottee will have to submit complete proof of his treatment duly authenticated.

The above parameters will also apply in case the allottee's spouse or children suffers from such kind of eventualities.

2. Non development of site/area of the sector or providing other amenities will not constitute ground for non payment of due installments and will not be considered as such while deciding the cases.
3. In case of appeal/revision has been filed by the GPA/SPA purchaser then it should be ascertained whether the GPA/SPA was executed before or after the passing of resumption order. If the GPA/SPA has been executed after the passing of the resumption order, such GPA/SPA holder will be considered as one having no locus standi. In case the allottee is very old or infirm person and has executed General Power of Attorney (GPA) either before resumption or during the pendency of appeal, the same shall be considered if the same is executed in blood relation for carrying on day to day proceedings with respect to the plot on behalf of the allottee and does not amount to sale.
4. In cases where the allottee has failed to pay price of the plot after depositing 25% initial amount till the schedule of payment is over, the authorities shall not provide any relief in routine manner. Such cases will be considered only under extremely justifiable circumstances for which allottee needs to give documentary proof of failures in making due payment.
5. **Maintainability:-**

The Authorities shall give a definite finding in the order in this regard. For example, an appeal U/s 17 of the HUDA Act against eviction order passed by the Estate Officers u/s 18 of the HDUA Act, 1977 is not maintainable.

Similarly, an appeal does not lie against an order of cancellation of offer of allotment of plot due to non deposit of 15% amount within the given 30 days from the date of offer of allotment. The Authorities also shall not entertain appeals/revisions for restoration of sites in case of surrender of plot.

6. **Question of delay:-**

The Authorities shall not condone the delay in a routine manner. The appellant must explain the delay to the satisfaction of the Authorities, failing which the Authorities shall dismiss the appeal/revision on the ground of delay.

7. The Authorities shall keep in mind the principles of resjudicata and res-subjudice while deciding the appeals/revisions. It shall also be kept in mind that the appellant has not resorted to forum hopping.
8. The Authorities shall keep in mind the law laid down by the Hon'ble High Court and Hon'ble Apex Court while deciding the appeals/revisions.
9. The order of restoration must be well reasoned explaining in detail the reasons of acceptance of appeal/revision.

These instructions must be complied with meticulously with immediate effect.

-sd/-
Chief Administrator,
HUDA, Panchkula.

Endst. No. 218-241

Dated: 10.01.2013

A copy is forwarded to the following for information and necessary action.

1. Administrator, HUDA (HQ) Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Secretary, HUDA Panchkula.
4. All the Estate Officers, HUDA in the State.
5. The General Manager, IT, HUDA, Panchkula.
6. The Deputy ESA, HUDA Panchkula.
7. PS/PSTCP, New Haryana Civil Secretariat, Chandigarh for the information of PSTCP.

-sd/-
Assistant District Attorney
for Chief Administrator, HUDA,
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY

Endst. No. EA-6-2013/12349-56

Dated: 13.03.2013

A copy of above is forwarded to all the Assistants of Establishment Branch for further necessary action:-

-sd/-
Supdt. (E),
for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In exercise the powers conferred under Section-51 of HUDA Act, 1977 and all other powers vested with me, in the interest of efficiency, speedy disposal of the cases and with a view to decentralize the powers/functions the powers in respect of the cases regarding release of leave salary and DCRG to the regular work charge field staff employees (Class-III and Class-IV) in ex-gratia cases and retirement cases is hereby delegated to the Superintending Engineers of HUDA. They will decide such type of cases strictly in accordance with rules/instructions.

Dated, the Panchkula,
10th January, 2012

(D.P.S.Nagal, IAS)
Chief Administrator, HUDA
Panchkula

Endst. No. EA-6-2012/2557-44

Dated: 19.01.2012

A copy of above is forwarded to the following for information and necessary action:

1. All field offices of HUDA in the State.
2. All Head of the Branches of HUDA (HQ), Panchkula.

-sd/-
Secretary
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

1. All field offices of HUDA in the State
2. All Head of the Branches of HUDA (HQ)

Memo No. EA-3-2009/26194-273

Dated: 21.07.2009

Subject: Regarding grant of benefit of stepping up to senior employees at par with junior employees in case of ACP matters.

Reference on the subject noted above.

It has been decided to implement the Government instructions issued vide no. 6/84/2006-3PR (FD) dated 02.06.2008 in the cases of all the officials promoted from Group-‘C’ to ‘C’ and ‘C’ to ‘B’ by providing AC scale from the date, it has been allowed to the junior employees in the same cadre/post. If after the grant of ACP scale (s) to the junior, senior employee is getting lesser pay than his junior in the same cadre/post, then his salary shall be stepped up at par with the junior employee.

Therefore, you are requested to send all such type of cases of HUDA employees except Class-IV to Head office through Senior Accounts Officer of Zonal Administrator after got verifying the same. While sending these cases to Head Office, seniority numbers of both junior and senior employees alongwith their comparative salary statement may also be supplied with photocopy of their service book pages duly attested in which their pay has been fixed.

This has the approval of Chief Administrator, HUDA.

-sd/-

Secretary,
for Chief Administrator, HUDA
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In pursuance of Hon'ble Punjab and Haryana High Court orders dated 07.12.2006 and 30.01.2009 in CWP 11982/2008 titled Bharat Bhushan Sharma Vs. HUDA and Finance Department clarification issued vide memo No. 1/59/2009-3PR (FD) dated 03.06.2009, the circular issued vide this office memo No. EA-2-2000/7809-68 dated 06.04.2000 is hereby withdrawn.

Dated, Panchkula, the
16th July, 2009

(T.C.Gupta, I.A.S)
Chief Administrator, HUDA

Endst. No. EA-2-2009/26278-80

Dated: 21.07.2009

A copy of the above is forwarded to the following for information and necessary action:-

1. The Administrator, HUDA, Rohtak.
2. The Sub Divisional Engineer (Electrical), HUDA Sub Division, Sonapat. It is informed that a decision has been taken to implement the Government instructions issued vide No. 6/84/2006-3PR (FD) dated 02.06.2008, in respect of grant of the benefit of stepping up to the senior employees at par with junior employees in case of ACP matters. This benefit will be applicable to those employees who have been promoted from Group 'D' to 'C' and 'C' to 'B' only. So refer the case of Sh. Bharat Bhushan, Sub Divisional Engineer (Electrical), Sonapat through Senior Accounts Officer of Zonal Administrator, HUDA, Rohtak after got verifying the same. While sending his case to Head Office, seniority numbers of both junior and senior officers alongwith their comparative salary may also be supplied along with photocopy of their service book pages duly attested in which their pay has been fixed.
3. Sh. Bharat Bhushan, Sub Divisional Engineer (Elect.), HUDA Sub Division, Sonapat.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

GUIDELINES FOR COURT CASES

From

Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA (In the State)
2. All the Estate Officer, HUDA (In the State)
3. The Secretary, HUDA, Panchkula.
4. All the DDAs/ADAs/Superintendents/Deputy Superintendents working in the field offices.

Memo No. -9753-9822

Dated: 21.10.2008

Subject: Guidelines for Court Cases.

The issue of filing Written Statements in the Hon'ble Supreme Court, Punjab & Haryana High Court and State Commission was discussed in the HQ Review Meeting held on 5th September, 2008 and it has been decided to lay down the following guidelines for the purpose:-

1. All the Administrators, Estate Officers and Secretary, HUDA should refer to the CCTS every day and ensure that a copy of the CWP or appeal, if already not received in the concerned Estate Office or branch of HQ as the case may be, they should contact the Administrator HQ or LR HUDA or the concerned Law Officer dealing with their zone for getting a scanned copy of the CWP immediately through e-mail.
2. All the Law Officers posted in the HQ and their respective Record Keepers are also duty bound to e-mail the scanned copies of CWPs and appeals as and when these are received in the HQ.
3. All the Administrators, Estate Officers and Secretary, HUDA should also visit the websites of Hon'ble Supreme Court of India, Punjab & Haryana High Court and State Commission to confirm the list of cases to be enlisted in the coming days.
4. The Secretary HUDA shall be the Incharge pertaining to all court matters connected with the HQ.
5. All the Administrators, Estate Officers and Secretary, HUDA should get a counsel engaged as per rules simultaneously while following up the submission of comments by the concerned office.
6. They should ensure that the requisite comments after being vetted from the concerned counsel are sent to the HQ through e-mail at least seven days prior to fixing of the case in the court.
7. They should ensure that proper reply after getting it vetted from the concerned counsel and approved by the Chief Administrator is filed in the concerned court at least three days before due date.
8. The tendency to seek time for filing reply on flimsy grounds or simply because it is the first date of hearing should be curbed altogether.
9. They should discuss the case with the concerned counsel at least two days in advance before the date of hearing so that necessary papers, if required, are delivered to him in time.
10. They will ensure that proper preliminary submission are drafted in each case and settled law on the point is also quoted in the written statement.
11. They will ensure that no issue raised in the Civil Writ Petition or Appeal goes up-rebutted and all necessary case law is quoted with prominence it deserves. They can refer to important judgments of the Supreme Court of India or Punjab & Haryana High Court hosted on HUDA web site-www.huda.nic.in in this respect.
12. After the filing of the reply in the court, the dealing hand of the Estate Office who is well conversant with the case should attend the court with complete record to assist the counsel, if needed.

13. That if any cost is imposed by any court of competent jurisdiction, it shall be recovered from the concerned DDA/ADA of the Estate Office (Superintendent or Deputy Superintendent if no DDA/ADA is in place), concerned Estate Officer and concerned Law Officer of the HQ in the 50.25.25 ratio. It is made clear that no cost shall be payable by HUDA from its exchequer for any default in the court matters.
14. They are advised to constantly visit the CCTS and keep updating it on daily basis. The work of updation of CCTS should be done under the direct supervision of the Administrator, Estate Officer and Secretary, HUDA as the case may be. The updation must be carried out and completed before 31st October, 2008 by all means. Any default in this respect shall be viewed seriously.
15. The above guidelines are applicable for all court cases whether pending in the Supreme Court or High Court or State Commission or DCF or local Civil Courts.

The duties and liabilities of Law Officers, Record Keepers & Data Entry Operators working at the HQ have already been explained in detail in the circular issued vide LR No. 8781 dated 12th September, 2008. They will, hence, continue to be governed under them.

The receipt of these guidelines may be acknowledged within 15 days.

It may be given Top Priority.

-sd/-

(A. K. Yadav, I.A.S.)

Administrator (HQ)

for Chief Administrator, HUDA.

ENFORCEMENT WING

(Circulated by email)

From

The Chief Administrator,
HUDA (Enforcement Wing),
Panchkula.

To

1. All the Administrators,
HUDA in the State.
2. All Superintending Engineers,
HUDA (Panchkula, Faridabad, Hisar, Karnal, Rohtak, Gurugram I & II, Sonapat).
3. All the Estate Officers,
HUDA in the State.

Subject: Memo No. Enf. Br./2016/100900 Dated: 28.10.2016
Guidelines for Allotment of **HUDA staff quarters** to HUDA employees all over Haryana.
Approved Guidelines for allotment of HUDA staff quarters to HUDA employees all over Haryana are being sent by email to your office. From now onwards staff quarters may be allotted to HUDA employees in accordance with these approved guidelines.
DA/As above

-sd/-
Enforcement Officer
for Chief Administrator, HUDA
Panchkula

Endst No. 100905

Date: 28.10.2016

The copy of letter is forwarded to the following:-

1. PS to CA along with copy of approved guidelines for kind information of Worthy Chief Administrator, HUDA Panchkula please.
 2. PS to Administrator (H.Q.) HUDA along with copy of approved guidelines for kind information of Administrator (H.Q.) Panchkula please.
 3. The Secretary, HUDA Panchkula.
 4. The Chief Controller of Finance HUDA, Panchkula.
 5. The Chief Town Planner, HUDA, Panchkula.
 6. The Chief Architect, HUDA, Panchkula.
 7. The Chief Engineer-I, (H.Q.) HUDA Panchkula.
 8. The Chief Engineer-II, (H.Q.) HUDA Panchkula.
 9. G.M.(I.T.) HUDA, Panchkula. You are requested to upload these guidelines on HUDA website.
 10. The Superintending Engineer, (H.Q.) HUDA Circle, Panchkula.
 11. The District Attorney, HUDA, Legal Cell, Panchkula.
- DA/Guidelines sent by email.

-sd/-
Enforcement Officer
for Chief Administrator, HUDA
Panchkula

Subject: Guidelines for Allotment of HUDA staff quarters to HUDA employees all over Haryana

HUDA staff quarters shall be allotted to employees by House Allotment Committees of HUDA Officers. Such Committees shall be constituted at Zonal and Head Quarter level. These committees are:-

(A) **Committees at Zonal/Field Level:-** These committees consist of following members:

- | | |
|---|------------------|
| (1) Zonal Administrator | Chairman |
| (2) Superintending Engineer, Concerned | Member |
| (3) Estate Officer, Concerned | Member |
| (4) Chief Accounts Officer/Senior Accounts Officer/
Accounts Officer O/o Zonal Administrator | Member Secretary |

(B) **Committees at Head Quarter Level:-** There will be two House Allotment Committees at Head Quarter level (upper and lower) for allotment of staff quarters at Panchkula to the employees, working at Panchkula. These are:-

(i) **Committee for allotment of houses with area above 950 sq.ft. (upper).** This committee consists of following members:-

- | | |
|------------------------------------|------------------|
| • Administrator (Head Quarter) | Chairman |
| • Superintending Engineer (H.Q.) | Member |
| • Secretary, HUDA | Member |
| • Enforcement Officer, HUDA (H.Q.) | Member Secretary |

(ii) **Committee for allotment of houses with area ranging from 450 to 950 sq.ft. (lower).** This committee is the same as zonal level Committee, consisting of following members:-

- | | |
|--|------------------|
| • Administrator, HUDA, Panchkula | Chairman |
| • Superintending Engineer, HUDA
Circle Panchkula. | Member |
| • Estate Officer, HUDA, Panchkula | Member |
| • Chief Accounts Officer/Senior Account Officer/
Accounts Officer O/o Administrator, HUDA, Pkl. | Member Secretary |

(C) **Classification of Residences and allotment w.r.t. grade pay:-** Allotment of houses to the employees shall be on the basis of grade pay as per instructions issued from time to time by Haryana Govt. or by the Authority. For time being, instructions received from Haryana Architecture Department vide memo no. Arch-2014/SA-II/4831-5138 dated 23.04.2014 shall be followed which are as under:

Type of House	Plinth Area	Eligibility Criteria	
		Range of Grade Pay	Class of employee
I	450 Sq.ft.	Any Grade Pay	Class-IV
II	650 Sq.ft.	1800 to 2800	Class-III
III	800 Sq.ft.	3200 to 4000	Class-III
IV	950 Sq.ft.	4200 to 5200	Class-II & Class-III
V	1300 Sq.ft.	5400 to 6400	Class-I & Class-II
VI	1900 Sq.ft.	6600 to 8000	Class-I
VII	2200 Sq.ft.	8700 to 9800	Class-I
VIII	2800 Sq.ft.	10000 & above	Class-I

Note:

- In case, number of applicants are more than one, with same grade pay for one category of houses, then preference shall be given to the applicant with higher basic pay. Further, if grade pay and basic pay are also same, then applicant with greater length of service shall be preferred.
- An employee can be allotted a house of one step higher category over and above his actual entitlement with the condition that there is no other genuine claimant at that time for such type of house. This will ensure the utmost utilization of constructed houses.
- Applications can be submitted by employees any time to the Secretary, House Allotment Committee. Meetings on regular interval can be held by the House Allotment Committees to decide the allotments. If the no. of applicants are less, the Committee can take decision on a single file by circulation among the members, initiated by the Member Secretary.

All these House Allotment Committees shall allot the houses to the employees under certain rules/guidelines which are as under:-

- 1) An eligible employee for this allotment shall be the one, who is an employee of Haryana Urban Development Authority, posted at the place where house is being allotted to him.
- 2) Licence Fee/House Rent shall be the sum of money payable monthly in respect of residence allotted under these rules as fixed by Authority from time to time.
- 3) Allotment to husband and wife, eligibility in case of officials/Officers' who are married to each other. If husband and wife, both are HUDA employees with different entitlement (size), then one house will be allotted to them but they will be given house of higher entitlement. e.g. if husband is entitled for 800 sq.ft. house and wife is entitled for 1300 sq.ft. house, they will be entitled for a 1300 sq.ft. house.
- 4) Employees owning houses, but apply for allotment of HUDA staff quarters. Those employees who themselves or their spouse, if own a house at that place, shall be allotted the staff quarter, only if there is no other eligible claimant of that staff quarter. Also, such employees will have to pay double the normal licence fee.

Provided that this rule shall not apply to the employees living in the earmarked residences.

- 5) The applicant shall have to install electric supply meter and water supply meter in his/her own name.
- 6) Sharing/subletting of the allotted houses shall not be allowed in any case and those who are found to have subletted/shared the house, shall be charged 50 times of the normal license fee from the date of allotment. Allotment of house shall be cancelled and the employee shall be liable to disciplinary action by the department.
- 7) Preference on medical grounds shall be given to the applicants, seeking fresh allotment/change for house on medical grounds due to medical ailments of himself/herself or his/her spouse or his/her dependent family members. Such applications should be submitted along with medical certificates/prescriptions of Govt. Medical Hospitals/medical certificates of private doctors empanelled with HUDA/Haryana Govt. The House Allotment Committee may accept or reject such applications after considering the submitted documents/ type of ailment, etc. Also, houses available on ground floor may be allotted to genuine applicants on the medical grounds.
- 8) An applicant desiring change of accommodation in a house of the type, already in his occupation will be given preference over a fresh allotment. Applicants shall be allowed one change only.
- 9) An employee shall not be compelled to accept a residence of a type lower than for which he is eligible under these rules, unless and until he/she is himself/herself interested for such allotment.
- 10) Out - of - turn - allotment. The House Allotment Committee may allot a house on out-of-turn basis in following cases:
 - (a) Allotment of residence to the member of the family of deceased HUDA employee:-

When an employee in occupation of a HUDA residence dies in service, accommodation may be allotted to his spouse, or son/ an unmarried daughter, who is already employed in HUDA or who joins service in HUDA within one year of the date of death of the employee.

Provided that such accommodation shall not be higher than the type of which such member of the family of the deceased is entitled for, even if bereaved member is entitled to higher type.
 - (b) Allotment of houses to widows and daughters of deceased HUDA employees whose appointment made on ex-gratia basis:-

Widows and daughters of those HUDA employees who were taken into service on compassionate grounds as a result of death of their husband or father, as the case may be, while in service and also those female employees who lost their husband or got divorced and needed accommodation on account of social security and economic considerations, may be allotted the HUDA houses. The sons of the deceased employees who are given service by HUDA will not be included in this priority category.
 - (c) On basis of medical grounds as per clause 7.
 - (d) Allotment of 10% of the existing houses at Panchkula shall be at the discretion of Worthy C.A. HUDA and similarly allotment of 10% of the existing houses at any other place shall be at the discretion of Zonal Administrator.
- 11) Non acceptance of allotment or offer or failure to occupy the allotted residence after acceptance:-
 - (e) Where an employee fails to accept the allotment of a residence or fails to take the possession of that residence, within 15 days, given for taking the possession of the house, he/she shall not be eligible for another allotment for a period of one year from the date of allotment letter. However, the Secy. House Allotment Committee will be competent to extend the period of taking possession of the house by another 15 days with reasonable grounds.
- 12) Retention of the allotted residence:-

- (f) A residence allotted to a an employee may be retained on the happening of any of the events specified in column 1, of the Table below for the period specified in corresponding entry in column 2 thereof, provided that the residence is required for the bonafide use of the employee or members of this family.

TABLE

Sr.No.	Events (Col. 1)	Permissible Period of retention of residence (Col. 2)
1	Retirement	Four Months on normal licence fee
2	Resignation, dismissal or removal from service, termination of services or unauthorized absence without permission	2 months
3	Transfer outside station.	<ul style="list-style-type: none"> • 2 months • 2 months extra on educational grounds of children or medical grounds of self or member of family with the approval of Chairman of the House Allotment Committee.
4	All type of leave	For the entire period of leave
5	Deputation outside India	One year
6	On proceeding on training	For full period of training.
7	Death of the allottee	One year.

Note: In case, house is not vacated within stipulated time period mentioned in col. 2 of the above table, 50 times of the normal licence fee/applicable rent, shall be charged by HUDA and employee shall be liable to disciplinary action by the department. Also, in case HUDA accommodation is not vacated by the HUDA employee after transfer from station 'A' to 'B', the employee shall not be entitled to any house rent allowance at station 'B' where he has been transferred until and unless he vacates the HUDA accommodation at his previous station 'A'.

- 13) Where an allotment of accommodation has been accepted, the liability for licence fee shall commence from the date of occupation or the fifteenth day from the date of issue of the allotment order, whichever is earlier.

Where an employee who after accepting the allotment, fails to take possession of that accommodation within 15 days of the issue of the allotment order, he shall be charged licence fee from such date for a period of one month or till the date on which the new allottee takes possession of the said accommodation, whichever is earlier.

- 14) Where an employee, who is already in occupation of residence, is allotted another residence and he occupies the new residence, the allotment of the former residence shall be deemed to have been cancelled from the date of occupation of the new residence. He may however, retain the former residence on payment of normal additional licence fee upto 10 days, for shifting.
- 15) An employee to whom a residence has been allotted shall be personally liable for the payment of the licence fee thereof and for any damages beyond usual wear and tear caused there to, or to the furniture, fixtures or fittings or services provided therein by the department during the period for which the residence has been and remains allotted to him or, where the allotment has been cancelled under any of the provisions of these rules. The licence fee as fixed by the department will be deducted by the drawing and disbursing officer from the pay of the employee every month and deposited with the concerned division.

16) Surrender of allotment and period of notice:-

An employee may at any time surrender an allotment by giving intimation so as to reach the Secretary, House Allotment Committee, at least 15 days before the date of vacation of the residence. The allotment of the residence shall be deemed to 'have been cancelled with effect from the fifteenth day after the day on which the letter is received by the Secretary or the date specified in the letter, whichever is later. If he fails to give due notice, he shall be responsible for payment of licence fee for 15 days or the number of days by which the notice given by him falls short of the period specified above.

Provided that the Secretary may accept a notice of shorter period, in exceptional circumstances

An employee, who surrenders the residence under this rule, shall not be considered again for allotment of HUDA accommodation for period of one year from the date of such surrender.

17) The allotment of the house shall be cancelled and employee shall be liable to disciplinary action by the Department in following circumstances:-

- a) Sublets the residence; or
- b) Erects any unauthorized structure or makes any structural alternations in any part of the residence; or
- c) Uses the residence or any portion thereof for any purpose other than that for which it meant; or
- d) Tampers with the electric or water connection; or
- e) Uses the residence or premises or permits the residence or premises to be used for any purposes which the Secretary, House Allotment Committee considers to be improper; or conducts himself/herself in a manner which in his opinion is prejudicial to the maintenance of the harmonious relations with the neighbours.
- f) Has knowingly furnished incorrect information in any application or written statement with a view of securing the allotment; or
- g) Commits any other breach of the rules of the terms and condition of the allotment letter.

18) The Chief Administrator, HUDA shall be empowered to relax any clause of these rules for purpose of allotment of house.

19) Interpretation of rules:-

If any question arises as to the interpretation of these rules, it shall be decided by the Chief Administrator, HUDA. He may further issue instructions or frame any guidelines for the proper implementation of these rules as he may deem fit from time to time.

Above rules/guidelines shall be applicable on all allotments to be done in future from the date of implementation/circulation of the guidelines.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo no. Enf.Br.2016/23177-78

Dated: 13.07.2016

Subject: Revised policy regarding fixing of **norms and eligibility** for beneficiaries for the allotment of **low cost dwelling units constructed by HUDA** in various Urban Estates in the State of Haryana.

In accordance with the decision taken by the Govt., policy regarding fixing of norms and eligibility for beneficiaries for the allotment of low cost dwelling units constructed by HUDA in various Urban Estates in the State of Haryana has been revised which is as follows:-

1. This policy shall supersede the earlier policy and amendments circulated from time to time, specifically circulated vide memo no. Enf.Br.2009/5687-5709 dated 10.02.2010 and memo no. Enf.Br.2015/18970 dated 12.10.2015.
2. This policy shall govern the allotment of low cost dwelling units on cluster basis to the encroachers on land of HUDA/Govt./Govt. agency and BPL/ EWS category in various Urban Estates in the State of Haryana.
3. The following norms and eligibility criteria shall govern the allotment to such beneficiaries in the preference in which it is detailed here in below:-
 - i) First preference for the allotment of low cost dwelling units has to be given to the petitioners in CWP No.11637 of 1996 and other connected CWPs in the respective Urban Estates who are unauthorizedly occupying the land of HUDA for the last more than 5 years as on 19.04.99, when the matter was decided by the Hon'ble Punjab & Haryana High Court. For this cut off date shall be 18.04.1994.
 - ii) Second preference shall be given to those inhabitants/occupants who are unauthorizedly occupying the land of HUDA for the last more than 5 years as on 03.04.2008, when a bunch of cases got finality in Hon'ble Apex Court. For this cut off date shall be 01.04.2003. This will also include those inhabitants/occupants who are occupying unauthorizedly any Govt./Govt. agency land and land which affect the essential services like roads, water supply, sewerage, bridges etc. The beneficiaries whose name appear in a valid survey conducted by HUDA/ District Administration and are still residing at the same place, may also be considered for such allotment for recovery of cluster of land.
 - iii) Thereafter the left out dwelling units may be allotted to the beneficiaries of BPL category of Haryana only. In this category, first preference would be given to BPL of the city in which dwelling units are constructed, followed by BPL of that District and then BPL of other Districts of Haryana. BPL card duly issued by the District Administration/ competent authority would be considered as proof of BPL category. Such beneficiary can avail the benefits of credit linked subsidy scheme under Pradhan Mantri Awas Yojna.
 - iv) The next preference for allotment shall be given to beneficiaries under EWS category of Haryana only with annual income upto Rs. 3,00,000/- (Three Lacs) or as may be decided by the competent

authority from time to time. The applicant under EWS category shall submit self certificate/affidavit as proof of Income. But for identity, the applicant may be asked to provide copy of Aadhar card. Such beneficiary can avail the benefits of credit linked subsidy scheme under Pradhan Mantri Awas Yojna.

- v) The allotment of dwelling unit would be made through draw of lots among eligible beneficiaries as per preference set out hereinabove.

Note: This is sought to be explained by following example:

“If number of dwelling units available and number of eligible beneficiaries, say among first preference, are equal or more, then such allotment would be made to the beneficiaries of said preference alone”.

- vi) A beneficiary family will comprise husband, wife, unmarried sons and/or unmarried daughters. The beneficiary family should not own pucca house either in his/her name or in the name of any dependent member of his/her family in Haryana/Chandigarh/Delhi/any other part of India and such beneficiary family should not have been allotted a house/plot by HUDA/Housing Board under EWS/BPL/any other reserved category. If the benefit has been availed once, the beneficiary family shall become ineligible for future. Only one application from an eligible beneficiary family will be considered. The attempt on the part of applicant to show more Jhuggies/dwelling units for the sake of availing multiple benefit would be discouraged.
- vii) The applicant must be a citizen of India and must have attained the age of majority at the time of applying. The application shall be accompanied with prescribed fee as may be specified in the public advertisement for this purpose.
- viii) In case of submission of false information of any form or nature, the application and in cases where allotment has already been done, shall be cancelled and further legal action shall be taken against such applicant.
- ix) The dwelling units so allotted shall not be transferable for a period of 20 years from the date of allotment except in case of death of allottee.
- x) Rates as fixed by the Authority from time to time for dwelling units may be charged under the scheme. If the subsidy is received by HUDA under JNNURM, Pradhan Mantri Awas Yojana or any other such scheme, then same shall be passed on to the beneficiary of that project for which subsidy was granted.
- xi) All the beneficiaries shall be required to submit an affidavit as per Performa and documents in support of their claim with the application.
- xii) The Chief Administrator, HUDA, Panchkula shall have power and competence to decide or clarify any issue or dispute arising as to the interpretation of any of the clause of this policy and/or form or manner of its implementation.

This issues with the concurrence of Hon'ble C.M. dated 05.07.2016. The receipt of this letter may please be acknowledged.

-sd/
(Hardeep Singh)
Administrator, (H.Q.),
for Chief Administrator, HUDA, Panchkula.

Endst.No. Enf.Br.2016/

Dated: 13.07.2016

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Deputy Commissioners in the State.
2. All the Additional Deputy commissioners in the State.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Engineer-I, HUDA, Panchula.
6. The Chief Town Planner, HUDA, Panchkula.
7. The Chief Architect, HUDA, Panchkula.
8. The G.M.T., HUDA, Panchkula.
9. All Superintending Engineers, HUDA.
10. The District Attorney, HUDA, Panchkula.
11. The Dy.ESA, HUDA, Panchkula.

-sd/-
(Hardeep Singh)
Administrator, (H.Q.),
for Chief Administrator, HUDA,
Panchkula.

C.C.:- P.S. to C.A. HUDA for the kind information of the Chief Administrator.

From

The Chief Administrator,
HUDA (Enforcement Wing),
Panchkula.

To

1. All the Zonal Administrator, HUDA.
2. All the Estate Officers, HUDA.

Memo No. Enf. Br./2015/18970

Dated: 12.10.2015

Subject: Regarding fixing of **norms and eligibility** for beneficiaries for the allotment of **low cost dwelling units to be constructed by HUDA** in various Urban Estates in the State of Haryana.- (Amendment in Policy)

In Reference to this office memo no.Enf.Br/2009/5687-5709 dated 10.02.2010 on the subject cited above.

It has been observed that despite constant efforts made by HUDA, the constructed flats under Ashiana Scheme could not be allotted in various Urban Estates as no eligible application has been received even after advertising the Scheme more than once. Further it is also mentioned that HUDA is incurring heavily on the security of un-allotted flats and cost of flats is being depreciated continuously.

In view of the above, It has been decided that in addition to the eligibility as described in the HUDA policy, another category of people who fulfill the eligibility criteria of Housing Board Haryana for BPL families mentioned below be considered for allotment. This will be the last in order of preference for consideration.

Eligibility for BPL Families:-

1. The applicant must be a citizen of India.
2. The applicant should belong to below Poverty Line (BPL) family of Haryana Only.
3. The applicant household should not own a house in Haryana, Delhi or Chandigarh either in his/her name or in the name of his/her wife/husband or in the name of his/her dependent relatives including unmarried minor children. However, applicant owning ancestral house in village or a share in urban or rural property is eligible to apply.
4. The applicant must have attained the age of majority at the time of registration.
5. An eligible person, his or her spouse, or any of his/her dependent member(s) of the family cannot submit more than one application under the scheme.
6. Any person/household, his/her wife/husband, parents if living with the applicant or applicant is dependent upon his parents, and his/her dependent relatives including unmarried minor children who had earlier been allotted a house under any scheme of Housing Board or plot by HUDA under EWS/BPL category shall not be entitled to avail the benefit under the scheme.

7. As per notification issued by the Housing Board Haryana memo no.16/24/2008/2Hg. 25.07.2014 for amendment in the HBH (Allotment, Management and sale of Tenements) Regulation, 1972.

“Economical weaker Section” means a family household having an income upto Rs. 1,00,000/- per annum (or as may be decided by the competent authority from time to time).

The other terms & conditions as mentioned in the letter under reference shall remain applicable as such to other categories mentioned in the policy dated 02.10.2010.

-sd/-

(Sanjay Joon, IAS)
Administrator (HQ)
for Chief Administrator, HUDA
Panchkula

Endst No:- 18971

Dated:- 12.10.2015

A copy is forwarded to the following for information and necessary action:-

1. All the Deputy Commissioners in the state.
2. All the Additional Deputy Commissioners in the state.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Town Planner, HUDA, Panchkula.
6. The L.R. HUDA, Panchkula.

-sd/-

(Sanjay Joon, IAS)
Administrator (HQ)
for Chief Administrator, HUDA
Panchkula

**IMMEDIATE
COURT CASE**

From

The Chief Administrator,
HUDA, Panchkula.

To

The Administrator,
HUDA, Faridabad.

MemoNo.Enf.Br.2012/22952

Dated:-20.06.2012

Subject: - CWP No. 11960 of 2008 titled as **Bhimgiri and others. Vs State of Haryana** Relaxation in existing policy guidelines.

Reference your memo no. 2860 dated 23.06.2012 on the subject cited above.

The matter has been examined. In view of the urgency and importance of the work of bye pass road to be constructed from Sector-37 to 89, Faridabad, approval is hereby accorded for allotment of Low Cost Dwelling units constructed under JNNURM/ Ashiana scheme to 313 jhuggie-dwellers falling in bye –pass road alignment who fulfill the eligibility conditions/ criteria of policy guidelines dated 10.02.2010 in relaxation of the existing policy guidelines.

This issues with the approval dated 15.06.2012 of the Hon’ble CM-cum-Chairman, HUDA

-sd/-

Administrator (HQ),
for Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator, HUDA, Panchkula
 2. The Estate Officer, HUDA, Panchkula
- Memo No.Enf.Br.2011/34184-85

Dated:24.10.2011

Subject: Regarding fixing of **norms and eligibility for beneficiary** for the allotment of **low cost dwelling units to be constructed by HUDA** in various urban Estates in the State of Haryana.

In partial modification to this office memo no. Enf. Br.2010/5687-5709 dated 10.02.2010 addressed to all zonal Administrators/ Estate Officers of HUDA with a copy to all the DCs/ ADCs in the State. The policy guidelines have further been reviewed in view of Govt. of India , Ministry of Housing and Urban Poverty Alleviation (HUPA) communication received through Additional Secretary and it has been decided to further amend/ alter the eligibility criteria in respect of Panchkula Urban Estate as under:-

- (i) The dwelling units in the Urban Estate of Panchkula may be allotted to those persons whose names appear in at least one of the following three lists and that person is occupying the site as on today also:-
 - (a) The list prepared by Estate Office, HUDA, Panchkula during the year 1997-98.
 - (b) The list prepared by ADC Panchkula in the year 2007.
 - (c) The list prepared by the EO, HUDA, Panchkula on the basis of bio metric survey conducted in the year 2009 and 2010.
- (ii) The total number of eligible persons for a particular colony shall not exceed the maximum of the persons for that colony in these 3 lists.
- (iii) If any person is found eligible as per the above said criteria but he failed to apply for the allotment of dwelling units in response to the advertisements issued by the Estate Office in the year 2009 then he shall be permitted to submit his application now.

Other terms & conditions and eligibility criteria shall remain the same except mentioned above.

In the light of above, it is requested to ensure that necessary action for allotment of dwelling units is taken without further loss of time.

The above modification in policy guidelines has been made with the prior approval of Hon'ble Chief Minister dated 17.10.2011 on file.

-sd/-

Administrator (H.Q),
for Chief Administrator,
HUDA, Panchkula.

Endst No. Enf. Br.2011/34185-90

Dated-24.10.2011

A copy of the above is forwarded to the following for information and necessary action w.r.t. this office
Endst No. Enf. Br.2010/ 5710 dated 10.02.2010:-

1. The Deputy Commissioner, Panchkula
2. The Addl. Deputy Commissioner, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Town Planner, HUDA, Panchkula
6. The Distt. Attorney, HUDA, Panchkula.

-sd/-

Administrator (H.Q),
for Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. The Estate Officer, HUDA, Ambala, Faridabad,
EO-II, Gurgaon & Panchkula.

Memo No. Enf.Br.-2010/ 20581-89

Dated: 21.05.2010

Subject: -Constitution of Committee for scrutiny of application forms received for allotment of Low Cost of Houses under JNNURM/Ashiana Scheme.

Reference this office memo. No. Enf.Br.2010/12838-14, dated 29.03.2010, on the subject noted above.

In the meeting held on 23.04.2010 under the Chairmanship of Financial Commissioner and Principal Secretary to Govt. of Haryana, Town and Country Planning Deptt., it has been decided to constitute a Committee for scrutiny of application forms and assess the eligibility of applicants, received for allotment of low cost houses under JNNURM/Ashiana Scheme for which booking commenced w.e.f. 07.04.2010 as under:-

- | | |
|--|-------------------|
| (i) ADC of district | Chairman |
| (ii) XEN, HUDA concerned | Member |
| (iii) DFSCs of district
(For verification of ration cards) | Member |
| (iv) Naib Tehsildar (Elections)
(for verification of voter cards) | Member |
| (v) DDA/ADA of HUDA
(For verification of legal status
of applicants in CWP/SLPs) | Member |
| (vi) Executive Officer of concerned M.Cs | Member |
| (vii) Dy. Supdt. Of concerned Estate Office,
HUDA (for presenting record) | Member |
| (viii) Estate Officer, HUDA concerned | Members Secretary |

It is requested that on the basis of scrutiny and recommendations of above said Committee, the Estate Officers, HUDA shall take further action for allotment of low cost houses under JNNURM/Ashiana Scheme to the beneficiaries as per the procedure prescribed in this office letter no. Enf.Br. 2009/5687-5709 dt. 10.02.2010 addressed to all Zonal Administrators and Estate Officers of HUDA.

-sd/-

Administrator (H.Q),
for Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No. Enf.Br.2009/5687-5709

Dated 10.02.2010

Subject: Regarding fixing of **norms and eligibility for beneficiaries** for the allotment of **low cost dwelling units to be constructed by HUDA** in various Urban Estates in the State of Haryana.

Reference on the subject cited above.

In accordance with decision taken by Govt. for allotment of low cost dwelling units to the encroachers on HUDA/Govt./Govt. agency land in various Urban Estates in the State of Haryana, the following norms and eligibility criteria has been fixed for allotment to beneficiaries.:

- (i) First preference for the allotment of low cost dwelling units has to be given to the petitioners in CWP No. 11637 of 1996 and other jhuggi/jhopri colonies in the respective Urban Estates who are unauthorizedly occupying the land of HUDA for the last more than 5 years as on 19.04.99 i.e. the date of order of the Hon'ble Punjab & Haryana High Court.
- (ii) Second preference may be given to those inhabitants/occupants who are unauthorizedly occupying the land of HUDA for the last more than 5 years as on 03.04.2008 (**The case got the finality by the Hon'ble Supreme Court of India on 03.04.2008**). In this case the cut of date may be taken as 01.04.2003 i.e 5 years prior to 03.04.2008 from the date of final judgment of Hon'ble Supreme Court. The Committee observed that in the case of Panchkula, the cut off date has been taken as 19.04.99 which would mean that the occupants who were existing for 5 years or more than 5 years as on 20.04.2004 will also be eligible for allotment of low cost dwelling unit. The Committee recommends that the date of order of Hon'ble Supreme Court of India may be followed for eligibility criteria and the earlier decision to consider cut off date as 20.04.1999 may be superseded. (This relaxation would be applicable only to beneficiaries to be given second preference.)
- (iii) Third preference may be given to those inhabitants/occupants who are occupying unauthorizedly the Govt. /Govt. Agency land as on 01.04.2003.
- (iv) Thereafter the priority may be given to the unauthorized occupants who encroached the HDUA/ Government/Government Agency land which affect the essential services like roads, water supply, sewerage, bridges etc.
- (v) Thereafter the left out dwelling units may allotted to the eligible applicant of BPL as recommended by DUDA after taking application form DUDA and taking out draw of lots if the applications are more than the available number of low cost dwelling units. While allotting left out dwelling units first preference be given to BPL of the city in which dwelling units are constructed, second preference be given to the BPL residents of the concerned District and third preference be given to the BPL residents of the State.
- (vi) The Committee also recommended that uniform rates of low cost dwelling units may be charged in all the Urban Estates. However, the subsidy received under a particular scheme under JNNURM which will be passed on to the beneficiary of that area where the subsidy has been granted by the Government of India.
- (vii) A person who owns more than one habitation in any of the unauthorized colony of HDUA/Governemnt/ Government Agency land in his own name or in the name of any dependant member of his family shall be entitled to the allotment of only one low cost dwelling unit under this policy. An affidavit to this effect may be taken from the beneficiary.

(viii) It has been decided that the low cost dwelling units shall be constructed at Gurgaon, Bahadurgarh, Jagadhri, Kaithal and Rohtak as number of low cost dwelling units to be constructed are less than 1000 in each case and it may be possible to dispose off these units without any difficulty. In the rest Urban Estates i.e Hisar, Jind, Rewari and Sirsa, the low cost dwelling units shall be constructed after getting the demand from concerned Estate officers regarding encroachment on HUDA land and DUDA regarding encroachment on Government/Government Agency land and keeping in view the demand of eligible applicants under BPL category as more than 2400 dwelling units are proposed to be constructed in each Urban Estate.

It has further been decided that 408 No. of dwelling units at Rewari Secot-18, Pocket-II shall be constructed though these are less than 1000.

It is requested that action may be taken as per norms and eligibility criteria and decision mentioned above and action taken report be sent to Head Office after every fortnight.

FOR ZONAL ADMINISTRATOR'S GURGAON AND HISAR

They are requested to get the demand from Estate Officers at Hisar, Jind, Rewari and Sirsa regarding encroachment on HUDA land and DUDA regarding encroachment on Govt. /Govt. Agency land, keeping in view the demand of eligible applicants under BPL category and send the same alongwith their recommendations within 15 days from the date of issue of this letter. The No. of dwelling units proposed to be constructed at Hisar Sector-3 & 5, 2400, Jind, Sector-8&9, 1320 and 2016 respectively, Sirsa, Sector-19, Part-1, 2088 and Sector-20, Part-III, 1224, Rewari, Sector-18, Pocket-1, 3144.

FOR ZONAL ADMINISTRATOR, PANCHKULA AND FARIDABAD

This is further in continuation to this office memo No. Enf. 2008/20101-02 dated 22.05.2008 addressed to Administrator/Estate Officer, HUDA, Panchkula and memo No. Enf. Br.2009/19519 dated 01.06.2009 addressed to Estate Officer/Administrator, HUDA, Faridabad vide which norms and eligibility criteria was circulated for allotment of low cost dwelling units to petitioners in CWP No. 11637 of 1996- Azad Bharat Colony and another V/s State of Haryana & another.

This issues with the concurrence of Hon'ble C.M. dated 29.01.2010

The receipt of this letter may please be acknowledged.

-sd/-
(R.P. Gupta, IAS)
Administrator (HQ),
for Chief Administrator, HUDA,
Panchkula

Endst.No. Enf.Br.2010/5710

Dated 10.02.2010

A copy of the above is forwarded to the following for information and necessary action: -

1. All the Deputy Commissioners in the State.
2. All the Additional Deputy Commissioners in the State.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Town Planner, HUDA, Panchkula.
6. The L.R. HUDA, Panchkula.

-sd/-
(R.P. Gupta, IAS)
Administrator, (HQ)
for Chief Administrator, HUDA,
Panchkula

FINANCE WING

INSTRUCTIONS REGARDING INTEREST
RATES/ INTEREST ON REFUND OF
EARNEST MONEY OF RESIDENTIAL
SCHEME

HARYANA URBAN DEVELOPMENT AUTHORITY, SEC-6, PANCHKULA

To

1. All the Administrators, HUDA, (in the State).
2. All the Estate Officers, HUDA (In the State).

Memo No.HUDA.CCF.ACCTT-I-2009/7092-7120

DATED: 17.3.2009

Subject:- Revision in the rate of interest w.e.f 01.04.2009.

Please refer to this office memo.No.2408-27 dated 23.1.06 vide which the decision of the Authority to reduce the possession interest on the balance amount of installments from 11% to 9% p.a and interest on delayed payment of installments from 14% to 12% p.a.(simple) w.e.f. 01.01.2006 was conveyed to you.

The Authority in its meeting 102 meeting held on 24.2.2009 has approved to revise the rate of interest as follows:-

1. The rate of interest on the delayed payment of installment(s) has been increased from 12 %(simple) to 15% p.a (simple).
2. The rate of interest after the offer of possession of plots have been increased from 9% p.a to 12% and the same will be incorporated in all the future allotments.

The new rates will come into force with effect from 1.4.2009.

-sd/-
(S.C. Kansal)
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

Endst. No.HUDA.Acctts.Acctt-I-2009/7121-29

Dated: 17.3.09

A copy is forwarded to the following for information and necessary action:-

1. PS/CA for kind information of Chief Administrator, HUDA. 2. PS/Admn. for kind information of Administrator, HUDA (H.Q). 3. Chief Engineer, HUDA, Panchkula. 4. Chief Engineer-I, HUDA, Panchkula. 5. Addl. Chief Engineer, HUDA, Gurgaon 6. Chief Town Planner, HUDA, Panchkula. 7. Secretary, HUDA, Panchkula. 8. L.R.,(H.Q)HUDA, Panchkula. 9. Dy.ESA, HUDA, Panchkula.

-sd/-
(S.C. Kansal)
Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

1. Joint Director, Legal
2. CTP, HUDA, Panchkula.
3. Chief Engineer, HUDA, Panchkula.
4. ADO (HQ) Panchkula.
5. All the Branch, HUDA (HQ)

-sd/-
Accounts Officer,
for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators,
HUDA (In the State).
2. All the Estate Officers,
HUDA (In the State)

Memo No. HUDA-Acctts-Acctt-I-2006 /2381-2401

Dated: 27.1.2006

Subject: Revision of Rate of Interest w.e.f 03.04.2000 .

Please refer to this office letter No 24564-84 dated 22.9.2000 vide which the decision of the Authority to charge simple interest at the rate of 18% p.a on delayed payment of installments and simple interest @15% p.a on delayed payment of enhanced compensation prospectively i.e. from 1.9.2000 on the outstanding dues worked out as on 31.8.2000 was conveyed to you.

The Authority in its 96th meeting held on 29.12.2005 has decided to charge the simple interest w.e.f. 3.4.2000 instead of 1.9.2000 on the outstanding dues worked out as on 2.4.2000.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

Endst No HUDA Acctts.Acctt-1-2006/2402-07

Dated 27.1.2006

A copy is forwarded to the following for information and necessary action.

1. PS/CA for kind information of Worthy Chief Administrator HUDA.
2. PS/Admn. for kind information of Worthy Administrator HUDA (HQ)
3. Engineer-In-Chief, HUDA, Panchkula
4. Chief Town Planner, HUDA, Panchkula
5. Secretary HUDA, Panchkula
6. District Attorney (HQ), HUDA, Panchkula

-sd/-
Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators,
HUDA (In the State)
2. All the Estate Officers,
HUDA (In the State)

Memo No. HUDA-Acctts-Acctt-I-2006/ 2408-27

Dated: 23.1.2006

Subject: Revision of Rate of Interest w.e.f 01.01.2006.

Please refer to this office memo No 35240-65 dated 17.12.2002 vide which decision of the Authority to reduce the possession interest on the balance amount of installments from 15% to 11% p.a and interest on delayed payment of installments from 18% to 14% (simple) w.e.f. 15.11.2002 was conveyed to you.

The Authority in its 96th meeting held on 29.12.2005 has decided to further reduce the rate of interest on the delayed payment of installment from 14% to 12% p.a (simple). And the possession interest from 11% to 9% per annum (simple) However, the interest on the delayed payments of enhanced compensation will continue to be charged at the existing rate of interest i.e. 15 % (simple). The new rates will come into force with effect from 1.1.2006.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

Endst No HUDA Acctts.Acctt-1-2006/2428-33

Dated 23.1.2006

A copy is forwarded to the following for information and necessary action.

1. PS/CA for kind information of Chief Administrator HUDA.
2. PS/Admn. for kind information of Administrator HUDA (HQ)
3. Engineer-In-Chief HUDA, Panchkula
4. Chief Town Planner HUDA, Panchkula
5. Secretary HUDA, Panchkula
6. District Attorney (HQ) HUDA, Panchkula.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA

To

1. All the Administrators,
HUDA (In the State)
2. All the Estate Officers
HUDA, (In the State)
3. The Engineer-In-Chief
HUDA, Panchkula
4. The Chief Engineer
HUDA, Panchkula
5. The Chief Town Planner,
HUDA, Panchkula

Memo No. HUDA-Acctts. Acctt-I-2002/- 35240-65

Dated: 17.12.2002

Subject: Revision of rate of interest w.e.f 15.11.2002.

It is intimated that HUDA Authority in its 86th meeting held on 13.11. 02 has decided to reduce the rate of interest on delayed payments/possession interest as follows:

The possession interest on the balance amount of installments has been reduced from 15% to 11% p.a and interest on delayed payment of Installments have also been reduced from 18% to 14% p.a (simple). However, the rate of interest on enhanced compensation will continue to be charged at the existing rate of interest 15% p.a (simple) in view of the fact that same rate of interest is being paid to the land owners by HUDA as per the Land Acquisition Act. These rates will be applicable on all the price fixation cases, new allotments, agreements, updation of price etc.

It has also been decided by HUDA to implement these rates of interest w.e.f. 15.11.2002.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

Cc:-

1. PS/CA for the information of Worthy Chief Administrator HUDA, Panchkula.
2. PA/Adm. (HQ) for the information of Administrator HUDA, (HQ).

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators,
HUDA (In the State).
2. All the Estate Officers,
HUDA (In the State).

Memo No. HUDA-Acctts-S.O-I-2000/24564-84

Dated: 22.9.2000

Subject: Policy regarding charging of **interest on delayed payment w.e.f 31.08.2000** (further revised vide instruction dated 27.01.2006)

Please refer to the subject cited above.

The Authority in its 79th meeting held on 29.8.2000 has decided to charge simple interest @ 18% per annum on delayed payments of installments and simple interest @ 15% p.a on delayed payments of enhanced compensation prospectively i.e. from 1.9.2000 on the outstanding dues worked out as on 31.8.2000.

The outstanding dues as on 31.8.2000 may be segregated under the head principal and interest separately. The payment made after 31.8.2000 may be first adjusted against interest. In case of delay in payments after 31.8.2000, the interest on the rates stated above may be calculated and charged only on the outstanding amount of principal till its receipt. You are requested to take further necessary action accordingly.

-sd/-

Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

Endst No HUDA Acctts S.O-I 2000/24585-98

Dated 22.9.2000

A copy of above is forwarded to the following for information & necessary action.

1. Joint Director, legal.
2. CTP, HUDA, Panchkula.
3. Chief Engineer HUDA, Panchkula.
4. ADO (HQ) Panchkula.
5. All the branch Incharge HUDA (HQ).

-sd/-

Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

All the Subordinate Offices of HUDA (In the State)

Memo No. HUDA-A cctts. S.O-I-91/23860

Dated: 18.11.1991

Subject: Revised rate of interest w.e.f 18.11.1991.

Reference this office letter No-HUDA-Acctts-78/9371-92 dated 13.10.78 on the subject cited above.

The matter regarding increase in the rate of interest had been engaging the attention of this office from some time past. The matter was placed before the Authority in its 51st meeting held on 9.10.1991. A copy of the agenda item No A-51 (18) and extract of minutes is enclosed.

It has been decided that in future in all the allotment letters/ agreements, a condition for charging interest @ 15% per annum instead of 10% p.a should be imposed and in all the price fixation cases the interest be calculated @ 15% P.A. However, on delayed payment of installment interest @ 18 % p.a. will continue to be charged.

This will however be applicable to the new sectors floated in future.

DA/As above.

-sd/-

Sr. Accounts Officer,
for Chief Administrator,
HUDA, Manimajra.

All the Branch Incharge of HUDA (HQ).

HARYANA URBAN DEVELOPMENT AUTHORITY, SCO NO 841, MANINAJRA

To

All the Estate Officers,
HUDA (In the State).

Memo No. HUDA-Acctts. 07/1398-1408

Dated: 15.1.1987

Subject: Revised rates of interest w.e.f 15.01.1987.

It was under the active consideration of the Authority to charge higher rate of interest on the delayed payment. It was observed that the recovery of enhanced compensation and installments are not being affected from one plot holder in time because of lower rate of interest. The matter has been examined in detail and it has been decided that following rates of interest may be charged from the plot holders who do not make the payment in time;-

- | | |
|--|--|
| a) Normal rate of interest | 10% P.A |
| b) Interest for the delayed
Payment of installments | 18% P.A
(Which includes 10% P.A. normal interest) |

Due date means the last day on which the payment falls due thus interest at 18% P.A is to be charged if payment is not made after even one day after the due date. However after the expiry of one year from due date the resumption proceedings may be initiated.

In the case of amount due on account of "Enhanced compensation" the interest pattern of charging 10% interest from the due date will continue as such. One notice should be issued to the plot holder regarding charging of this interest. This notice may be issued immediately after the due date if installment has not been deposited. These instructions will come into force with immediate effect.

Please acknowledge the receipt.

-sd/-
Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

All the Administrators HUDA (In the state) for information & necessary action please.

HARYANA URBAN DEVELOPMENT AUTHORITY, CHANDIGARH

To

1. The Administrator HUDA, Panchkula/Faridabad /Gurgaon.
2. The Chief Engineer HUDA, Panchkula.
3. All the Superintending Engineers,
HUDA (In the State).
4. All the Executive Engineers,
HUDA (In the State).

Memo No. HUDA-Acctts.-85/5707 Dated: 2.3.1985

Subject: Rate of Interest- clarification regarding charging of **interest compound/ simple** on the **outstanding dues**.

After thorough consideration a uniform policy regarding charging of interest on the outstanding dues of HUDA was adopted and instructions were issued vide this office No HUDA-Acctts-78/8371-82 dated 13.10.1978 (copy enclosed). It was thus laid down that the rate of interest on all type of outstanding dues shall be 10% P.A. In all allotment letters/ agreements a condition for charging interest 10% P.A should be imposed and that in all price fixation cases the interest be calculated @ 10% P.A.

A doubt has arisen in certain quarters whether interest should be charged at simple rates or it has to be compounded after one year.

In this connection it is clarified that simple interest may be charged in respect of all the dues but in case of defaulted payments compound interest @ 10% P.A may be charged. Other conditions envisaged in this office letter dated 13.12.1978 will remain the same.

Receipt of the letter may be acknowledged.

-sd/-
Sr. Accounts Officer,
for Chief Administrator.

DECISION OF VARIOUS COURTS REGARDING CHARGING INTEREST ON DELAYED PAYMENT.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators HUDA (In the state)
2. All the Estate Officers HUDA (In the state)

Memo No. HUDA.CCF.ACCTT-I-2010-27000-27022

Dated 2.7.2010

Subject: Amendment in the HUDA policy regarding 5% rebate in the price of plot if balance payment is made within 60 days and payment of interest in delayed possession –institutional plots .

This is in continuation to this office letter no. HUDA-Acctt-I/2007/2891-2911 dated 25.1.2007 vide which it was intimated that the Authority in its 98th meeting held on 12.12.2006 has decided that the present payment schedule, an additional provision may be made i.e. in case balance 75% of the tentative price of the plot is paid in lumpsum within 60 days from the date of issue of allotment letter, the rebate of 5% in the price of plot will be allowed. The same was approved to be allowed in respect of residential /commercial plots.

It has been decided that the rebate of 5% may also be allowed to the Institutional plots in case the payment of 75% is made in lumpsum i.e. within 60 days of the date of allotment. Other terms & conditions of the above said letter dated 25.1.2007 will remain the same.

The issues with the approval of Hon'ble Chief Minister, Haryana.

-sd/-

Chief Controller of Finance,
For Chief Administrator, HUDA, Panchkula.

Endrst No. CCF Acct-I 27023-27065

Dated 2.7.2010

A copy is forwarded to the following for information and necessary action:-

1. The Chief Administrator, HUDA, Panchkula.
2. The Administrator HUDA, (HQ) Panchkula.
3. The Chief Engineer/Chief Engineer-I HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The District Attorney HUDA, Panchkula.
7. All the Superintending Engineer, HUDA.
8. All the DTP (in the state).

-sd/-

Chief Controller of Finance,
For Chief Administrator, HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA.

To

1. All the Administrators, HUDA (in the State).
2. All the Estate Officers, HUDA (in the State).

Memo No. HUDA-CCF-Acctt-I-2009/15695-717

Dated: 5-5-2009

Subject: Comprehensive policy in respect of interest on the delayed payment of enhancement compensation
pursuant to the orders of Hon'ble High Court in CWP No.15289 of 2007.

Please refer to the subject cited above.

1. In this regard, it is intimated that the Hon'ble High Court in CWP No.15289 of 2007 in the case of M/s Nanda Goods Transport Company Panipat V/s HUDA and others have directed to frame a comprehensive policy to the effect of charging of interest on delayed payment of enhancement of compensation in order to avoid further litigation as HUDA is expected to apply the rate of interest uniformly to all the effected persons.
2. HUDA has been charging the interest on the delayed payment of enhancement of compensation as per the rates given below:-

Interest type	Rate of interest p.a	Compound/simple interest	Period	
			From	To
Interest on delayed payment of enhanced compensation	7%	Compound	1.1.72	12.10.78
	10%	Compound	13.10.78	17.11.91
	15%	Compound	18.11.91	2.4.2000
	15%	Simple	3.4.2000	till date

3. In this regard, the following terms & conditions of the allotment letter are reiterated in respect of charging of enhancement of compensation: "The price of plot is tentative to the extent that any enhancement in the cost of land awarded by the competent authority under the Land Acquisition Act shall also be payable proportionately as determined by the Authority. The additional price determined shall be paid within 30 days of its demand." No rate of interest was mentioned in the allotment letter for the delayed payment of enhancement of compensation. Although the enhancement of compensation was recoverable within 30 days of its demand, but keeping in view the huge amount of enhancement of compensation recoverable from the allottees, facilities were given to the allottees to make the payment in installment as per instructions issued vide letter No. HUDA-Acctts-87/9660-73 dated 2.4.87 wherein it was clearly stipulated that on the un-paid amount of enhancement of compensation interest @ 15% p.a. will be chargeable. The copy of the instructions is enclosed at Annexure 'A'.
4. HUDA was charging interest on the delayed payment of enhancement of compensation as per the rates stated above. The Hon'ble High Court in the case of Sh. Gian Inder Sharma V/s HUDA in CWP No.16497 of 2001 decided that HUDA cannot charge compound interest on delayed payment of enhancement of compensation. Only simple interest can be charged. This judgment was delivered on 11.11.02. However, HUDA decided to charge simple rate of interest on the delayed payment of enhancement of compensation with effect from

3.4.2000 i.e. immediately after the announcement of the judgment by the Hon'ble High Court in the case of Smt. Kanta Devi Budhiraja V/s HUDA which was finalized by the Hon'ble Supreme Court of India 2.4.2000. Therefore, immediately after the finalization of the judgement by the various courts, HUDA changed its policy and decided to charge simple rate of interest with effect from 3.4.2000 on the delayed payment of enhancement of compensation.

5. In another Civil Appeal No.4436 of 2008 (arising out of special leave petition no.13644 of 2005) titled as HUDA V/s Raj Singh Rana, the question of charging of interest on the delayed payment of installment was again challenged in the Hon'ble Apex Court of India. In this regard, attention is invited to this office letter No.HUDA-CCF-Acctt-1/2008/3645/7-78 dated 25.10.08 vide which the details of the case and charging of interest on the delayed payment of enhancement of compensation were conveyed.

In this case, the Hon'ble Supreme Court of India observed that the concept of levying of interest is applicable in almost all statutes involving financial deals and commercial transactions. Therefore, HUDA is entitled to charge interest on the balance dues of enhancement of compensation at a rate which is different from the rate of interest stipulated in the allotment letter. Under these circumstances, the Hon'ble Supreme Court of India allowed to charge simple interest on the basis of prevailing current rate of interest as defined under section-3 of the Interest Act, 1978. Therefore, charging of 15% p.a. rate of interest on the delayed payment of enhancement of compensation is as per the judgement of Hon'ble Supreme Court of India in the case of Sh.Raj Singh Rana V/s HUDA as the same rate of interest is provided in the Land Acquisition Act, 1894.

6. Attention is also invited to this office letter No.HUDA-Acctts-2007/5903 dated 4.9.07, wherein the orders of Hon'ble Supreme Court of India in SLP No.12084, 12085, 12087, 12167, 12169, 12170, 12168 of 2004 arising out of CWP No.2099, 10422, 6280 of 2003, 19098, 18344, 19099 of 2002 were conveyed to charge compound interest @ 10% p.a. although charging of compound interest was not provided in the allotment letter.
7. Attention is also invited to this office letter No.HUDA-Acctts-Acctt-1-2007/653-75 dated 8.1.08 vide which advice of Sh. Sanjiv Sharma. Advocate was circulated, wherein the learned Advocate has advised that HUDA can charge differential rate of interest i.e. normal rate of interest and penal rate of interest in respect of two kinds of allottees i.e. those who opt to pay in installments and those who are defaulters. Therefore different rate of interest can be charged in respect of allottees who pay the amount in time and those who are defaulters. Authority has been revising the rate of interest from time to time, keeping in view the rate of interest prevailing in the financial markets in the interest of recovery of its dues. For defaulters the rate of interest charged upto 2.4.2000 was compound thereafter it was made simple from 3.4.2000.
8. Therefore, you are requested to charge the same rate of interest as intimated from time to time on the delayed payment of enhancement of compensation. You are also requested to bring the above said judgments to the notice of various courts and also indicate the quantum of delay in depositing the amount of enhancement of compensation so that Hon'ble Courts may appreciate the delays committed by the allottees in depositing the amount of enhancement of compensation and awarding the differential rate of interest to the defaulters than the normal rate of interest distinguishing between the allottees who pays enhanced compensation in time and those who are defaulters.

This has the approval of Chief Administrator, HUDA.

-sd/-

(S.C. Kansal)

Chief Controller of Finance,

for Chief Administrator, HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

1. All the Administrators, HUDA (in the State)
2. All the Estate Officers,
HUDA (in the State).

Memo No.HUDA-CCF-Acctt-I-2008/36457-79

Dated: 25.10.08

Subject: Civil Appeal No.4436 of 2008 (Arising out of the Special Leave Petition No.13644 of 2005) HUDA V/s Raj Singh Rana (Plot No.833/13, Karnal) - charging **interest on delayed payment of enhanced compensation.**

1. This is in continuation of letter No.HUDA-Acctts-2007/5903 dated 4.9.2007 wherein it was intimated that simple interest @ 18% p.a. on the delayed payment of installment will be charged from 3.4.2000. These instructions were issued keeping in view the judgement passed by the Hon'ble High Court in the case of Kanta Devi Budhiraja V/s HUDA wherein the appeal filed by HUDA in the Hon'ble Supreme Court was dismissed on 2.4.2000. Therefore, the instructions to charge simple interest were made applicable from 3.4.2000.
2. This issue relates to charging of interest on the delayed payment of enhancement as in some cases the Hon'ble Courts have ordered to charge same rate of interest as provided in the allotment letter in respect of delayed payment of installments.
3. In Civil Appeal No.4436 of 2008 (Arising out of the Special Leave Petition No.13644 of 2005) titled as HUDA V/s Raj Singh Rana, Hon'ble Supreme Court has ordered that in the absence of any specific rate/clause in the allotment letter, HUDA can charge simple interest on the basis of prevailing current rate of interest on the delayed payment of enhanced compensation. The brief facts of this case are given as follow:-
 - i) Plot No.718 (later on re-numbered 883) measuring 14 marla in sector-13 was allotted to Sh. Baldev Singh Nagar which was further transferred to Sh.Raj Singh Rana. According to the terms & conditions of the allotment letter, the price of the plot was tentative subject to variation with reference to the actual measurement of the plot as well as in case of enhancement of compensation of acquisition cost of land of this sector by the court or otherwise, the allottee was required to pay the additional price of the plot, if any, as determined by the Department within 30 days from the date of demand.
 - ii) No rate of interest was mentioned for the delayed payment of enhancement of compensation but it was mentioned that interest @ 7% per annum shall be charged on the unpaid amount of installments.
 - iii) In this case the District Consumer Disputes Redressal Forum, State Commission as well as National Commission decided that HUDA cannot charge interest more than 7% p.a. on the delayed payment of enhancement of compensation as the same rate of interest was provided in the letter of allotment. HUDA filed appeal in the Hon'ble Supreme Court of India arguing that the rate of interest of 7% p.a. indicated in the allotment letter was only with regard to default in payment of installments for the tentative sale price and not with regard to the default in payment of enhancement of compensation of acquisition cost of the land, for which no rate of interest was stipulated.
 - iv) It was argued that the District Consumer Disputes Redressal Forum, State Commission and National Commission had erred in co-relating the rate of interest mentioned in the allotment letter, which was only applicable in respect of default in payment of installments for the tentative price initially fixed, therefore the rate of interest of 7% p.a. should not be made applicable for the delayed payment of enhancement of compensation.
 - v) The Hon'ble Supreme Court of India observed that the concept of levying or allowing interest is

available in almost all statutes involving financial deals and commercial transactions, but the provision empowering courts to allow interest is contained in the Interest Act, 1978. Section-3 of the said Act, inter alia, provides that in any proceeding for the recovery of any debt or damages or in any proceeding in which a claim for interest in respect of debt or damage already paid is made, the court may, if it thinks fit, allow interest to the person entitled to the debt or damages or to the person making such claim, as the case may be, at a rate not exceeding the current rate of interest, for the whole or part of the periods indicated in the said section.

- vi) It was further observed that in the instant case the provision of the allotment letter appears to have been wrongly interpreted by the Consumer Fora since the stipulated rate of interest only takes into consideration payment of the total tentative price of the plot and it does not take into consideration the additional price of the plot. Therefore, the Hon'ble Supreme Court of India agreed with the arguments of the learned counsel of HUDA and ordered that HUDA is entitled even in terms of the allotment letter to charge interest on the balance dues of enhancement of compensation at a rate which was different from rate of interest stipulated in the allotment letter.
- vii) In this case Hon'ble Supreme Court of India has observed that the case of Ghaziabad Development Authority V/s Balbir Singh (2204(5) SCC 65) gives an indication of the matters which are required to be considered by the courts while granting interest where there is no mutual understanding or agreement with regard to the rate of interest that could be charged. As was mentioned in the Balbir Singh's case and, thereafter, in HUDA vs. Prem Kumar Agarwal and another (2008(1) SCALE 484); Bihar State Housing Board vs. Arun Dakshy (2005 (7) SCC 103); Haryana Urban Development Authority vs. Manoj Kumar (2005 (9) SCC 541) and Krishna Bhagya Jala Nigam Limited vs. G. Harishchandra Reddy and another (2007 (2) SCC 720) the rate of interest is to be fixed in the circumstances of each case and it should not be imposed at a uniform rate without looking into the circumstances leading to a situation where compensation was required to be paid.

- 4. Under the aforesaid circumstances, the Hon'ble Supreme Court of India has decided to charge simple interest on the basis of prevailing current rate of interest as defined under section-3 of the Interest Act, 1978. The copy of the judgement of Hon'ble Supreme Court of India is enclosed for ready reference.
- 5. Your attention is also invited to the Section 28 of the Land Acquisition Act, 1984 which provides as under:-
"Collector may be directed to pay interest on excess compensation.—

If the sum which, in the opinion of the Court, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as compensation, the award of the Court may direct that the Collector shall pay interest on such excess at the rate of (nine per centum) per annum from the date on which he took possession of the land to the date of payment of such excess into Court:

(Provided that the award of the Court may also direct that where such excess or any part thereof is paid into Court after the date of expiry of a period of one year from the date on which possession is taken, interest at the rate of fifteen per centum per annum shall be payable from the date of expiry of the said period of one year on the amount of such excess or part thereof which has not been paid into Court before the date of such expiry."

From the above, it may kindly be seen that interest @ 9% p.a. for the first year and interest @ 15% p.a. for the subsequent years is required to be paid in respect of payment of enhancement of compensation. Therefore the current rate of interest as defined under section-3 of Interest Act, 1978 could be linked with the above provisions of Land Acquisition Act according to which interest @ 15% p.a. is payable in view of the fact that payment of enhancement of compensation is a continuous liability of HUDA and after payment of enhancement of compensation, HUDA recovers the same from the allottees in the shape of addition price/additional premium as defined under Section 2 (b) of the Haryana Urban Development (Disposal of Land & Building) Regulations 1978.

- 6. You are, therefore, requested to quote these orders in all the cases of similar nature pending in the Courts/ Forums/Commission and invariably attach the copy of these orders alongwith the reply filed in these cases and specifically bring it to the notice of the Courts during arguments. In cases where replies have already been

filed, these facts may be brought to the notice of the Courts/Forums/ Commissions by either filing amended replies or Civil Misc. Application. **These instructions will be applicable in only those cases where specific rate of interest or policy regarding charging of interest on delayed payment of enhancement is not mentioned in the allotment letter.** These instructions may be followed in letter and spirit.

Acknowledgement of receipt of these instructions should be sent by each office.

-sd/-
(S.C. Kansal)
Chief Controller of Finance,
for Chief Administrator, HUDA, Panchkula.

Endst.No.HUDA-CCF-Acctt-I-2008/36457-79

Dated: 25.10.08

A copy of the above is forwarded to following for information and necessary action:-

1. Legal Remembrancer, HUDA, Panchkula.
2. Urban Branch-I & II HUDA (H.Q) Panchkula.
- 3 All HUDA counsels - for their kind information and with the request to defend the pending cases on the basis of above judgement.

-sd/-
(S.C. Kansal)
Chief Controller of Finance,
for Chief Administrator, HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, C-3 SECTOR-6 PANCHKULA

To

1. All the Administrators, HUDA (in the State).
2. All the Estate Officers, HUDA (in the State).

Memo No. HUDA-Acctts-Acctt-I-2007/ 653-75

Dated: 8.1.2008

Subject: Guidelines for defending the court cases in respect levy of **compound interest** by HUDA on the delayed payment of instalments.

1. This is in continuation to letter No.HUDA-Acctts-2007/5903 dated 04.09.2007 vide which the orders of Hon'ble Supreme Court of India in SLP No.12084, 12085,12167,12169,12170,12168 of 2004 arising out of CWP No.2099, 10422, 6280 of 2003, 19098, 18344, 19099 of 2002 to charge compound interest @10% p.a. was brought to your notice with the request to quote these orders in all the cases of similar nature pending in the Courts/Forums / Commission and invariably attach the copy of these orders alongwith the reply and specifically bring it to the notice of the Courts during arguments.
2. The increasing number of court cases in respect of levy of compound interest on the delayed payment of installments is causing great concern to the Authority. In this regard the advice of Senior Advocate Sh. Sanjiv Sharma was obtained in order to defend the cases properly in the courts to safeguard the interest of the Authority. Sh. Sanjiv Sharma has analyzed the various judgments announced by the various courts in respect of levy of compound interest and has given valuable suggestions to defend such cases in the court. The copy of the advice is enclosed for ready reference.
3. In nut shell, Ld. Advocate has advised that HUDA can charge the differential rate of interest i.e. normal rate of interest and penal rate of interest in respect of two kinds of allottee i.e. those who opt to pay in installments and those who are defaulters. Although on the question of compound interest, Ld. Advocate has advised that HUDA can not charge the compound interest but in this regard the instructions issued by L.R., HUDA vide letter No. HUDA-Acctts-2007/5903 dated 04.09.2007 may be followed keeping in view the judgement of the Hon'ble Supreme Court of India in the above said cases.
4. The judgement in the case of Sh. Gian Inder Sharma vs. HUDA & others in CWP No.16497 of 2001 was delivered on 11.11.2002 and judgment in the case of Smt. Kanta Devi Budhiraja v/s. HUDA was finalized on 02.04.2000. Accordingly HUDA Authority decided to charge simple rate of interest w.e.f. 03.04.2000 i.e. immediately after the announcement of the judgement by the various courts to charge simple rate of interest. The Ld. Advocate Sh. Sanjiv Sharma was also requested to advice on the question of charging interest keeping in view the following factors:-
 1. Where limitation period has been expired.
 2. Where no due certificate has been issued.
 3. Where full payment has been made and conveyance deed/sale deed has been executed.
 4. The compound interest has been charged as per the orders of the competent Authority passed in the judicial/ quasi judicial capacity.

On these issues, the Ld. Advocate has advised as under:-

1. Where limitation period has expired:

There are two cases under this category (i) where relief has been sought to levy simple interest and to recover the excess payment made by the allottee. (ii) Where restraint has been sought against HUDA from demanding the compound interest. In both these cases the provision of limitation Act 1963 will apply. In both the cases the limitation period would be three years except for (ii) above where the limitation would commence from the date of demand of interest. However, any demand made for reconciliation of accounts beyond a period of 3 years after the last payment may not be tenable. Therefore, in all the court cases, the point of limitation may be examined and may be taken as preliminary objections invariably while filing the reply.

2& 3. Where no due certificate has been issued. Where full payment has been made and conveyance deed/ sale deed has been executed:

The same situation will prevail as described in para (1) above. In such cases where no due certificate has been issued and where full payment has been made and conveyance deed/sale deed has been executed, the limitation Act 1963 will apply. In such cases also, point of limitation may be examined and taken in the preliminary objections invariably while filing the reply.

4. The compound interest has been charged as per the orders of the competent Authority passed in the judicial/ quasi judicial capacity.

In such cases where compound interest has been charged based upon the orders of the judicial/quasi judicial authorities, the compound interest may be charged as per the orders of the above said authority and no relief is required to be given in such cases.

You are, therefore, requested to examine the above said points while filing the reply in the courts in respect of case of levy of compound interest by HUDA and also take all these points in the preliminary objections as well as forcefully argue in the courts. In case replies have already been filed, amendment can be done on above lines. You are also requested to bring these points to the notice of the Advocates who are defending such cases in the various courts so that these comments are properly incorporated in the reply/argued in the Courts.

-sd/-

Chief Controller of Finance,
for Chief Administrator, HUDA, Panchkula.

Copy to: All panel Advocates to take these pleas in the replies to be filed/amended as well as at the time of arguments.

Sanjeev Sharma Advocate

Former Additional Advocate General Punjab

28, Shivalik Enclave NAC Manimajra, Chandigarh India

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EX-PARTE OPTION ON LEVY OF COMPOUND INTEREST BY HUDA ON DELAYED PAYMENTS OF INSTALLMENTS

- 1. The Honorable High court disposed off CWP 3737 of 2007 on 8.5.2007 by passing a direction that:-**
“Haryana Urban Development Authority shall uniformly apply the guidelines issued in Gian Inder Sharma case (Supra) to all affected and also in the case of the petitioners. Respondents are further directed to decide each case of petitioners within a period of eight weeks from today.”
- 2. Gian Inder Sharma’s case was decided on 11.11.2002. The operative part of the judgement reads as:**
“We are of the opinion that the respondents are not entitled to charge compound interest on the delayed payment of additional price of the plot in question. They can charge only simple interest at the rate of 15% per annum on the said amount. The case of the petitioner is squarely covered by division Bench decision of this Court in M/S Bhatia brothers’ case (supra). Learned counsel of the respondents could not point out to us any provision of law under the Act and the 1978 Regulations or any condition in the allotment letter, which authorized the respondents to charge compound interest on the delayed payment. As per clause 6 of the allotment letter, the respondents are entitled to charge 10% interest on the amount of installment. The contention of the petitioner that he is liable to pay simple interest at the rate of 15% per annum on the delayed payment of additional price of the plot in the question is totally justified. The respondents, in spite of the decision of this Court, are illegally demanding the compound interest on the aforesaid delayed payment from the petitioner. We find that action of the respondents in demanding compound interest from the petitioner is totally unreasonable and arbitrary and without any authority of law. Therefore, we direct that the respondents can charge only simple interest at the rate of 15% per annum from the petitioner on the delayed payment of additional price of the plot in question. Since the petitioner has already deposited Rs. 2,10,000/- under protest with the respondents towards the additional price, the respondents are directed to calculate the additional price with 15% simple interest and adjust the same towards the above payment made by the petitioner. If there is any excess amount the same shall be refunded to the petitioner within a period of three months. It is, however, made clear that no penalty can be charged from the petitioner on account of delayed payment of additional price. However, if there is any other amount due against the petitioner, the same shall also be adjusted against payment already made by him and after making adjustment, if any amount is found due towards him, the same can be recovered from him.”
- 3. The aforesaid case relates to allotment on 22.5.1987, of a residential plot bearing number 1615, sector-7, Karnal on freehold basis. The total cost of the plot, was Rs. 90,597/-. The petitioner deposited 25% of the amount of the cost i.e. Rs. 22,649.25 on 15.5.1987 after which an allotment letter dated 22.5.1987 was issued. The balance amount of Rs. 67,947.75 was to be paid either in lump sum within 60 days from the date of issue of allotment letter or in 6 annual installments. Each installment was to be recovered with interest on the balance amount at the rate of 10%. While payment towards the initial cost of the plot was made in full, two demands on account of additional price of the plot were made on the petitioner. The first was made on 19.4.1990 for an amount of Rs. 31,448.65 and the second on 10.12.1991 for Rs. 17,650/-. These additional payments were to be recovered from the petitioner in the same manner as installments were to be recovered. It appears, that the demand made by HUDA contained an element of compound interest and therefore, when the statement of account was issued on 17.6.2001, which is ten year later, a total amount of Rs. 2,13,306/- was demanded of which Rs. 1,76,350/- was on account of additional price with interest up till 6.6.2001 and Rs. 36,956/- on account of extension fees until 31.10.2000. Under threat of resumption, the petitioner deposited the money however he made a request on 29.8.2001 that only simple interest be charged and not compounded interest. According to the petitioner, only Rs. 85,065/- was payable in case simple interest was levied.**

4. CWP 2278 of 1999 M/S Bhatia Brothers had already been decided on 14.2.2000 holding that HUDA cannot charge compound interest as there is no provision under the Haryana Urban Development Authority Act, 1977 or Haryana Urban Development (disposal of Land and Buildings) regulations, 1978 and the conditions of allotment to do so. The Special Leave petition filed by HUDA against the aforesaid judgement was dismissed on 11.9.2000. Thus, based on Bhatia Brothers' case, the decision in Gian Inder Sharma's case came to be passed on 11.11.2002.
5. It is the aforesaid decision in Gian Inder Sharma's case that has been followed in the case of CWP 3737 of 2007.
6. In this background, I have been asked to render advice on the question of charging interest and compliance of the judgement dated 8.5.2007.
7. Before addressing the query, it would be appropriate to briefly recapitulate as to how compound interest came to be charged in the first place and whether there is any provision under the HUDA Act, 1977 that can be referred to as the source of such power.
8. The first provision that calls for notice is section 15 of the Act.

Disposal of land

1. Subject to any directions given by the State Government under this Act and the provisions of sub-section (5), the Authority may dispose off-
 - a) any land acquired by it or transferred to it by the State Government without undertaking or carrying out any development thereon; or
 - b) any such land after undertaking or carrying out such development as it thinks fit, to supersons, in such manner and subject to such terms and conditions, as it considers expedient for securing development.
2. Nothing in this Act shall be construed as enabling the authority to dispose off land by way of gift, but subject to this condition, reference in this Act to the disposal of land shall be construed as reference to the disposal thereof in any manner, whether by way of sale, exchange or lease or by the creation of any easement right or privilege or otherwise.
3. Subject to the provisions hereinbefore contained, the Authority may sell, lease, or otherwise transfer whether by auction, allotment or otherwise any land or building belonging to it on such terms and conditions as it may, by regulations provide.
4. The consideration money for any transfer under sub-section (1) shall be paid to the Authority in such manner as may be provided by regulations.
5. Notwithstanding anything contained in any other law, for the time being in force, any land or building or both, as the case may be, shall continue to belong to the authority until the entire consideration money together with interest and other amount, if any due to the Authority on account of the sale of such land or building or both is paid.
6. Until the conditions provided in the regulations are fulfilled, the transferee shall not transfer his right in the land or building except with the previous permission of the Authority, which may be granted on such terms and conditions as the authority may deem fit.
7. Thus, under Section 15 regulations may provide for the terms and conditions of sale/lease/transfer. The next provision to be examined is Section 17 which reads as:

Section 17

Resumption and forfeiture for breach of conditions of transfer:-

1. Where any transferee makes default in the payment of any consideration money, or any installment, on account of the sale of any land or building, or both, under section 15, the Estate Officer may, by notice in writing, call upon the transferee to show cause within a period of 30 days, why a penalty which shall not exceed 10 percent of the amount due from the transferee, be not imposed upon him.
2. After considering the cause, if any, shown by the transferee and after giving him a reasonable opportunity of being heard in the matter, the Estate officer may, for reasons to be recorded in writing, make an order imposing the penalty and direct that the amount of money due along with the penalty shall be paid by the transferee within such period as may be specified in the order.
3. If the transferee fails to pay amount due together with the penalty in accordance with the order made under subsection (2) or commits a breach of any other condition of sale, the Estate Officer may, by notice in writing call upon the transferee to show cause within a period of 30 days, why an order of resumption of the land or building, or both, as the case may be and forfeiture of the whole or any part of the money, if any, paid in respect thereof which in no case shall exceed 10 percent of the total amount of the consideration money, interest and other dues payable in respect of the sale of land or building or both, should not be made.
4. after considering the cause, if any, shown by the transferee in pursuance of a notice under subsection (3) and any evidence that he may produce in support of the same and after giving him a reasonable opportunity of being heard in the matter, the Estate Officer may, for reasons to be recorded in writing make an order resuming the land or building or both, as the case may be, and. direct the forfeiture as provided in subsection (3) of the whole or any part of the money paid in respect of such sale.
5. any person aggrieved by an order of the Estate Officer under section 16 or under this section may, within a period of 30 days of the date of the communication to him of such order, prefer an appeal to the Chief Administrator in such form and manner, as may be prescribed: Provided that the Chief Administrator may entertain the appeal after the expiry of the said period of 30 days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
6. The Chief Administrator may, after hearing the appeal confirm, vary or reverse the order appealed for and pass such order as he deems fit.
7. The Chief Administrator may, either on his own motion or on an application received in this behalf at any time within a period of six months from the date of the order, call for the records of any proceedings in which the Estate Officer has passed an order for the purpose of satisfying himself as to the legality or propriety of such order and may pass such order in relation thereto as he thinks fit. Provided that the Chief Administrator shall not pass any order under this section prejudicial to any person without giving him a reasonable opportunity of being heard.
8. From the words used in section 17 it shows that the Chief Administrator may pass such order as he deems fit while confirming, varying or reversing an order passed by the Estate Officer. Thus, he may in a given case require payment of interest at a rate higher than what has been stipulated in the terms of allotment since, the parties may no longer be bound by the same.

- 9 The power to make Regulations is contained in Section 54 which is :-

Section 54: Power to make regulations. – The Authority may, with the previous approval of the State Government, make regulations consistent with this Act, and without prejudice to the generality of this power such regulations may provide for –

xxxx [3] xxx

[e] the terms and conditions in which transfer of any right, title and interest in any land or building

may be Permitted.

10. Haryana Urban Development [Disposal of Land and Buildings] Regulation, 1978

Regulation 2 Definitions – [e] “price” means the amount paid or promised for the transfer of immovable property on freehold basis.

Regulation 3. Mode of disposal. – Subject to any direction issued by the State Government under the Act and to the provisions of subsection [5] of section 15 of the Act: --

Xxx

[c] The Authority may dispose of its land or building by way of sale or lease either by allotment or by auction, which may be by open bid or by inviting tenders.

Regulation – 4

- (1) the tentative price/ premium for the disposal of land or building by the authority shall be such as may be determined by the Authority taking into consideration the cost of land, estimated cost of development, cost of building and other direct and indirect charges, as may be determined by the Authority from time to time.
- (2) An extra 10% and 20% of the price/ premium shall be payable for ‘preferential’ and ‘special preferential’ plots respectively.

Regulation 5.

Procedure in case of sale or lease of land or building by allotment. –

Xxx

(2) No application under sub regulation (1) shall be valid unless it is accompanied by such amount as may be determined by the Authority, which shall not be less than 10 percent of the price/ premium in the form of a demand draft payable to the Estate Officer, and drawn on any scheduled bank situated in the local place of the Estate officer concerned or any other such place as the Estate Officer may specify.

Xxxxx

6. The payment of balance of the price/ premium shall be made, in the manner as may be communicated, in lumpsum or in such number of annual, 1/2 yearly equal instalments not exceeding 10, as may be decided by the Authority from time to time. The amount of first instalment shall be payable within one year or six months from the date of allotment and subsequent installments shall similarly accrue every yearly/ half yearly on the due date, as the case may be:
7. each instalment would be recoverable together with interest on the balance price/ premium, at the rate as may be decided by the Authority at the time of allotment. The interest shall, however accrue from the date of offer of possession of land/ building. No interest shall be payable if the whole of the balance price/ premium is paid in full, within 60 days of the offer of possession.

If at any time the transferor opts to make the balance payment in full, he shall be entitled to do so and interest shall be charged on the balance amount only for the period from the date the last instalment was due to the date he makes full payment.

Regulation 6.

Sale or lease of land or building by auction: –

- (1) In the case of sale or lease by auction, the price/ premium to be charged shall be such reserve price/ premium as may be determined taking into consideration the various factors as indicated in sub regulation [1] of regulation 4 or any higher amount determined as a result of bidding in open auction.
- (2) 10 percent of the highest bid shall be paid on the spot by the highest bidder in cash or by means of a demand draft in the manner specified in sub regulation [2] of regulation 5. The successful

- bidder shall be issued allotment letter in form 'CC' or 'CC-II' by registered post and another 15 percent of the bid accepted shall be payable by the successful acceptance of the bid by the Chief administrator; failing which the 10 percent amount already deposited shall stand forfeited by the Authority and the successful bidder shall have no claim to the land or building auctioned.
- (3) the payment of balance of the price/premium, payment of interest chargeable and the recovery of interest shall be in the same manner as provided in sub regulation [6] and [7] of regulation 5.
- (4) The general terms and conditions of auction shall be such as may be framed by the Chief Administrator from time to time and announced to the public for auction on the spot.

Regulation 13. Delivery of possession.- The possession of the land shall be delivered to the transferee or lessee as soon as development works in the area where the land is situated are completed:

Provided that in the case of sale/lease of undeveloped land/building possession thereof shall be delivered within 90 days of the date of allotment.

13 Clauses of the letter of allotment issued in Form C, CC and others prescribed by the 1978 Regulations, reflect the statutory provisions and can be seen however for ease of appreciation their provisions are on the following lines:-

Your application/bid for plot No. _____ Sector _____ at _____ has been accepted and the plot/building as detailed below has been allotted to you on free-hold basis as per the following terms and conditions and subject to the provisions of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the rules/regulations applicable there under and as amended from time to time including terms and conditions as already announced at the time of auction and accepted by you.

The plot is preferential/OR

The sum of Rs. _____ deposited by you as bid money at the time of bid will be adjusted against the said plot/building.

In case you refuse to accept this allotment, you shall communicate your refusal.....OR

You are requested to remit Rs. _____ in order to make the 25% price of the said plot within 30 days from the date of issue of this letter. The payment shall be made by a bank draft payable to the Estate Officer, HUDA, _____, and drawn on any scheduled bank at _____. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the deposit of 10% bid money deposited at the time of bid shall stand forfeited to the Authority, against which you shall have no claim for damages.

The balance amount i.e. Rs. _____ of the above price of the plot/building can be paid in lump sum without interest within 60 days from the date of issue of the allotment letter or in 8 half yearly instalments. The first instalment will fall due after the expiry of six months of the date of issue of this letter. Each instalment would be recoverable together with interest on the balance price at % interest on the remaining amount. The interest shall, however, accrue from the date of offer of possession.

Xx xx xx xx x

You will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. This time limit is extendable by the Estate Officer if he is satisfied that non-construction of the building was due to reasons beyond your control, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it forfeited in accordance with the provisions of the said Act. You shall not erect any building or make any alteration/addition without prior permission of the Estate Officer. No fragmentation of any land or building shall be permitted.

Note. For the exact words used in the forms Kindly refer to the same.

14. A reading of the statutory provisions as noticed above, the substantive portions of which are incorporated in the letter of allotment, clearly shows that allottees are required to pay 25% of the price before the delivery of possession and the balance price in lump-sum without being required to pay interest or to pay the same in 8 installments with interest. The failure of the allottees to deposit 25% of the price within 30 days could entail cancellation of allotment and forfeiture of 10% of the bid money. For paying the balance price representing 75% of the total price, the allottees are given two options. The first option was to pay total balance price in lump-sum within 60 days from the date of issue of allotment letter. In that case, they were not to pay interest. The other option available to them was to pay the balance price in 8 half yearly installments with interest @ 10% payable from the date of offer of possession.
15. **It is therefore safe to suggest that HUDA has power to demand interest on the balance price when installments are opted for.**
16. From a perusal at page 12 of the noting sheet it appears that the Authority decided to charge interest on late payment of instalments at a rate of 18% per annum and instructions in this regard were issued on 15.01.1987. Similarly, a decision to charge interest on delayed payment of enhancement at the rate of 15% per annum was also taken on 02.04.1987. The noting sheet does not however disclose as to whether the decision of the Authority was to charge compound or simple rate of interest. Be that as it may, the levy of compound interest became the subject matter of challenge in the number of cases and while it would be difficult to identify in exactly which case this levy was first struck down, suffice to notice that one of the cases was that of Aruna Luthra reported as 1998 (2) PLR 687 In which it is held that HUDA is entitled to charge interest in terms of the contract that is the allotment letter but not according to HUDA Policy. Thus, it stood settled that what could be recovered is interest as provided by the terms of the allotment as well as the regulations and the Act itself. Policy decisions would not be applicable unless it could be shown that they had sanctity of law. This judgement of Justice N.K. Sodhi & Justice Iqbal Singh is reproduced below for easy appreciation.

“In an auction held on 30.10.1980 the petitioner purchased S.C.F No 33, Sector-7 in Faridabad and an allotment letter was issued to her on 5.12.1980. the price of the building was Rs. 2,83,100/- and 25% of this amount including the amount deposited at the time of auction was to be paid within 30 days from the date of issue of the letter and the balance amount was payable in half yearly installments. Each installment was to be paid together with interest on the balance price @ 10% on the remaining amount. Interest was, however, to accrue from the date of offer of possession. According to clause (22) of the allotment letter all disputes and differences between the parties arising out of or relating to the allotment were to be referred to the sole arbitration of the Chief Administrator, Haryana Urban Development Authority (for short HUDA) or any other officer appointed by him. After purchasing the building the petitioner wrote to the Estate Officer, HUDA, Faridabad to hand over vacant possession of the same. It appears that the building was occupied by some unauthorized occupants and, therefore, its possession could not be delivered to the petitioner. It was only on 4.5.1987 that the possession was delivered to her. At the time of delivering possession to the petitioner it was found that the building had been damaged and there were breakages. A statement about the details of damages and breakages as found in the building was prepared. The petitioner continued representing to the respondents that the damage caused to the building by the unauthorized occupants be repaired so that the same becomes habitable. It was also represented by the petitioner that interest on the balance amount payable to the respondents should be charged only from the date when the defects in the building were removed. Since the respondents did not pay any heed to the representations of the petitioner, she invoked the arbitration clause and filed a petition under Section 20 of the Arbitration Act in the Court of Senior Sub Judge, Faridabad. This application was allowed on 26.7.1989 and the Chief Administrator was appointed the arbitrator to settle the disputes between the parties and he was directed to pronounce his award within four months. The parties were also directed to file their claims and counter-claims before him within the time schedule fixed by the Court. The Administrator exercising the powers of the Chief Administrator decided the matter as per his order dated 21.5.1990 and directed the Revenue Officer, Faridabad to get the deficiencies removed which had been found at the time of delivering possession to the petitioner. In addition, the petitioner was directed to pay interest on the balance installments from the date of delivery of possession. It is stated that the deficiencies

have not been removed so far and the premises are lying unused. The petitioner applied to the respondents for transfer of the building in the name of one Surinder Nischal and in response to her application she was informed that a sum of Rs. 14,77,660/- was payable by her to HUDA. It is submitted that the petitioner then verified from the office of the respondents as to how this amount was due. She also submitted the details of the payments made by her. A copy of the letter dated 24.4.1996 addressed to the Estate Officer in this regard is Annexure P-12 with the petition. A perusal of the payment schedule as contained in this letter would show that the petitioner delayed the payment of installments for which she is liable to pay interest. The petitioner also requested that a conveyance deed be executed in her favour. It was then that the present petition was filed under Article 226 of the Constitution for quashing the demand made by the respondents requiring the petitioner to deposit a sum of Rs. 14,77,660/-. It is also prayed that the respondents be directed to execute the conveyance deed in favour of the petitioner.

2. In the written statement filed on behalf of the respondents, it is pleaded that an amount of Rs. 14,77,660/- is due from the petitioner and that interest @ 18% per annum has been charged as per HUDA policy. It is admitted that a sum of Rs. 2,30,490/- was deposited by the petitioner on 19.4.1996. It is denied that the petitioner is entitled to any damages as claimed.
3. We have heard counsel for the parties and from their pleadings it is clear that the possession of the S.C.F. was delivered to the petitioner on 4.5.1987. As per the decision of the Administrator, HUDA dated 21.5.1990 the petitioner is liable to pay interest only from the date of delivery of possession. This is also in accordance with clause (6) of the allotment letter. Even according to Regulation 5 (7) of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978, interest on delayed payments has to accrue only from the date of offer of possession of the building. The question that, however, arises for consideration is at what rate is the interest payable. According to the respondents, HUDA had prepared some policy on the basis of which interest is being charged @ 18%. On the other hand, the learned counsel for the petitioner strenuously urged that in terms of Clause (6) of the allotment letter, the installments were recoverable together with interest on the balance price @ 10%.
4. Having given our thoughtful consideration to the rival contentions of the parties, we are of the opinion that the petitioner is liable to pay interest at the agreed rate of 10% as stipulated in the letter of allotment. Allotment of S.C.F. through an open auction was the result of a contract between the parties whereby it was agreed between them that the unpaid installments would be recoverable together with interest at the rate of 10% on the balance price. Clause (6) of the allotment letter contains this stipulation. In the light of this clause, it is not open to HUDA to claim and charge interest @ 18% as is being done in the instant case. All that is stated in Para 14 of written statement is that the petitioner is liable to pay interest @ 18% per annum as per HUDA policy. What is that policy, under which provision of law has it been framed and whether it can override the contractual stipulation contained in Clause (6) of the allotment letter has not been spelt out in the written statement. No provision of any law or the aforesaid regulations has been brought to our notice whereby HUDA could charge interest at a rate exceeding the agreed rate of interest.
5. In the result, it has to be held that the petitioner is liable to pay interest @ 10% as agreed between the parties and that too w.e.f. 4.5.1987 on which date the possession of the premises was delivered to her. Consequently, the communication dated 11.4.1996 (Annexure P11 with the writ petition) insofar it requires the petitioner to deposit a sum of Rs. 14,77,660/- is quashed and respondents 2 to 4 are directed to work out afresh the total amount, if any, payable by the petitioner together with interest @ 10% per annum w.e.f. 4.5.1987 and intimate the same to the petitioner who shall have to pay the same. The amounts deposited by the petitioner will, of course, be taken into account and she shall be given credit for the same. The amount as worked out is deposited by the petitioner, the respondents shall execute the deed of conveyance in her favour in accordance with law.
6. another grievance of the petitioner is that in spite of a direction given by the Administrator on 21.5.1990 the damage caused to the premises by the unauthorized occupants which was subsisting at the time of delivery of possession has not been repaired so far and premises are lying unused as they are not capable of being inhabited. This averment of the petitioner has not been specifically denied in the written statement. We, therefore, direct that the petitioner should serve one last notice on the respondents pointing out all

the deficiencies and damage in the building requiring them to repair the same. If such notice is received, respondents 2 to 4 may have the premises inspected through their staff and clause the repairs to be made within three months from the date of receipt of the notice failing which it will be open to the petitioner to have the premises repaired on her own at the cost of these respondents. This direction has become necessary because we find that the Administrator, HUDA itself while giving its decision on the disputed issues between the parties had given a direction to the Revenue Officer to get the deficiencies removed and damage repaired which were found at the time of delivery of possession of the premises.

7. The writ petition stands allowed in the above terms. No costs. Petition accepted.”
- 17 What needs to be noticed is that in the aforesaid case the allotment was not cancelled and there was no resumption. Furthermore, the Court held that a lawful binding contract came into being, the terms of which could be changed unless law permitted it. The essential difference that I wish to draw attention to is that power under Section 17 was not exercised.
- 18 While in the aforesaid case it was held that the policy of HUDA would not be applicable on the question of rate of interest, in another case a contrary view was taken. This is the case of Ram Kishan Gulati v. State of Haryana, (P&H)(D.B.) G.S. Singhvi and Mehtab Singh Gill, JJ. In C.W.P. No. 15746 of 1997 decided on 2.6.1999. This judgement took into consideration the following cases and its operative part reads as:

Cases referred:

- i Aruna Luthra v. State of Haryana and others, 1997(2) PLJ 1.
- ii Baij Nath Garg v. The Chief Administrator, HUDA and others, 1995 (2) RRR 27(P&H).
- iii Ajit Singh and others v. Chandigarh Administration through Administrator, Union Territory and others, C.W.P. No. 9503 of 1996, decided on 29.8.1996.
- iv Sukhpal Singh Kang and others v. Chandigarh Administration and another, I.L.R. 1999(1) Punjab and Haryana 141.
- v Haryana Urban Development Authority and another v. M/s Roochira Ceramics and another, 1997 (1) RCR (Civil) 696 (SC).
- vi Manju Jain and another v. HUDA and others, C.W.P. No. 4405 of 1998 decided on April 2, 1998
- vii Ashwani Puri v. HUDA, C.W.P. No. 2363 of 1996, decided on 3.12.1996.

“The facts necessary for deciding this petition filed by Ram Kishan Gulati and three others for quashing of the notices and orders issued by the Estate Officer and the Chief Administrator, Haryana Urban Development Authority, Panchkula (hereinafter referred to as “HUDA”), are that on the basis of highest bid of Rs. 9,55,500/- given by them in the auction held by respondent No.3, Show- room Plot No. 7, Sector 11, Panchkula measuring 574.75 sq. metres was allotted to Sh. Agya Ram and others (predecessor-in-interest of the petitioners). They deposited 10% price of the plot at the fall of hammer but delayed the deposit of remaining 15% as required by clause 4 of the letter of allotment. A part of 15% of the price was deposited on 22.9.1986 and the balance was deposited on 11.10.1986. Notwithstanding this default, possession of the plot was delivered to the allottees on 21.6.1988. Thereafter, they constructed the building and occupied the same. Due to non-payment of installments in accordance with clause 5 of the letter of allotment, proceedings under Section 17 of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as ‘the Act’) were initiated against Sh. Agya Ram and others. Notices under Section 17(1) to 17(4) of the Act were issued to them but they did not deposit the installments of the price. Instead, Sh. S.R. Suri, Advocate who appeared on their behalf before the Estate Officer, Panchkula (hereinafter described as ‘respondent No. 3’) pleaded that interest may not be charged because the development works

were not complete at the site. This plea of Sh. Suri was rejected by respondent No. 3 who observed that the development work had, in fact, been completed. He further held that the allottees are evading the payment of outstanding dues. On that premises, he ordered resumption of the site and forfeiture of Rs. 2,30,143/- out of amount deposited by the allottees. The relevant portion of the order passed by respondent No. 3, which we have taken from the original file produced by Sh. R.S. Chahar is reproduced below:-

“As per condition No. 5 of the allotment letter, it was incumbent upon the allottee to pay the due installments on due dates, but they did not deposit the due amount. Therefore, the following regd. Notice u/s 17 of HUDAAct for recovering a sum of Rs. 9,10,000/- on account of outstanding dues were served upon the allottees.

Notice U/s 17(1) vide memo No. 18819 dated 7.10.89 for Rs. 9,10,000/-.

In response to the above notice, reacting sharply the allottees have resorted to frivolous correspondence and contended the non-completion of development works and charging the alleged interest on account thereof. While replying to the notice vide their reply dated 1.11.89. They have also supported their reply with the copy of undertaking given by the then Administrator, Miss Leena Nair dated 17.2.88 stating that no interest on the principal shall be charged if shops from the residential premises were not vacated. Since this undertaking was not held valid by the Chief Administrator, HUDA because she was not competent to give such undertaking. Therefore, both these representations were not considered satisfactory being not based on facts having any authenticity. Since the development works were complete at site at the time of allotment of this site, therefore, by rejecting their representations the further notices U/s 17 of HUDAAct as per detail given below were again served upon them.

Notice U/s 17(2) vide memo No. 22216 dated 13.12.89.

In response to the above notices neither the allottees have appeared for hearing nor they have deposited even a single penny against the outstanding dues. This negligence was viewed seriously and the Estate Officer had imposed a penalty of Rs. 91,000/- vide this office memo No. 462 dated 11.1.90 and further directed them to make the payment of outstanding dues within 30 days. But the allottees have filed an appeal before the Administrator, HUDA, Panchkula against these orders. The appeal has also been rejected by the appellate authority and the order issued by the Estate Officer, HUDA, Panchkula is upheld. However, a lenient view was again taken and to give them further opportunities the process of notices was again adopted and the notices u/s 17(3) were again served upon them.

Notice U/s 17(3) vide memo No. 546 dated 11.1.93 for Rs. 19,54,783/-.

Notice U/s 17(4) vide memo No. 7922 dated 21.5.93 for Rs. 21,23,850/-.

In response to the above mentioned notices the Advocate of the allottee Sh. S.R. Suri appeared for hearing on 8.6.92 and he has given a representation that the development works were not complete at the site. Therefore, the interest should not be charged against the outstanding dues. It is not out of place to point out here that the development works were complete at site when it was sold and the allottees are evading the payment of outstanding dues by resorting to these frivolous contentions. It is also pertinent to mention here that since the allotment of site the allottees remained grossly defaulter in making the upto date payment of installments. Whereas, all 8 Nos. half yearly installments had already been elapsed on 19.8.90 and the amount of outstanding due has accumulated to Rs. 20,62,680/- upto 8.6.93. Whereas the Show Room is constructed at site and the allottees are deriving all the benefits after occupying the same without obtaining occupation certificate from this office on the one hand, but evading payments of outstanding dues on the other. This clearly shows that non-seriousness of the allottees in clearing outstanding dues.

From the facts mentioned above it is clear that allottees are willfully defaulting in making the due payment in spite of various notices issued by this office from time to time. Whereas, repeated opportunities have been given to them. Hence, I am of the considered opinion that the allottees have violated the terms and conditions of the allotment letter by not making the due payments in

time. Hence, I order the resumption of Show Room site No. 7, Sector-11, Panchkula under powers conferred upon me U/s 17 of the HUDA Act. I also order the forfeiture of Rs. 2,30,143/- out of the amount deposited by them.

-sd/-

Estate Officer,
HUDA, Panchkula,
Dated 9.6.95.”

Endst. No. 8617

By an order dated 4.2.1997, the Administrator HUDA, Panchkula (exercising the powers of the Chief Administrator, HUDA) dismissed the appeal filed by the petitioners. The relevant extract of the appellate order is reproduced below:-

“Keeping in view the arguments of both the parties and facts on record, it is clear from the record that the appellants have retained the Show Room in question after paying almost 25% of the tentative price only. A number of notices has been issued to the appellants but they did not bother to pay any amount against the outstanding installments which have become due. Moreover, the appellants had constructed the building over the Show Room in question and occupied illegally without obtaining Occupation certificate as required under the Erection of Building

Regulations, 1979. Therefore, I find no illegality in the order of Estate Officer which is quite in accordance with terms & conditions of allotment and as per provisions of HUDA Act, 1977. Order of Estate Officer is upheld and the appeal is dismissed.

Announced in the open Court on 4.2.97.

-sd/-

Administrator, HUDA, Panchkula (Exercising
the powers of C.A. HUDA)”

The revision petition filed by the petitioners was dismissed by the Commissioner and Secretary to Government, Town and Country Planning Department, Haryana, who expressed his concurrence with respondent No. 3 and the appellate authority in the following words:-

“I have heard both the parties, it is admitted fact that not a single installment was deposited by the allottees till 24.4.95. If the installments were paid on due times then the entire price of the plot would have been deposited by August, 1990. During the course of arguments the learned counsel of the petitioners admitted that they were ready to deposit the outstanding dues alongwith interest within three months if the site in question was restored to them. Keeping in view the facts and circumstances of the case, I hereby order that HUDA would arrive at the outstanding dues afresh by levying 10% interest on the installments till 19.8.90 and, thereafter, interest as per the policy of HUDA. Calculation sheet so prepared will be supplied to the petitioners by 15.4.97 and they will deposit the amount within three months from 15.4.97. If they fail to deposit the amount within the stipulated date, the site shall stand resumed immediately after the expiry of the period.

Announced on 11.4.97

Dated 11.4.97

-sd/-

(Bhaskar Chatterjee, I.A.S.)
Commissioner & Secretary
to Govt. Town & Country
Planning Department, Haryana,
Chandigarh.”

The application dated 9.5.1997 filed by the petitioner under Section 151 C.P.C. with the prayer that the revisional order may be modified by directing the respondents to charge interest from the date of completion of work was filed by the Chief Administrator with the observation that the said order was passed with the consent of the petitioners.

In the meanwhile, proceedings under Section 18(1)(b) of the Act were initiated against the petitioners and after issuing notice to them, respondent No. 3 passed order Annexure P.6 dated 18.03.1997 directing their ejection from the plot in question.

The petitioners have challenged the impugned notices/orders by contending that the respondents cannot charge interest from them because they failed to develop the site in accordance with the provisions of the Act and the Regulations framed there under. Another contention urged by them is that the demand of interest over and above the rate specified in clause 5 of letter of allotment is without jurisdiction. They have pleaded that after having agreed to charge interest @ 10% on the delayed payment of installments, the respondents are stopped from charging interest at higher rates.

The respondents have contested the writ petition by stating that the development works were completed before issuance of the letter of allotment and possession was given to them after providing all the amenities. They have defended the resumption of plot on the ground that the allottees willfully defaulted in the payment of installments. They have averred that after having secured the restoration of allotment by making a statement before the revisional authority that they will pay the outstanding dues with interest, the petitioners cannot turn around and question the jurisdiction of the respondents to levy interest as per the policy of the HUDA. The respondents have further averred that the construction of the show room and occupation thereof by the petitioners even without obtaining required certificate under the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979 (hereinafter referred to as the 1979 Regulations) belies their claim that the development work has not been carried out.

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We are further of the view that the condition requiring the allottee to pay interest on the balance price, if he/ she decides to pay the same in installments, is based on simple but sound logic and is quite rational. If an allottee pays the balance price in lump-sum then the respondents can deposit the amount in a bank and earn interest. This is not possible if the balance price is paid otherwise than in lump-sum. In that event, money remains with the allottees who can utilize the same for his/her benefit and even earn interest on it by keeping the same deposited in the bank. Therefore, charging of interest @10% on the balance price cannot be termed as arbitrary, unreasonable, unconscionable or illegal. The condition incorporated in clause 5 of the letter of allotment that interest shall be payable from the date of offer of possession operates as a safeguard for the allottees against any possibility of exploitation. In view of this condition, the allottee is not put to the burden of interest before he gets an opportunity to take the possession. We, therefore, do not find anything inherently wrong in the levy of interest on the balance price in a case in which an allottee decides to pay the balance price in installments.

XXXXXXXXXX

The issue which remains to be decided is whether the respondents can charge 18% interest from the petitioners as a condition for **restoration of the plot**. The argument of Sh. Kapoor is that in view of the express provision contained in the letter of allotment, the respondents cannot charge interest at a rate higher than 10% per annum. According to him 10% is the outer limit of the rate at which the interest is to be charged for normal as well as delayed payments and, therefore, the decision of the respondents to charge interest @ 18% from the petitioners should be declared as without jurisdiction, arbitrary and illegal. He strongly relied on the observations made in Aruna Luthra's case in support of his submission that the respondents do not have the authority to charge interest @ 18% per annum. In our opinion, the contention of the learned counsel is wholly untenable and merits rejection. At the cost of repetition, we deem it appropriate to observe that 10% interest which the allottees were liable to pay is not an interest on delayed payment. Rather,

it is an integral part of the price determined by the respondents. The allottees and their successors were required to pay balance price in lump-sum without interest or to pay the same price in 8 half yearly installments with interest. They adopted the second course and in this manner, they incurred the liability to pay interest @ 10%.

In our considered opinion, Regulations 5(6) & (7) and 6(3) of 1978 Regulations read with Clause 5 of the letter of allotment which deal with payment of balance price and interest in case the allottee opts to pay the balance price in installments do not have any application to the cases in which the allottees commit default in the payment thereof on due dates. The cases of this category are to be dealt with under other provisions of the Act and the Regulations. Section 3 of the Act, which deals with the constitution of the HUDA, declares that it shall be a body Corporate with power to acquire, hold and dispose of property. In terms of Section 3(3) of the Act, the Authority consists of a Chairman, a Vice-Chairman, a Chief Administrator and maximum of 12 other members to be appointed by the government. Section 13 of the Act lays down that the objective of the Authority shall be to permit and secure development of all or any of the areas comprised in an urban area. For that purpose, the authority has been vested with the power to acquire by way of purchase, transfer, exchange or gift, hold manage, plan, develop and mortgage or otherwise dispose of land and other property and to carry out by itself or through any agency, building, engineering, mining and other operations, to execute works in connection with supply of water, disposal of sewerage, control of pollution etc. Section 15 deals with disposal of land. Section 30 lays down that the Authority shall carry out the directions, as may be issued, by the State Govt. for efficient administration of the Act. Section 53 empowers the State Govt. to make rules for carrying out the purpose of the Act and Section 54 empowers the Authority to make Regulations, which may provide for the various things enumerated in the said section including the terms and conditions on which transfer of any right, title and interest in any land or building may be permitted. A cumulative reading of these provisions generally and Section 15 in particular shows that the transfer of property vesting in HUDA, by way of allotment, is governed by the Regulations framed under Section 54 and policy to be framed by the HUDA from time to time. The exercise of the various powers vested in HUDA is subject to the directions which the State Govt. may issue.

The issue whether penal interest should be charged from the allottees who default in the payment of price was considered in the 36th meeting of the Financial Committee of the HUDA held on 14.8.1987. the proposal put up before the Finance Committee was that in the case of default interest shall be charged @18% instead of the normal interest @10%. This proposal was approved by the Finance Committee vide agenda item No.. XXXVI(17) and on that basis circular No. HUDA-Accts-87/1398-1408 dated 15.1.1987 was issued by the Chief Administrator. That circular read as under:-

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The decision contained in the above reproduced circular was reiterated in the 37th meeting of the HUDA held on 29.3.1988 under the Chairmanship of the Chief Minister. The decision taken and the agenda item No. A-XXXVII(2) was that for the delayed payment interest @ 18% should be charged. The relevant extract of that decision is reproduced below:-

“It was further decided the payment schedule in respect of residential/industrial plots will be as under:-

- (i) 10% bid money at the fall of hammer;
- (ii) 15% within 30 days from the date of issue of allotment letter; and
- (iii) Balance 75% in six half yearly installments.

However, for payment in installments interest @10% per annum may be charged from the date of offer of possession with provision to charge 18% interest on delayed payments.”

In our opinion, these policy decisions govern the case of the petitioners and other cases of delayed payment of installment/default in the payment of installments and, therefore, no illegality has been committed by the respondents in charging 18% interest as a condition for restoration of the plot.

We are further of the opinion that the petitioners cannot question the levy of penal interest at a rate higher than 10% because theirs is not a case of simple delayed payment. Their plot was resumed by the competent authority because of the non-compliance of the conditions of allotment. That order was upheld by the appellate authority and when the revision came up for hearing before the Commissioner and Secretary, Town & Country Planning Department, the counsel appearing for the petitioners stated that his clients will pay the dues of installments alongwith interest, which necessarily means that the interest payable in accordance with the policy of HUDA. In our opinion, after having given an unequivocal undertaking before the revisional authority to pay the dues of the installments with interest, the petitioners cannot turn around and challenge the jurisdiction of the respondents to charge interest @18% in accordance with the policy. The plea of the petitioners that they cannot be asked to pay interest @18%, if accepted, will lead to anomalous results. In that situation, no allottee of the HUDA land would pay the price in accordance with the conditions of allotment and feel relief against the resumption of plot by stating that he/she/it is ready to pay the entire price with interest at the normal rate. Otherwise also, it sounds wholly incongruous that an allottee who has defaulted in the payment of instalments of the price is treated at par with the one who regularly pays the instalments with interest.

[Important]

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A reading of the judgement of Aruna Luthra's case (supra) shows that S.C.F. No. 33, Sector 7, Faridabad, was allotted to the petitioner on 5.12.1980. However, possession of the site was delivered to her some time in 1990. The Administrator, HUDA, exercising the powers of the Chief Administrator (acting as Arbitrator) issued direction in this respect. After some time, the petitioner applied for transfer. At that stage, the respondents demanded penal interest @18%. This Court held that the petitioner cannot be made to pay interest because the possession of premises was delivered to allottee on 4.5.1987. The relevant portion of that decision is extracted below:-

Manju Jain's case (supra) was decided on the basis of the judgement rendered in Aruna Luthra's case (supra).

In Ashwani Puri's case (supra), the following order was passed by the Court:-

"The petitioner has deposited Rs. 3.64 lacs and undertakes to deposit the balance amount, if any, intimated by the respondents through registered post AD as undertaken by them, with 10% interest within one month from the receipt of intimation.

In view of this stand taken by counsel for the parties, the writ petition is disposed of." Soon after the aforesaid decision the case of Kanta Devi Budhiraja came to be decided on 16.11.1999. by relying upon the judgement in the case of Ram Krishan Gulathi the Honorable court was pleased to hold in paragraphs 16 to 19 as under:-

By applying the ratio of Ram Kishan Gulati's case (supra) of the case of the petitioners, we hold that the decision of the respondents to charge interest @18% from the allottees for the period of default does not suffer from any legal infirmity.

However, there is merit in the argument of Sh. Harbhagwan Singh that the respondents cannot charge compound interest from the petitioner. Neither the Act nor the 1978 regulations nor the resolutions passed by the HUDA empower respondents No. 2 and 3 to charge compound interest from the allottees in respect of the period of default. Therefore, to this extent, relief deserves to be given to the allottees.

In view of the our conclusion that the allottees are not entitled to get any relief except to the limited extent indicated hereinabove, we do not consider it proper to non-suit them on the ground of improper impleadment of the parties. The allottees would have been well advised by their

counsel to change the description of the parties. However, this lapse cannot be made a ground to non-suit them.

19. For the reasons mentioned above, the writ petition is dismissed subject to the direction that the respondents shall not charge compound interest from the allottees in respect of the period of default. We also direct respondents No. 2 and 3 to communicate to the petitioner the amount due from the allottees (instalments of the price plus interest @ 18%) within a period of two months, the petitioner/allottees shall pay the amount specified in that communication failing which the order of resumption shall stand revived and the respondents shall be free to take possession thereof in accordance with law. If it is found that the petitioner has already paid excess amount, then the same shall be refunded to the allottees alongwith interest at the end of four months period in terms of the order of this Court dated 24.9.1998.”
1. Admittedly, the appeal that was filed against this judgment in the Supreme Court came to be dismissed on 03.04.2000. Thus, the validity of levy of compound rate of interest was struck down for the first time by the Hon’ble Supreme Court on 03.04.2000.
- 21 In this background, the Authority in its meeting held on 29.08.2000 decided that simple interest may be charged and accordingly instructions were issued to do so with effect 01.09.2000.
- 22 Soon thereafter, the case of Roochira Ceramics was decided on 29.11.2000 holding that HUDA can charge 10% interest per annum as provided in the allotment letter and not 18% per annum.
- 23 It appears that notwithstanding the decision in the case of Kanti Devi Budhiraja as well as Roochira Ceramics clearly holding that compound interest could not be charged, HUDA continued to do so.
- 24 The case of Gian Inder Sharma that is CWP 16497 of 2001 is one such case which highlights this fact. It is specifically seen from the facts of this case that HUDA continued to charge compound interest. It is under the circumstances that the judgment dated 11.11.2002 as noticed above, came to be passed.
25. Apart from this petition, from Page 13 of the noting sheet it is disclosed that CWP 7172 of 2003 was also filed in which the levy of compound interest prior to 01.09.2000 was challenged. In this context, it was also questioned as to why HUDA was not refunding the excess amount that had been charged on account of compound interest which, was against legal provisions. In this context, advice of the Advocate General Haryana was obtained and he was of the view that the amount of compound interest at the 18% by HUDA deserves to be refunded upon representation by the original allottee in that regard. Moreover the original allottee would be entitled to seek a refund of the amount of compound interest in the date of transfer of property by him in favour of a third party.
26. One last factor which is required to be noticed is that a decision was taken on 29.12.2005 which stands implemented, to charge simple interest with effect from 03.04.2000 that is, the date on which the appeal filed by HUDA against the judgment in the case of Kanti Devi was dismissed by the Hon’ble Supreme Court.
27. Having noticed the relevant facts and judicial pronouncements it is important to again refer to the decision in CWP 3737 of 2007 which was decided along with nine other petitions all of which laid challenge to the levy of compound interest. From these it is evident that despite numerous judicial pronouncements and the complete absence of any legal provision to levy compound interest, HUDA continued to do so leading to situation where the direction that has been passed in CWP 3737 of 2007 has had to be issued.
28. In the aforesaid background, I have been asked to render advice on (1) the question of charging interest, whether compound or simple and from what date and (2) compliance of the judgment dated 08.05.2007 keeping in view the following factors;

- ` Cases where:
- (a) limitation period has expired
 - (b) no due certificate has been issued \
 - (c) full payment has been made and conveyance deed/sale deed has been executed
 - (d) Compound interest has been charged as the orders of the competent authority passed in judicial/ quasi judicial capacity.
- 29 I however find that there is another aspect of the matter. There are two categories of cases which form two distinct classes of allottees. The first case is that of a person who has chosen to pay in installments and the other that of one who is a defaulter and the plot stands resumed. Therefore, the question of levying interest has also to be seen in this context since both these situations have been dealt with distinctly by the Courts.
30. The first aspect which is to be seen is whether compound interest can be levied. The answer stares one in the face in view of the catena of judgments only some of which have been referred to above. Thus, only simple rate of interest can be levied unless and till such time, the HUDA Act 1977, or its Regulations of 1978 allow for compounded rate of interest.
- 31 Having settled the first aspect, the next question that arises is whether there can be a differential rate of interest? This is in context of the two kinds and class of allottees-those who opt to pay in installments and those who are defaulters.
- 32 keeping in view the decision in the case of Ram Kishan Gulati v. State of Haryana, (P&H) (D.B.) G.S. Singhvi and Mehtab Singh Gill, jj. in CWP No. 15746 of 1997 decided on 2.6.1999, the answer is again in the affirmative. When a distinct class of allottee is identified, each will be governed by its own terms. The Allottee who is not in default will be bound by the terms of the allotment letter read alongwith the relevant provisions of the HUDA Act, 1977 and the Regulations of 1978. The other category is a defaulter in whose case the policy guidelines laid down by the Authority to deal with such category of persons would be applicable. With these observations, the question that I have posed in paragraph 29 above stands answered.
- 33 To arrive at a date from which the interest at simple rate is to be charged, it would be safe to determine 03.04.2000 as the cut off date as this is date on which the Hon'ble Supreme Court finally decided the question. Therefore, levy of interest post this date has to be based on a simple rate of interest. There cannot be any difficulty in this because even the Authority had taken a decision on 29.12.2005 to levy simple interest with effect from 03.04.2000. In case there is a case of an allottee who has been charged compound rate of interest after 03.04.2000, this action by HUDA would be against its own decision and hence can be corrected by HUDA itself by revision the accounts.
- 34 The Hon'ble High Court has directed Haryana Urban Development Authority to uniformly apply the guidelines issued in Gian Inder Sharma's case to all affected and also in the case of the petitioners. HUDA has been directed to decide each case of the petitioners within a period of eight weeks.
- 35 As already noticed, in Gian Inder Sharma's case a direction was issued to charge only simple interest at the rate of 15% per annum from the petitioner on the delayed payment of additional price of the plot in question and to calculate the additional price with 15% simple interest and adjust the same towards payment made by the petitioner, further to refund any excess amount to the petitioner within a period of three months. Additionally no penalty can be charged from the petitioner on account of delayed payment of additional price. Any other amount due can also be adjusted against the payment already made and after making such adjustment, if any amount is found due the same can be recovered.
- 36 From a perusal of the direction that has been issued in CWP 3737 of 2007 it is not clear as to what the

facts of this case were however, it is more than obvious that the Hon'ble Court has made it crystal clear that compound interest cannot be charged. In case, it has been, in that event the amount due is to be recalculated by charging simple rate of interest and thereafter in case any other amount is due from the allottee, after adjusting the same, the balance amount if any, is to be refunded to the allottee,

37. The question of limitation as a defence to refuse to carry out this re-calculation has not been decided. However, it would be useful to notice the words used while disposing of CWP 3737 of 2007. It speaks of granting the same relief to others who are similarly situated. This would obviously mean only such allottees who have raised a dispute with regard to levy of compound interest and the facts of whose case are *pari materia* to that of the petitioners.

38. In context of the other criteria that is to be addressed as stated in paragraph 28, essentially, the relief that is claimed while demanding levy of simple interest is one of recovery of excess payment or a restraint against HUDA from demanding an illegal amount. For both, the provisions of the Limitation Act 1963 will apply. The limitation would be 3 years for both, except that for the latter, it would depend upon when the demand to deposit the interest is made, it is from this date that limitation would commence. Thus, demands for reconciliation of accounts, made beyond a period of three years after the last payment has been made may not be tenable.

I would, however qualify this by stating that since a levy of compound interest has been found to be illegal *per se* it would always be open to an allottee to come forward and state that he has only recently discovered that he had been made to pay an illegal amount. In such a case, the Hon'ble High Court may be approached under its extra ordinary writ jurisdiction to which the strict provisions of the Limitation Act 1963 do not apply and only delay and laches can taken as a defence. This risk will have to be considered as, it cannot be lost sight of that the very levy of compound interest is unlawful and therefore, there may be cases where limitation may not stand as a foolproof defence.

39. In view of that has been stated in paragraph 38 above, the same situation would cover cases where a 'no due certificate' has been issued and also where full payment has been made and conveyance deed/sale deed has been executed.

40. In those cases where compound interest has been charged based on orders of judicial/quasi judicial authorities, it would not be possible for HUDA to grant any relief on its own. However, it would always be open to the aggrieved party to file a revision under Section 30 of the HUDAA Act, 1977 or for the State Govt. to *Suo Moto* take notice of the legality and grant relief. In such cases, where the matter is subjudice, any decision taken now pursuant to the directions of the Hon'ble High Court order dated 08.05.2007, would be binding and hence all pending litigation on the question of compound rate of interest, wherever it may be pending, can be brought to an end by charging simple rate of interest.

Thursday, October 11, 2007
(Sanjeev Sharma)

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA

To

1. All the Administrators, HUDA (in the State).
2. All the Estate Officers, HUDA (in the State).

Memo No. HUDA-Accts-2007/5903

Dated: 04.09.2007

Subject: Charging of compound interest on the delayed payment of instalment.

1. Please refer to the instructions issued by this office letter No. 2381-2401 dt. 23.1.06 wherein it was intimated that simple interest @ 18% p.a. on the delayed payment of installment will be charged from 3.4.2000. These instructions were issued keeping in view the judgment passed by the Hon'ble High Court in the case of Kanta Devi Budhiraja Vs HUDA wherein the appeal filed by HUDA in the Hon'ble Supreme Court was dismissed on 2.4.2000. Therefore, the instructions to charge simple interest were made applicable from 3.4.2000.
2. The issue regarding charging of compound interest prior to the period of 2.4.2000 has been causing attention of the Authority and in number of cases the Hon'ble Courts have decided to charge the simple interest on the basis of judgement passed in the case of Roochira Ceramics Vs HUDA & others. HUDA has been fighting the cases in the various Courts and has been pleading that prior to 3.4.2000 compound interest is chargeable on the delayed payment of installments as per policy of the Authority.
3. Now in the SLP No. 12084, 12085, 12087, 12167, 12169, 12170, 12168 of 2004 arising out of CWP No. 2099, 10422, 6280 of 2003, 19098, 18344, 19099 of 2002, the Hon'ble Supreme Court of India has ordered to charge the compound interest @ 10% p.a. The facts of these cases are given below:-

These cases relates to allotment of commercial sites which were auctioned during the year 1989 to 1991. Clause-5 of the allotment letter stipulates that "the balance 75% amount of the auction price can be paid in lump-sum- without interest within 60 days from the date of issue of allotment letter or 8 half yearly installments. The first installment will fall due after the expiry of six months of the issue of this letter. Each installment would be recoverable together with interest on the balance price @10% interest on the remaining amount. The interest shall however, accrue from the date of offer of possession". No other clause of charging of interest was mentioned in the allotment letter. In these cases the Hon'ble High Court has ordered to charge interest on the delayed payment of installments on the basis of orders passed by Hon'ble Supreme Court of India in the case of Roochira Ceramics Vs HUDA & others (2002) 9 SCC 599. The SLPs were filed in these cases. The copy of orders of the Hon'ble High Court which were challenged, question of law, grounds of appeal, grounds for interim relief etc. filed in one of these cases in Hon'ble Supreme Court of India is enclosed herewith for ready reference. From this it may be seen that under the questions of law, the question has been raised whether the ratio of Roochira Ceramics case is applicable in the facts of the present case? Similarly under the grounds of appeal grounds has been taken that the Roochira Ceramics case is totally different from the present case as in the case of Roochira Ceramics, interest @ 10% p.a. is chargeable if the installments are paid in time by the allottee. The allotment letter is silent with regard to the rate of interest being chargeable on the failure to pay the installments in time. It is only in case of the failure of the allottee to deposit the installments on the due date that interest @ 18% p.a. is chargeable in accordance with the policy of the Authority. Keeping in view the submissions made by HUDA in these cases, the Hon'ble Supreme Court of India has ordered as follows:-

"The question arising in these cases is as to what is the rate of interest to be paid by the respondents for delayed payment to the petitioner-HUDA. We make it clear that the respondents are liable to pay compound interest @ 10% p.a. in these cases. We further make it clear that this direction is only confined to these cases. In other cases, HUDA would be at liberty to charge interest on the defaulting parties in accordance with law. The special leave petitions are disposed of accordingly. No costs".

The copy of the order of Hon'ble Supreme Court of India is enclosed herewith.

You are, therefore, requested to quote these orders in all the cases of similar nature pending in the Courts/ Forums/Commission and invariably attach the copy of these orders alongwith the reply filed in these cases and specifically bring it to the notice of the Courts during arguments. In cases where replies have already been filed, these facts may be brought to the notice of the Courts/Forums/Commissions by either filing amended replies or Civil Misc. Application. These instructions will be applicable in only those cases where specific rate of interest or policy regarding charging of interest on delayed payment is not mentioned in the allotment letter. These instructions may be followed in letter and spirit.

Acknowledgement of receipt of these instructions should be sent by each office.

Endst No 5904

-sd/-
(Chhattar Singh)
Legal Remembrance
for Chief Administrator, HUDA Panchkula
Dated 4.9.2007

A copy of the above is forwarded to All HUDA counsels for their kind information and with the request to defend the pending cases on the basis of above judgement.

-sd/-
(Chhattar Singh,)
Legal Remembrance
for Chief Administrator HUDA Panchkula

To

1. All the Administrators, HUDA (In the State).
2. All the Estate Officers, HUDA (In the State)

Memo No.HUDA-Acctts-Acctt-I-2007/ 2912-47

Dated: 25.1.2007

Subject: Amendment in the HUDA policy regarding 5% rebate in the price of plot if balance payment is made within 60 days and payment of interest in delayed possession –residential/ commercial .

Please refer to the subject cited above.

The Authority in its 98th meeting held on 12.12.2006 has decided that in the present payment schedule, an additional provision may be made that in case balance 75% of the tentative price of the plot is paid in lump-sum within 60 days from the date of issue of allotment letter, the rebate of 5% in the price of plot will be allowed.

It has also been decided that it will be made clear in the application form as well as allotment letter that HUDA will offer the possession of the plot within a period of 3 years of allotment. In case the possession of the plot is not offered within the prescribed period of 3 years from the date of allotment, HUDA will pay interest @ 9% p.a. (or as may be fixed by Authority from time to time) on the amount deposited by the allottee after the expiry of 3 years till the date of offer of possession. In this case the allottee will not be required to pay the further installments. The payment of balance installment will only start after the possession of the plot is offered to the allottee.

In order to avoid problem of alternative plots, it has been decided that the plots will be advertised only after the plots are demarcated on the site. A committee under the chairmanship of concerned field Administrator comprising of S.E., DTP and Estate Officer would verify the clear number of plots available on the site which could be advertised for sale. Block of plots will be marked, road will also be marked on the ground before this verification in order to ensure that only clear plots i.e. free from litigation and free from encroachment are advertised. The clear plots will be advertised and allotted to the oustees and thereafter balance plots will be advertised for sale amongst the general public. This will eliminate the problem of allotment of alternative plot. In any case, if the alternative plot, if any, is required to be allotted, the same will be allotted in the same sector on the same rate and term and conditions. In case alternative plot is not available in the same sector then it will be allotted in the adjoining sector. However even in this case only the original rate will be charged as per the original allotment letter.

These provisions will be applicable only on those plots which shall be allotted henceforth. This is for your information and further necessary action.

-sd/-

Chief Controller of Finance,
for Chief Administrator, HUDA, Panchkula.

Endst.No.HUDA-Acctts-Acctt-I-2007/2912-47

Dated :25.1.2007

A copy is forwarded to the following for information and necessary action:-

1. The Chief Administrator, HUDA, Panchkula.
2. The Administrator, HQ, HUDA, Panchkula.
3. The Engineer-In-Chief, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. All the Superintending Engineer, HUDA (in the State)
8. All the DTP's (in the State)

-sd/-

Chief Controller of Finance,
for Chief Administrator, HUDA, Panchkula.

INSTRUCTION REGARDING PETROL PUMPS.

To

The Estate Officer-II,
HUDA, Gurugram.

Memo.No.AO-I/Acctt-I-2017/230789 Dated:-05.12.2017

Subject:-Regarding re-fixation of lease rent amount of Petrol Pump - conversion of initial 15-years lease period in to 99 years perpetual lease period.

1. Please refer to your office memo No.8410 dated 23.11.2017 and no.8465 dated 27.11.2017 on the subject cited above.
2. The issue raised in your letter pertains to whether after expiry of initial lease period of 15 years, further extension can be granted for 15 years or perpetual lease is to be granted for 99-years.
3. In this regard, it is clarified that as per the policy circulated vide memo no. A-I/2007/7179-7200 dated 26.02.2007; there is no provision for further extension of 15-years of initial lease period. The only provision which exists is that after expiry of initial 15-years lease period, it can only be converted into 99-years perpetual lease.
4. You are requested to take appropriate action as per policy dated 26.02.2007 in this regard.

-sd/-
Senior Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

To

1. All the Administrators, HSVP.
2. All the Estate officers, HSVP.

Memo No. 215257

Dates 16-11-2017

Subject: -Calculation of lease rent on the basis of FAR.

Please refer to this office memo no.HSVP.CCF.Acctt-I-2012/12471-92 dated 03.04.2012 and 19550-51 dated 06.07.2016 regarding working out of lease rent in respect of Petrol Pump sites.

1. The lease rent of the petrol pump is worked out as per following formula as per policy of the Authority:-
 - i. Total land allotted for Petrol pump as per norms.
 - ii. Institutional rates of the particular Urban Estate.
 - iii. Total cost including commercial Element = (Area of Petrol Pump x Institutional rates x 2)
 - iv. Monthly rent = $\frac{(\text{Total cost including commercial Element}) \times 5}{100 \times 12}$

Or ` 10000/- per month whichever is higher.

2. The above monthly rent is for one filling point of Petrol and one filling point of diesel. For every additional point ground rent @ of 12.5% is charged extra in addition to the above calculated rent. The monthly rent is further increased as per the following depending upon the location:-

- i. For sites on National Highways the rent is increased by 50% of the above rates.
- ii. For sites on State Highways/ schedule roads the rent is increased by 25% of the above rates.
- iii. For other roads the rent is fixed as per above rates.
- iv. The lease period is for 15 years. After every 3 years rent is increased by 25%.

3. Upto 2016-17 rates in respect of Institutional plots in various Urban Estates of HSVP were being circulated for FAR-I. But w.e.f 2017-18, the rates in respect of Institutional plots has been approved/ circulated for FAR 1.5.

4. Chief Town Planner, HSVP has intimated the permissible FAR allowed on ground floor is only 35% of the plot area.

5. It is clarified that, the rate of institutional plots applicable for FAR-1 should only be considered for working out the monthly rent of Petrol Pump sites. The rates for FAR I can be calculated by proportionately reducing rates of FAR 1.5.

If calculated rate for 1.5 FAR for 2017-18 is 150, then rate for FAR 1 may be taken as 100 (=150/1.5 x 1) .

6. This issues with the approval of W/CA, HSVP.

-sd/-

Senior Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

A copy of above is forwarded to the following for information and necessary action:-

- 1 PS/CA for Kind Information of Chief Administrator HSVP, Panchkula.
- 2 Administrator (HQ) HSVP, Panchkula.
- 3 Chief Town Planner, HSVP, Panchkula.
- 4 District Attorney, HSVP, Panchkula.
- 5 General Manager (IT) HSVP, Panchkula.

-sd/-
Senior Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate officers, HUDA.

Memo No. HUDA-CCF-Acctt-I-2016/19550-51

Dated 06.07.2016

Subject: -Recovery from Petrol Pump sites-**definition of filling point** w.e.f. 06.07.2016.

Please refer to this office memo no.HUDA.CCF.Acctt-I-2012/12471-92 dated 03.4.2012 regarding working out of lease rent in respect of Petrol Pump sites.

1. The lease rent of the petrol pump is worked out as per following formula as per policy of the Authority:-
 - i. Total land allotted for Petrol pump as per norms.
 - ii. Institutional rates of the particular Urban Estate.
 - iii. Total cost including commercial Element = (Area of Petrol Pump x Institutional rates x 2)
 - iv. Monthly rent =
$$\frac{(\text{Total cost including commercial Element}) \times 5}{100 \times 12}$$

Or ` 10000/- per month whichever is higher.
2. The above monthly rent is for one filling point of Petrol and one filling point of diesel. For every additional point ground rent @ of 12.5% is charged extra in addition to the above calculated rent. The monthly rent is further increased as per the following depending upon the location:-
 - i. For sites on National Highways the rent is increased by 50% of the above rates.
 - ii. For sites on State Highways/ schedule roads the rent is increased by 25% of the above rates.
 - iii. For other roads the rent is fixed as per above rates.
 - iv. The lease period is for 15 years. After every 3 years rent is increased by 25%.
3. As per HUDA policy approved vide Agenda Item No. A-53(30) by the Authority in the meeting held on 13.5.92, the monthly rent is fixed for one filling point of petrol and one filling point of diesel. For every additional point, ground rent @ 12.5% is charged extra. So far HUDA is asking for additional rent by treating each nozzle on the dispensing unit as additional filling point. But HPCL filed SLP No.28198 of 2014 titled as HPCL vs. State of Haryana & Ors. before the Hon'ble Supreme Court that instead of treating every nozzle as additional filling point, HUDA should treat each dispensing unit as additional filling point and not every nozzle. The Supreme Court vide orders dated 2.12.2014 has directed HUDA and HPCL to resolve the issue amicably.
4. The matter was placed before the Authority in its 110th meeting held on 12.5.2016 and the Authority has approved that if dispensing unit is having more than two nozzles, such dispensing unit shall be treated as having two filling points (except in case of "Space less" nozzle where each space less nozzle shall be treated as one separate filling point)for the purpose of calculating lease. This is due to the reasons that on one dispensing unit, as at one point of time, not more than two vehicles can be filled up. **This decision will be applicable prospectively.**

-sd/-

(Rajesh Jindal)

Chief Controller of Finance

For Chief Administrator, HUDA,

Panchkula.

A copy of above is forwarded to the following for information and necessary action:-

- 1 PS/CA for Kind Information of Chief Administrator HUDA, Panchkula.
- 2 Administrator (HQ) HUDA, Panchkula.
- 3 Chief Town Planner, HUDA, Panchkula.
- 4 District Attorney , HUDA, Panchkula.
- 5 General Manager (IT) HUDA, Panchkula.

-sd/-

(Rajesh Jindal)

Chief Controller of Finance,

For Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY PANCHKULA.

To

1. All the Administrators,
HUDA, (in the State).
2. All the Estate Officers,
HUDA, (in the State).

Memo No.HUDA-CCF-Acctt-I-2012/12471-92

Dated :3.4.2012

Subject:- Recovery from petrol pump sites-**definition of filling point.** (Further amended vide instruction dated 06.07.2016).

Please refer to the subject cited above.

- (a) The Estate Officer-I,HUDA, Gurgaon has sought clarification regarding working out of lease rent in respect of petrol pump sites which have been allotted on the lease hold basis.
- (b) In this regard the lease rent of the petrol pump sites is worked out as per following formula as per policy of the Authority:-
 1. Total land allotted for petrol pump.As per norms.
 2. Institutional rates of the particular Urban Estate.
 3. Total cost including commercial Area x Institutional rates x2 Element
 4. Monthly rent. Column No. 3 x 5

100 x 12.

Or Rs.10000/- per month whichever is higher

The above monthly rent is for one filling point of petrol and one filling point of diesel. For every additional point, ground rent @ of 12.5 %is charged extra in addition to the above calculated rent. The monthly rent is further increased as per the following depending upon the location.

1. For sites on National Highways the rent is increased by 50% of the above rates.
2. For sites on State Highways /Scheduled roads the rent is increased by 25% of the above rates.
3. For other roads the rent is fixed as per above rates.

The lease period is for 15 years. After every 3 years rent is increased by 25%.

- (c) M/s Bharat Petroleum Corporation Ltd. filed appeal in the Hon'ble High Court in CWP No.9433/2008 titled as Bharat Petroleum Corporation Ltd. Vs. HUDA to consider the additional point as dispensing machine and not the nozzle point. The Hon'ble High Court vide order dated 10.8.09 issued directions that the petitioner shall make a detailed representation to the Chief Administrator regarding its grievances and the representation shall be considered sympathetically. On the representation of the applicant the speaking order dated 25.9.2009 were passed by the Chief Administrator, HUDA that additional rent should be levied only on every additional dispensing machine as more than one nozzles can be installed in one dispensing machine. In the speaking order it was directed to prepare the detailed calculation of rent on the basis of number of dispensing machines instead of the number of additional point of diesel/petrol.
- (d) Taking cognizant of these speaking order other allottees of the Petrol Pump sites had also represented to charge the lease rent as per speaking order dated 10.8.09 passed by the Chief Administrator, HUDA.
- (e) Now Hon'ble High Court vide order dated 12.1.2012 in case of CWP No.9344 of 2008 have found that for the

purpose of the present petition and in respect of the present site allotted on 15.9.07 in sector-33, Gurgaon, the order passed by the Chief Administrator, HUDA will continue to be operative. However it shall be open to the parties to renegotiate the terms of lease after the same expires on 15.9.12. It has been observed by the Hon'ble Court that such order passed by the Chief Administrator, HUDA is inter parties can not be relied upon by any other lessee. Copy of the orders Hon'ble High Court enclosed at Annexure "A".

- (f) Keeping in view the orders of the Hon'ble High Court, you are requested to take action to recover the lease rent as per the policy of the Authority and per the terms and conditions of lease deed agreement. The Speaking Orders issued by the Chief Administrator, HUDA dated 25.9.2009 will not apply to other allottees of petrol pump sites as per orders of the Hon'ble High Court.

-sd/-
(S.C.Kansal)
Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

Endrst No. HUDA.CCF-ACCtt-I-2009/- 12493-97

Dated 3.4.2012

A copy of the above is forwarded to the following for information and necessary action:-

- 1 PS/CA for kind information of Chief Administrator HUDA, Panchkula
- 2 Administratorr (HQ) HUDA, Panchkula
- 3 Chief Town Planner, HUDA, Panchkula
- 4 District Attorney, HUDA, Panchkula
- 5 General Manager (IT) HUDA, Panchkula

-sd/-
(S.C.Kansal)
Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

SPEAKING ORDER

Subject:- Speaking Order as per direction of High Court in CWP No. 9344/2008 – regarding making **calculation** on the basis of **number of dispensing unit** instead of number of **additional points** of diesel/petrol.

This order is being passed in compliance with the order dated **10.08.2009** passed by Hon'ble Court in **CWP No.9344/2008** titled as Bharat Petroleum Corporation Limited Vs HUDA whereby the Hon'ble High Court directed petitioner to make a detailed representation to the Chief Administrator, HUDA, Panchkula. It was further directed that representation shall be considered sympathetically and upon making deposit of the amount due, as may be calculated by the competent Authority, the lease shall be revived. The operative part of the Order is reproduced hereunder for ready reference:-

“At the time of hearing, consensus has arrived between the parties to the extent that the petitioner shall make a detailed representation to the Chief Administrator respondent no. I regarding its grievance, as mentioned in this petition. The representation shall be considered sympathetically and upon making deposit of the amount due, as may be calculated by the Competent Authority, the lease shall be revived.

1. To complete the above said exercise the petitioner is directed to file representation within two weeks from today. The decision thereof shall be taken within three weeks thereafter. Order to be passed after giving on opportunity of hearing to the petitioner.

Adjourned to 23.09.2009

2. The petitioner submitted a representation which was received in the Legal Cell, HUDA (HQ) on 01.09.2009 vide diary No.8321.
3. Before deciding the representation, an opportunity of hearing was provided to the petitioner as per the Order of Hon'ble High Court. The petitioner along with its counsel appeared before the undersigned on 22.09.2009 and they were given patient hearing.
4. The Counsel for the petitioner submitted that HUDA allotted Petrol Pump site in Sector 33, Gurgaon to the petitioner vide memo no.14866 dated 16.09.1997 on lease held basis for a period of 15 years at a monthly rent of Rs.19,500/-. The monthly rent was subject to revision after every five years. However, when the lease deed was registered on 05.02.1998 w.e.f 16.09.1997 in respect of 30m x 36m petrol pump site in Sector 33, Gurgaon, the monthly rent was mentioned as Rs.29,250/- with a stipulation that there would be revision of rent @25% after every three years. It was also stipulated in the lease deed that for every additional point of diesel/petrol, 12.5% extra rent shall be charged.
5. HUDA informed the petitioner on 13.08.1998 regarding the decision to allot another site measuring 30m x 30m in Sector 30, Gurgaon in lieu of already offered site in Sector 33, Gurgaon on a monthly rent of Rs.33,750/-. The petitioner was also directed to deposit Rs.2,58,750/- as rent of the alternative site which was deposited by it on 31.08.1998. the possession of the site was delivered on 07.09.1998 where after the petitioner obtained No Due Certificate and license, and commenced the operation of the petrol pump in the year 1999. However, the petitioner vide letter dated 29.04.1999 requested HUDA to singed and register supplementary lease deed and also issued a reminder on 07.08.1999 in this regard. Aggrieved on account of non-execution of the supplementary lease deed, the petitioner did not make the payment of rent. HUDA vide letter dated 27.07.2005 asked the petitioner to clear the rent as per the registered lease deed by 31.07.2005 failing which the allotment shall be liable to be cancelled. HUDA again intimated the petitioner vide letter dated 13.11.2007 to deposited outstanding amount of Rs.2,88,92,148/- which was not made and the then Estate Officer-I, HUDA, Gurgaon cancelled the lease deed vide order dated 09.05.2008 on this account. The petitioner challenged the cancellation order dated 09.05.2008 and demand notice dated 13.11.2007 by filing the present writ petition in the Hon'ble High Court.
6. The counsel for the petitioner submitted that the payment of the rent could not be made due to the non execution of the supplementary case deed and the reasons for the non payment of the rent was justified. It was further submitted that every additional point of diesel/petrol may be interpreted is mean “every dispensing

machine” ignoring the number of nozzles which vary from machine to machine and a detailed calculation of rent may be prepared by charging additional rent @ 12.5% with respect to every dispensing machine. It was also the contention of the counsel that interest on the delayed payment be not charged as rent could not be paid due to non execution of supplementary lease deed.

7. I have heard the counsel of the petitioner and also gone through the record of the case. The point in issue is whether the non-payments the petitioner company was justified and whether the additional rent should be charged on every additional point of diesel/petrol or on every additional dispensed machine. The non-payment was not justified as the petitioner could have deposited the due amount subject to the decision on his pending representation. It is really unfortunate and surprising that the petitioner continued enjoying HUDA property which is a public property since 1999 without making any payment. This is certainly undue enrichment of the petitioner at the cost of public exchequer. Therefore, it is liable for payment interest on the delayed payment. The contention of the petitioner that additional rent should be levied only on every additional dispensing machine carries weight as more than one nozzle can be detailed in one dispensing machine.
8. Hence, the Estate Officer-II, HUDA, Gurgaon is directed to prepare a detailed calculation on the basis of number of dispensing machines instated of the number of additional point of the diesel/petrol. For ascertaining correct number of dispensing units, a committee consisting of SDE (S) and AEO O/o EO-II, HUDA, Gurgaon is constituted who shall also take the photographs of entire petrol pump site and place the same on record. He is further directed to calculate the entire outstanding amount alongwith interest on the delayed payment, if any, and issue a notice to the petitioner for depositing the due amount within 15 days making it clear if the amount is not deposited, the Petrol Pump Site shall not be restored and no further opportunity of making the payment shall be granted.
9. A copy of the Speaking Order may be communicated to the petitioner by registered post at its correct address.

-sd/-
(T.C. Gupta, I.A.S.)
Chief Administrator,
HUDA, Panchkula

FIXATION OF DEVELOPMENT CHARGES OF
RELEASED LAND AND CASE OF CHANGE
OF LAND USED IN THE U/E CONTROLLED
AREA OF THE ESTATE

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators,
HUDA, (in the state).
2. The Additional Director,
Urban Estate, Panchkula.
3. All the Estate Officers,
HUDA (in the state).
4. The Chief Engineer,
HUDA, Panchkula.
5. The Chief Engineer-I,
HUDA, Panchkula.
6. The Chief Town Planner,
Haryana, Chandigarh.
7. The Chief Town Planner,
HUDA, Panchkula.

Memo No. HUDA.ACCTT-1-2011/33580-608

Dated: 25.9.2009

Subject:- Revision in rate of External Development Charges in cases of released land w.e.f 25.09.2009.

Please refer to this office memo no. HUDA-Acctt-I-2002/16493-518 dated 8.7.2002 vide which it was intimated that the development charges in respect of released land may be recovered at the following rates:-

Sr. No.	Size of land	Zones	Rates of EDC
1	Upto 75 Sq yd	In all three zones	Rs. 100/- per sqr yd
2	Form 75 sqr yds to 500 sqr yds	High P Zones Medium p Zones Low P Zones	Rs 150/- per sqr yd Rs125/- per sqr yd Rs. 100/- per sqr yds.
3	More than 500 sqr yd	High P Zones Medium P Zone Low P Zones	Rs. 200/- per sqr yd Rs. 175/- per sqrd yd Rs. 150/- per sqr yds.

- 1 The above said development charges valid upto 31.12.2002 after which simple interest @10% was to be added per annum.
- 2 The Development charges was required to be recovered as follows:-
 - i 25% before the land is released
 - ii 75% in six annual installments alongwith interest @10% p.a.

The matter has been reviewed and Hon'ble C.M Haryana has approved to charge the development charges as follows:-

Sr. No.	Size of land	Zones	Rates of development charges applicable from 1.9.09 to 31.12.09	Rates of development charges applicable from 1.1.10 to 31.12.2010
1	Upto 75 Sq. yds	In all three zones	Rs. 160/- per sqr yd	Rs. 170/- per sqrd yd
2	Form 75 sq. yds to 500 sq. yds	Hyper P Zone High P Zones Medium p Zones Low P Zon+Es	Rs 375/- per sqr yd Rs300/- per sqr yd Rs. 250/- per sqr yd. Rs. 200/- per sqr yd	Rs 415/- per sqr yd Rs330/- per sqr yd Rs. 275/- per sqr yd. Rs. 220/- per sqr yd
3	More than 500 sq. yds	Hyper P Zone High P Zones Medium P Zone Low P Zones	Rs. 500/- per sqr yd Rs. 400/- per sqrd yd Rs. 350/- per sqr yd. Rs. 300/- per sqr yd	Rs. 550/- per sqr yd Rs. 440/- per sqr yd Rs. 385/- per sqr yd. Rs. 330/- per sqr yd

After 31.12.2010 the rate will be increased by adding interest @10% p.a (compounded)

It has also been decided that when the land is released in respect of a sector where the acquisition proceedings are dropped, the orders of released land become in fructuous. Therefore no development charges may be charged in such cases. In case the parties have deposited the development charges, the same may be refunded without any deduction but it should be made clear to the land owners that they would have no right to access the service of Government HUDA, if developed in due course.

The issue with approval of Hon'ble Chairman HUDA/C.M Haryana.

-sd/-
(Vijay K Singla)
Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3 SECTOR-6 PANCHKULA

To

1. All the Administrators,
HUDA, (In the State) .
2. The Additional Director,
Urban Estate Panchkula .
3. All the Estate Officer's HUDA,
(In the State) .
4. The Chief Engineer,
HUDA Panchkula.
5. The Addl. Chief Engineer,
HUDA Panchkula.
6. The Chief Town Planner,
Haryana, Chandigarh.
7. The Chief Town Planner,
HUDA, Panchkula.

Memo No. HUDA-Acctts-Acctt-I 2002/-16493-16518

Dated: 8.7.2002

Subject: Fixation of **External Development Charges** in cases of **released/change of land use**.

Please refer to this office letter Nos. HUDA-Acctts-96/22860-72 dated 14.08.96 and HUDA-Acctts-SO-I-2002/851-76 dated 15.01.2002 on the subject cited above.

It is intimated here that matter regarding charging of development charges in cases of released land and change of land use was under the active consideration of the Department and an agenda was placed before the Authority in its 85th meeting held on 26.06.2002. After detailed deliberations the following decisions have been taken thereon:-

1. For change of land use cases falling in the agricultural/rural zone as per the Draft/Final Development plans of the controlled areas.

It has been decided that external development charges may not be charged in the cases of change of land use allowed in the agricultural zone. In such cases, it should be specified that after the plan area is extended to agricultural zone at a future date and HUDA provides services, EDC would be chargeable if any services are availed by the units there.

2. Mode of recovery of external development charges in the case of change of land use only.

In case of change of land use the external development charges be recovered as follows:-

10% of the external dev. Charges will be recovered at the time of grant of permission of CLU and balance 90% in installment as given below:-

- i) 40% of amount of EDC will be recovered at the time when sector is acquired by HUDA in which the said area of change of land use falls.
- ii) 50% amount will be recovered in four equal annual installment alongwith 15% interest per annum.
- iii) An affidavit will be taken from parties for making the payment as per the above said schedule failing which permission of change of land use will be cancelled.

- iv) In such cases i.e. in the cases of change of land use internal development charges (IDC) will continued to be recovered as per previous instructions issued by this office vide letter no. 22860-72 dated 14.08.96.
- v) In such cases i.e. in the case of change of land use the rate of external development charges/internal development charges shall remain the same as communicated vide thisoffice letter No. 22860-72 dated 14.08.96. Needless to mention here that rate of EDC/IDC will be updated as per the above instructions dated 14.08.96

3. Review of Development Charges in respect of released land only:-

In the case of released land it has been decided that full development charges as intimated vide this office letter No. 22860-72 dated 14.08.96 may not be charged. In such cases it has been decided that internal development charges (IDC) may not be charged and external development charges may be recovered at the following rates.

Sr. No.	Size of land	Zones	Rates of EDC
1.	Upto 75 Sq. yd.	In all three Zones	Rs.100/- per Sq.yd.
2.	From 75 Sq. yds. To 500 sq. yds.	High potential Zone	Rs. 150/- per Sq.yd.
		Medium potential zone	Rs. 125/- per Sq.yd.
		Low potential zone	Rs. 100/- per Sq.yd.
3.	More than 500 Sq.yds.	High potential Zone	Rs. 200/- per Sq.yd.
		Medium potential zone	Rs. 175/- per Sq.yd.
		Low potential zone	Rs. 150/- per Sq.yd.

These development charges will be recovered as follows:-

- i) 25% before the land is released.
- ii) 75% in six annual installments alongwith 10% interest per annum.'

These facilities will also be given to the old cases where beneficiaries have not paid the development charges or have partly paid the development charges which will be adjusted against the amount recoverable as per the above said rates.

These development charges will be valid upto 31.12.2002 after which simple interest @10% will be added per annum.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators,
HUDA (In the State).
2. All the Estate Officer's,
HUDA (In the State).
3. The Additional Director,
Urban Estate, Panchkula.
4. The Chief Engineer,
HUDA, Panchkula.
5. The Addl. Chief Engineer,
HUDA, Panchkula.
6. The Chief Town Planner,
Haryana, Chandigarh.
7. The Chief Town Planner,
HUDA, Panchkula.

Memo No. HUDA-Acctts. SO-I-2002/- 851-76

Dated: 15.1.2002

Subject: Fixation of EDC in cases of **released land/change of land use** in respect of **commercial/religious/institutional/petrol pump etc.**

Please refer to the subject cited above.

The authority in its 68th meeting held on 18.7.1996 has approved the policy of charging of development charges of released land and cases of change of land use in the urban estate /controlled area for residential /industrial purposes and on the basis of decision taken in the meeting instructions vide letter No 22860-72 dated 14.8.1996 were issued.

At that time the development charges in cases of released land /change of land use for commercial/religious/intuitional /petrol pumps etc. purposes were not decided. Now the Authority in its 83rd meeting held on 6.12.2001 vide agenda item A-83 (Suppl-9) has approved the following policies /guidelines of charging of development charges:

1. For change of land use cases falling in the agricultural /rural Zone as per theDraft /Final Development plans of the Controlled areas.

The beneficiaries to whom the change of land use permission is

Granted for various purposes in the Agricultural /Rural Zone are also availing the benefits of the External Development works like the Town level facilities of major circulation Roads, stadiums, Hospitals, colleges, Crematoriums Town parks etc. being provided by HUDA in the nearby Urbanisable areas. Since the change of land use holders avail the parts of the external development works, they should also proportionately contribute towards the payment of external development charges provided by HUDA. Therefore, the external development charges @ of 25% of the respective rates for the particular land use will be recovered from the owners to whom the change of land use permission will be granted in the agricultural/ rural zone. The balance external development charges of the 75% will be recovered from those change of land use holders in case of the extension of the Urbanisable limits and HUDA provides the remaining services in future in the area. In case the sites of change of land use are located near the Urbanisable limits, the owner can avail the external services of HUDA by paying the entire external development charges at the respective rates. However, the owner himself will bear the cost of external development works required to be laid down for connecting the services from the sites of the owner to the services of HUDA available nearby in the Urbanisable area.

2. Petrol Pump

The development charges for petrol pumps shall be recovered at the rates applicable for commercial sites.

3. School Site

The development charges for the school sites educational institutions shall be recovered at the rates applicable for residential sites.

4 Development charges of released land / Change of land use allowed for commercial purpose.

It was decided that in urban estate, Gurgaon and Faridabad the same external development charges which are applicable to the Group Housing scheme having the density of 400 PPA shall be charged from the cases of released land and change of land use allowed for commercial purposes in these Urban Estates which are given as follows valid upto 31.12.2002. There charges may be updated every calendar year by adding 10% compound interest.

Sr. No	Name of	the	Urban	EDC for 400 PPA			
	Estate						
1	Gurgaon			Rs. 63.98 acre.	lacs	per	gross
2	Faridabad			Rs. 65.23 acre.	lacs	per	gross

In respect of other Urban Estates the following development charges shall be charged:-

1.	High Potential zone		Same rate shall be charged as in the case of U/E Gurgaon
2.	Medium	Potential	75% of the rate charged in the case of U/E Gurgaon
	Zone		
3.	Low Potential Zone		50% of the rate charged in the case of U/E Gurgaon

However, these are the purely adhoc/tentative rates and final rates will be charged on the actual basis

5. Development charges in respect of land released/ Change of land use allowed for religious purpose.

15% of the development charges communicated for residential shall be charged in case of land released / change of land use is allowed for religious purposes.

6. Development charges for released land /Change of land use allowed due to increase in FAR for Industrail Area.

The EDC for the industrial area will be increased proportionately in proportion to the FAR. The external development charges for increased FAR for various urban estates are enclosed herewith which may be charged for industrial areas. These charges are valid upto 31.12.2002 which may be updated every year by adding 10% compounding interest. However the internal development charges may be worked out on actual basis so that the same are recovered from the beneficiaries as and when the internal services are provided or beneficiaries want to take the sewerage /water supply connection etc. whichever is earlier.

The other terms and conditions shall remain the same as communicated in this regard from time to time.

-sd/-

Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. The Additional Director, Urban Estate, Haryana.
2. The Chief Town Planner, Office of Town & Country Planning, Haryana, Chandigarh.
3. All the Administrators, HUDA (In the State).
4. All the Estate Officers, HUDA (In the State).

Memo No. HUDA-Acctts-96/22860-72

Dated: 14.8.1996

Subject: Fixation of **development charges of released land** and cases of **change of land use** in the Urban Estate/ Controlled area of the state - **residential and industrial** plots.

The Authority in its 68th meeting held on 18-07-1996 has approved the development charges of released land and cases of change of land use in Urban Estate/ Controlled area of the State for fresh as well as old cases in the following manner:-

a) Fresh Cases:

In respect of fresh cases, the Authority has approved the development charges for residential and industrial areas which are given at Annexure 'X' & 'Y' respectively. These rates are valid upto 31-12-1995 after which these rates may be up-dated every year after adding 10% interest on compoundable basis.

b) Old Cases

The Authority has approved the development charges as were levied in a particular sector and were recovered from the plot holders of that sector. However, these development charges may be up-dated by adding simple interest @ of 10% p.a. accordingly the development charges have been worked out for 48 sectors in respect of different Urban Estates and are given at Annexure 'Z'. These development charges are valid upto 31-03-1997.

The above said development charges will be livable subject to the following terms & conditions:-

1. The external development charges will be levied in the first instance and internal development charges will be levied on actual basis when the services are offered by HUDA or the beneficiaries intends to utilize the internal services and applied for water, sewerage connection etc. which ever is earlier.
2. The development charges are on gross area basis.
3. For EWS plots of the size of upto 2 to 5 Marla a fixed charges of Rs. 100/- per sq. yd. will be charged.
4. For bigger sized residential and industrial plots HUDA will provide services upto the periphery of the area released and the internal development in the area is to be carried out by the party itself.
5. The development charges have been approved for residential and industrial area only on the prescribed norms of FAR for plotted development. For all other purpose development charges may be worked out on case to case basis. The FAR and the use of site (which is to be released or where change of land use is to be allowed) may also be suitably incorporated in the agreement because development charges are related to these factors.
6. If the area where change of land use is allowed falls outside the sectors the development charges may be worked out on case to case basis.
7. The mode of recovery of development charges will be as under:-

c) Fresh Cases:

- i) 10 % along with application for the release of land, 50% (Including 10% charges taken along with application) before the execution of the agreement. Final release order /permission of change of land use will be allowed after the 50% amount is deposited.

- ii) Balance 50% in lump-sum within 120 days of the date of communication without interest or 4 equal annual installments along with interest @ of 15% p.a or such higher rate as may be decided by the State Govt. Authority from time to time. In case the payment is not made in time penal interest @ 18% p.a shall be livable as per the policy of the Authority or such higher rate of interest as may be decided by the State Govt. /Authority from time to time.

d) Old Cases

- i) 25% within 30 days from the date of communication.
- ii) Balance 75% in lump-sum within 120 days of the date of communication without interest.

Or

In 4 equal annual installments along with interest @ of 15% p.a or such higher rate as may be decided by the State Govt. /Authority from time to time. In case the payment is not made in time penal interest @ 18% p.a shall be livable as per the policy of the Authority or such higher rate of interest as may be decided by the State Govt. / Authority from time to time.

You are therefore, requested to take necessary action recover the development charges from the released land and the cases of change of land use in the fresh cases as well as old cases according to the above decision of the Authority.

You are also requested to send the statement of old cases in the placed below Performa within one month where lands had been released and the change of land use been allowed so that the development charges are worked out according to the decision of the Authority and intimated to you for its recovery from beneficiaries.

Sr. No	Name. of beneficiaries	Area released/ change of land use allowed	Urban Estate / Sector No in which area falls	remarks

This may be treated as Most Uxrgent.

-sd/-

Accounts Officer,
for Chief Administrator, HUDA, Panchkula.

ANNEXURE "Y"

Sr.	Name of	Upto	Above 75 sq yd			Above 2 kanal but upto 4			Above 4 kanal but upto 8			Above 8kanal but upto 16			Above than 5 acre
No	urban Estate	75 sq yd.	upto 2 Kanal			kanal			kanal			5 acre			The individual cases to be examined by the committee constituted for this purpose in HUDA and its recommendations may be submitted to the authority for final decision.
			EDC	IDC	Total	EDC	IDC	Total	EDC	IDC	Total	EDC	IDC	Total	
1	Panchkula	100/	11.00	13.20	24.20	11.00	11.86	22.88	11.00	10.56	21.56	11.00	9.90	20.90	
	EXT.	- per													
		sq													
		yd.													
	Panchkula	-do-	8.80	13.20	22.00	8.80	11.88	20.68	8.80	10.56	19.36	8.80	9.90	18.70	
	MDC														
2.	Gurgaon	-do-	8.80	13.20	22.00	8.00	11.88	20.68	8.80	10.56	19.36	8.80	9.90	18.70	
3.	Faridabad	-do-	7.70	13.20	20.90	7.70	11.88	19.58	7.70	10.56	18.26	7.70	9.90	17.60	
4	Hissar	-do-	7.70	11.00	18.70	7.70	9.90	17.60	7.70	8.80	16.50	7.70	8.25	15.95	
5	Rohtak	-do-	7.70	11.00	18.70	7.70	9.90	17.60	7.70	8.80	16.50	7.70	8.25	15.95	
6	Bhiwani	-do-	7.70	11.00	18.70	7.70	9.90	17.60	7.70	8.80	16.50	7.70	8.25	15.95	
7	Bahadurgarh	-do-	7.70	9.90	17.60	7.70	8.91	16.61	7.70	7.92	15.62	7.70	7.43	15.13	
8	Sonepat	-do-	7.70	9.90	17.60	7.70	8.91	16.61	7.70	7.92	15.62	7.70	7.43	15.13	
9	Rewari	-do-	7.70	9.90	17.60	7.70	8.91	16.61	7.70	7.92	15.62	7.70	7.43	15.13	
10	Karnal	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
11	Panipat	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
12	Ambala	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
13	Dharuhera	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
14	Kurukshetra	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
15	Jagadhri	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
16	Hansi	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
17	Shahbad	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
18	Kaithal	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
19	Sirsa	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
20	Jind	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
21	Narain Garh	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	

ANNEXURE "X"

Sr. No	Name of urban Estate	Upto 75 sq yd.	Above 75 sq yd but upto 2 Kanal			Above 2 kanal but upto 4 kanal			Above 4 kanal but upto 8 kanal			Above 8kanal but upto 5 acre			Above than 5 acre
			EDC	IDC	Total	EDC	IDC	Total	EDC	IDC	Total	EDC	IDC	Total	
1	Panchkula	100/- per sq yd.	11.00	13.20	24.20	11.00	11.86	22.88	11.00	10.56	21.56	11.00	9.90	20.90	The individual cases to be examined by the committee constituted for this purpose in HUDA and its recommendation may be submitted to the authority for final decision.
	EXT.														
	Panchkula	-do-	8.80	13.20	22.00	8.80	11.88	20.68	8.80	10.56	19.36	8.80	9.90	18.70	
	MDC														
2.	Gurgaon	-do-	8.80	13.20	22.00	8.00	11.88	20.68	8.80	10.56	19.36	8.80	9.90	18.70	
3.	Faridabad	-do-	7.70	13.20	20.90	7.70	11.88	19.58	7.70	10.56	18.26	7.70	9.90	17.60	
4	Hissar	-do-	7.70	11.00	18.70	7.70	9.90	17.60	7.70	8.80	16.50	7.70	8.25	15.95	
5	Rohtak	-do-	7.70	11.00	18.70	7.70	9.90	17.60	7.70	8.80	16.50	7.70	8.25	15.95	
6	Bhiwani	-do-	7.70	11.00	18.70	7.70	9.90	17.60	7.70	8.80	16.50	7.70	8.25	15.95	
7	Bahadurgarh	-do-	7.70	9.90	17.60	7.70	8.91	16.61	7.70	7.92	15.62	7.70	7.43	15.13	
8	Sonepat	-do-	7.70	9.90	17.60	7.70	8.91	16.61	7.70	7.92	15.62	7.70	7.43	15.13	
9	Rewari	-do-	7.70	9.90	17.60	7.70	8.91	16.61	7.70	7.92	15.62	7.70	7.43	15.13	
10	Karnal	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
11	Panipat	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
12	Ambala	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
13	Dharuhera	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
14	Kurukshetra	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
15	Jagadhri	-do-	7.15	9.90	17.05	7.15	8.91	16.06	7.15	7.92	15.07	7.15	7.43	14.58	
16	Hansi	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
17	Shahbad	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
18	Kaithal	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
19	Sirsa	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
20	Jind	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	
21	Narain Garh	-do-	7.15	8.80	15.95	7.15	7.92	15.07	7.15	7.04	14.19	7.15	6.60	13.75	

Sr.	Name	of	Ur- ban	Date	of	Up date Dev. Charges by			
No	Estate			floatation		adding	simple	interest	@
						10% upto 3/1997 (Rs. In			
						Lacs per gross acre)			
1	Sonepat			5.10.1984		7.50			
2	Jind			3.4.1975		3.76			
3	20	Sirsa		11.9.1985		6.23			
4	13	Hissar		29.1.1985		7.37			
5	Urban	Estate		3.4.1975		4.37			
	Hissar								
6	6	Dharuhera				9.54			
7	MIE B.Garh					6.74			
8	8,9 Ambala					11.09			
9	2	KKR		10.11.1987		9.79			
10	3	KKR		30.5.1989		11.11			
11	7	Extn (GGN)		2.7.1984		8.10			
12	10	A (GGN)		10.6.1985		9.60			
13	22	(GGN)		1.4.1984		9.36			
14	8,9 Karnal			23.4.1984		6.35			
15	14-P-II Karnal			10.12.1984		7.00			
16	14	Karnal		13.3.1979		4.18			
17	3	Karnal		1.1.1982		7.22			
18	13	Karnal		23.2.1973		3.43			
19	21-C FBD			1.4.1984		9.54			
20	30,31 FBD			1.3.1983		9.79			

21	23, 23A (G)			28.10.1984	9.72			
22	29, FBD			1.10.1980	5.25			
23	1, Shahbad			5/1986	7.50			
24	11,12,Part-II			4/1985	7.38			
	Panipat							
25	GGN			19.12.1978	3.96			

26	15_I, II (G)			11.8.1986	11.26			
27	7	Ambala		5.1.1979	2.55			
28	13	KKR		1975	4.72			
29	17	Jagadhri		25.9.1985	7.33			
30	I/A Rewari			11.11.1975	8.35			
31	11,12-Part-I PPT			20.7.1980	4.58			
32	5	KKR		1.8.1986	8.53			
33	7	Karnal		10.9.1984	8.13			
34	7	KKR		20.3.1985	7.35			
35	21	(GGN)		6.4.1985	9.50			
36	I-Rohtak			27.5.1985	11.56			
37	14	GGN		16.2.1973	4.82			
38	31,32 (GGN)			11.7.1988	15.92			
39	18	(GGN)		2.1.1984	6.64			
40	13, 23 Bhiwani			18.7.1988	12.66			
41	19	Kaithal		17.6.1985	6.55			
42	14	Sonepat		12.10.1978	3.99			
43	25	Sonepat		14.9.1980	2.80			
44	4,7 (GGN)			10.6.1966	1.42			
45	37	(GGN)		1979	5.62			
46	29	Sonepat		4.7.1984	3.67			

47	4 MDC Pkl	12.1.1984	10.02
48	27-A,B,C,D FBD	1972	2.88

POLICIES REGARDING FIXATION OF
RESERVE PRICE OF COMMERCIAL SITES
IN RESPECT OF HUDA.

To,

All the Administrators, HSVP.

Memo No. CCF-HSVP/AO-I/Acctt-I-2019/160331

Dated:04.09.2019

Subject: -Clarification to instruction dated 22.07.2019 **regarding fixation of reserve price on the basis of FAR** and category of the site- **Modification** in instruction dated 29.08.2019.

Please refer to instruction no.64 issued vide this office letter no. CCF-HSVP-AO-I/ Acctt-I-2019/155787 dated 29.08.2019 (copy enclosed), on the above noted subject.

The matter has been reconsidered and it has now been decided that Para no. 3 of the instruction no. 64 is hereby modified as under:-

“Where the Collector Rate has been fixed for the whole sector without considering the FAR and category of respective commercial site in that case the reserve price for e-auction will be determined by a committee of Estate Officer, Chief Accounts Officer and DTP/ATP of the concerned District under the chairmanship of Zonal Administrator and Reserve Price for e-auction will be fixed on the basis if Collector Rates already fixed by District Administration”.

This issues with the approval of Chief Administrator, HSVP.

-sd-

Accounts Officer,
for Chief Administrator, HSVP,
Panchkula.

CC:-

- (i) The Administrator HSVP, Head Quarter.
- (ii) PS to Chief Administrator, HSVP for kind information of Chief Administrator.

To,

The Administrator,
HSVP, Gurugram.

Memo No. CCF-HSVP/AO-I/Acctt-I-2019/ 155787

Dated: 29.08.2019

Subject: Clarification to instruction dated 22.07.2019 **regarding fixation of reserve price on the basis of FAR and category** of the site.

In reference to your office memo no. 10114 dated 20.08.2019, on the subject cited above, your attention is invited towards the Para No. 4 (i) of the instruction No. 62 issued vide letter no. HUDA.CCF.AO-I-Acctt-I-2019/130715-16 dated 22.07.2019, reproduced below:-

“ Collector Rates of similar commercial sites in the respective sector shall be taken as the reserve price for e-auction. If in a sector; Collector Rates have not been fixed so far, the Zonal Administrators shall first get the Collector Rates fixed from the District Administration before putting the sites for e-auction, to determine the reserve price.”

It is clarified that the reserve price varies with the FAR as well as category of the respective commercial sites i.e. DSS, SCO, Kiosk & Booth etc.

You are advised to get the collector rates fixed from District Administration by considering the FAR as well as category of the respective commercial site & fix the reserve price of e-auction accordingly.

This issue with the approval of Chief Administrator, HSVP.

-sd-

Accounts Officer,
for Chief Administrator, HSVP,
Panchkula.

CC:-

- (i) The Administrator HSVP, Head Quarter.
- (ii) The Administrator HSVP Hisar/ Rohtak/ Panchkula/ Faridabad.
- (iii) PS to Chief Administrator, HSVP for kind information of Chief Administrator.

To

1. All the Administrators, HSVP.
2. All the Estate Officers, HSVP.

Memo.No.HUDA.CCF.AO-I-Acctt-I-2019/130715-16

Dated:-22.07.19

Subject:- Regarding fixing of **reserve price of all auctionable properties at par with the collector rate.**

Please refer to instruction no.60 issued vide this office letter no. CCF, HSVP, Acctt-I-2019/75263-64 dated 24.04.2019(copy enclosed) on the above subject.

Para no.4 of these instructions are modified in view of the approval of the Pradhikaran vide Agenda Item No.20 of the 118th meeting held on 10.07.2019 and 12.07.2019,as below:-

- “(i) Collector Rates of similar commercial sites in the respective sector shall be taken as the reserve price for e-auction. If in a sector, Collector Rates have not been fixed so far, the Zonal Administrator shall first get the Collector Rates fixed from the District Administration before putting sites for e-auction, to determine the reserve price.
- (ii) The current practice to decrease the reserve price after failed e-auctions shall be discontinued.
- (iii) In case no bid is received in the First Auction, the provision of reverse bidding shall be available in the 2nd Auction. The bidder shall also be given option of submitting Reverse Bidding in the 2nd auction, which can be lower than the reserve price. In such cases, where the final bid after close of e-auction remains below the reserve price, the final decision about acceptance of bid shall be taken based on the recommendations of Zonal Administrator by the competent authority as below:-

Bid Quote below the Reserve	Competent Authority for approval
Upto 5%	Chief Administrator’s Committee: <ul style="list-style-type: none">- Chief Administrator as Chairman- Administrator(HQ), HSVP- Chief Controller of Finance, HSVP- Chief Town Planner, HSVP
Greater than 5% upto 10%	Hon’ble C.M.-cum-Chairman, HSVP Committee: <ul style="list-style-type: none">- Hon’ble C.M.-cum-Chairman, HSVP – Chairman of the Committee.- PS, Town & Country Planning Deptt.- Chief Administrator, HSVP- Representative of FD
Greater than 10% upto 20%	Cabinet Sub Committee: <ul style="list-style-type: none">- CM cum Chairman, HSVP – Chairman of the Committee.- Finance Minister- Addl. Chief Secretary, Finance- PS, Town & Country Planning Deptt.- Chief Administrator, HSVP
Greater than 20%	Cabinet/Council of Ministers

- (iv) The cases would be submitted to the respective Committees for acceptance/rejection of the bids within the period specified hereunder:

Competent Authority for approval	Time Period
Chief Administrator's Committee	Within 7 working days from the date of completion of the Auction.
Hon'ble CM-cum-Chairman, HSVP Committee	Within 10 working days from the date of completion of the Auction
Cabinet Sub Committee	Within 10 working days from the date of completion of the Auction
Cabinet/Council of Ministers	Next first forthcoming meeting and its second meeting from the date of completion of the Auction process.

- (v) Case(s) where the bids/ Auctions are sought to be cancelled/rejected would be placed before the respective Committees as detailed in sub para (iii) above for a decision.
- (vi) In case of "Reverse Bidding" where the bids received for an auction are less than three (3), the proposal would be placed before the respective Committee as detailed in sub para (iii) above for a decision.
- (vii) All cases of "Reverse Bidding" shall be put up for consideration of the Committee(s) with full justification. The parameters for the justification would include the number of times the site has been put to auction previously, the Collector Rate/HSVP Rate in the area, the success of recent auctions in the nearby area etc. Only those cases where all the formalities & procedures have been followed would be placed before the respective Committees for a decision."

3. The Pradhikaran in its 118th meeting vide agenda item no.19 has further approved as below:-

(a) *"Approved for all auctionable properties."*

(Action to be taken)

In view of the above approval henceforth all the e-auctions of Residential, Institutional and Industrial plots shall be done as per the instructions applicable for e-auction of commercial sites as above

(b) *"For institutional plots, it was also decided that CA, HSVP shall constitute committee to frame a clear definition of the word "institutional" plots and put up on file for approval of Hon'ble CM latest by 31.07.2019. It was also decided that the vacant available industrial plots may be transferred to HSIIDC at collector rates."*

(Action Taken)

A Committee under the Chairmanship of Administrator(H.Q), HSVP with Chief Controller of Finance, Chief Town Planner, Distt. Attorney, HSVP and Asstt. Distt. Attorney, HSVP as its members has been constituted to frame clear definition of "Institutional Plots"

4. The above mechanism is being made applicable with immediate effect and would be applicable for all e-auctions to be held till 31.12.2019.

-sd-
Chief Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.
Dated:-22-07-2019

Endst.No.HSVP-CCF-AO-I-2019/-130723

A copy of above is forwarded to the following :-

- 1. PS/CA for kind information of Chief Administrator, HSVP please.
- 2. PS/Adm. (H.Q) for kind information of Administrator, HSVP(H.Q) please.
- 3. GM (IT), HSVP with the request to upload the above instructions on the website of the Pradhikaran.
- 4. Supdt. (Urban Branch), HSVP (HQ), Panchkula.

-sd-
Chief Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

To

1. All the Administrators, HSVP.
2. All the Estate Officer, HSVP.

Memo No. HSVP-CCF-Acctt-I-2019/75263-64

Dated:24.4.2019

Subject: Regarding fixing of **reserve price of commercial sites at par with collector rate.**

1. Please refer to the instruction No.11 dated 22.9.2016 issued under HUDA-CCF-Acctt-I-2016/76304 and instruction No. 36 dated 23.8.2017 issued under CCF-AO-I-Acctt-I/2017/ 57586-87 regarding fixation of reserve price of commercial sites to be sold by auction.
2. There has been melt down in the real estate market. It has been observed that some commercial sites are not being sold in the market due to their higher reserve price. As a result, the e-auctions of commercial sites are not successful.
3. Now, all auctions are being conducted by the e-Auction mode. Due to which, there is little rather negligible possibility of cartelization. Therefore, it has been decided that the existing system of fixation of reserve price should be modified to bring the prices at par with the realistic market rates. Also to explore the realistic prevalent market rates, the concept of reverse bidding which allows bidding below the reserve price, is being introduced in the e auction of commercial sites.
4. The Pradhikaran in its 117th meeting held 18.2.2019 has approved vide Suppl. Agenda Item No. 117th (1) as below:-
 - (i) Collector Rates of similar commercial sites in the respective sector shall be taken as the reserve price for e-auction. If in a sector, Collector Rates have not been fixed so far, the Zonal Administrator shall first get the Collector Rates fixed from the District Administration before putting sites for e-auction, to determine the reserve price.
 - (ii) The current practice to decrease the reserve price after failed e-auctions shall be discontinued.
 - (iii) The bidders shall also be given option of submitting reverse bidding which can be lower than the reserve price. In such cases where the final bid after close of e-auction remains below the reserve price, the final decision about acceptance of bid shall be taken based on the recommendations of Zonal Administrator by the competent authority as below:-

Sr.No.	Final bid remains below the reserve price	Authority competent to accept the bid
1.	$\leq 5\%$ of reserve price	CA, HSVP
2.	$> 5\%$ of reserve price	Committee under the Chairmanship of Hon'ble C.M, Haryana-cum-Chairman ,HSVP who will decide the composition of such committee.

5. The above revised method shall be applicable in respect of e-auction of commercial sites to be held till 31.12.2019 only.
6. The schedule of auction shall be put up for perusal of Chairman, HSVP, through Adm.(H.Q) before release of advertisement in the news papers.

-sd-

Senior Accounts Officer,
For Chief Administrator, HSVP
Panchkula.

A copy of the above is forwarded to the following for information :

1. Administrator (HQ) HSVP, Panchkula with the request that schedule of auction as procured from Zonal Administrators, may be put up for the perusal of Chief Minister Haryana- cum- Chairman, HSVP immediately.
2. GM (IT) HSVP with request to make provision for reverse bidding in the software.

-sd-
Senior Accounts Officer,
For Chief Administrator, HSVP
Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.HUDA.CCF.AO-I/Acctt-I/AO-I-2017/-157586

Dated:- 23.8.2017

Subject:-Clarification about Fixation of Reserve Price for e-auction of Commercial sites and left out Residential plots in various Urban Estates of HUDA.

1.1 Please refer to this office Instruction No.11 issued under memo.No.HUDA-CCF-Acctt-I-2016/76304 dated 22.09.2016 regarding fixation of reserve price of commercial sites to be auctioned for the 1.st time in HUDA Urban Estates.

1.2 Commercial Plots:-

Certain queries have been raised as regards to fixation of reserve price of the commercial sites as under:-

Sr. No.	Particulars	Clarification																		
1.	If any similar commercial sites in the same sector of the Urban Estate have been auctioned in the past, the reserve price of the commercial site shall be determined by the Zonal Administrator by updating the last auction price @ 15% per annum simple, of similar site In same sector or adjoining sector whichever is higher, subject to condition that reserve price shall not be less than collector rate. Query:-While fixing the reserve price what is the meaning of similar site.	If the reserve price of the booth site is to be fixed, in that case, the latest auction price of the booth site sold in that particular sector or the adjoining sector as the case may be, should be taken as the base for that purpose. Similar is the case of fixation of reserve price of kiosks, SCO's, Shopping Mall etc. respectively.																		
2.	As per the Instructions available on page 322 of HUDA Policies and Instructions, Zonal Administrator are competent to devalue the reserve price of commercial sites by 20% i.e. @ 5% per auction in case sites are not sold in the 4 successive auctions. They are authorized to fix the reserve price by reducing it by 5% for each unsuccessful auction upto. 4 auctions after which if sites are not sold, then a concrete proposal may be referred to the Chief Administrator, HUDA. In any case the reserve price so fixed after reduction will not be less than the original reserve price of commercial sites. Query:- Whether the 5% reduction of reserve price is applicable for each subsequent failed e-auction or total 20% reduction is applicable at the end of four failed e-auctions.	<p>Zonal Administrators can devalue the reserve price by 5% in each successive auction in case the auction Is not successful. For example:-</p> <table><tr><td>1.</td><td>Reserve price for the Commercial sites</td><td>1,00,000/-</td></tr><tr><td>(i)</td><td></td><td></td></tr><tr><td>(ii)</td><td>Reserve price for 2nd auction after first failed auction.</td><td>95,000/-</td></tr><tr><td>(iii)</td><td>Reserve price for 3rd auction after 2nd failed auction.</td><td>90,000/-</td></tr><tr><td>(iv)</td><td>Reserve price for 4th auction after 3rd failed auction.</td><td>85,000/-</td></tr><tr><td>(v)</td><td>Reserve price for 5th auction after 4th failed auction.</td><td>80,000/-</td></tr></table> <p>The above successive reductions are subject to condition that reduced reserve price for each auction shall not be less than the prevailing collector rates.</p> <p>If 5th auction also fails, the proposal for further reduction in reserve price along with recommended reserve price based on prevalent collector rates and market rates, shall be forwarded by the Zonal Administrator to the C.A., HUDA.</p> <p>While reducing the reserve price of commercial sites, the H.Q. will ensure that the same should not be less than the price calculated by costing method or collector rates or 90% of market rates, whichever is higher.</p>	1.	Reserve price for the Commercial sites	1,00,000/-	(i)			(ii)	Reserve price for 2 nd auction after first failed auction.	95,000/-	(iii)	Reserve price for 3 rd auction after 2 nd failed auction.	90,000/-	(iv)	Reserve price for 4 th auction after 3 rd failed auction.	85,000/-	(v)	Reserve price for 5 th auction after 4 th failed auction.	80,000/-
1.	Reserve price for the Commercial sites	1,00,000/-																		
(i)																				
(ii)	Reserve price for 2 nd auction after first failed auction.	95,000/-																		
(iii)	Reserve price for 3 rd auction after 2 nd failed auction.	90,000/-																		
(iv)	Reserve price for 4 th auction after 3 rd failed auction.	85,000/-																		
(v)	Reserve price for 5 th auction after 4 th failed auction.	80,000/-																		

Residential plots:-

1. Your attention is also invited towards the instructions No. 23 Issued vide office memo.no,HUDA.CCF.AO-I/Acctt-I/2017/15436-37 dated 24.01.2017 vide which decision of the Authority regarding reduction in the reserve price of left out **residential plots** for e-auction, was conveyed as under:-

“It was pointed out that during the auction some properties of HUDA are not getting appropriate response due to high rate. Therefore, it was also decided that in case of residential plots which do not attract any buyers in an auction, then Administrator will be competent to reduce reserve price by 10% (instead of present provision of 5%) for the next auction subject to maximum limit of 20% reduction. If any further reduction is required then proposal will be referred to Chief Administrator.”

The issues with the approval of Chief Administrator, HUDA.

-sd-

Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

To

1. All Administrators,
HUDA (In the State).
2. The Chief Town Planner,
HUDA, Panchkula.

Memo No. HUDA-CCF-AO-I/Acctt-I-2017/ 15436-37

Dated:24.01.2017

Subject: Disposal of the **left out plots** through **auction** – Fixation of Reserve Price **-regarding reduction in reserve price.**

1. Please refer to this office earlier letter No. HUDA-CCF-Acctt-I-2016/68892 dated 14.09.2016 vide which Nodal Reserve Price for sale of residential plots to be sold by auction was circulated.
2. It is further brought to notice that the Authority while approving the Agenda Item No. 23 in the 112th meeting held on 10.01.2017 has further approved as under:-
“It was pointed out that during the auction some properties of HUDA are not getting appropriate response due to high rate. Therefore, it was also decided that in case of residential plots which do not attract any buyers in an auction, then Administrator will be competent to reduce reserve price by 10% (instead of present provision of 5%) for the next auction subject to maximum limit of 20% reduction. If any further reduction is required then proposal will be referred to Chief Administrator “
3. This is for necessary action by the Zonal Administrators please.

-sd-
Accounts officer,
for Chief Administrator, HUDA,
Panchkula.

CC:

Website of HUDA under policy – finance wing – instructions.

To

All the Administrators, HUDA.

Memo No.HUDA-CCF-Acctt-I-2016/ 76304

Dated: 22/9/2016

Subject:- Fixation of **reserve price of commercial sites** to be **auctioned** for the **1st time** in HUDA Urban Estates.

Please refer to the subject cited above.

1. Attention is invited to the Regulation 6 of Haryana Urban Development (Disposal of lands and Buildings) Regulations 1978, which stipulates that in case of sale or lease by auction, the price/premium to be charged shall be such reserve price/premium as may be determined taking into consideration the various factors as indicated in sub-regulation (1) of Regulation 4 or any higher amount determined as a result of bidding in open auction.
2. Attention is also invited towards instructions available on page 322 of HUDA Policies and Instructions, on the subject fixation of reserve price of commercial sites.
3. Accordingly the reserve price for the commercial sites to be auctioned for the 1st time in various Urban Estates of HUDA is being fixed by this office on the basis of either costing method or updated auction price of similar sites in same/ adjoining sector or on basis of collector rates, whichever is higher.
4. The proposals received from the Zonal Administrators for fixation of reserve price of the commercial sites, are not comprehensive and do not contain complete information. On queries by HQ Office, replies are received in piecemeal manner, leading to delay in the fixation of the reserve price.
5. If any similar commercial sites in the same sector of the Urban Estate have been auctioned in the past, the reserve price of the current site shall be determined by the Zonal Administrator by updating the last auction price @ 15% per annum simple, of similar site in same sector or adjoining sector whichever is higher, subject to condition that reserve price shall not be less than collector rate.
6. If no similar site in the same sector was auctioned in the past, then proposal should be forwarded to the H.Q.
7. To avoid unnecessary delay and to speed up the process, Zonal administrators are requested that henceforth, proposals for fixation of reserve price of the commercial sites should be sent only in the Annexure -1 duly signed by the Estate Officer as well as Zonal Administrator.

Enclosed: **Annexure-1**

-sd/-
Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

Annexure 1**Fixation of reserve price of commercial sites to be auctioned for the 1st time**

Sr. No.	Site No.	Sector	U/E	Area (I n sq.mtr.)	FAR o f site	Price of the site on collector Rates of the current year		Auction Price of similar sites in the adjoining sector. In case no auction in adjoining sector, than the next to the adjoining sites (in ₹)				Proposed R e s e r v e Price for the sites to be auctioned (in ₹)	Basis of Recommendation
						Collector rate (in ₹ p e r . sq.mtr.)	T o t a l price on collector rate (in ₹)	As on date or auction	Date of Auction	S i t e N o . a n d sector	Updated auction price @ 15% pa simple		
1	2	3	4	5	6	7	8	9	10	11	12	13	14

(Signature)

EO, HUDA _____

(Signature)

Administrator, HUDA _____

HARYANA URBAN DEVELOPMENT AUTHORITIES

To

1. All the Administrators HUDA, (in the state)
2. The Estate Officers, HUDA (in the state)

Memo No. HUDA-ACCTT.SO-I-99/-29341-63

Dated: 19.8.2009

Subject: - Fixation of reserve price of sites to be sold by way of auction w.e.f 19.08.2009.

Please refer to this office memo HUDAAcctt. SO-I-9/23194-200 dated 07.09.99 vide which it was intimated that if the last auction of the commercial sites is one or more than one year then increase at the rate of 15% p.a. may be taken from the date of last auction till the date of next auction for the purpose of fixing the reserve price of the site.

As you are aware that there has been melt down in the real estate market which has taken place after June 2008 due to worldwide recession. Administrator, Panchkula has recommended that interest for the recession period of one year may not be added while fixing the reserve price of the site to be sold by way of auction. The proposal of Administrator, Panchkula has been examined in the Head Office and it has been decided that the interest for recession period of one year may not be added while fixing the reserve price of the sites to be sold by way of auction.

The issues with the approval of the Hon'ble Chairman, HUDA/C.M Haryana.

-sd/-
(Vijay K Singla)
Accounts Officer, (Audit)
For Chief Administrator,
HUDA, Panchkula.

Endrst No. HUDA.CCFACCTt-I-2009/- 29364-68

Dated 19.8.2009

A copy of the above is forwarded to the following for information and necessary action:-

- 1 Administrator (HQ) HUDA Panchkula.
- 2 Secretary HUDA, Panchkula.
- 3 Chief Engineer, HUDA, Panchkula.
- 4 Chief Engineer-I, HUDA, Panchkula.
- 5 Chief Town Planner, HUDA, Panchkula.

-sd/-
(Vijay K Singla)
Accounts Officer, (Audit)
For Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITIES

To

- 1 All the Administrators, HUDA, (in the state).
- 2 The Chief Town Planner, Haryana, Chandigarh.
- 3 The Chief Town Planner, HUDA, Panchkula.
- 4 The Chief Controller of Finance, HUDA, Panchkula.
- 5 The Chief Engineer-I, HUDA, Panchkula.

Memo No. HUDA-ACCTT.SO-I-99/-23194-200

Dated: 07.07.1999

Subject: - Review of policy for fixation of **Reserve price of commercial sites** in various urban estate of HUDA – **devaluation of reserve price.**

Please refer to the subject cited above. In this regard the meeting was held on 25.5.99 at 11.30 A.M under the Chairmanship of Chief Administrator HUDA, the copy of proceedings of which an enclosed herewith for ready reference.

Hon'ble Chairman HUDA has approved to devalue the reserve price by 20% i.e. 5% per auction in case sites are not sold in the 4 successive auctions. The Administrator are hereby authorized to fix the reserve price by reducing it by 5 % for each unsuccessful auction upto 4 auction after which If sites are not sold, then a concrete proposal may be referred to the Chief Administrator HUDA. In any case the reserve price so fixed after reduction will not less than the original reserve price

It is requested to take further necessary action accordingly.

DA/as above

-sd/-

Accounts Officers,
For Chief Administrator, HUDA,
Panchkula.

Subject: Policies regarding fixation of **reserve price** of **commercial sites** in respect of HUDA.- **Formula** for fixing the rate.

According to the present policy the reserve price of commercial sites in respect of HUDA sectors is fixed on the basis of following formula:-

1. Cost of land is taken at the latest rate at which the residential plots were sold in the estate.
2. Interest @ 15% p.a on item No-I above from the date of plots offered for sale to the date of proposed sale.
3. Administrative charges @ 15% on Sr. No I & 2 above.
4. Development charges (3 times taken in the price fixation of the residential plots).
5. Total item No 1 to 4 above.
6. Un-foreseen charges @ 10%
7. Grand total

The amount so worked out is spread over the plotable area which is normally taken as 35% and the rates so worked out is taken as reserve price for the first auction for all types of commercial sites in the sector.

The first reserve price of constructed building is fixed as under:-

1. Reserve price of the site as worked out above.
2. Construction cost of the building.
3. Administrative charges @ 15% on cost of construction.
4. Interest @ 15% per annum on construction cost from the date of construction to the date of fixation of reserve price.
5. Maintenance charges @ 2% per annum for the said period.
6. 10% unforeseen charges on the above.
7. Total = Reserve price of constructed buildings

The above said reserve is subject to the following conditions:-

1. 10% extra is to be added for corner sites.
2. The above reserve price will be valid for having 3 storey's or more but extra 25% allowance may be added in case SCO/SCF sites of 4 storey's and in case SCO/SCF more than 4 storey's, 50% allowance may be added.
3. If the last auction of the commercial sites is one or more than one year old then increase at the rate of 15% p.a. or the interest as decided by the authority from time to time may be taken from the date of last auction till the date of next auction for the purpose of fixing the reserve price of the site.
4. The above reserve price will be valid for 6 months and for two auctions, for 3rd auction the average of the last 2 auction will be reduced by 25% for fixing the reserve price, but it will not be less than the original reserve price.
5. If basement is allowed in the booth sites, 25% extra may be added in the reserve price on account of provision of basement.
6. For subsequent auctions i.e. after the 1st auction, Zonal Administrators are competent to fix the reserve price on the basis of average of price fetched of the similar sites in previous auction.
7. Zonal Administrators are competent to devalue the reserve price by 20% i.e. @ 5% per auction in case sites are not sold in the 4 successive auctions. They are authorized to fix the reserve price by reducing it by 5% for each unsuccessful auction upto 4 auctions after which if sites are not sold, then a concrete proposal may be referred to the Chief Administrator HUDA. In any case the reserve price so fixed after reduction will not be less than the original reserve price.

INSTRUCTION RELATING TO FIXATION OF
RATES OF RESIDENTIAL PLOTS ON NPNL
BASIS .

To

The Director General,
Town & Country Planning Deptt.
Haryana, Chandigarh.

Memo No. HUDA. Acctts. Acctt-I-2016/112559

Dated: 17.11.2016

Subject:-Fixation of rates of Residential plots on NPNL basis in the licenced colonies.

1. Cases are being received from the o/o DGTCP, Haryana for fixation of rates of residential plots on NPNL basis as per terms and conditions of the license issued by DGTCP, Haryana. To streamline the procedure, it has been decided that colonizers should submit the applications accompanied by the following documents duly certified by the Chartered Accountant:-
 - a) Land Cost paid by the colonizer along with date of payment.
 - b) Internal Development Charges incurred/to be incurred by the Colonizer plottable area along with layout plan duly approved by the Competent Authority.
 - c) The rates of Residential plots on NPNL basis calculated by the Colonizer 2. NPNL rates of Residential plots shall be determined by HUDA on basis of factors as mentioned below:-
 - a) Land Cost paid by the colonizer shall be updated @ 5.5% p.a (simple) Interest for the period intervening from date of payment till last of the month preceding NPNL calculations.
 - b) External Development Charges applicable.
 - c) Internal Development Charges incurred/to be incurred by the Colonizer or the IDC charges intimated by Chief Engineer, HUDA whichever is lower.
 - d) Govt. charges applicable.
 - e) Plottable area as per layout plan duly approved by the Competent Authority.
 - f) The rates of Residential plots on NPNL basis calculated by the Colonizer or by this office whichever is lower.

This issues with the approval of Chief Administrator, HUDA.

-sd-
Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

C.C.

Website of HUDA under policy - finance wing - instructions.

INSTRUCTION RELATING TO SALE OF DEFUNT RASTA (ACQUIRED BY HUDA).

To

1. All the Administrators, HUDA.
2. The Chief Town Planner, HUDA, Panchkula.

Memo No. CCF-HUDA/Acctt-I-2016/117296-97

Dated:24.11.2016

Subject:-Sale of Defunt Rasta (acquired by HUDA) falling in various Urban Estate of HUDA.

Please refer to the subject cited above.

1. The provisions of Policy dated 26.11.2008 issued under Memo No. A-KK- 2008/UB/39838-68 by Urban Branch are as below:-

“It has been observed that while planning of an area in an Urban Estate or a sector, sometimes such like unusual or uneven open spaces, strips isolated island type pockets which cannot be planned as regular usage are left out un-planned which cannot be gainfully utilized as an integral part of the sector’s planning. Such parcels of land are marked either as “HUDA land to be planned later on or an “Open space”. In the absence of any specific policy guidelines on the subject, these pockets are subsequently disposed off on case to case basis with the prior approval of the State Govt./Council of Ministers.....

It has, therefore, decided by the Council of Ministers in its meeting held on 21th October, 2008 that for expeditious and appropriate disposal of such parcels of land , Hon’ble Chief Minister shall be competent to make allotment of such areas not exceeding two acres on case basis .All other cases pertaining to more than two acres of land will continue to be dealt with as per the existing procedure.”

2. To bring transparency and for expeditious disposal, a policy needs to be framed for charging of price for such allotments. It has been decided that in such cases of allotment of unplanned land, HUDA shall charge rates applicable for the type of usage which allottee shall be allowed.

This issues with the approval of Chief Administrator, HUDA.

-sd-

Accounts Officer,
for Chief Administrator,HUDA,
Panchkula.

MISC. INSTRUCTION RELATING TO
RESIDENTIAL PLOTS, INSTITUTIONAL
PLOTS ETC.

To,

1. All the Administrators,
HUDA (In the State).
2. All the Estate Officer,
HUDA (In the State).

Memo No. HUDA-CCF-AO-I/Acctt-I-2017/172877-78

Dated: 14.09.2017

Subject: Fixation of rates of **Religious sites, Social and Charitable sites** (35% of the institutional rates) in various Estate of HUDA w.e.f. 14.09.2017.

1. Please refer to this office memo No. HUDA-CCF-AO-I/Acctt-I-2017/74044-45 dated 26.04.2017 (Instruction No. 32) vide which it was intimated that Hon'ble CM-cum-Chairman HUDA has approved that the rates of religious sites may be taken at par with the rates of allotment of Social and Charitable sites i.e. @ 50% of the Institutional rates.
2. Now, it has been decided that the rates of Social, Religious and Charitable sites may be fixed @ 35% of prevalent institutional rates.
3. This issues with approval of Hon'ble C.M. Haryana-cum-Chairman, HUDA.

-sd-
Accounts officer
Chief Administrator,
HUDA, Panchkula.

CC:

Website of HUDA under policy – finance wing.

To

1. All the Administrators, HUDA (In the State).
2. All the Estate Officer, HUDA (In the State).

Memo No. CCF-HUDA/Acctt-I-2017/74044-45 Dated:26.4.2017

Subject:-Fixation of **Rates of Institutional plots (religious site @ 50% of the institutional rates)** in various Urban Estate of HUDA.

1. Please refer to the subject cited above.
2. The religious sites are sold by way of allotment at the allotment price which was being fixed @ 15% of the Institutional rates whereas rate of Social and Charitable sites is fixed @ 50% of Institutional rates. Religious sites are also Social and Charitable sites. So it is felt that the rates of these sites should be brought at par with the rates of Social and Charitable sites.
3. Henceforth, the rates of religious sites may be taken at par with the rates of allotment of Social and Charitable sites i.e.@ 50% of the institutional rates .
4. This has already been incorporated while conveying the Institutional rate for the year 2017-2018 vide this office memo. no. HUDA. Accts. A0- 1/Acctt-I/2017/ 65519-20 dated 12.04.2017
5. This issue with approval of Hon'ble C.M Haryana-cum-Chairman, HUDA.

-sd-
Accounts Officer,
for Chief Administrator, HUDA,
Panchkula.

CC:

Website of HUDA under policy-finance wing-instruction.

To

1. All the Administrator,
HUDA (In the State).
2. Chief Town Planner,
HUDA, Panchkula.

Memo No. HUDA-CCF-AO-I-Acctt-I-2017/26717-18 Dated:13.02.2017

Subject: Instruction regarding **payment of allotment price within 90 days.**

1. In continuation to this office memo no. 10965-66 dated 03.05.2016, 10957-58 dated 03.05.2016 and 11150 dated 04.05.2016 vide which the rates in respect of institutional plot in various Category/Urban Estates, HUDA for the year 2016-17 were circulated.
2. It has now been decided that the allotment of Institutional Plots to the Govt. or Semi Govt. Deptt./Corporations/ Boards/ PSUs will be made only for full payment in lump-sum within period of 90 days from the date of issue of allotment and present facility of payments in installments is hereby withdrawn.
3. This is for your information and necessary action.

-sd-
Accounts officer,
for Chief Administrator, HUDA,
Panchkula.

Copy to:-

Website of HUDA under policy-Finance Wing GM (IT) – instructions.

To

The Administrator,
HUDA , Gurugram.

Memo No. HUDA-CCF-AO-I/Acctt-I-2017/22668

Dated:06.02.2017

Subject: Reserve Price of e-auction can be increased/ enhanced by Zonal Administrator at their own level.

1. Please refer to your office memo no. 1 dated 02.01.17 on the subject cited above where under a proposal has been forwarded to the H.Q. to increase the reserve price for e-auction of residential plots .
2. In this regard, it is brought to your notice that nodal reserve price for e-auction of left out residential plots, has been circulated by the H.Q. vide memo No. HUDA-CCF-Acctt-I-2016/68892 dated 14.09.2016. The rates fixed by the H.Q. are the minimum nodal reserve price for e-auction.
3. In case where depending upon the market conditions and other factors, if it is felt by the Zonal field offices that the reserve price should be increased/enhanced, the Zonal Administrators are authorized to increase the reserve price without referring the matter to the H.Q.

-sd-

Accounts officer,
for Chief Administrator, HUDA,
Panchkula.

Copy to:-

1. Zonal Administrator, Panchkula/ Hissar/Faridabad/Rohtak for necessary action.
2. Website of HUDA under policy-finance wing – instructions.(GM-IT)

To

1. All Administrators,
HUDA (In the State).

2. The Chief Town Planner,
HUDA, Panchkula.

Memo No. HUDA-CCF-AO-I/Acctt-I-2017/3372-73 Dated:06.01.2017

Subject: Fixation of **reserve price for auction of high school site and college site** in various Urban Estate of HUDA.

1. Please refer to this office memo no. 10965-66 dated 03.05.2016, vide which the rates in respect of institutional plot in various Urban Estates, HUDA for the year 2016-17 were circulated.
2. The school & college sites are sold by way of auction and 1st/initial reserve price is linked to notified rates of institutional plots (equal to institutional rates in case of school sites & @ 75% of the rates of institutional plots in case of college site). In case of subsequent auctions, reserve price is fixed by updating the last auction price leading to very high reserve price of school/college sites.
3. School and college are social & educational infrastructural facilities. It is felt that these sites should be auctioned at reasonable reserve prices.
4. To stream line the procedure, the Hon'ble chief Minister, Haryana-cum-Chairman HUDA has approved the proposal that henceforth, the school sites/college sites (both) shall be auctioned by fixing reserve price equal to the institutional rates circulated by the HQ. The existing practice of fixing reserve price by updating the last auction price, is discontinued.

-sd-
Accounts officer,
Chief Administrator, HUDA,
for Chief Controller of Finance,
Panchkula.

CC:

Website of HUDA under policy – finance wing – instructions.

To

1. All Administrators,
HUDA (In the State).
2. The Chief Town Planner,
HUDA, Panchkula.
3. Huda Website(under Policies-Finance Wing)

Memo No. HUDA-CCF-AO-I/Acctt-I-2016/117771

Dated:25.11.2016

Subject: Instruction regarding conducting **e-auction** in **cases of allotment** also.

1. Please refer to this office memo.no.68892 dated 14.09.2016 vide which the nodal reserve price for the sale of residential plots to be sold by way of auction and nodal tentative price for the allotment to the oustees in various Urban Estates of HUDA were conveyed.
2. There are some instances where plots are to be sold to private persons by the allotment and not be e-auction. Such cases normally arise out of litigation in the court cases or alternative plots case. The field office require the rates for allotment in these situations.
3. It has been decided that the reserve price for conduct of e-auction as conveyed in the above said letter may be adopted for allotment of plots in such cases also.
4. This issues with the approval of Chief Administrator, HUDA.

-sd-

Accounts Officer,
for Chief Administrator, HUDA,
Panchkula.

PS to CA HUDA for kind information of Chief Administrator, HUDA,Please

INSTRUCTION RELATING TO TRANSFER OF
DEVELOPED SECTORS TO URBAN LOCAL
BODIES FROM HUDA.

To

The Zonal Administrator,
HUDA, Panchkula/Gurugram/Faridabad/Hisar/Rohtak.

Memo No. CCF-HUDA/AO-I/Acctt-I-2017/198032

Dated: 03.01.2017

Subject:-Transfer of developed sectors to Urban Local Bodies from HUDA to MC.

1. Please refer to the Letter Memo No.CE/EE(W)CHD(G)/2016/3607-08 dated 28.03.2016 on the above subject specifying the terms & conditions for transfer of sectors.
2. As per clause (v) of the terms & conditions of transfer of sectors, 75% of the recovery of extension fees, building application fees, composition charges etc. recovered by HUDA is to be remitted to the Local Bodies (MC) by 15th of following month and 25% shall be retained by HUDA. Besides this, as per clause (xi), HUDA has to transfer 50% of profit margin of the receipt of unsold sites of all types through sale or auction after deducting updated cost (Land cost+ Development cost+ Government fees) incurred on these properties.
3. The sectors have already been transferred to the respective Municipal Corporations. Now the references are being received from Municipal Corporations for transfer of funds from HUDA.
4. You are advised to calculate month-wise amount which is to be handed over to the respective Municipal Corporation falling under your Zone, as per in terms and conditions of the sector transfer. In this regard, you may rely upon the receipts in the PPM module.
5. The report for the past period should be forwarded to the HQ latest by 09.02.2017 and thereafter monthly report should be forwarded latest by 10th of following month.

This issues with approval of CA, HUDA.

-sd-

Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula.

CC:-

1. Commissioner, Municipal Corporation, Karnal-132001 with reference to your office letter DO.No.6536/MCK dated 07.12.2016.
2. GM(IT), HUDA(HQ), Panchkula with a request to provide report generation module to the Zonal Administrators please.

INSTRUCTION RELATING TO POSSESSION INTEREST.

To,

1. All the Administrators,
HUDA (in the State).

2. All the Estate Officers,
HUDA (in the State).

Memo No. HUDA.CCF.Accts.Acctt-I/AO-I-2017/- 71942-43 Dated:- 24-04-2017

Subject:- HUDA Policy for charging of interest on the Additional Price on account of enhancement in case possession not offered within 3 years of allotment

1. This is in continuation to this office letter no. HUDA-Accts. Acctt-I-2007/ 2912-47 dated 25.1.2007 vide which it was intimated that in case the possession of the plot is not offered within the prescribed period of 3 years from the date of allotment, HUDA will pay interest @ 9% p.a on the amount deposited by the allottee after the expiry of 3 years till the date of offer of possession. In this case the allottee will not be required to pay the further installments. The payment of balance installment will only start after the possession of the plot is offered to the allottee.
2. A doubt has been raised by field offices whether this facility is available also for Additional Price on account of enhanced compensation or not?
3. It is clarified that Instructions dated 25.1.2007 are applicable only for Tentative Price as per Authority decision in its 98th meeting held on 12.12.2006 and these are not applicable to enhanced compensation (Additional price). Therefore benefit of 9% Interest not to be given on enhancement (Additional Price) and delay interest is to be charged on additional price if timely payment is not made Irrespective of the fact whether possession is given within 3 years of allotment or not.
4. This issues with the approval of Chief Administrator, HUDA.

-sd-
Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

Endst. No. HUDA.CCF. Accts-Acctt-I/AO-2017/71944 Dated: 24/4/2017

A copy of the above is forwarded to GM(IT) with the remarks that PPM software does not appear to be in conformity with the instructions and the same may be corrected at the earliest possible.

-sd-
Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA,
Panchkula/Gurgaon/Faridabad/Hisar/Rohtak.
2. All the Estate Officers, HUDA.

Memo No. HUDA-CCF-Acctt-I-2017/33010-11

Dated: 22.2.2017

Subject: HUDA policy for payment of **possession interest** on the **deposit amount** in case of **re-allotment** where original allotment made after 25.1.2007.

1. References have been received from the Estate Office, Rohtak and Bahadurgarh regarding grant of possession interest @ 9% p.a. simple to the re-allottee in case possession is not offered within period of 3 years of date of allotment.
2. In this regard attention is invited to the policy dated 25.1.2007 issued under No. HUDA-Acctts-Acctt-I-2007/2912-47 where under the allottee is eligible for 9% p.a. simple possession interest in case possession of plot is not given within 3 years of allotment. This facility is available only on those plots which were allotted after 25.1.2007.
3. The Estate Officer has pointed out that though as per condition No. 7 of the allotment letter issued after 25.1.2007, there is a provision to pay interest @ 9% p.a. simple to the allottee where possession of the plot is not offered within 3 years from the date of allotment by HUDA. However, this condition is not mentioned in the re-allotment letter in case where plot is sold by original allottee. Some re-allottees have requested that they should also be granted benefit of possession interest @ 9% p.a. simple by treating them at par with the original allottee.
4. It is clarified that re-allottee should also be entitled for possession interest treating at par with the original allottee if the original allotment letter contains the condition of payment of possession interest @ 9% p.a. simple and allotment had been made after 25.1.2007.
5. Therefore, the respective Estate Officer may take appropriate decision depending upon the facts of each individual case.

-sd-
Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula.

Copy to:

Website of HUDA under policy-finance wing-instruction.

INSTRUCTION RELATING TO APPROACH ROAD/RASTA TO RELEASED LAND.

To

1. All the Administrators, HUDA (In the State).
2. The Administrator (HQ), HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. All the Estate Officer, HUDA (In the State).

Memo No. HUDA-CCF-AO-I/Acctt-I-2018/5707

Dated: 9/1/2018

Subject: Rates to be charged to provide approach road (Rasta) to the pockets of released land

1. References are received where approach road (Rasta) is to be provided to the released pockets. Though, there is a policy that HUDA shall provide Rasta with width upto maximum of 2 karam (11 feet) In those cases where existing revenue Rasta has been acquired by HUDA and no approach is available to the released pocket., but there is no existing policy about what price should be charged for land to be now used for “Rasta” from the owner of released pockets.
2. It has been observed that sometimes the original approved layout plan shows the now proposed “Rasta” to be e.g. Residential, GHS, Institutional, Commercial etc. The approved layout plan needs to be altered to provide proposed Rasta. This leads to loss of revenue to HUDA. To compensate for the loss to HUDA if the price of the original approved layout is charged, there is resentment from the owner of the released pocket as he is using the land for the purpose of “Rasta”. Therefore, the policy’ needs to be framed as to what price should be charged where a “Rasta” is being provided to the owner of released pocket of land.
3. It is clarified that land for such proposed Rasta shall be provided free of cost. However, any cost of construction of Rasta as determined by the HUDA Engineering Wing shall chargeable.
4. If the owner of released pocket requests for Rasta in excess of 2 karam (11 feet) width, then 1.5 times of the differential land (required for Rasta in excess of 2 karam width) shall be taken by HUDA in lieu of its land required for providing approach. If the owner it not able to provide such land, the differential land (required for Rasta in excess of 2 karam width) shall be charged at the rate of nodal residential plotted rates of the respective sector, in which such differential excess land falls. In addition any cost of construction of Rasta as determined by the HUDA Engineering Wing shall chargeable extra.
5. This issues with the approval of Hon’ble Chief Minister, Haryana-cum-Chairman, HUDA.

-sd-

Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula.

CC:

Website of HUDA under policy - finance wing - G.M. IT

INSTRUCTION RELATING TO DIFFERENTIAL CHARGES PURCHASABLE FAR

To

1. All the Administrators,
HUDA (in the State).
2. The Administrator (HQ),
HUDA, Panchkula.

Memo No. HUDA-CCF-AO-I/2018/29789

Dated: 15/02/2018

Subject: Fixation of rates of industrial plots in various Urban Estates of HUDA for the year 2017-18 – Differential charges to be paid on account of purchasable FAR in respect of old allotment-reg

1. Please refer to this office letter dated 19.5.2017 issued under Memo No. 90526-27 on the above subject. The differential amount to be charged in respect of old allotments on account of increased FAR as allowed under Haryana Building Code, 2016 was to be calculated as below:-

“Para 4: In case of old allotments, differential component of increased FAR shall be purchasable @ calculation proportionately for the increased FAR on the basis of current reserve price for e-auction. For example, in case the current rate of industrial plots is Rs. 10,000/- per sq.mtr. for 150% FAR and the FAR in old cases is increased from 125% to 150%, in that case the recoverable amount will be Rs. 1667.00 per sq.mtr. for increased 25% FAR.”

2. It has been observed that formula for calculations of additional amount payable on account of increased purchasable FAR, being adopted by HSVP is different from HSIIDC and this is leading to charging of higher rates by HSVP.
3. In the interest of industrial growth in the state and to have uniformity between HUDA and HSIIDC, it has been decided that the practice being followed in HSIIDC may also be adopted by HSVP. The augmentation charges for increase in FAR in respect of industrial plots shall be worked out as under:

- (i) If FAR of the industrial plot is increased from 75/100/125% to 150 or above, the augmentation charges per 25% of increase in FAR, may be worked out as under:
- (ii) Prevailing/current allotment rate per sqm of the industrial plot in an industrial estate, in the year when the increase in FAR is allowed on regularized, may be considered the base rate for working out the charges.
- (iii) For the increase in FAR, 50% of the Base Rate as described in (ii) above, may be considered for working out augmentation charges per sqm.
- (iv) The following formula may be applied to work out the charges for the increase in FAR.

(Increase in FAR* x Base Rate as in (ii)above) x 50% Base FAR at which plot was allotted

* Increase in FAR will be accounted for in the denomination of 25% above the base FAR.

For example:

- (a) In case of Udyog Vihar Gurugram

- Taking the base rate as Rs. 48,000/- per sqm. (Allotment rate of industrial plot for the year 2015-16).
- For increase in FAR from 125% to 150%

The rate of augmentation charges will be:

$(25 \times 48,000) \times 50\% = \text{Rs. } 4800/- \text{ per sqm for 25\% increase in FAR.}$

125

(b) In case of IE Kundli

- Taking the base rate as Rs. 13,000/- per sqm. (Allotment rate of industrial plot for the year 2015-16).
- For increase in FAR from 125% to 150%

The rate of augmentation charges will be:

$$\frac{(25 \times 13,000)}{125} \times 50\% = \text{Rs. } 1300/- \text{ per sqm for 25\% increase in FAR.}$$

4. This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HSVP.

-sd-

Accounts Officer,
for Chief Administrator, HUDA,
Panchkula.

C.C.: IT Cell to upload on the HUDA website.

POLICY REGARDING LAND ACQUISITION

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

- 1 All the Administrator,
HUDA, (In the State).
2. The Chief Engineer,
HUDA, Panchkula.
3. The Chief Town Planner,
HUDA, Panchkula.
4. All the Senior Town Planner,
(In the State).
5. All the Superintending Engineers,
HUDA (In the State).
6. The Distt. Attorney,
HUDA, Panchkula.
7. All the Land Acquisition Officers,
Urban Estate, Haryana.
8. All the Distt. Town Planner,
(In the State).

Memo No.HUDA-CCF-ACCTT-II/2008/17069-109

Dated: 14.05.1999

Subject:-Constitution of **Committee** for **Acquisition of land** for the development of various Urban Estate of HUDA.

Please refer to the subject cited above.

It has been decided that in future for the acquisition of lands a committee under the Chairmanship of Administrator may be constituted at the zonal level consisting of the following officers:-

1. Superintending Engineer,
2. Senior Town Planner.
- 3 Distt. Town Planner.
4. Land Acquisition Officer.
5. Deputy Distt. Attorney.
6. One representative of Distt. Administration.

The above committee will examine the viability of the land in case section 4&6 is to be published and in case section 4&6 have already been announced the committee will examine the same before award. This committee will submit its detailed report to the committee to be constituted at Head office level under the Chairmanship of Additional Director, Urban Estate, Haryana consisting of the following members:-

1. Chief Controller of Finance, HUDA, Panchkula.
2. Chief Engineer, HUDA, Panchkula.
- 3 Chief Town Planner, HUDA, , Panchkula.

4. Distt. Attorney, Urban Estate.
5. Chief Town Planner, Haryana in case the necessity arise.

The above community will submit their final report to Chief Administrator, HUDA-Cum-Director, Urban Estate for final decision in the matter.

The land may only be acquired in case the scheme is found financially viable otherwise acquisition proceedings may not be started. In such case the committee constituted under the Chairmanship of the respective Administrator, HUDA may examine the violability of the scheme and send their recommendations to Head Office which may be examined by the committee at HQs. After examining the financial viability of the scheme fresh notification of the areas may be issued.

In case of other areas which have already been notified under section 4 and 6 of the Land Acquisition Act, the same procedure may be followed and recommendation in this regard may also submitted by the committees so that the decision to acquire/not to acquire the land are taken immediately without waiting for the last date of the notification.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.
Dated: 14.05.1999

Endst.No.HUDA-CCF-ACCTT-1999/17110

A copy of the above is forwarded to the Additional Director, Urban Estate, Haryana for information and necessary action please.

-sd/-
Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

INTEREST ON DEPOSIT OF ADDITIONAL PRICE AGAINST ORIGINAL PLOT

Instruction No. 2

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA

To

The Estate Officer-II,
Gurgaon.

Memo No.HUDA-CCF-ACCTT-II-2015/-2790-91

Dated:-09.02.2015

Subject: Interest on deposit of **additional price** against original plot on account of **enhancement** but allotment of **alternative plot** in the **adjoining/different** sector.

Kindly refer to your letter No.12716 dated 02.12.2014 about clarification for rate of interest on the amount deposited on account of additional price (enhancement) in the original sector (sector 52) but actual allotment of alternative plot allotted in the adjoining/different sector (sector 57), Gurgaon.

This office has already issued clarification vide this office memo No.HUDA-Acctt-II-2013/43644-45 dated 26.11.13 on basis of High Court decision dated 8.08.2013 in CWP No.2759 of 2013 titled Mahender Pal Jain Vs. HUDA that in respect of allotment of alternative plot in the adjoining/different sector, the enhanced price shall be charged of the sector where alternative plot has been allotted.

In the present case, the additional price on account of enhancement was paid for Sector-52, but the plot was not allotted in this sector. Now question is what rate of interest for such paid amount is to be given to the plot owner. HUDA shall refund this amount along with interest @ 15% P.A. (Simple). This will ensure equity in dealing by HUDA as the same interest @ 15% P.A. (Simple) is being charged for recovery of the additional price on account of enhancement from the plot owners as per letter NO. HUDA-CCF-Acctt-I/2008/3654/7-78 dated 25.10.08 issued on basis of the judgement of Hon'ble Supreme Court of India in the case of Sh. Raj Singh Rana V/s HUDA in Civil Appeal No.4436 of 2008 (arising out of special leave petition No.13644 of 2005).

Instead of refunding the enhancement amount of Sector-52, Gurgaon to the plot owner, your office may update the amount @ 15% p.a.(simple) and adjust it against the demand of the additional price on account for enhancement in the Sector-57, Gurgaon i.e. alternative sector. If still some excess amount is left, same may be refunded with interest @ 15% P.A. (Simple).

This may also be made applicable in other similar cases in respect of allotment alternative plot in the adjoining/different sector.

(Manohar Lal),
Sr. Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

Copy is forwarded to the following for information and necessary action:

- 1) All the Administrators HUDA (in the state)
- 2) All the Estate Officers HUDA (in the State)
- 3) The G.M.,IT. HUDA Panchkula with a request to upload this letter on the HUDA Website.

(Manohar Lal),
Sr. Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

PAYMENT OF ENHANCEMENT COMPENSATION

Instruction No. 56

HARYANA SHEHRI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA.

To

1. The Zonal Administrator,
Panchkula, Gurugram, Faridabad, Rohtak & Hisar.
2. The Land Acquisition Officer,
Panchkula, Gurugram, Faridabad, Rohtak & Hisar.

Memo No. HSVP-CCF-Acctt-II-2018/143381-82

Dated: 17.07.2018

Subject: Priority for payment of enhancement compensation in land acquisition cases on accounts of executions being filed in the various Courts.

1. Please refer to this office earlier instruction No. 53 issued under memo No. HSVP/CCF/AO-Cash/2018/36425-26 dated 23.02.2018 where under it was directed that the payment pertaining to original awards of specified categories and enhanced compensation awarded by the Hon'ble Supreme Court should be done on priority on the first phase. Thereafter in the 2nd phase, the payment of enhanced compensation based on the orders of Hon'ble High Court was to be taken up and the payment of enhanced compensation based on the orders of the ADJ Court was to be taken up in the 3rd phase.
2. It has been observed that various execution applications have been filed by the land owners in the Courts to secure release of the land payment. The Courts in some matters have taken coercive action to ensure release of payment to the land owners. In this background, it is again clarified that payment of original award and the enhanced compensation awarded by the Hon'ble Supreme Court should be uploaded by the field offices at their own level and they should ensure that the land owner is not required to approach the Courts by way of filing executions for release of payment in such cases. If any amount is to be deposited in the Court, due to dispute of ownership or apportionment, the same may be deposited by concerned LAO after taking written approval of jurisdictional Zonal Administrator-cum-ADUE without referring case to H.Q.
3. Execution petitions may arise in respect of enhanced compensation based on Hon'ble High Court or ADJ Court order to secure release of the payment, as these are not so far taken up for payment based on priority.
4. It is relevant to mention that as already notified vide H.Q. instructions dated 22.2.2007 (available on page 311 of HUDA Policies & Instructions) that payment of enhanced compensation in land acquisition cases is to be made as under:
 - (a) In case of enhancement, once the rate are finalized and no appeal of HSVP is pending; the entire enhancement compensation should be disbursed in one go. The Land Acquisition Officer should not wait for execution proceedings. After receiving the communication that the rates of enhancement compensation have attained the finality and no further appeal is being filed. Land Acquisition Officer's will process all such communication and submit the same to the concerned Administrator who shall sanction the payment within 10 days of the receipt.
 - (b) In case where HSVP has preferred appeal before Higher Court against enhanced compensation and no stay has been granted. 100% payment may be released subject to furnishing of adequate security or a bank guarantee from the land owners so that in the event of reduction the rates of enhancement compensation by the Higher Courts the excess amount could easily be recovered.
5. H.Q. has already issued instruction No. 34 dated 23.5.2017 directing that the Zonal Administrator-cum-ADUE should examine and make specific recommendation to the H.Q. for making payment on out of turn basis, if required.
6. If any execution has been filed to secure release of payment based on Hon'ble High Court/ADJ Court order and coercive action has been initiated by Executing Court, the Land Acquisition Officer should first procure sanction of Zonal Administrator based on the merit of each claim. Thereafter, Zonal Administrator should

recommend the case to H.Q. for making out of turn payment.

-sd-
Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

Endst. No. HSVP-CCF-Acctt-II-2018/143384-85

Dated: 17.07.2018

A copy of the above is forwarded to the following for information and necessary action:-

1. Director Urban Estate, Haryana, Panchkula.
2. GM(IT), HSVP, Panchkula with the request to upload the above instruction on HSVP Website under policy-Finance Wing-Instructions.

-sd-
Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA/CCF/CAO/AO-II/2017/227301

Dated:-30.11.2017

Subject :- CWP Nos. 727, 733, 772, 3324 and 3681 of 2017 titled as **Daulat Ram Dharambir Auto Pvt. Ltd. Vs. State of Haryana**-Compliance of orders dated 09.10.2017 of Hon'ble High Court. (Regarding preparation of Bank Draft if Bank detail of the Beneficiary not received)

1. Refer to office Memo No. A-5-2017/5917-27 dated 20.11.2017 issued by Director Urban Estates, Haryana, Panchkula, where under it was directed that in cases where details of bank accounts have not been collected/obtained, such amount should be deposited with the Reference Courts under intimation to concerned land owners.
2. Based on the data received from the jurisdictional LAO, Head Quarter, HUDA has prepared a list consisting of 193 entries amounting to Rs. 384.47 crores, where bank details of beneficiaries are still not collected / obtained. This list has been uploaded on the HUDA Website.
3. During the hearing held on 29.11.2017 in the CWP No. 727, 733, 772, 3324 and 3681 of 2017 titled as Dautat Ram Dharambir Auto Pvt. Ltd. Vs. State of Hat Yana, the Hon'ble High Court has again asked to file the status as to why Inc balance amount of such pending enhanced compensation has not been deposited in the reference courts by the LAO.
4. Head Quarter has already placed Rs. 384.47 Crores at the disposal of PNB, Manimajra with the directions to issued demand draft in favour of reference courts on the basis of requests of concerned LAO.
5. Accordingly, in this case, if beneficiaries bank details are not received by 04.12.2017, the LAO concerned shall get the demand draft prepared from PNB, Manimajra and deposit the amount in the Reference Courts latest by 05.12.2017.
6. Please treat matter urgent as case is again listed for hearing in High Court on 06.12.2017 for compliance.

-sd-

Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Endst.No.HUDA-CCF-Acctt-II-2017/-227301

Dated:-30.11.2017

A copy of the above is forwarded to the following for kind information and necessary action:-

1. A copy is forwarded to Chief Manager, PNB, Manimajra with the request to issue demand draft in favour of "Reference Court" as per the details supplied by each LAO.
2. The GM (IT), HUDA with request to display on HUDA website (policy - Finance - Instructions).
3. PS/CA HUDA for kind information.

-sd-

Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Instruction No. 43
MEETING NOTICE
MOST URGENT
HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Zonal Administrators cum ADUE,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA/CCF/Acctt-II/ 2017/ 206099

Dated:-03.11.2017

**Subject:- Priority list of pending payments of Enhanced Compensation based on Supreme Court orders –
Reminder for sending data.**

1. (i) Please refer to para 3 of the instructions No. 42 dated 25.10.2017 issued by this office, where under it was directed that the pending payments of the original award should not be made in those cases where the notifications under section-6 of the Act was issued after 1.1.2014.
- (ii) Further the Hon'ble High Court vide order dated 5.9.2017 in CWP No.3281 of 2014 (O&M) titled as Vikram Tuli Vs. State of Haryana & others, has held that acquisitions shall lapse only qua the petitioners. Accordingly two types of lists of pending payments in respect of original awards announced after 1.1.2014, shall be compiled in the following format:-

Sr. No.	Wherein Section (6) notification has been issued after 01.01.2014 but	Format
1	the land owner has not filed any petition in the Hon'ble Courts	Annexure 'C'
2	the land owner has challenged acquisition by filing petition in the Hon'ble Courts	Annexure 'D'

- (iii) The above two lists should also be forwarded to "H.Q". on e-mail id ao2hudaccf@gmail.com on or before 10.11.2017.

2. Pending payments of Enhanced Compensation based on Supreme Court orders:-

- (i) As already conveyed vide para 2 of the instructions No. 42 dated 25.10.2017, the list comprising of 940 beneficiaries amounting to Rs. 2034.15 crores, compiled on the basis of enhancement awarded by the Hon'ble Supreme Court order, has been displayed on HUDA Web site under the link <https://www.huda.org.in/layouts/priority/Details%20of%20Enhancement%20Compensaiton%20Pending%20for%20Payment%20as%20on%2027.09.2017.pdf>.
- (ii) During the review meeting with the Zonal Administrator held on 17,10.2017, it was gathered that the total

amount of Rs. 2034.15 crores is likely to increase to Rs. 8750.9 crores, All the Zones were requested to send the updated list to H.Q. latest by 2.11.2017. But so far non of the Zonal Administrators has submitted the requisite updated list.

- (iii) To speed up the payment, it is decided that the payments of Rs. 2350 crores based on Supreme Court enhancements, shall be released **first** on account of following
- (a) List comprising of 940 beneficiaries amounting to Rs. 2034.15 crores already displayed on HUDA website.
 - (b) Additional Rs. 179.79 crores pertaining to Panchkula Zone on account of order dated 9.10.17 of Apex Court qua acquisition of Sector-25 to 28, Panchkula.
 - (c) Additional Rs. 137 crores pertaining to Gurgaon Zone (due to increase of Rs. 480 crores to Rs. 617 crores).
- (iv) Accordingly all Zonal Administrators are requested to send the data **by 5.11.17** in **Annexure 'A'** (copy enclosed) of all the persons whose payments of enhanced compensation (Rs. 2350 crores appx. as above) based on Supreme Court orders, are pending. This is important as pending payments can be made only after list has been displayed on the HUDA Website.
- (v) They should simultaneously also send the requests for RTGS/NEFT to PNB Manimajra, giving details of beneficiary bank accounts, IFSC code and amount to be paid etc. **By 05.11.2017.**
- (vi) The payment of balance Rs.6400 crores in respect of Gurgaon enhancement pertaining to NPR (Strip), Sector-81 to 95 sector road and two STPs, shall be taken up in the next phase. Administrator, Gurgaon shall prepare a list of such pending cases in the **Annexure 'A'** where execution or contempt petitions in the Court.

Encl. Annexure 'A', 'C' & 'D'

-sd-
Chief Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Endst.No.HUDA-CCF-Acctt-II-2017/-206099

Dated:-03.11.2017

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director General, Urban Estate Haryana, Chandigarh.
2. The GM (IT), HUDA with request to display on HUDA website (policy - Finance - Instructions).
3. PS/CA HUDA for kind information.

-sd-
Chief Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Instructions No. 42
MEETING NOTICE MOST URGENT

To

1. All the Zonal Administrators cum ADUE,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA/CCF/Acctt-II/ 2017/ 200151

Dated: 29.10.2017

**Subject:-Priority list of pending payments of Enhanced Compensation based on Supreme Court orders -
Regarding list of pending payments.**

1. Please refer to the instructions No. 40 dated 4.10.2017 issued by this office, regarding payment of Enhanced Compensation, where under it was conveyed that now the payment of enhanced compensation based on the order of Supreme Court, shall be done as first priority, as these cases have attained finality.
2. (i) The list comprising of 940 beneficiaries amounting to Rs. 2034.15 crores, compiled on the basis of enhancement awarded by the Hon'ble Supreme Court order, was displayed on HUDA Web site under the link <https://www.huda.org.in/layouts/Priority/Details%20of%20Enhancement%20Compensation0/020Pending0/020for%20Payment%20asT020onc102027.09.2017.pdf>.
(ii) During the review meeting with the Zonal Administrator held on 17.10.2017, it was gathered that the total amount of Rs. 2034.15 crores is likely to increase to Rs. 8750.9 crores on account of following:-

S r . No.	Zone	Earlier amount (Rs. in crores)	New amount (Rs. in crores)	Remarks
1.	Panchkula	522.97	702.76	Orders dated 9.10.17 of Apex Court qua land acquisition for sector- 25 to 28 Panchkula
2.	Gurgaon	480	617	As 480 crores pertain to Rewari only
3.	Gurgaon		6400	Enhancement finalized by Apex Court w.r.t. NPR (Strip), 81 to 95 sector road and two STPs.

- (iii) You are requested to send details as per Annexure 'A' (copy enclosed) through e-mail ao2hudaccf@gmail.com on or before 02.11.2017, of all the persons whose payments of enhanced compensation (Rs. 8750.9 crores appx.) based on Supreme Court orders, are pending.
 - (iv) While forwarding the detailed list, special mention should be made in the remarks column where execution petitions/contempt petitions have been filed in the Courts.
3. The pending payments of the original award should be made except the acquisitions wherein the notifications under section -6 of the Act have been issued after 1.1.2014. List of all such cases where payments are to be made should also be forwarded as per Annexure 'B' (copy enclosed) through e-mail ao2hudaccf@gmail.com on or before 02.11.2017.

4. To have transparency in the manner of payment, it is clarified that payments are to be made only after the detailed lists of pending payments (on account of enhancement by Apex Court as well as original awards) has been displayed on the Website by the H.Q.

DA/As Above

-sd-

Chief Accounts Officer
for Chief Administrator,
HUDA, Panchkula.

Endst No.HUDA-CCF-Acctt-II-2017/200151

Dated 29.10.2017

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director General, Urban Estate Haryana, Chandigarh
2. GM (IT), HUDA with the request to display on HUDA website (policy-Finance-Instructions).
3. PS/CA HUDA for kind information.

-sd-

Chief Accounts Officer
for Chief Administrator,
HUDA, Panchkula.

Priority list for pending payments of enhancement compensation based on Supreme Court orders Annexure-A												
Sr. No.	Name of Zone	LAC Case	Gross Amount	Name of Beneficiary	Sector No.	Name of Village	Award		Supreme Court order		Whether are execution/contempt petition filed or not	
							No.	Date (DD-MM-YYY Y)	No.	Date (DD-MM-YYY Y)	Yes/No	Contempt/Execution Petition No.
1	2	3	4	5	6	7	8	9	10	11		
1												
2												
3												
4												
5												

Patwari Kanugo Naib Tehsildar LAO

Annexure -B											
Performa of priority list in excel sheet for pending payment of Original Award, where section 6 notification has been issued before 01.01.2014											
Sr. No. /Priority No.	Name of LAO	Bank Account No. Of Award	General Authorisation/Award No.	Date of award (DD-MM-YYYY)	Amount	Name of Beneficiary	Sector No.	Name of Village	EDC/Non EDC	Remarks	
1	2	3	4	5	6	7	8	9	10	11	
1											
2											
3											
4											
5											

Instruction No. 40

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA-CCF-ACCTT-II-2017/-185063-64

Dated:- 04.10.2017

Subject: Priority for payment of enhancement compensation in land acquisition cases – Priority as per Court Orders.

1. Please refer the instruction No, 12 issued vide this office letter No. 86150 51 dated 05.10.2016 and Instruction No-34 issued vide this office Letter No 92553 54 dated 23.05.17 on above subject.
2. So far while making the payments of enhanced compensation, the priority is being decided on the basis of date of orders of courts. in other words, if enhanced compensation is to be paid on the basis of orders passed by ADJ 01 2014 and Supreme Court order of 2015. The priority will be given to the order of ADJ court passed in 2014.
3. It has been observed that: the department is filing appeal in the higher courts against the decision passed by lower court in enhancement compensation As a result, the matter has not been attained finality,
4. Therefore, it is decided that the payments of enhanced compensation based on the orders of Supreme Court shall be done on first priority, as these matters have attained finality at the level of Apex Court, Therefore, payments of enhanced compensation based on the orders of Hon'ble High Court will be taken in the 2nd phase. The payments of enhanced compensation based on the orders of AD) court will be taken up in the 3rd phase.
5. This is in partial notification of the earlier orders in respect of payments of enhanced compensation.
6. This has been issued with prior approval of Hon'ble C.M. Haryana.

-sd-
Chief Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Endst, No. HUDA-CCF-Acctt-II-2017/ 185063-64

Dated:- 04.10.2017

A copy of the above is forwarded to the following for information and necessary action: -

- 1 The Director General, Urban Estate Haryana, Chandigarh,
- 2 The GM (IT), HUDA with request to display on HUDA website (policy Finance Instructions).

-sd-
Chief Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Instruction No. 34

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA-CCF-ACCTT-II-2017/-92553-54

Dated:- 23.05.2017

Subject :- Priority for payment of enhancement compensation in land acquisition cases – Out of turn payments.

1. Please refer the instructions No. 12 issued vide this office letter No. CCF-Acctt-II-2016/86150-51 dated 05.10.2016 regarding priority for payments of original awards and payments of enhancement compensation pertaining to the Land Acquisition Cases. Copy of these instructions is available on the HUDA website at the link below:-
<https://www.huda.org.in/layouts/CCF/Priority%20for%20payment%20of%20enhancement%20compensation%20in%20land%20acquisition%20cases.pdf>
2. In some genuine cases, immediate payments are to be made due to exigency of the situation. Therefore, it is prescribed that henceforth, proposal for any out of turn payment should be addressed to the Chief Administrator, HUDA by the Zonal Administrator-cum-ADUE. The Accounts Branch H.Q. shall process the same and take written approval from the Chief Administrator, HUDA and out of turn payment shall be released only after taking written approval from the Chief Administrator, HUDA, Panchkula.
- 3.1 **Original Awards** :-Another issue is to set the priority for payment of compensation in the original awards. So far the priority was being decided on the basis of date of requisition sent by LAO to the Punjab National Bank, UT, Manimajra for the award payment to the beneficiary Land Owners through RTGS. As a result, some of the cases where though award had been announced earlier were being put in lower priority.
- 3.2 Henceforth, the priority list for payment of original awards will be prepared on the basis of date of award i.e. earlier award will get priority. The payment will be made in ascending order of the award amount. IT wing is also designing software for real time updation of priority list. Till the time the software is commissioned, the priority list will be updated manually on monthly basis and the same shall be displayed on the HUDA website.
- 4.1 **Enhancement cases:-** So far, the priority list for payment of enhanced compensation were being maintained zone-wise. Henceforth it has been decided that combined priority list for all the five zones shall be prepared & displayed on the HUDA website and payments shall be released on the basis of combined priority list.
- 4.2 So far, common bank accounts were being maintained for payment of enhancement both for EDC & non EDC land payments. Henceforth separate bank account shall be opened zone-wise for [EDC and non EDC land payments.
- 4.3 While submitting the request of RTGS to PNB bank for payment in the account of beneficiary, the Zonal Administrator/LAO shall ensure that the proper bank account number is mentioned from which payment is to be made to the beneficiary so that to ensure that EDC Bank Account is used only for expenditure on EDC land enhancement payments and similarly, amount from Non EDC Bank Account is spent for the non EDC land enhancement payments.

-sd-
Chief Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

A copy of the above is forwarded to the following for kind information and necessary action:-

1. The Director General, Urban Estate Haryana, Chandigarh.
2. The GM (IT), HUDA with request to display on HUDA website (policy -Finance - Instructions).

-sd-

Chief Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Instructions No.12

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No.HUDA/CCF/Acctt II/2016/-86150-51

Dated: 05.10.2016

Subject: Priority for payment of enhancement compensation in land acquisition cases.

Attention is invited to H.Q letter No. CCF-Acctt-II-2007/16499-6503 dated 22.2.2007 that the Zonal Administrator is competent authority to sanction the payment of enhanced compensation to the land owners after receipt of the proposal from the land Acquisition Officer.

2. The landowners whose land is acquired under the Land Acquisition Act, have a statutory right to file references under Section 18 of the Act seeking higher compensation as compared to what has been determined by the Land Acquisition Collector and paid to them at the Award stage. The amount of compensation is often enhanced by the Courts of competent jurisdiction. Finality in this behalf is a long drawn process. As such, the pricing of plots at the initial stage can not take into account any competent Courts is recovered proportionately from the plot owners separately under regulation 10 of the Haryana Urban Development (Disposal of land and building) Regulations, 1978 by issuing demand of additional price on account of enhanced compensation. This recovery from plot holders, is made over a period to time.
3. To streamline the procedure for recovery of enhanced compensation from plot owners, a policy approved by the HUDA Authority in its 111th meeting held on 27.7.2016 at Agenda item No. 22, is available on HUDA website at the link https://www.huda.gov.in/layouts/CCF/Policyregardingrecovery_of_enhanced_compensation_fromallottees_in_case_of_sale_of_land_or_building_by_allotment.pdf
4. Till the time, the enhanced compensation is recovered from the plot owners, payment of enhanced compensation can only be made by HUDA out of its own surplus resources and no assistance from the State Government or financial institutions is available to the Organization for this purpose. At present, HUDA is passing through phase of liquidity crunch and surplus funds are not available to make payment immediately after the announcement of the enhanced amount of compensation by the Courts.
5. A need has been felt to have a transparent system to arrive at the priority while making payments. The following method shall be followed in this regard :-
 - a) **Original Award :-** The first priority will be given for payment of compensation announced in the original award, if any, pending due to oversight.
 - b) **Enhanced Compensation :-** These cases shall be taken up for payment after all the original award payment

cases have been exhausted. The priority shall be decided on the basis of date or order of Court of enhancement. The earlier order is to be given priority. Thereafter subject to availability of funds, payments shall be released in the ascending order of the amount to be disbursed to the concerned land owner. For example, if there are two enhancement orders **A & B** passed on 1.07.2015 and 3.08.2016 respectively. Each consisting of payment to 4 persons each of ` 10, 20, 30 & 40 respectively. The amounts of ` 10, 20, 30 & 40 under order A dated 1.07.2015 shall be released first in the ascending order i.e ` 10 to be released first thereafter, ` 20 and so on. After making full payment of ` 100 under order A, payment of ` 10 under order B dated 3.08.2016 shall be made and so on.

- c) The Land Acquisition officer shall maintain a duly certified waiting list in this regard for disbursement of the amount and shall be displayed on the HUDA Website. The list shall be updated on quarterly basis and shall be submitted to the respective Zonal Administrator in the first week of month after quarter ending.
- d) In case of any execution being filed by the land owner in the court, the certified waiting list should be submitted in the court highlighting the serial number of the petitioner land owner.

-sd-
Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

Endst. No. HUDA-CCF-Acctt-II-2016/86154-55

Dated: 05.10.2016

A copy of the above is forwarded to the following for information and necessary action :-

1. Director General, Urban Estate Haryana, Chandigarh.
2. GM (IT), HUDA with request to display on HUDA website (policy-Finance - Instructions).

-sd-
Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

From

Chief Administrator,
HUDA, Panchkula.

To

All Land Acquisition Officers,
(Panchkula, Rohtak, Gurgaon, Faridabad and Hisar)
Memo No. 46392-96

Dated: 3.12.2010

Subject:- Payment of enhanced compensation to the land Owners – Income Tax/General Instructions.

It has been observed that the claims for payment of Enhancement Compensation are not being submitted to the office of Administrators well in time for payment due to which adverse order such as attachment of Govt./HUDA properties are passed by the Court which gives bad name to the organization. To streamline the system the following decisions have been taken.

1. Deduction of Income Tax should be made as per instructions issued by the Income Tax Department/advise given by the Tax Consultant, copy of which is enclosed herewith.
2. All the claims of Enhancement Compensation against the award passed by the Hon'ble Court should be submitted in one lot instead of submitting the claims in parts.
3. If any attachment orders are passed by any Court, the matter should be brought to the notice of the concerned Administrator, at personal level and payment of such claim should be got released before the date of attachment.
4. The Claim of Enhancement Compensation should be submitted within 3 months from the date of award of the Court immediately after observing all the legal formalities so that no delay occurs in making payment to the land owners to avoid interest liability. If any lapse is noticed on part of any officer/official, the payment of interest will be recovered from him.

These instructions should be followed in letter and spirit.

-sd/-
(S.C. Kansal)
Chief Controller of Finance,
For Chief Administrator, HUDA, Panchkula
Dated: 03.12.2010

Endst.No. 46396-46403

A copy of the above is forwarded for information and necessary action to:-

1. Director, Urban Estate, Haryana, Panchkula. It is requested to impress upon the Land Acquisition Officer's to follow the above instructions.
2. All Administrators and they are requested to keep monitor that no payment is delayed in which Court has passed any adverse orders.
3. PS to CA for kind information of the Chief Administrator, HUDA, Panchkula.

-sd/-
(S.C. Kansal)
Chief Controller of Finance,
For Chief Administrator, HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

1. All the Administrators,
HUDA (in the State).
2. All the land Acquisition officers,
(in the State).

MemoNo.-CCF-ACCTT-II/2010/38914

Dated: 29.09.2010

Subject: Payment of **compensation** in land acquisition cases w.r.t. **Gurpreet Singh V/s Union of India 2006(2)**
PLJ 593

Please refer to this office letter No. 2659-68 dated 27.1.2009 on the subject cited above.

1. In this regard, the Hon'ble Court of Sh. Deepak Gupta, Additional District Judge, Faridabad in execution case No. 233 of 1998 in the case of Sh. Ram Gopal, ram Kumar, Vishnu Dutt, Bhu Dutt sons, Smt. Anguri Devi of village Sihi, Tehsil Ballabgarh, District, Faridabad V/s State of Haryana, had passed the orders on 6.5.2010 wherein the judgement of Gurpreet Singh V/s Union of India has been analysed in detail for the purpose of payment of enhanced compensation to the land owners.

In the above said execution case No. 233 of 1998, the land owners were demanding the amount of Rs. 56,25,244/- in view of Judgement of Gurpreet Singh Vs Union of India, but the Hon'ble Court of AdJ, Faridabad had held that the decree holders have already received the amount of Rs. 1,90,638/- in excess which they are liable to refund.

2. The judgement of Hon'ble ADJ, Faridabad is absed on judgement of Hon'ble Supreme Court of India in the case of Gurpreet Singh Vs. Union of India which contains the following factors:

As per Land Acquisition Act, 1894 the award of compensation is at different stages:

- i) Stage one: When LAC passes the award and makes payment under section 31 of the Act.
- ii) Stage two: When the reference is filed under section 18 of the Land Acquisition Act 1894 and the same is decided by the reference court. On the basis of award announced by the reference court, the Collector is duty bound to deposit this amount. This has nothing to do with the earlier amount paid at stage one. If the **amount paid falls short of enhanced amount**, the question of appropriation can arise at this stage.
- iii) Stage three: When in appeal, High Court enhanced the compensation. The enhanced compensation awarded by High Court shall have to be deposited in addition to enhancement awarded by the reference court.
- iv) Stage four: When Supreme Court enhances the compensation and in this case the same rule will apply as at stage three. Therefore the following needs to be followed:-
 - a) The claimant or decree holder, who has received the entire amount by virtue of award of reference court cannot claim interest on the amount already received merely because of the fact that appellate court has further enhanced the compensation.
 - b) But if there is any short fall at any stage, the claimant or decree holder can seek to apply the rule of appropriation in respect of that amount first towards interest and costs and then towards principal unless the decree otherwise directs. (Refer para 32,33,34,35,36 of the judgement of Gurpreet Singh Vs. Union of India).

3. However the payment on account of (b) above has further to be co-related with the followings factors:

The decree holders may have the right to appropriate payments made by judgement debtor, but it could be done as provided in the decree i.e. if there is a provision in that behalf in the decree or as contemplated by order XXI Rule 1 of the code. The code or **the general rule do not contemplate payment of further interest by the judgement debtor on the portion of principle he has already paid**. His obligation is only to pay interest on the balance principal remaining unpaid as adjudged either by the court of first instance or in the court of appeal. **On the pretext that the amount adjudged by the appellate court is the real amount due,**

the decree-holder cannot claim interest on that part of the principal already paid to him. Of course, as indicated, out of what is paid he can adjust the interest and costs first and the balance towards the principal, if there is a shortfall in deposit. But beyond that, the decree-holder cannot seek to re-open the entire transaction and proceed to recalculate the interest on the whole amount and seek a re-appropriation as a whole in the light of the appellate decree.

4. Referring of the ratio of judgement of Prem Nath Kapur (1996)2 SCC 71, Hon'ble Supreme Court had held that approach adopted in Prem Nath Kapoor is justified which states that when the judgement debtor makes a deposit along with the calculation appropriating distinct sums towards various heads of compensation as awarded by the reference court or by the appellate court and the amount is received by the decree holder, the decree holder is not entitled to seek an appropriation on the ground that the judgement debtor has not made any intimation and he is entitled to appropriate at his volition.

A re-appropriation by seeking to reopen the satisfaction already rendered might result in interest being made payable even on that part of the principal amount that had already been deposited and received by the decree holder and that would be in the realm of unjust enrichment.

Therefore the essential ration in the Prem Nath Kapur (supra) on appropriation being at different stages is justified though if at a particular stage there is a shortfall, the awardee decree holder would be entitled to appropriate the same on the general principle, **unless, of course, the deposit is indicated to be towards specified heads by the judgement debtor while making the deposit intimating the decree-holder of his intention.**

5. It may also be noted that earlier it had been held by the Hon'ble Supreme Court in Prem Nath Kapur' case that solatium and additional amount did not form part of compensation and therefore, interest was not payable thereon. However, later on, in "Sunder Vs. Union of India" (2001) Supplement 3 SCR 176 (Decided on 19.9.2001), Hon'ble Supreme Court held that solatium and additional amount form part of compensation and therefore, interest was payable on these components also. **In Gurpreet's case it has been held by Hon'ble Supreme Court that interest on the solatium can be claimed only in pending execution and not in closed execution and that the executing court will be entitled to permit its recovery from the dated of judgement in Sunder's case i.e. from 19.9.2001 and not for any prior period.**

The Hon'ble ADJ Faridabad citing the above judgement of Hon'ble Supreme Court in the Gurpreet's case has worked out the compensation and the detailed calculations have been given in the order. The copy of judgement of ADJ Faridabad containing the calculations is enclosed herewith for ready reference.

You are requested to follow this judgement while working out the compensation on the basis of Gurpreet's case. You may also bring this judgement and above guidelines to the notice of CAO/SAO/Accountants who are dealing with the payment of enhanced compensation also to the notice of DA/DDA/ADA and Advocates who are defending the cases of enhanced compensation in the Hon'ble Executing Court/High Court/Supreme Court. They may bring these facts to the notice of Hon'ble Court in writing while defending such cases.

These issues with the approval of C.A, HUDA.

-sd/-

(S.C.Kansal)

Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

Dated: 29.09.2010

Endst.No.HUDA-CCF-Acctt-II-2010/38927

A copy is forwarded to the following for information and necessary action.

1. Director, Urban Estate, Haryana, Chandigarh.
2. Additional Director, Urban Estate, Haryana, Panchkula.
3. District Attorney, HUDA, Panchkula.
4. District Attorney, Urban Estate, Haryana, Panchkula.

(S.C.Kansal)

Chief Controller of Finance,
for Chief Administrator, HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

The Land Acquisition Officer,
Faridabad.

Memo No.-CCF-ACCTT-II/2008/43020-21

Dated: 18.12.2008

Subject:-Clarification regarding deduction of TDS surcharge and education cess on Enhancement Compensation.

Please refer to your office letter no. 3026 dated 05.08.2008 on the subject cited above.

It is intimated that the clarification regarding deduction of TDS surcharges and Education cess an Enhancement Compensation was taken from M/s S. Mehtani and Company Chartered Accountant & Income Tax consultant of HUDA who has intimated vide his letter no. 70429 dated 24.10.2008 (copy enclosed) as under:-

“No Income tax at source is required to be deducted, provided the payee affirms that the land is agricultural, land within the scope of law and means agricultural land in India including land situated in any area referred to in Item (a) and (b) of Sub-clause (iii) of clause-14 of section-2”.

A perusal of the advice makes it clear that no tax is required to be deducted at Source on the Principal amount of the compensation/Enhancement Compensation even if the agricultural land is lying within the jurisdiction of municipality or such distance not being more than 8 KM from the local limits of municipality provided the payee affirms that this land is agricultural land within the scope of law.

It is for information and necessary action.

-sd/-
(Shakti Singh),
Accounts Officer,
For Chief Controller of Finance,
HUDA, Panchkula.

Endst.No.HUDA-CCF-ACCTT-II-2008/

Dated: 18.12.2008

A copy of the above is forwarded the Administrator, HUDA, Faridabad for information and necessary action.

-sd/-
(Shakti Singh),
Accounts Officer,
For Chief Controller of Finance,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

All the Administrators,
HUDA, (In the State).

Memo.No.-CCF-ACCTT-II/2007/6499-6503

Dated: 22.02.2007

Subject:- Payment of **Enhancement Compensation** in Land Acquisition cases – **Pending Cases.**

Please refer to this office letter no. HUDA-Acctts-Acctt-II/2006/44451-55 dated 21.12.2006 vide which instructions to release the payment of Enhancement Compensation were issued as under:-

- a) In case of enhancement, once the rates are finalised and no appeal of HUDA is pending; the entire Enhancement Compensation should be disbursed in one go. The Land Acquisition Officer should not wait for execution proceedings. After receiving the communication that the rates of Enhancement Compensation have attained the finality and no further appeal is being filed, Land Acquisition Officer's will process all such communication and submit the same to the concerned Administrator who shall sanction the payment within 10 days of the receipt.
- b) In case where HUDA has preferred appeal before higher court against enhanced compensation and no stay has been granted, 100% payment may be released subject to furnishing of adequate security or a bank guarantee from the land owners so that in the event of reduction in the rates of Enhancement Compensation by the Higher Courts the excess amount could easily be recovered.

However, it has been observed that inspite of clear cut instructions issued and funds provided by this office, payments are not made to concerned land owners due to which the land owners approaches the Hon'ble Courts at different levels where adverse orders are passed against HUDA including summoning of officers. On the other hand Accountant General, Haryana has also taken PAC Para's titled loss of interest to HUDA due to non-payment of Enhancement Compensation.

You are therefore requested to check all the pending cases in the office of Land Acquisition Officers falling under your jurisdiction and make the payment immediately as per instructions to avoid any legal complications at a later date. A status report in this regard may be sent to this office within a week's time.

-sd/-
Sr. Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Endst.No.HUDA-CCF-ACCTT-2007/6504-10

Dated: 22.02.2007

A copy of the above is forwarded for information and necessary action.

- 1 The Additional Director, Urban Estate, Panchkula.
- 2 The District Attorney, Urban Estate, Panchkula.
- 3 All the LAO's in the state.

-sd/-
Sr. Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

All the Administrators,
HUDA (in the State).

Memo No.HUDA-Acctts-Acctt-II-2006/44451-55

Dated: 21.12.2006

Subject: Payment of Enhanced Compensation - where no stay has been granted (100% payment)

Please refer to this office letter No HUDA–Acctts-Acctt-II 2006/37920-34 dated 19.10.2006 vide which instructions to release the payments of enhanced compensation were issued as under:-

- a) In case of enhancement once the rates are finalized and no appeal of HUDA is pending the entire enhanced compensation should be disbursed in one go. The LAO should not wait for execution proceedings. After receiving the communication that the rates of enhanced compensation have attained the finality and no further appeal is being filed, LAO's will process all such communication and submit the same to the concerned Administrator who shall sanction the payment within 10 days of the receipt.
- b) In case where HUDA has preferred appeal before higher court against enhancement but no stay has been granted 2/3rd payment of enhanced compensation will be released to the land owners within one month balance 1/3 will be released after finalization of rates in the appeal.

The matter has now again discussed in the review meeting of officers held under the Chairmanship of Worthy Chief Administrator HUDA on 20.11.2006 and has been decided that with reference to 'b' above the following amendment may be made:-

“That in case where appeal has been filed in the High Court against enhanced compensation and no stay has been granted 100% payment may be release subject to furnishing of adequate security or bank guarantee from the land owner so that in the event of reduction in the rates of enhanced compensation by the higher Courts; the excess amount could easily be recovered”

You are requested to make the payment of enhanced compensation accordingly. The other instructions applicable in payment of enhanced compensation cases shall remain the same.

-sd/-
Sr. Accounts Officer
for Chief Administrator,
HUDA Panchkula
Dated 21.12.2006

Endst No HUDA-Acctts/Actt-II/2006/44456-61

A copy of above is forwarded to the following for information and necessary action.

- 1 The Additional Director, Urban Estate, Panchkula
- 2 Distt. Attorney urban Estate Panchkula
- 3 All the Land Acquisition Officer's in the state.

-sd/-
Sr. Accounts Officer
for Chief Administrator,
HUDA Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

All the Administrators,

HUDA, (In the State).

Memo No.-CCF-ACCTT-II/2006/37920-24

Dated: 19.10.2006

Subject:-Payment of Enhancement Compensation – where no stay has been granted (2/3rd payment).

1. Please refer to the instruction issue vide this office letter no. 37902-05 dated 27.12.1993, letter no. 182-197 dated 31.01.1999, No.9856-66 dated 12.03.2004 and No. 13784-87 dated 20.06.2005 and other instructions issued by HQ from time to time in the matter for payment of Enhancement Compensation to the Land owners.
2. The matter regarding payment of Enhancement Compensation was again discussed in the review meeting of officers held under the Chairmanship of worthy Chief Administrator, HUDA on 15.06.2006, the proceedings of which were circulated vide this office memo No. Dy.ESA/HUDA/2006/22889-929 dated 26.06.2006 and it has been decided that:-
 - a) In case of enhancement, once the rates are finalised and no appeal of HUDA is pending; the entire enhanced compensation should be disbursed in ne go. The LAO should not wait for execution proceeding. After receiving the communication that the rates of Enhanced Compensation have attained the finality and no further appeal is being filed. LAO's will process all such cases within 20 days from the receipt of such communication and submit the same to the concerned Administrator who shall sanction the payment within 10 days of the receipt.
 - b) In case where HUDA has preferred appeal before higher court against enhancement but no stay has been granted; 2/3rd payment of Enhanced Compensation will be released to the land owners within one month. Balance 1/3rd will be released after finalization of rates in the appeal.

You are requested to make the payment of Enhanced Compensation accordingly. The other instruction applicable in payment of Enhanced Compensation cases shall remain the same.

-sd/-

Sr. Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

Endst. No.HUDA-CCF-ACCTT-2006/ 37920-24

Dated: 19.10.2006

A copy of the above is forwarded for information and necessary action.

1. The Additional Director, Urban Estate, Panchkula.
2. The District Attorney, Urban Estate, Panchkula.
3. All the LAO's in the state.

-sd/-

Sr. Accounts Officer,
For Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

All the Administrators,
HUDA, (In the State).

Memo No.-CCF-ACCTT-II/2005/13784-87

Dated: 20.06.2005

Subject:- Payment of **Enhancement Compensation - lump-sum payments** instead of in **installments**.

1. Please refer to the subject cited as above and the instructions issued by this office vide letter no. 182 to 197 dated 31.01.199, letter no. 37902-05 dated 23.12.1993, minutes of the meeting dated 18.09.1998 under the chairmanship of Chief Administrator, HUDA, letter no. 9856-66 dated 12.03.2004 (copy again enclose for ready references and other instructions issued by HQ from time to time in the matter.
2. At present the payment of Enhancement Compensation is made in installments as per detail given below:-
 - a) Individual claims upto 20.00 lacs are being paid totally in one installment.
 - b) Individual claims exceeding Rs. 20.00 lacs and upto Rs. 50.00 lacs, payment are being made in two equal installments, payable in alternate months.
 - c) Individual claims exceeding Rs. 50.00 lacs, payment are being made in four equal monthly installments payable every alternate month.
3. The matter has been re-examined it has been decided that from now onwards the payment of enhanced compensation may be made in lump-sum instead of in installments as mentioned above. However, the payments be made after all the legal formalities regarding filing of appeal etc. Have been exhausted.
The other instructions as stated in para no. 1 of this letter shall remain the same.

-sd/-

Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

Endst. No.HUDA-CCF-ACCTT-2004/13788-93

Dated: 20.06.2005

A copy of the above is forwarded for information and necessary action.

1. The Additional Director, Urban Estate, Haryana, Panchkula.
2. The District Attorney, Urban Estate, Haryana, Panchkula.
3. All the LAO's in the state.

-sd/-

Chief Controller of Finance,
Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

To

- 1 The Administrator,
HUDA, Panchkula.
2. The Administrator,
HUDA, Faridabad.
3. The Administrator,
HUDA, Hisar.
4. The Administrator,
HUDA, Gurgaon.

Memo No.-CCF-ACCTT-II/2004/9856-59

Dated: 12.03.2004

Subject:- Payment of **Enhancement Compensation - securities/bank guarantee**

It is in continuation to this office letter no. 182 to 193 dated 31.01.1999 on the subject cited above.

The matter has further been examined and discussed in the meeting held on 19.02.2004 under the Chairmanship of Director Urban Estates-cum-CA, HUDA, with the LAO's in which Administrator, HUDA, Panchkula, Additional Director, Urban Estate, Chief Controller of Finance, HUDA, District Attorney, Urban Estates, were present.

The matter has further been decided/clarified as under:-

1. In the case of attachment or auction of Govt./HUDA property issue of contempt notices of the officers or where personal appearance of officers have been ordered by the courts or payment ordered by court to be released against securities/bank guarantee subject to decision by higher courts, no such cases is to be referred to DA Urban Estate and full payment in these case may be released.
2. In the case of decision of Apex court, no opinion of District Attorney U/E may be sought, however the Land Acquisition Officer concerned will certify regarding finally of the case meaning thereby that no review is pending in the court in the letter dated 31.01.1999 as referred above, only first reference of a particular award where L.R. Haryana has advised that the case is not fit for appeal needs to be examined departmentally and other similar cases are to be dealt accordingly and need not be referred to District Attorney Urban Estate.

L.A.O. Gurgaon.

This dispose of the letter no. Spl. Dated 18.02.2004 of L.A.O. Gurgaon also.

-sd/-

Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

Endst.No.HUDA-CCF-ACCTT-2004/9860-66

Dated: 12.03.2004

A copy of the above is forwarded for information and necessary action.

1. The Additional Director, Urban Estate, Panchkula.
2. The D.A. (Urban Estate), Panchkula.
3. All the LAO's in the state.

-sd/-

Chief Controller of Finance,
For Chief Administrator, HUDA, Panchkula.

From

The Legal Remembrancer,
Haryana Urban Development Authority,
Office Complex, Sector-6,
Panchkula.

To

The Land Acquisition Collector,
Urban Estates, Haryana,
Hisar/Panchkula/Gurgaon/Faridabad.

Memo No. DDA-94/20953-56

Dated: 24-10-1994

Subject: Payment of enhanced compensation – Devinder Nath Kataria V/s Haryana State.

Please refer to the subject cited above.

As you know that this time the claims of enhanced compensation are being prepared on the basis of awards given by the various courts as follows:-

1. The Courts are allowing interest @ 9% P.A. for the first year and 15% per annum thereafter, for the subsequent years upon in those cases also where the land was acquired before 30.04.82.
2. Payment of compensation already made is adjusted first towards cost the towards interest and then towards solatium and market value on the basis of authority entitled Khushal vs. State of Haryana 1989 P.L.J.262 (P&H)

Now, it is brought to your notice that Sh. S.K. Kapoor, A.D.J. Faridabad vide his judgement dated 7.5.94 has discussed the above issues as under:-

3. Whether the decree holder(s) are entitled for benefits of land acquisition (amendment) Act, 1984 in every case in which possession of any land acquired under the principal Act (Land Acquisition Act) had been taken before 30th day of April, 1982 and the amount of compensation for such acquisition had not been paid or deposited?

What is the permissible mode of adjustment of payment made towards the compensation u/s 31(1) of the Land Acquisition Act, 1894 as amended upto date.

After a detailed examination w.r.t. amended Land Acquisition Act, 1894 and the judgement passed by the Division Bench comprising Mr. Justice G.R. Majitha and Mr. Justice A.S. Nehra in case of D.N.Kataria Vs. State, the A.D.J. has decided these issues as follows:-

4. Regarding sub para 3, it has been decided that in the case of land acquired prior to 30.4.82 (i.e. the date when the amended Act came into force) 15% interest will be paid only of the unpaid principal amount from 30.4.82 as stated in para 10.
5. Regarding sub para 4, it has been decided that in para 17 r/w para 13 to 15 of the judgement that under the authority of Devinder Nath Kataria V/s Haryana State, 1994(1), PLR 46(P&H./) (D.B. that once the principal amount as Determined by the Tribunal or on reference, was deposited, further interest thereon will cease. The contrary view taken by the single judge in Re: Manohar Lal's case and Khushal Singh's case has been over ruled. As per the latest pronouncement one the principal amount is deposited, the department shall not have to pay the interest thereon.

The matter was examined at length by the L.R., HUDA and it has been advised that all the claims may be prepared/calculated as per the latest pronouncement and wherever courts have allowed judgements contrary to the above said decisions, objections be filed in the Executing Courts.

These decisions will be applicable on all the claims in which the payments have not been made so far.

Receipt of this communication may be acknowledged.

-sd/-
Dy. District Attorney,
for Legal Remembrancer, HUDA,
Panchkula.

Endst.No.DDA-94/20957-62

Dated: 24.10.1994

A copy is forwarded to the following for information and necessary action.

1. The Additional Director, Urban Estate, Haryana, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. All Dy. District Attorneys posted in the O/o Administrator, Hisar/Faridabad/Gurgaon.

-sd/-
Dy. District Attorney,
for Legal Remembrancer, HUDA,
Panchkula.

CALCULATION OF ADDITIONAL PRICE

Instruction No.63

HARYANA SHEHRI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA

To

1. All the Administrators,
HSVP (In the State).
2. All the Estate Officer,
HSVP (In the State).
3. All the Land Acquisition Officers
Haryana (In the State).
4. All the District Town Planners,
Haryana (In the State).

Memo No.-HSVP-CCF-AO-II-2019/152100

Dated:22.08.2019

Subject:-Amendment in the policy regarding recovery of **Additional Price** on account of **enhanced compensation** in case of **sale or lease of plots/land or building** by allotment- Calculation/re-calculations of additional price – Regarding **loading of Common Area**.

Please refer to the instruction No. 58 dated 14.12.2018 issued under Memo No. HSVP-CCF-Acctt-II-2018/244966 on the above cited subject.

1. The report of committee of Hon'ble High Court Judges (Retd.) constituted vide notification No. 197601 dated 01.10.2018 regarding loading of enhancement of common areas has now been received.
2. The matter has further been re-considered and it has now been decided that following principles shall be adopted for re-calculations/calculations of the additional price:-
 - (i) Offloading the burden of pockets under litigation under Section 24 (2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall not be done till finalization of the matter in the Courts.
 - (ii) If the enhancement awarded to the farmer/land owner in lieu of acquisition of his land, is increased/decreased by the Court at a later stage, the redetermination of additional price shall be done accordingly and the difference shall be demanded/refunded as the case may be.
 - (iii) The burden of land used for EDC works shall not to be offloaded to the sectors allottees in respect of sectors where EDC has been charged separately while calculating tentative price (under Regulation 4 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 of at the time of floatation of the sector.
 - (iv) Burden of un-acquired land shall not be offloaded on sector allottees.
 - (v) The land utilized for internal development works which are sector specific, shall be charged to the same sector, whereas if they cater to more than one sector, they shall be charged proportionately on all the corresponding sectors.
 - (vi) Presently no interest is charged if additional price is paid in lump sum within a period of 30 days of the demand. Thereafter simple interest is charged @ 15% p.a. under Regulation 10 (2) of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, if payment is done in 3 or 5 or 7 installments (six monthly) as per policy dated 02.04.1987 (available on page 304 of HSVP Policies and Instructions). The existing practice is being modified and now delayed interest shall be charged as per following in respect of the fresh demands of additional price to be issued in future:-

Sr. No.	Period	Existing rate of interest	Proposed rate of interest
1	30 days	0	0
2	6 months	15	7
3	1 year	15	9
4	2 years	15	10
5	3 years	15	11
6	Beyond 3 years	15	12

- (vii) In some cases while announcing the enhancement the Hon'ble Court has not directed the collector to pay interest @ 15% p.a. to the farmers/land owners on the enhanced amount for the period intervening between date of award to the date of enhancement awarded by the Court. In such cases, interest was not liable to be paid to the farmers/land owners. If the LAO office working under Urban Estate Department has interpreted the enhancement order in a wrong way and has paid the interest to the farmer wrongly, the same shall not be recovered from the residential plot owners. HSVP shall not charge interest @ 15% p.a. for the intervening period while calculating the additional price.
- (viii) As stipulated under Regulation 2 (b) of Haryana Urban Development(Disposal of Land & Building) Regulations, 1978, the determination of additional price shall be done by treating the complete sector as one unit even if the sector has not been floated in one go i.e. has been floated in more than one scheme.
- (ix) Proper care shall be taken at the time of determination to ensure that no enhancement is recovered more than once from the allottees.
- (x) Full pocket of Commercial area (comprising of Saleable as well as Common area of commercial pocket) shall be taken as saleable area. The load of commercial pocket shall be increased to 150%. The increased component of 50% shall be reduced from the common areas without changing the total area of the sector.

For illustration purpose, if a 300 Acre sector has layouts as below:

Sr. No.		Area (in acres)
1.	Residential (Total plot area)	146 (48.67%)
2.	Commercial pocket area, though net saleable area will be 4 acres i.e. 33% of commercial pocket)	12 (4.00%)
3.	Common area	142 (47.33%)
	Total sector area	300 (100%)

The corresponding area layouts calculations for offloading enhancement shall be taken as below:-

Sr. No.		Area (in acres)
1.	Residential (Total plot area)	146(48.67%)
2.	150% of area of Commercial pocket	12 x 1.5 = 18(6.00%)
3.	Common area	142 – 6 = 136 (45.33%)
	Total sector area	300.0 100%)

- (xi) **Recovery of enhancement awarded by the Courts prior to floatation of the scheme:-**

The “**Tentative price**” as defined under section-2(i) of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978. For brevity, the relevant provisions of law are as below:-

“Tentative price” or “tentative premium” means such price/premium as may be determined by the Authority in terms of Regulation 4 for disposal by allotment in which the cost of land included is based on the compensation awarded by the Collector under the Land Acquisition Act, but does not include any enhancement that may be awarded by the court on a reference made under Section 18 of Land Acquisition Act, 1894 or, thereafter in RFA & SLP by the High Court or Apex Court.

The allotment of plots at the time of floatation is done on this Tentative price. The Tentative price is always fixed on the basis of compensation **awarded by the Collector** under Land Acquisition Act. As per its definition, tentative price may not include any additional price on account of enhancement of compensation.

The “**Additional Price**” and “**Additional Premium**” as defined under section-2(b) of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978, as such sum of money which shall be payable by the allottee on account of enhancement of compensation of any land in the same sector as awarded by any court (ADJ, HC & SC are courts).

As per orders of Hon’ble High Court in RSA No. 1860 of 2009 (O&M), HSVP shall be entitled to recover the same in the manner illustrated below:-

Date of Award 01.01.2002

Date of Floatation 01.01.2010

For example if, the enhancement awarded by ADJ Court is 01.01.2007 then the interest between intervening period from 01.01.2007 to 01.01.2010 will be born by the Government/HSVP.

(xii) The enhancement on the EWS shall be offloaded by taking 10% of allotted area as saleable and balance 90% as common area. Henceforth, any vacant site reserved for EWS in excess of 20% of the area for residential purpose, which has not been allotted so far, shall be re-planned and sold at full rate. Such area shall be considered as sale able area.

(xiii) As the Religious sites are allotted at subsidized rates @ 35% of rates applicable for general rates, the 35% of area of religious site shall be taken as saleable and remaining 65% shall be treated as common area.

(xiv) **Rate of interest on “Less conveyed” additional price in the past.**

*The rate of interest, currently, being charged @ 15% p.a. is reduced to 8% p.a. simple, to be adopted as **time value of money**” and further subjected to the ceiling of total interest not exceeding the principle amount of less conveyed.*

(xv) **Charging of proportionate additional price on the private colonizer/licensee in respect of the land released/not acquired in a particular sector :-**

The colonizer is issued license by the DGTCP office. The saleable area norms which is approximately 55% maximum, are same for colonizer as well as HSVP and are as per the applicable Act & Rules. As a result, the colonizer is also bound to leave common areas in his pocket. As HSVP allottees are not burdened with any cost pertaining to common areas of colonizer similarly, on reciprocal basis, the colonizer or its dwellers/buyers cannot be burdened with the cost pertaining to the common area of HSVP land(s).

(xvi) **The charging of interest @ 15% p.a. for the period intervening date of court’s enhancement order and date of calculation of additional price:-** No interest will be charged from the plot owners for the intervening period of court’s order (ADJ, HC and SC) and date of communication of additional price by HSVP to the allottees. The burden on this account will be born by the Government/HSVP.

(xvii) **Loading of Enhancement of common areas :-**

- a) In respect of the following facilities, the enhancement compensation shall **not** be offloaded upon the allottees/ plot holders whether residential or non residential, commercial or upon lessess of saleable area :-

Sr. No.	Facility
	Creche
	Nursery School
	Primary School
	High/Higher Secondary School
	Dispensary
	Police Post
	Police Station
	College
	Hospital
	Veterinary Hospital
	ESI Hospital
	Clinics-Nursing Homes
	Polyclinics
	Club
	Milk Booth
	Housing Board and Ashianas
	offices of the State Govt. including various Boards
	Corporation Offices
	Mini Secretariats/ Judicial Complexes and Govt. Residences
	Green Belts along National Highway
	High Tension Line area
	Sites for Petrol Pumps
	CNG-PNG Stations
	Gas Godown
	Plot In transport nagar and Auto Markets/ specialized Market
	Shopping complex carves out of the area made for parking
	Govt. Communication Zones
	Farmer Day Market
	Taxi Stand
	Ghaggar River
	Herbal Park
	Land Transferred to Delhi Metro Rail Corporation
	Land sold to NHAI for construction of Bahadurgarh Bye Pass
	Rocky, Deep Gorges and Mountainous Areas
	Town level facilities in the nature of Public Library
	Cremation/ Burial Ground, Stadium/ Sports Complex
	Cattle Pound

	Old Age Home
	Working Women Hostel
	Slaughter house
	Fire station
	Grid Sub-Station
	Auditorium

b) In respect of the following facilities, the enhancement compensation shall be offloaded upon the allottees/ plot holders whether residential or non residential, commercial or upon lessess of saleable area :-

S r. No.	Facility
1	park
2	green belt
3	roads
4	tube wells
5	open spaces
6	water works/ boosting station
7	sewerage treatment plant
8	underground sewerage
9	Storm Water Drainage
10	Solid Waste Transfer site
11	Bus queue shelter and children park
12	Community Centre and Janj Ghar

4. The re-calculation on the basis of the above principles for arriving at additional price shall be made for all cases as below:-
 - (i) Re-determination of additional price based on the representation received from Resident Welfare Associations/allottees of the sector.
 - (ii) The cases where the writ petitions were filed by the allottees before the Hon'ble High Courts challenging/ disputing the calculation made by HSVP, where Hon'ble High Courts have referred the cases back to HSVP for passing of speaking orders after considering the representations made by petitioners before the Hon'ble High Courts.
 - (iii) Fresh cases for calculating the additional price of enhancements in respect of the different sectors.
5. As per the existing practice in terms of the para 6 of Head Quarter's Instructions No. 15, dated 08.11.2016, Zonal Administrators are required to refer proposal to the H.Q. for calculation of the additional price in the prescribed format alongwith the copies of original award and enhancement order passed by the respective court and approved layout showing the present land usages in the sector.
6. The existing practice is also being changed and now the draft calculation of additional price shall be done after holding discussions with Resident Welfare Association/allottees/petitioners at the zonal level by committee under the Chairmanship of Zonal Administrator, comprising of the following :-
 - i. Estate Officer of the concerned Urban Estate.
 - ii. Land Acquisition Officer of the concerned Zone.
 - iii. District Town Planner of the Urban Estate.

The draft calculations shall be forwarded to the empanelled Chartered Accountants for concurrent audit already appointed and they shall submit their report within 15 days to the respective Zonal Administrator.

7. The draft calculations shall be forwarded to the following empanelled Chartered Accountants for concurrent audit. The respective Chartered Accountant shall submit concurrent audit report within 15 days to the jurisdictional Zonal Administrator :-

Sr. No.	Name of the Firm	Name of Zones	Remuneration to be paid to the Chartered Accountant for concurrent audit per sector per calculations (Inclusive of all taxes)
1	S.P. Chopra & Company, 31-F, Connaught Place, New Delhi-110 001. Phone No. 011-23313495-6-7.	Faridabad, Gurugram and Rohtak	Rs. 8,555/-
2.	S. Tandon & Associates, SCO 201-203, 3 rd floor, Sector-34A, Chandigarh- 160022. Phone No. 0172-5098370, 99150-35539, 98155-50301	Panchkula and Hisar	Rs. 11,000/-

8. Thereafter, the Committee will reconsider the draft calculations of additional price in view of the concurrent audit report. The final calculations of the additional price shall be submitted by the Zonal Administrator to Chief Administrator, HSVP for approval in terms of Regulation 2(b) of Haryana Urban Development (Disposal of Land and Building) Regulations, 1978.
9. The Committee will start calculation/re-calculation of Additional Price immediately.
10. These instructions and the consequent recalculation shall not apply to those who have availed the One Time Settlement Scheme and Full and Final Settlement Scheme of the HSVP.

-sd-
Chief Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

Endst No.:HSVP-CCF-AO-II-2019/152129-30

Dated:22.08.2019

A copy of the above is forwarded to the following :-

1. S.P. Chopra & Company, 31-F, Connaught Place, New Delhi-110 001.
2. S. Tandon & Associates, SCO 201-203, 3rd floor, Sector-34A, Chandigarh-160022.

-sd-
Chief Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

HARYANA SHEHARI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA.

To

1. The Administrator,
HSVP,, Panchkula.

2. The Estate Officer,
HSVP, Panchkula.

Memo No.HSVP/CCF/Acctt-II/2019/88192-93

Dated: 15.05.2019

Subject:- Calculation of **additional price** on account to **enhanced compensation** in respect of **sector-24 to 28, Panchkula** Urban Estate.

1. Please find enclosed copy of the Agenda Item No. P-117th (11) which has been approved by the Pradhikaran in its meeting held on 18.2.2019 as below:-
“Approved. It was also decided that the area falling under the open space Zone of Ghaggar River may also be planned and developed,”
2. As required under Regulation 22 of Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978 , the State Government has given its consent. on 4.5.2019 for implementation of the agenda approved by Pradhikaran.

DA/As Above:

-sd-
Accounts Officer,
for Chief Controller of Finance
HSVP, Panchkula

Endst.No.HSVP-CCF-Acctt-II-2019/88195

Dated: 15.05.2019

A copy of the above is forwarded to the GM(IT), HSVP, Panchkula with the request to upload the above said instruction on HSVP Website.

-sd-
Accounts Officer,
for Chief Controller of Finance
HSVP, Panchkula

Calculation of additional price on account to Enhanced Compensation in respect of Sector-24 to 28, Panchkula Urban Estate.

A peculiar situation has emerged in respect of trans-Ghaggar Sectors-24 to 28 in Panchkula Urban Estate. These five sectors were built on the land acquired in 1992 vide LAO, Panchkula award No.5,6,7,&8 dated 17.06.1992 and issue of compensation is now settled as per final Apex Court orders dated 09.10.2017 qua this acquisition in SLP (c) No. 28906/2016. The cost of this acquisition and the enhancement (EC) demanded from the allotted of various plots, whether Residential/EWS/CGHS, is on much higher side on account of the vast open spaces left out because of flawed acquisition of private lands falling in the river action/river bed of the river Ghaggar. Of the over 1154 acres total land acquired, nearly 272 acres land is in Ghaggar river and is the open spaces and Right of Way (RoW) of this river.

Rule 12 of the Punjab Scheduled Roads and Controlled Areas (PSRCA) Restriction of Unregulated Development Rules, 1965 states that: -

“12. Percentage of area under roads and open spaces in the lay-out plans [Section 25 (2) (f)]. – In the layout plan of the colony, the land reserved for roads, open spaces, schools, public and community building and other common uses shall not be less than forty-five per centum of the gross area of the land under the colony; provided that the Director may reduce this percentage to a figure not below thirty five where in his opinion the planning requirements and the size of the colony so justify.”

Rule 4 of the Urban Areas Rules, 1976 is also similarly worded.

Thus, clearly there is a min-max in terms of planned saleable area under the Town & Country Planning laws of the state. The total plotted area cannot be more than 55% in a sector and in very exceptional cases, with approval of Director, it can be 65%. Though, there is not legal minima or maxima for the open space(s) in a sector and it can legally be even 100%. In GMUC FDP-2031, 100% open space have been provided in sector-9B, 72A, 77, 78, 94 etc. in the interest of equity and affordability for the allottees. The planned saleable area is generally kept between 50-55% in a sector. However, as is clear from the table below, in these sectors it is only around 38% and it varies from a low of 15.85% (Sec.24) to 47.30% (Sec.25).

	Including Ghaggar	Excluding Ghaggar
Sector No.	% of Plotted area	% of Plotted area
24	15.85	43.23
25	47.30	49.90
26	37.86	47.70
27	43.79	53.30
28	35.07	49.88
Total %age	37.98	49.67

The Regulation 4 of the HSVP Land Disposal Regulation, 1978 regulates the tentative pricing and qua these sectors 25 to 28, especially sector-24, the oversight of the Land Acquisition Authorities in 1992 has led to this piquant situation. These sectors, due to the language of the regulation 4 ibid, are being overly burdened by the 272 acre open space/Ghaggar land which shall be the green lungs/conservatory for the entire town ! It is clarified here that the open space /sectors of GMUC are a part of the EDC cost of the GMUC FDP-2031 A.D. and not directly burdened on one particular sector but paid by the entire DP area licences.

In the interest of fairness and equity qua the allottees of these 5 sectors, it is proposed that all of these sectors the area of River Ghaggar acquired as part of these awards may be taken out of these calculations by exercising the powers relaxation provided in Regulation-22 of the 1978 Regulations. After this area is excluded the position becomes: -

Areas in acres					
Sr. No.	Sector No.	Total area	Total area without Ghaggar	Saleable area	Common area without Ghaggar
1	2	3	4	5	6
1.	24	120.00	44.00	19.02	26.50
2.	25	218.30	206.92	103.25	103.64
3.	26	328.04	260.36	124.20	136.16
4.	27	238.62	196.01	104.48	91.53
5.	28	249.30	175.28	87.43	87.85
Total		1154.00	883.00	438.00	446.00

The saleable area shall become 49.6% which is close to the general average and also within the parameters of Rule-12 of 1965 Controlled Area Rules as well as Rule of the 1976 Urban Areas Rules.

The sector-wise position, after excluding the Ghaggar land, will be:

Sector No.	Excluded Ghaggar Land	
	% Plotted area	% open area
24	43.2	56.8
25	49.9	50.1
26	47.7	52.3
27	53.3	46.7
28	49.8	50.2
Total %age	49.6	50.4

Thus, all the sectors shall be within a broad band of 43.2% to 53.3% plotted area as well as comply with the mandate of rule 12 of 1965 Controlled Areas Rules and rule 4 of the 1976 Urban Areas Rules and also be in line with the general average obtained in Panchkula and other Urban Estate of HSVP.

The cost of this land can be either provided by the State Government through the “**Mangal Nagar Vikas Yojna**” or be directed to be absorbed by the HSVP from its own resources.

The Hon’ble CM, Haryana-cum-Chairman, HSVP vide order dated 15.02.2019 has approved the above proposal to be placed before the Pradhikaran for appropriate decision.

Matter is placed before the Pradhikaran for decision please.

Instruction No.59
HARYANA SHEHARI VIKAS PRADHIKARAN

To

1. All the Administrator,
HSVP, (In the State).
2. All the Estate Officer,
HSVP, (In the State).
3. All the Land Acquisition Officer,
HSVP (In the State).
4. All the District Town Planner,
HSVP, (In the State).

Memo No.HSVP/CCF/Acctt-II/2019/60578

Dated:01/04/2019

Subject:-Amendment in the policy regarding recovery of **additional price** on account of **enhanced compensation** in case of sale of plots by allotment – Amendment in calculation of additional price.

1. Please refer to instructions no. 58 dated 14.12.2018 issued under Memo No. HSVP-CCF-Acctt-II-2018/244966 dt. 14.12.2018. The above instructions have been approved by the Pradhikaran in the 117th Authority meeting held on 18.02.2019 vide Agenda Item No. 3.
2. This is for your kind information and necessary action please.

DA/As Above:

-sd-

Chief Accounts Officer,
for Chief Controller of Finance
HSVP, Panchkula

Agenda Item No. Auth. 117th (3)

Subject:-Amendment in the policy regarding recovery of additional price on account of enhanced compensation in case of sale of plots by allotment – Calculation of Additional Price.

1. A policy regarding calculation of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment was approved by the Authority in the 111th meeting held on 27.07.2016 vide Agenda item No.22. Thereafter, the principles for calculation of additional price were modified in November, 2018 vide Agenda Item No. 115th (4) by the Pradhikaran (**Annexure ‘A’**).
2. However, before issuance of instructions another meeting was held on 07.12.2018 with All Haryana Sector enhancement Sangharsh Samiti alongwith the representatives of different Resident Welfare Associations. Subsequently some further modifications were made in the principles approved by Pradhikaran vide Agenda Item No. 115th (4).
3. Finally, instructions no. 58 dt. 14.12.2018 were issued to All the Zonal Administrators for calculation of additional price (**Annexure ‘B’**) after taking approval of Hon’ble CM, Haryana-cum-Chairman, HSVP. The proposal is now putup for post-facto approval of the Pradhikaran.

Agenda Item No. Auth. 115th(4)

Subject: Amendment in policy regarding recovery of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment.

- 1.1 The landowners whose land is acquired under the Land Acquisition Act, have a statutory right to file references under Section 18 of the Act seeking higher compensations compared to what has been determined by the Land Acquisition Collector. Notwithstanding the Government Policy of minimum floor rates, scheme of Annuity payments and the R & R Policy, the amount of compensation is often enhanced by the Courts of competent jurisdiction. Finality in this behalf is a long drawn process. As such, the pricing of plots at the initial stage does not take into account any component of enhancement allowed by the Courts subsequently.
- 1.2 It is for this reason that the enhanced cost of the Land announced subsequently by the competent Courts is being recovered proportionately from the allottees separately under Regulation 10 of the Haryana Urban Development (Disposal of land and Building) Regulations, 1978 (hereinafter referred as “Regulations”) by issuing demand of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment.
- 1.3 A policy regarding calculation of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment has been approved by the Authority in the 111th meeting held on 27.07.2016 vide Agenda item No.22. The manner of calculation of additional price is being done as below:-
 - (i) Once the enhancement has been announced by the Court, the additional price shall be determined on liability basis without any condition whether payment of enhancement has been actually made or not.
 - (ii) The differential amount of enhancement shall be updated @ 15% p.a. upto the quarter in which determination is being made.
 - (iii) The approved layout in existence at the time of calculation of additional price shall be taken as the basis while determining the additional price.
 - (iv) The differential enhancement shall be proportionately off loaded on the total saleable area of the sector (sold booth by allotment or auction). This automatically implies that common (non-saleable) area shall also be proportionately off loaded on the total saleable area of the sector.
 - (v) HUDA will make an earnest effort for calculation of the additional price within one year from the date of award/court order. These calculations will be displayed on the HUDA website alongwith complete details.
 - (vi) The additional price determined w.e.f. January, 2015 onwards are available on HUDA website at the link below:-
 - (vii) Immediately after display on website, the IT wing of HUDA shall upload the details in the individual plot account of the allottee on the PPM (Plot and Property Management).
 - (viii) The allottee can view the amount of additional price required to be deposited, by logging in is respective plot account on the PPM system on HUDA website.
 - (ix) The allottee shall update his email ID and mobile phone number in his respective plot account. This will ensure timely dispatch & receipt of notices through the electronic media.
2. The various RWAs/allottees of the plots were contesting the calculations of additional price being done on the above principles. The meetings were held with the RWAs on 4.5.2018, 4.7.2018, 14.8.2018 and 12.9.2018 under the Chairmanship of PSCM to discuss the issues raised by them. The minutes of meeting held on 4.7.2018 (**Annexure ‘A’**), 14.8.2018 (**Annexure ‘B’**) and 12.09.2018 (**Annexure ‘C’**) have already been displayed on the HSVP website.
3. The following clarifications/additional principles have been approved for making calculations of the additional price:-

- (i) Offloading the burden of pockets under litigation under Section 24 (2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred as “New Land Acquisition Act”) shall not be done till finalization of the matter in the Courts.
- (ii) If the enhancement awarded to the farmer/land owner in lieu of acquisition of his land, is increased/decreased by the Court at a later stage, the redetermination of additional price shall be done accordingly and the difference shall be demanded/refunded as the case may be.
- (iii) The burden of land used for EDC works shall not to be offloaded to the sectors allottee, in respect of sectors where EDC has been charged separately while calculating tentative price (under Regulation 4 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 of at the time of floatation of the sector.
- (iv) Burden of un-acquired land not to be offloaded on sectors allottee.
- (v) The land utilized for internal development works which are sector specific shall be charged to the same sector whereas if they cater to more than one sector, they shall be charged proportionately on all the corresponding sectors.
- (vi) Presently no interest is charged if additional price is paid in lump sum within a period of 30 days of the demand. Thereafter simple interest is charged @ 15% p.a. under Regulation 10 (2) of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, if payment is done in 3 or 5 or 7 installments (six monthly) as per policy dated 02.04.1987 (available on page 304 of HSVP Policies and Instructions). The existing practice is being modified and now delayed interest shall be charged as per following in respect of the fresh demands of additional price to be issued in future:-

Sr. No.	Period during which payment is done from the date of demand.	Interest @ % p.a. simple	
		Existing	Proposed
1	30 days	0	0
2	6 months	15	7
3	1 year		9
4	1 years		10
5	2 years		11
6	Beyond 3 years		12

- (vii) While calculating the additional price on liability basis, the total burden should not be more than the actual payment made to the farmers/land owners. If the enhancement awarded to the farmer/land owner in lieu of acquisition of his land, is increased/decreased by the Court at a later stage, the redetermination of additional price shall be done accordingly and the difference shall be demanded/refunded as the case may be.
- (viii) In some cases while announcing the enhancement, if the Hon’ble Court has not directed the collector to pay interest @ 15% p.a. to the farmers on the enhanced amount for the period intervening between date of award to the date of enhancement awarded by the Court. In such cases, such interest was not liable to be paid to the land owner/farmer. If the LAO office working under Urban Estate Department has interpreted the enhancement order in a wrong way and has paid the interest to the farmer wrongly, the same shall not be recovered from the residential plot owners. HSVP shall not charge interest @ 15% p.a. for the intervening period while calculating the additional price.

- (ix) As stipulated under Regulation 2 (b) of Haryana Urban Development (Disposal of Land & Building) Regulations, 1978, the determination of additional price shall be done by treating whole sector as one unit even if the sector has not been floated in one go i.e. has been floated in more than one scheme.
- (x) Proper care shall be taken at the time of determination to ensure that any enhancement is not recovered twice from the allottees.
- (xi) The enhancement of common areas shall be divided between the residential as well as commercial areas as per their respective saleable areas in the ratio 1:1.5. The commercial (Saleable) plotted area shall bear the load of common areas by the factor 1.5 as compared to the factor of 1 in case of residential (Saleable) plotted area.

For a 300 Acre sector (say), the areas are typically:

Sr. No.		Area (in acres)
1.	Residential (Total plot area)	146.00 (48.67%)
2.	Commercial (Total plot area)	4.00 (1.33 %)
3.	Common area	150.00 (50.0%)
	Total sector area	300.00 (100%)

Commercial 2.66% of total saleable area

Residential 97.34% of total saleable area

If total enhancement to be paid is Rs. 300.00 lacs, the residential plots have to bear enhancement load of only Rs. 288.16 lacs $((146 \times 300) / 152)$ whereas the commercial plots shall bear load of Rs. 11.84 lacs $((6 \times 300) / 152)$ - i.e. Commercial bear nearly 4% of the enhancement and Residential around 96%.

(xii) Recovery of enhancement awarded by the Courts prior to floatation of the scheme:-

The “Tentative price” as defined under section-2(i) of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978. For brevity, the relevant provisions of law are as below:-

“Tentative price” or “tentative premium” means such price/premium as may be determined by the Authority in terms of Regulation 4 for disposal by allotment in which the cost of land included is based on the compensation awarded by the Collector under the Land Acquisition Act, but does not include any enhancement that may be awarded by the court on a reference made under Section 18 of Land Acquisition Act, 1894 or, thereafter in RFA & SLP by the High Court or Apex Court.

The allotment of plots at the time of floatation is done on this Tentative price. The Tentative price is always fixed on the basis of compensation **awarded by the Collector** under Land Acquisition Act. As per its definition, tentative price may not include any additional price on account of enhancement of compensation.

Therefore, if the enhancement has not been offloaded at the time of floatation, HSVP is entitled to recover the same. The mechanism to recover additional price from the allottee has been prescribed under Regulation 10 of the Haryana Development (Disposal of Land and Buildings) Regulations, 1978. Sub Regulation (2) of Regulation 10 stipulate that issuance of demand by EO is necessary to recover additional price from the plot owner as charging of interest is to start after 30 days from the date of demand. Whereas the procedure for recovery of tentative price is prescribed under the regulation 5 of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978.

Additional price is defined under Regulation 2 (b) of the Haryana Development (Disposal of Land and Buildings) Regulations, 1978, as such sum of money which shall be payable by the allottee on account of enhancement of compensation of any land in the same sector by any court (ADJ, HC & SC are courts).

(xiii) Cross subsidization of additional price of EWS plots from general allottees shall be continued -

It is declared policy of HSVP that loss on account of subsidized rates of EWS plots is loaded in the price to be charged from the general public (Page 5 of HSVP Policies and Instructions). Hon'ble High Court of Punjab & Haryana vide order dated 11.8.1999 in CWP No. 1483 of 1997 in the matter of BishanSawrup and Ors. Vs. State of Haryana & Ors., has held that members of EWS category are only liable to pay enhanced cost in the same proportion in which they had paid the tentative price fixed at the time of allotment. The appeal filed by HSVP against the above decision has been dismissed by the Hon'ble Supreme Court of India vide order dated 11.2.2000 in SLP (Civil) No.590 of 2000.

(xiv) Rate of interest on “Less conveyed” additional price in the past.

*The rate of interest, currently, being charged @ 15% p.a. is reduced to 8% p.a. simple, to be adopted as **time value of money***” subject to the ceiling of total interest not exceeding the principle amount of less conveyed .

(xv) Charging of proportionate additional price on the private colonizer/licensee in respect of the land released/not acquired in a particular sector :-

The colonizer is issued license by the DGTCP office. The saleable area norms which is approximately 55% maximum, are same for colonizer as well as HSVP and are as per the applicable Act & Rules. As a result, the colonizer is also bound to leave common areas in his pocket. As HSVP allottees are not burdened with any cost pertaining to common areas of colonizer similarly, on reciprocal basis, the colonizer or its dwellers/buyers cannot be burdened with the cost pertaining to the common area of HSVP land(s).

(xvi) The charging of interest @ 15% p.a. for the period intervening date of court's enhancement order and date of calculation of additional price:-It has been approved to reduce the interest rate from 15% p.a. simple to 8% p.a. simple, to be adopted as **time value of money**” for the impugned intervening period .The additional price shall be determined as on the date (1 year after the date of court order) by including interest @15% per annum under provision to Section 28 of LA Act, 1894. For any period after one year of the award, the additional price so determined shall be updated @ 8% p.a. simple.

Illustrative Sample calculations are as below in respect of enhancement awarded by the court on 1.9.2014 in respect of original award announced on 12.5.1993 :-

4. The above proposal has been implemented after taking approval of Hon'ble C.M., Haryana-cum-Chairman, HSVP. The proposal is now put up for post-facto approval of the Authority.

Instruction No.58

HARYANA SHEHRI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA

To

1. All the Administrators,
HSVP (In the State).
2. All the Estate Officer,
HSVP (In the State).
3. All the Land Acquisition Officers
Haryana (In the State).
4. All the District Town Planners,
Haryana (In the State).

Memo No.-HSVP-CCF-Acctt-II-2018/244966

Dated:14/12/2018

Subject:- Amendment in the policy regarding **recovery** of **additional price** on account of **enhanced compensation** in case of **sale of plots** by **allotment** – Calculation of Additional Price

1. A policy regarding calculation of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment has been approved by the Authority in the 111th meeting held on 27.07.2016 vide Agenda item No.22. The present manner of calculation of additional price is as below:-
 - (i) Once the enhancement has been announced by the Court, the additional price shall be determined on liability basis without any condition whether payment of enhancement has been actually made or not.
 - (ii) The differential amount of enhancement shall be updated @ 15% p.a. upto the quarter in which determination is being made.

Calculations of enhanced compensation							
Sr. No.		Particulars	Period		Total Days		Amount in Rs. (Per Acre)
1		Amount as per original award dated 12.05.1993					A
2		Amount enhanced by Court order dated 01.09.2014					B
3		Amount of enhanced compensation					(B-A)
4	Add:	30% Solatium (B-A)				(Section 23(2) of LA Act, 1894)	C
5	Add:	12% additional interest on (B-A)	17-05-1990	12-05-1993	1092	(Section 23 (IA) of LA Act, 1894)	D
6						Total (X)	(B-A+C+D)
7	Add:	9% additional Interest (one year)on (X)	13-05-1993	12-05-1994	365	(Section 28 of LA Act, 1894)	E
8	Add:	15% Interest on (X)	13-05-1994	31-08-2015	7781	(proviso to Section 28 of LA Act, 1894)	F1
9						Total (Y)	(X+E+F)
10		Time value of money i.e.8% Interest on (Y)	01-09-2015	31-08-2017	731	8% p.a. simple	F2
11						Total (Z)	(Y+F2)

- (iii) The approved layout in existence at the time of calculation of additional price shall be taken as the basis while determining the additional price.
 - (iv) The differential enhancement shall be proportionately off loaded on the total saleable area of the sector (sold booth by allotment or auction). This automatically implies that common (non-saleable) area shall also be proportionately off loaded on the total saleable area of the sector.
 - (v) HUDA will make an earnest effort for calculation of the additional price within one year from the date of award/court order. These calculations will be displayed on the HUDA website alongwith complete details.
 - (vi) The additional price determined w.e.f. January, 2015 onwards are available on HUDA website.
 - (vii) Immediately after display on website, the IT wing of HUDA shall upload the details in the individual plot account of the allottee on the PPM (Plot and Property Management).
 - (viii) The allottee can view the amount of additional price required to be deposited, by logging in with respective plot account on the PPM system on HUDA website.
 - (ix) The allottee shall update his email ID and mobile phone number in his respective plot account. This will ensure timely dispatch & receipt of notices through the electronic media.
2. The various RWAs/allottees of the plots were contesting the calculations of additional price being done

on the above principles. In pursuance of the meetings were held with the RWAs on 4.5.2018, 4.7.2018, 14.8.2018 and 12.9.2018, some clarifications/additional principles were approved by the Pradhikaran in its 115th Meeting at Agenda Item No. 4. Yet, another meeting was held with All Haryana Sector enhancement Sangharsh Samiti alongwith the representatives of different Resident Welfare Associations, where some more principles were approved.

3. Thus, the following principles have now been finalized for making re-calculations of the additional price:-
- (i) Offloading the burden of pockets under litigation under Section 24 (2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall not be done till finalization of the matter in the Courts.
 - (ii) If the enhancement awarded to the farmer/land owner in lieu of acquisition of his land, is increased/decreased by the Court at a later stage, the redetermination of additional price shall be done accordingly and the difference shall be demanded/refunded as the case may be.
 - (iii) The burden of land used for EDC works shall not to be offloaded to the sectors allottees in respect of sectors where EDC has been charged separately while calculating tentative price (under Regulation 4 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 of at the time of floatation of the sector.
 - (iv) Burden of un-acquired land shall not be offloaded on sector allottees.
 - (v) The land utilized for internal development works which are sector specific, shall be charged to the same sector, whereas if they cater to more than one sector, they shall be charged proportionately on all the corresponding sectors.
 - (vi) Presently no interest is charged if additional price is paid in lump sum within a period of 30 days of the demand. Thereafter simple interest is charged @ 15% p.a. under Regulation 10 (2) of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, if payment is done in 3 or 5 or 7 installments (six monthly) as per policy dated 02.04.1987 (available on page 304 of HSVP Policies and Instructions). The existing practice is being modified and now delayed interest shall be charged as per following in respect of the fresh demands of additional price to be issued in future:-

Sr. No.	Period during which payment is done from the date of demand.	Interest @ % p.a. simple	
		Existing	Proposed
1	30 days	0	0
2	6 months	15	7
3	1 year		9
4	2 years		10
5	3 years		11
6	Beyond 3 years		12

- (vii) While calculating the additional price on liability basis, the total burden should not be more than the actual payment made to the farmers/land owners. If the enhancement awarded to the farmer/land owner in lieu of acquisition of his land, is increased/decreased by the Court at a later stage, the redetermination of additional price shall be done accordingly and the difference shall be demanded/refunded as the case may be.
- (viii) In some cases while announcing the enhancement the Hon'ble Court has not directed the collector to pay interest @ 15% p.a. to the farmers on the enhanced amount for the period intervening between date of award to the date of enhancement awarded by the Court. In such cases, such interest was not liable to be paid to the land owner/farmer. If the LAO office working under Urban Estate Department has

interpreted the enhancement order in a wrong way and has paid the interest to the farmer wrongly, the same shall not be recovered from the residential plot owners. HSVP shall not charge interest @ 15% p.a. for the intervening period while calculating the additional price.

- (ix) As stipulated under Regulation 2 (b) of Haryana Urban Development(Disposal of Land & Building) Regulations, 1978, the determination of additional price shall be done by treating the complete sector as one unit even if the sector has not been floated in one go i.e. has been floated in more than one scheme.
- (x) Proper care shall be taken at the time of determination to ensure that no enhancement is recovered more than once from the allottees.
- (xi) The enhancement of common areas shall be divided between the residential as well as commercial areas as per their respective saleable areas in the ratio 1:1.5. The commercial (Saleable) plotted area shall bear the load of common areas by the factor 1.5 as compared to the factor of 1 in case of residential (Saleable) plotted area.

For a 300 Acre sector (say), the areas are typically:

Sr. No.		Area (in acres)
1.	Residential (Total plot area)	146.00 (48.67%)
2.	Commercial (Total plot area)	4.00 (1.33 %)
3.	Common area	150.00 (50.0%)
	Total sector area	300.00 (100%)

Commercial 2.66% of total saleable area

Residential 97.34% of total saleable area

If total enhancement to be paid is Rs. 300.00 lacs, the residential plots have to bear enhancement load of only Rs. 288.16 lacs ((146x300)/ 152) whereas the commercial plots shall bear load of Rs. 11.84 lacs ((6x300)/152) - i.e. Commercial bear nearly 4% of the enhancement and Residential around 96%.

(xii) Recovery of enhancement awarded by the Courts prior to floatation of the scheme:-

The **“Tentative price” as defined under section-2(i)** of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978. For brevity, the relevant provisions of law are as below:-

“Tentative price” or “tentative premium” means such price/premium as may be determined by the Authority in terms of Regulation 4 for disposal by allotment in which the cost of land included is based on the compensation awarded by the Collector under the Land Acquisition Act, but does not include any enhancement that may be awarded by the court on a reference made under Section 18 of Land Acquisition Act, 1894 or, thereafter in RFA & SLP by the High Court or Apex Court.

The allotment of plots at the time of floatation is done on this Tentative price. The Tentative price is always fixed on the basis of compensation **awarded by the Collector** under Land Acquisition Act. As per its definition, tentative price may not include any additional price on account of enhancement of compensation.

The **“Additional Price” and “Additional Premium” as defined under section-2(b)** of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978, as such sum of money which shall be payable by the allottee on account of enhancement of compensation of any land in the same sector as awarded by any court (ADJ, HC & SC are courts).

As per orders of Hon’ble High Court in RSA No. 1860 of 2009 (O&M), HSVP shall be entitled to recover the same in the manner illustrated below:-

Date of Award 01.01.2002

Date of Floatation 01.01.2010

For example if, the enhancement awarded by ADJ Court is 01.01.2007 then the interest between intervening period from 01.01.2007 to 01.01.2010 will be born by the Government/HSVP.

(xiii) **Cross subsidization of additional price of EWS plots from general allottees shall be continued**

-The enhancement of any vacant land of EWS Category (not allotted till date) in HSVP Sectors will be born by the Government. Further, in case of EWS plots that have been allotted, for the loading of cross subsidized position of enhancement on account of EWS plots, subsidy up to a maximum of Rs. 100 per sq. yd will be born by the government and the cross subsidy burden in excess of Rs. 100 per sq. yd, will be born by the Non-EWS allottees.

(xiv) **Rate of interest on “Less conveyed” additional price in the past.**

*The rate of interest, currently, being charged @ 15% p.a. is reduced to 8% p.a. simple, to be adopted as **time value of money**” and further subjected to the ceiling of total interest not exceeding the principle amount of less conveyed .*

(xv) **Charging of proportionate additional price on the private colonizer/licensee in respect of the land released/not acquired in a particular sector :-**

The colonizer is issued license by the DGTCP office. The saleable area norms which is approximately 55% maximum, are same for colonizer as well as HSVP and are as per the applicable Act & Rules. As a result, the colonizer is also bound to leave common areas in his pocket. As HSVP allottees are not burdened with any cost pertaining to common areas of colonizer similarly, on reciprocal basis, the colonizer or its dwellers/buyers cannot be burdened with the cost pertaining to the common area of HSVP land(s).

(xvi) **The charging of interest @ 15% p.a. for the period intervening date of court’s enhancement order and date of calculation of additional price:-** No interest will be charged from the plot owners for the intervening period of court’s order (ADJ, HC and SC) and date of communication of additional price. The burden on this account will be born by the Government/HSVP.

(xvii) **Loading of Enhancement of common areas :-** This issue is still under consideration before a committee of Hon’ble High Court Judges (Retd.) constituted vide notification no. 197601 dt. 01.10.2018. However, allottees shall be free to deposit the revised enhancement amount arrived at after re-calculation on the basis of the above (xvi) principles. The concerned Zonal Committee under the chairmanship of Zonal Administrator shall get the re-calculation done at the earliest possible.

4. The re-calculation on the basis of the above principles for arriving at additional price shall be made for all cases as below:-
 - (i) Re-determination of additional price based on the representation received from Resident Welfare Associations/allottees of the sector.
 - (ii) The cases where the writ petitions were filed by the allottees before the Hon’ble High Courts challenging/ disputing the calculation made by HSVP, where Hon’ble High Courts have referred the cases back to HSVP for passing of speaking orders after considering the representations made by petitioners before the Hon’ble High Courts.
 - (iii) Fresh cases for calculating the additional price of enhancements in respect of the different sectors.
5. As per the existing practice in terms of the para 6 of Head Quarter’s Instructions No. 15, dated 08.11.2016, Zonal Administrators are required to refer proposal to the H.Q. for calculation of the additional price in the prescribed format alongwith the copies of original award and enhancement order passed by the respective court and approved layout showing the present land usages in the sector.
6. The existing practice is also being changed and now the draft calculation of additional price shall be done after **holding discussions with Resident Welfare Association/allottees/petitioners** at the zonal level by committee under the Chairmanship of Zonal Administrator, comprising of the following :-
 - i. Estate Officer of the concerned Urban Estate.
 - ii. Land Acquisition Officer of the concerned Zone.
 - iii. District Town Planner of the Urban Estate.
7. The draft calculations shall be forwarded to the following empanelled Chartered Accountants for concurrent

audit. The respective Chartered Accountant shall submit concurrent audit report within 15 days to the jurisdictional Zonal Administrator :-

S r . No.	Name of the Firm	Name of Zones	Remuneration to be paid to the Chartered Accountant for concurrent audit per sector per calculations (Inclusive of all taxes)
1	S.P. Chopra & Company, 31-F, Connaught Place, New Delhi-110 001. Phone No. 011-23313495-6-7.	Faridabad, Gurugram and Rohtak	Rs. 8,555/-
2.	S. Tandon & Associates, SCO 201-203, 3 rd floor, Sector-34A, Chandigarh- 160022. Phone No. 0172-5098370, 99150-35539, 98155-50301	Panchkula and Hisar	Rs. 11,000/-

8. Thereafter, the Committee will reconsider the draft calculations of additional price in view of the concurrent audit report. The final calculations of the additional price shall be submitted by the Zonal Administrator to Chief Administrator, HSVP for approval in terms of Regulation 2(b) of Haryana Urban Development (Disposal of Land and Building) Regulations, 1978.
9. The Committee will start calculation/re-calculation of Additional Price immediately.

-sd-
Chief Accounts Officer,
For Chief Administrator,
HSVP, Panchkula.

HSVP-CCF-Acctt-II-2018/244967

Dated: 14-12-2018

A copy of the above is forwarded to the following :-

1. S.P. Chopra & Company, 31-F, Connaught Place, New Delhi-110 001.
2. S. Tandon & Associates, SCO 201-203, 3rd floor, Sector-34A, Chandigarh- 160022.

-sd-
Chief Accounts Officer,
For Chief Administrator,
HSVP, Panchkula.

Instructions No.15

To

1. All Administrators,
HUDA (in the State).
2. All the Estate officers,
HUDA (in the State).
3. All Land Acquisition Officers,
(in the State).

Memo No.HUDA/CCF/Acctt II/2016/-106134-36

Dated: 8.11.2016

Subject: Recovery from plot owners under Regulation 10 of Haryana Urban Development (Disposal of Land Buildings) Regulation, 1978 in respect of land compensation enhanced by the Courts – Review and monitoring- regarding.

Attention is invited to this office earlier Instructions No. 5 issued under letter No. HUDA/CCF/Acctt-II/2015/13987-89 dated 29.8.2015 on the above subject, available on the HUDA website at the link https://www.huda.org.in/layouts/CCF/Recoveryfrom_plot_ownersunder_Regulation_10_of_Haryana_Urban_Development.pdf

2. As per para 6 of the Instructions, a large number of orders have been passed by the Courts about enhanced compensation. It was directed that a summary exercise should be undertaken to ensure that demands had been issued to the plot owners under Regulation 10 in every enhanced compensation case. The Zonal Administrator were requested to review the position for enhancements orders issued by the Court w.e.f. 1.4.2011 by opening a register (as per Table 1 annexed to the instructions) and refer to the Hqrs. The cases (in the Table 2 annexed) where additional price has not been determined so far.
3. Also attention is invited to the policy approved by the Authority in the meeting on 27.7.2016 vide Agenda item No. 111th (22) regarding recovery of additional price from the allottees in case of sale of land by allotment. The policy is available on HUDA website at the link https://www.huda.org.in/layouts/ccf/Policyregardingrecovery_o_enhance_compensation_from_allottees_in_case_of_sale_of_land_or_building_by_allotment.pdf The policy prescribes that the manner of calculation of additional price will be as below:-
 - (i) Once the enhancement has been announced by the Court, the additional price shall be determined on liability basis without any condition whether payment of enhancement has been actually made or not.
 - (ii) The differential amount of enhancement shall be updated @ 15% p.a. upto the quarter in which determination is being made.
 - (iii) The approved layout in existence at the time of calculation of additional price, shall be taken as the basis while determining the additional price.
 - (iv) The differential enhancement shall be proportionately off loaded on the total saleable area of the sector (sold both by allotment or auction). This automatically implies that common (non-saleable) area shall also be proportionately off loaded on the total saleable area of the sector.
 - (v) HUDA will make an earnest effort for calculation of the additional price within one year from the date of award/court order. These calculations will be displayed on the HUDA website alongwith complete details.
 - (vi) The additional price determined w.e.f. January, 2015 onwards are available on HUDA website at the link below:-

https://www.huda.gov.in/Financial%20Wing/Calculation_ofadditional_price_on_account_of_enhancement_compensation.pdf

- (vii) Immediately after display on website, the IT Wing of HUDA shall upload the details in the individual plot account of the allottee on the PPM (Plot and Property Management) system.
 - (viii) The allottee can view the amount of additional price required to be deposited, by logging in his respective plot account on the PPM system on HUDA website.
 - (ix) The allottee shall update his email id and mobile phone number in his respective plot account. This will ensure timely dispatch & receipt of notices through the electronic media.
4. While determining the additional price, some instances have been observed where the original award was announced for a particular sector but at the time of layout planning, some of the land was actually utilised for some other sectors. As per Regulation 2 (b) of the Haryana Urban Development (Disposal of Land Buildings) Regulation, 1978, the enhancement in respect of land actually utilised for a sector can be demanded/recovered to the allottees.
 5. In some cases, the actual land usage as under gone modifications vis-a-vis the earlier approved layout. As per approved policy, now actual layout in existence at the time of calculation of additional price, is to be taken as the basis for determining the additional price.
 6. Therefore, the proposal to the H.Q. for calculation of additional price should be forwarded in the amended format enclosed as **Annexure 'I'** alongwith the copies of original award & enhancement orders passed by the respective Court and the approved layout showing the present land usages in the sector.
 7. Instruction No.5 issued under letter No.HUDA/CCF/Acctt-II/2015/13987-89 dated 29.8.2015 stand amended partially as above.

Copy of these instructions are also being displayed on

https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf

DA/As above.

-sd-

(Rajesh Jindal)

Chief Controller of Finance,

For Chief Administrator,

HUDA, Panchkula.

No Annexure 'I'

SrNo	Urban Estate	Award					Details of Court's order for enhanced compensation						Total Area acquired (In acrs)	Area utilized sector wise		Additional price determined under regulation 2 (b) based on Court's order					
		Date of Sec. 4 Notification	Award No.	Date of award	Area (in Acre)	Rate of award (per acre)	A D J Court		H. C. order		S C order			Sector No.	Area (in acres)	A D J Court		H. C. order		S C order	
							order No. & Date	Rate (per acre)	No. & Date	Rate (per acre)	No. & date	Rate (per acre)				File No. & Date	Additional price (in Rs. per sq.mtr)	File No. & Date	Additional price (in Rs. per sq.mtr)	File No. & Date	Additional price (in Rs. per sq.mtr)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
2																					
3																					
4.																					

No Annexure 'I'

SrNo	Urban Estate	Award					Details of Court's order for enhanced compensation						Total Area Acquired (In acrs)	Area utilized sector wise		Additional price determined under regulation 2 (b) based on Court's order					
		Date of Sec. 4 notification	Award No.	Date of award	Area (in Acre)	Rate of award (per acre)	ADJ Court		H.C. order		SC order			Sector No.	Area (in acres)	ADJ Court		H.C. order		SC order	
							order No. & Date	Rate (per acre)	No. & Date	Rate (per acre)	No. & date	Rate (per acre)				File No. & Date	Additio nal price (in Rs. per sq.mtr)	File No. & Date	Additio nal price (in Rs. per sq.mtr)	File No. & Date	Additio nal price in Rs. per sq.mtr
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
2																					
3																					
4.																					

Instruction No. 10

**HARYANA URBAN DEVELOPMENT AUTHORITY,
C-3, Sector-6, PANCHKULA**

To

1. All the Administrator,
HUDA (In the State).
2. All the Estate Officers,
HUDA (In the State).

Memo NO.HUDA-CCF-ACCTT-II-2016/48281-82

Dated:-16.08.201

Subject: Policy regarding **recovery of additional price** on account of **enhanced compensation** from allottees in case of **sale or lease of land or building** by **allotment** – Calculation of additional price.

Kindly refer to the subject cited above.

A policy regarding recovery of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment has been approved by the HUDA Authority on item 111th meeting held on 27.7.2016 at Agenda item No. 22. A copy of same is enclosed herewith at **Annexure “X”** for information and further necessary action.

Encls : As above

-sd-

(P.K. Sachdeva),
Chief Accounts Officer,
for Chief Administrator,
HUDA, Panchkula.

Policy regarding recovery of additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment.

1. The landowners whose land is acquired under the Land Acquisition Act, have a statutory right to file references under Section 18 of the Act seeking higher compensation as compared to what has been determined by the Land Acquisition Collector and paid to them at the award stage. Notwithstanding the Government policy of minimum floor rates, scheme of Annuity payments and the R & R policy, the amount of compensation is often enhanced by the Courts of competent jurisdiction. Finality in this behalf is along drawn process. As such, the pricing of plots at the initial stage does not take into account any component of enhancement allowed by the Courts subsequently. It is for this reason that the enhanced cost of the land announced subsequently by the competent Courts is being recovered proportionately from the allottees separately under Regulation 10 of the Haryana Urban Development (Disposal of land and Building Regulations, 1978 by issuing demand of **additional price on account of enhanced compensation from allottees in case of sale or lease of land or building by allotment.**

2. There is a lot of litigation and queries from the plot owners about the manner of determination of additional price. A need has been felt to notify the procedure required to be followed while determining the additional price under Regulation 2(b) of Haryana Urban Development (Disposal of Land & Building) Regulation, 1978.

3. The general Principal for determination of additional price are being enclosed as **Annexure 'A'** in the form of FAQ.

4. The manner of calculation of additional price will be as below:-

(i) Once the enhancement has been announced by the Court, the additional price shall be determined on liability basis without any condition whether payment of enhancement has been actually made or not.

(ii) The differential amount of enhancement shall be updated @ 15% p.a. upto the quarter in which determination is being made.

(iii) The approved layout in existence at the time of calculation of additional price shall be taken as the basis while determining the additional price.

(iv) The differential enhancement shall be proportionately off loaded on the total saleable area of the sector (sold booth by allotment or auction). This automatically implies that common (non-saleable) area shall also be proportionately off loaded on the total saleable area of the sector.

(v) HUDA will make an earnest effort for calculation of the additional price within one year from the date of award/court order. These calculations will be displayed on the HUDA website alongwith complete details.

(vi) The additional price determined w.e.f. January, 2015 onwards are available on HUDA website at the link below:-

(vii) Immediately after display on website, the IT wing of HUDA shall upload the details in the individual plot account of the allottee on the PPM (Plot and Property Management).

(viii) The allottee can view the amount of additional price required to be deposited, by logging in is respective plot account on the PPM system on HUDA website.

(ix) The allottee shall update his email ID and mobile phone number in his respective plot account. This will ensure timely dispatch & receipt of notices through the electronic media.

(x) For elucidation purpose, sample calculations for determination of additional price in respect of Sector-11, Fatehabad are enclosed as **Annexure 'B'**.

FAQ's on recovery of Enhancement from Plot Holder(s)

Question No.1: What are the provisions for the demand on account of enhancement is made on the allottees of the residential plots despite the fact that the entire amount as per the allotment letter has been paid by them ?.

Answer: - Plots are allotted by the HUDA on the basis of Tentative Price. This is clearly mentioned in **Clause no. 9 of the allotment letter which is as under:-**

“The above price is tentative to the extent that any enhancement in the cost of land awarded by the competent authority under the Land Acquisition Act shall also be payable proportionately, as determined by the Authority. The additional price determined shall be paid within 30 days of its demand.”

Also Regulation 2(i) of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 clarifies that tentative price does not include any enhancement that may be awarded by the courts on a reference made under Section-18 of Land Acquisition Act. Therefore, the prices quoted in the allotment letter were tentative and did not include any enhancement compensation.

Question No.2:-How the amount to be recovered on account of enhancement is determined ?.

Answer:-The enhanced compensation to be recovered from the allottees, is worked out by the Chief Administrator as per Regulation 2(b) of Haryana Urban Development (Disposal of Land & Building) Regulations, 1978. This amount is calculated sectorwise and is applicable for the full sector. The calculations are made on account of the full enhancement of compensation in the particular sector awarded by the Court.

Question No.3:- What is the legal authority to recover this additional amount on account of enhancement from the residential plot-owners?

Answer:Regulation 10(2) of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 empowers the Estate Officer to recover this additional amount from the allottees on the basis of the calculations worked out by the Chief Administrator.

Question No.4: What is the necessity on the part of HUDA to recover additional amount on account of enhancement from the allottees?

Answer:The Urban Estates Department acquires the land on which the sectors are developed by HUDA. The tentative price of the plot under Regulation 4 of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, for allotment is fixed by considering the cost of acquisition of land. If subsequently the land-owners are awarded higher compensation by the court in appeal procedures, the additional amount is liable to be paid by HUDA. In turn, such cost needs to be passed on to the allottees of the same sector. Regulation 2(h) of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 stipulate that fixation of sale price/premium has to be done sectorwise. Similarly, additional amount of compensation to be paid after court's orders is also to be distributed over the same sector as per Regulation 2(b) of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978. Therefore, the cost incurred by HUDA for acquisition of land has to be distributed over the same particular sector.

Question No.5: Why demand on account of enhancement is not made on the commercial plot-owners?

Answer:-As per Regulation 3 (c) of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, the plots are given either by allotment or by auction. The residential plots are allotted on the tentative price worked out on costing method on basis of initial acquisition cost of land, prescribed under Regulation 4 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.

The procedure of allotment is by draw of lots prescribed by Regulation -5 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978. But in case of commercial plots, tentative price of land so determined is taken as initial reserve price of auction and allotment is to the highest bidder by auction under Regulation -6 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.

Therefore, the allotment of residential plots and commercial plots are governed by entirely two separate methods. There is no legal provision to recover enhanced compensation from the plot-owners to whom allotment was made as a result of auction.

But for the purpose of calculation of additional price, the incidence on account of commercial area is not cross subsidized and passed on to the residential plot-holders. Any amount payable on account of enhanced compensation of the commercial area is born by HUDA and is taken outside the purview of the calculations made for determining the additional price payable by the residential.

Similar issue has already been decided by the Hon'ble Punjab and Haryana High Court vide order dated 8.7.1986 in CWP No.1270 of 1985 read with CWP No.1283,2975 and 5794 of 1985 in the matter of Urban Estate Welfare Association (Registered), Karnal sector-13, Karnal where under it was held on page-13 of the order :-

“It was next contended by the learned counsel for the petitioners that the stand of the HUDA is that they are working on the principle “no profit no loss” basis, that area has been reserved as commercial area and for nursery, that from the sale of some commercial sites, huge amount has been earned by HUDA and that the enhanced amount of compensation paid by HUDA with regard to the commercial area is also being charged from the plot holders. According to the learned counsel, the incidence of the enhanced amount of compensation regarding commercial area or for the area which has been shown as “undetermined use” cannot legally fall on the plot holders and that this incidence should be borne by HUDA itself. At the initial stage when this argument was advanced, we felt very much impressed and were tentatively of the view that the incidence of the enhanced amount of compensation regarding the commercial area should not be borne by the plot holders. Dr. Rajinder Singh, learned counsel appearing for HUDA, controverted the contention and submitted that its incidence was not falling on the plot holders and was being borne by HUDA. This argument of the learned counsel did not find any support from the pleadings as in the written statement, no specific averment had been made in this respect, with the result that Shri Rajinder Singh, prayed for time to enable him to file an additional affidavit. The prayer was allowed and written statement in the shape of additional affidavit, dated 31st march, 1986, was filed by Shri I.M. Khunger, Dy. Secretary. To the pleas taken in this written statement, detailed reference has already been made in the earlier part of the judgment. In this written statement, it has been clearly stated that for the purpose of calculation of additional price, the incidence on account of commercial area is not chargeable to the plot-holders. Any amount payable on account of enhanced compensation of the commercial area is debited to HUDA and is taken outside the purview of the calculations made for determining the additional price payable by the plot holders, as is clear from the statement of account attached with the additional written statement filed. With regard to the area shown as “undetermined use”, it is averred that wherever an area gets shown as “undetermined use”, as it happened in the case of Sector-14, Gurgaon (which is presently maintained as an open space), the land use may not be changed and the area will not be utilized for any other purpose till the plan is modified and approved by the State Government. In view of this specific averment made in the written statement, no merit is left in the contention of the learned counsel for the Petitioner is concerned, so far as the area which is shown as “undetermined use” the same has to remain as it is till the plan is modified and approved by the State Government. In this situation for this area the incidence of compensation must fall on the plot holders. So far as the commercial area is concerned, it has been brought out clearly in the written statement that the amount of enhanced compensation payable in respect of the commercial area is debited to HUDA and is taken outside the purview of the calculation made for determining the additional price payable by the plot holders. In view of this specific averment it cannot be justifiably argued that incidence of the enhanced compensation of the commercial area is falling on the plot holders. Consequently, the contention of the learned counsel has no force.”

Question No.6: What is the rate of interest applicable on the period of delay in payment of additional price by the plot-owners?

Answer: -In Civil Appeal No.4436 of 2008(arising out of special leave petition No.13644 of 2005) titled as HUDA

V/s Raja Singh Riana, the question of charging of interest on the delayed payment of instalment was challenged in the Hon'ble Apex Court of India. In this regard, attention is invited to this office letter No.HUDA-CCF-Actt-1/2008/3654/7-78 dated 25.10.08 vide which the details of the case and charging of interest on the delayed payment of enhancement of compensation were conveyed.

In this case, the Hon'ble Supreme Court of India observed that the concept of levying of interest is interest is applicable in almost all statues involving financial deals and commercial transactions. Therefore, HUDA is entitled to charge interest on the balance dues of enhancement of compensation at a rate which is different from the rate of interest stipulated in the allotment letter. Under these circumstances, the Honb'ble Supreme Court of India allowed to charge simple interest on the basis of prevailing current rate of interest as defined under section-3 of the Interest Act,1978. Therefore, charging of 15%p.a. rate of interest as defined on the delayed payment of enhancement of compensation is as per the judgement of Hon'ble Supreme Court of India in the case of Sh. Raj Singh Rana V/s HUDA as the same rate of interest is provided in the Land Acquisition Act, 1894.

Question no.7 There is delay on the part of HUDA in payment of enhanced compensation to the land owners/farmers. This results to payment of interest to the land-owners/farmers and in turn this leads to increase in demand from the plot-owners. Why HUDA does not pay the amount to the land-owners immediately?

Answer: -Payment of enhanced compensation is made by HUDA out of its own resources and no assistance from the State Government or financial institutions is available to the Organization for this purpose. Since this amount is to be subsequently recovered from the allottees from over a period of times, it becomes difficult to make payment immediately after the announcement of the enhanced amount of compensation by the District Courts/High Courts. The investment made by HUDA towards the payment of enhanced compensation from its own resources further strains the commitment or development works in other areas. Consequently, a certain amount of delay is inevitable.

This issue has already dealt by the Hon'ble Punjab and Haryana High Court vide order dated 8.7. 1986 in CWP No.1270 of 1985 read with CWP No.1283,2975 and 5794 of 1985 in the matter of Urban Estate Welfare Association (Registered), Karnal Sector-13, Karnal under page-9 of the order .

Question no.8. Whether the enhancement of common areas like roads, parks, schools, dispensaries, police posts, tubewell/water supply etc. is also passed on commercial areas?.

Answer: - Yes. The enhancement of common areas is proportionately divided between the residential as well as commercial areas as per their respective saleable areas. For example, if total area of sector is 100 acres as below :-

Sr. No.		Area (in acres)
1.	Residential plots	30.00
2.	Commercial plots	10.00
3.	Common area	60.00
	Total area	100.00

		Area (in acres)
1.	Load of enhancement of common area on commercial areas	15 .00
2.	Load of enhancement of common area on residential plots	45.00

If total enhancement to be paid is Rs.100.00 lacs. Then the residential plots have to bear enhancement load of only Rs.75.00 lacs. The remaining load of Rs.25.00 lacs will be loaded on the commercial areas.

Instruction No. 5

HARYANA URBAN DEVELOPMENT AUTHORITY
SECTOR-6, PANCHKULA

To

1. All Administrator,
HUDA (In the State).
2. All the Estate Officers,
HUDA (In the State).
3. All Land Acquisition Officers,
(In the State).

Memo No.HUDA.CCF-ACCTT-II-2015/-13987-89

Dated:-29.07.2015

Subject:- Recovery from plot owners under Regulation 10 of Haryana Urban development (Disposal of Land Building), 1978 in respect of **land compensation enhanced by the courts** – Review and monitoring-regarding(partially amended vide instruction dated 08.11.2016)

1. Attention is invited to this office earlier letter No. CCF-Acctt-II-2007/6499-6503 dated 22.02.2007 as per which the Zonal Administrators sanctions the payment of the enhanced compensation to the land owners after receipt of the proposal from the Land Acquisition Officer. The amount so paid is apportioned over the particular sector to calculate the “Additional Price” under Regulation 2 (b) of Haryana Urban development (Disposal of land Building) Regulation, 1978 (hereinafter referred as HUDA Regulations for brevity). The respective Estate Officer recovers the “Additional Price” from the plot owners by issuing demand under Regulation 10 of HUDA regulations.
2. Payment of enhanced compensation is made by HUDA out of its own resources. The investment made by HUDA towards the payment of enhanced compensation from its own resources further strains the commitment or development works in other areas. Therefore, it is imperative that HUDA should recover the additional price from plot owners immediately after decision has been taken to implement the court order about enhanced compensation.
3. The sale of the plots by allotment is done under regulation 5 based on tentative price. As defined under Regulation 2(i), the tentative price is calculated on the basis of compensation awarded by the Collector under Land Acquisition Act. Clause 2 of allotment letter issued under Regulation 5(3) explicitly conveys that the price quoted in the allotment letter is “tentative price”. Clause 9 of the allotment letter reconfirms that any enhancement in the cost of land awarded by the competent Authority under the Land Acquisition Act shall also be payable proportionately, as determined by the Authority. The additional price determined shall be paid within 30 days of its demand. The recovery of additional price from the allottee is made under Regulation 10.
4. As per regulation 10, the additional price is payable within 30 days of the date of demand in this behalf by the Estate Officer. Estate Officer issues demand of the additional price from plot owners after determination of the additional price by the Chief Administrator under regulation 2(b). The interest liability on the plot owners starts after 30 days of the date of issuance of demand of additional price by the EO. TO prevent any revenue loss on account of interest, it is essential that such demands are issued immediately.
5. The details of additional price so determined under Regulation 2(b) are now also for being displayed on HUDA Website at <https://www.huda.gov.in/page/finacial-policy.aspx>. For calculation of the additional price, the Hqrs.(Accounts) Branch collects information from various other offices of HUDA. This sometimes results in delays.

6. A large number of orders have been passed by the Courts about enhanced compensation. A summary exercise needs to be undertaken to ensure that demands have been issued to the plot owners under Regulation 10 in every enhanced compensation case. The Zonal Administrator are requested to review the position for enhancement a orders issued by the Court w.e.f. 1.4.2011 by opening a register as per Table 1 annexed and refer to the Hqrs. In the Table 2 annexed (alongwith the copies of orders referred there under) where additional price has not been determined so far.
7. The register as per Table 1 shall continue to be maintained for future enhancements awarded by the Court also. The Zonal Administrators are also requested to conduct inspection of the register every quarter to ensure proper compliance and take up matter with Hdqrs where determination of additional price has not been done.
8. For payment of enhanced compensation in future, the Zonal Administrators shall requisition funds from the Hqrs. In the Table 3 & 4 annexed alongwith the copies of orders referred there under.
9. Copy of these instructions are also being displayed on [https://www.huda.gov.in/Finacial% 20Wing/ Instruction of %20 Finance-HUDA.pdf](https://www.huda.gov.in/Finacial%20Wing/Instructionof%20Finance-HUDA.pdf).

DA/As Above

-sd-

(Rajesh Jindal)

Chief Controller of Finance,

For Chief Administrator, HUDA,

Panchkula.

Table no. 1

Sr.			Details of Court's order for enhanced compensation						Additional price determined under regulation 2(b) based on court's order						
			ADJ		HC		SC				HC		SC		
									File no. & date		File no. & date		File no. & date		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Table no.2

Sr. no.	Award					ADJ order				High Court				Supreme court			
	Date of sec.-4		Date of		Rate of				Rate as per ADJ				Rate as per H.C.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Table no. 1

Sr. No.	Urban Est ate	Sec tor	Details of Court's order for enhanced compensation						Additional price determined under regulation 2(b) based on court's order						Whet her EO has issued dema nds under regula tion 10
			AD J Co urt		HC Co urt		SC Or der		AD J Co urt		HC Co urt		SC Or der		
			Or der no. & Dat e	Rate(per acre)	Or der no. & Dat e	Rate(per acre)	Or der no. & Dat e	Rate(per acre)	Fil e no. & dat e	Addi tional price (in Rs. Per sq. mtr.)	Fil e no. & dat e	Addi tional price (in Rs. Per sq. mtr.)	Fil e no. & dat e	Addi tional price (in Rs. Per sq. mtr.)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Table no.2

S r. n o.	Award					ADJ order				High Court				Supreme court			
	Date of sec.-4 notific ation	Award no.	Date of Award	Area (in acre s)	Rate of award (per acre)	No.	Date	Area (in acre s)	Rate as per A DJ ord er (per acre)	No.	Date	Area (in acre s)	Rate as per H. C. ord er (per acre)	No.	Date	Area (in acre s)	Rate as per SCor der (per acre)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Table-3

Sr. No.	Urban Estate	Sector	Details of Court's order based on which enhanced compensation was paid			Earlier Rate (per acre)	Increase in compensation (per acre)	Funds requisitioned now (Rs. In lacs.
			Court order No.	Date	Rate as per current order (per acre)			
1	2	3	4	5	6	7	8	9

Table-4

Sr. No.	Award				Additional District Judge order				High Court				Supreme Court			
	No.	Date	Area (in acres)	Rate of award (per acre)	No.	Date	Area (in acres)	Rate of ADJ order (per acre)	No.	Date	Area (in acres)	Rate of H.C. order (per acre)	No.	Date	Area (in acres)	Rate of S.C. order (per acre)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

HARYANA URBAN DEVELOPMENT AUTHORITY, SEC-6, PANCHKULA.

To

1. All the Administrators,
HUDA (in the State).
2. All the Estate Officers,
HUDA (in the State).
3. The Chief Town Planner, HUDA, Panchkula.
4. Urban Branch-I,
HUDA, H.Q., Panchkula.
5. Urban Branch-II,
HUDA, H.Q., Panchkula.

Memo No. HUDA-CCF-Acctt-I-2008/43065-90

Dated: 18.12.08

Subject: Recovery of enhanced compensation in the case of social & charitable sites and religious sites which are sold by way of allotment.

Please refer to the subject cited above.

In this regard, it is intimated that the social & charitable sites and religious sites are sold by way of allotment. The Authority in its 73rd meeting held on 31.03.98 decided to allot the social & charitable sites and religious sites on 99 years lease hold basis and decided that the price/premium of these sites may be charged as under:

1. The premium of social & charitable sites is fixed at the rate of 50% of the rates of institutional plots. The premium of religious sites is fixed at the rate of 15% of the rates of the institutional plots.
2. The allotment letter of social & charitable sites and religious sites invariably contains the following conditions:-
“The above premium is tentative to the extent that any enhanced compensation in the cost of land awarded by the competent authority under the Land Acquisition Act shall also be payable proportionately as determined by the Authority. The additional price determined shall be paid within 30 days of its demand”
3. According to the above clause of the letter of allotment, the enhanced compensation is being recovered from the social & charitable sites and religious sites as per the rates of enhanced compensation conveyed for the sector in which the social & charitable sites and religious sites falls.
4. The allottees of social & charitable sites and religious sites have made representations that when the allotment is made at the subsidized rate of 50%/15% of the rates respectively charging of enhanced compensation @ 100% is un-justified in respect of the institutions which are social & charitable and religious in nature.
5. The matter has been examined and it has been decided that where-ever the social & charitable and religious sites have been allotted at the subsidized rate of 50%/15% price of the institutional plots, the enhanced compensation may also be charged in the same ratio i.e. in the same percentage of normal enhanced compensation.
6. It is, therefore, intimated that the enhanced compensation in respect of social & charitable and religious sites may be charged in the following manner:-
 - a) In the case of social & charitable sites, 50% of the normal enhanced compensation may be charged in respect of the sector in which the social & charitable sites falls.
 - b) In the case of religious sites, 15% of the normal enhanced compensation may be charged in respect of the sector in which the religious sites falls.
7. Accordingly action may be taken to revise the rates of recovery of enhanced compensation for social & charitable sites and religious sites which were allotted after 01.04.1998 at the concessional rates of 50%/15% of the price of the institutional plots.
8. This issues with the approval of Hon’ble Chairman, HUDA/Chief Minister, Haryana.

-sd/-

(S.C.Kansal)

Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY, MANIMAJRA.

To

All the Estate Officer,
HUDA (in the state).
Memo No.HUDA-Acctts-87/9660-73

Dated: 2.4.1987

Subject:- Recovery of enhanced compensation from the plot holders.

For quite sometimes in the past it has been observed that pace of recovery of enhanced compensation from the plot holders has been slow partly because of the reason that the amount of enhanced compensation recoverable was sometimes heavy and plot holders were experiencing great difficulty to pay the amount in lump-sum. Representations from various individuals/institutions were also received in the regard for recovering the amount of enhanced compensation in some suitable instalments. After due consideration of the matter, it has been decided to recover the enhanced compensation from the plot holders in instalments as per detail given below:-

a) Where the enhancement is 10% of the original price of the plot	Payment in lump-sum within 30 days of the issue of demand notice.
b) Where the enhancement is more than 10% but less than 30% of the price of the plot.	i) First 10% within 30 days of the issue of demand notice. ii) Second 10% or part thereof within 6 months of the issue of notice. iii) Third 10% or part thereof within one year of the issue of notice.
c) Where the enhancement is more than 30% out less than 60%	Payment may be made as follows:- i) First 15% within 30 days of the issue of notice. ii) Second 12% within 6 months of the issue of notice. iii) Third 12% within one year of the issue of notice. iv) Fourth 12% within one & half year of issue of notice. v) Fifth 12% of part thereof within two year of the issue of notice.
d) Where the enhancement is more than 60% of the original cost of plot.	Payment may be made as follows:- i) First 15% within 30 days of the issue of notice. ii) Second 15% within 6 months of the issue of notice. iii) Third 15% within one year of the issue of notice. iv) Fourth 15% within one & half year of issue of notice. v) Fifth 15% of part thereof within two year of the issue of notice. vi) Sixth 15% of part thereof within two & half year of the issue of notice. vii) Seventh 15% within three year of the issue of notice.

Interest @15% per annum may be charged on the balance amount in view of the fact that HUDA is paying interest @15% enhanced compensation as per new Land Acquisition Act.

Accordingly you are requested to affect the recovery of enhanced compensation in suitable instruction as per details given above. These instructions may also be incorporated/or attached in the recovery notices.

-sd/-
Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

A copy is forwarded to the following for information and necessary action.

1. All the Administrators, HUDA for information and necessary action.
2. Secretary HUDA for information
3. DA/HUDA

MISCELLANEOUS (MEDICAL/NO DUES)

.HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA

OFFICE ORDER

Subject: Office order regarding **sanction of medical advance.**

In exercise of the powers conferred under section 51 of HUDA, Act, 1977 and all other powers vested with me, in the interest of efficiency, speedy disposal of the cases and with a view to decentralize the powers/functions, the powers to sanction the medical advance to the officers/officials working in HUDA are hereby delegated to the following extent.

Zonal Administrators	Rs. 50,000/-.
Head of Department	Rs. 1,00,000/-.
Administrative Department	Full powers.

All other terms and condition issued in this regard will however remain the same.

Dated: Panchkula, the 11.07.2011

-sd/-

(S.S. Dhillon, IAS)
Financial Commissioner & Principal
Secretary, Town and Country Planning &
Urban Estate, Department, Haryana.

Dated: 26.08.2011

Endst.No.28211

A copy of the above is forwarded to following for information and necessary action please.

1. All the Administrators in HUDA. In field and at HQ.
2. Chief Engineer,/Chief Engineer works HUDA. Panchkula.
3. Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. All the S.E, in HUDA.
6. All the Executive Engineer, in HUDA.
7. All the Estate Officer in HUDA.
8. Dy. ESA, HUDA, Panchkula.
9. The DA HUDA, Panchkula.
10. All Subordinate offices of HUDA.
11. All Drawing and Disbursing Officers in HUDA.

-sd/-

I.S. Pannu
Accounts Officer
Financial Commissioner & Principal
Secretary, Town and Country Planning &
Urban Estate, Department, Haryana.

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA
OFFICE ORDER

Subject: Office order regarding **no dues certificate**.

In exercise of the powers conferred under section 51 of Haryana Urban Development authority Act 1977 and all other powers vested with me, in the interest of efficiency, speedy disposal of the cases and with a view to decentralize the powers/functions, the powers to issue the no dues certificate of the advances i.e. Marriage Advance, House Building Advances, Computer Advance, Scooter Advance, Car Advance etc. Taken by the employees of HUDA are hereby delegated to the Drawing and Disbursing Officers of HUDA. However the Drawing and disbursing officer will send the recovery statement along with copy of No Dues Certificate to the sanctioning Authority i.e. Zonal Administrator for their record.

Dated: Panchkula the 15.03.2011

-sd/-
(D.P.S. Nagal, IAS)
Chief Administrator,
HUDA, Panchkula.

Endst.No.9592-77

Dated:- 16.03.2011.

A copy is forwarded to the following for information and necessary action to:-

1. All the Administrator in HUDA. In field and at HQ.
2. The Chief Engineer/Chief Engineer Works HUDA, Panchkula.
3. The Chief Town Planner/ HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. All the S.E. in HUDA.
6. All the Executive Engineer, in HUDA.
7. All the Estate Officer in HUDA.
8. PS/to Chief Administrator, HUDA, Panchkula.
9. Dy. ESA, HUDA, Panchkula.
10. The D.A. HUDA, Panchkula.
11. All Subordinate offices of HUDA.
12. All Drawing and Disbursing Officers in HUDA.
13. The General Secretary, HUDA, Worker Unions, Panchkula.

-sd/-
(I.S. Pannu)
Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula.

INSTRUCTION REGARDING INTEREST ON REFUND OF EARNEST MONEY

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

1. All the Administrator,
HUDA in the State.
2. All the Estate Officers,
HUDA in the State.
3. Chief Town Planner,
HUDA Panchkula.

Memo No.HUDA/SO-I/2014/ 16823 Dated:-07.07.2014

Subject: Regarding **payment of interest on earnest money** deposited for **industrial, institutional and hospital sites**

In continuation to this office letter no. Huda/CCF/SO-I/2014/ 118-141 dated 01.01.2014 on the subject cited above, vide which the instruction regarding payment of interest on the earnest money deposited for industrial, institutional and hospital sites were circulated.

2. The authority in its 107th(12) meeting held on 29/05/2014 has decided that interest @ 5.5% p.a shall be allowed after 6 month instead of one year at par with residential plots on the earnest money deposited for industrial, institutional and hospital sites .other terms and conditions will remain the same as mentioned in earlier letter under reference.

-sd-

(Rajesh Jindal)
Chief Controller Of Finance,
for Chief Administartor, HUDA
Panchkula

C.C to:-

1. Administrator, HUDA,H.Q
2. GM(IT) for update the HUDA websites.
3. Dy. ESA HUDA for add the same in Huda instructions and Policy Book.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

1. All the Administrators, HUDA (in the State).
2. All the Estate Officers
HUDA (in the State).
3. All the Asstt. Estate Officers,
HUDA (in the State).

Memo No.HUDA-ACCTTS-SO-I-2005/22302

Dated: 02.09.2005

Subject: Interest on refund of earnest money of residential Scheme.

It is intimated that the Authority in its 95th meeting held on 21.06.2005 has decided to pay interest @5.5% per annum on the amount of earnest money for the period beyond six months of the closing of the scheme, if the draw is not held and earnest money is not refunded within a period of six months from the date of closing of the scheme.

It has also been approved by the Hon'ble CM, Haryana/Chairman, HUDA that in case HUDA is not able to take out draw and withdraw the scheme due to litigation or otherwise in such case interest @5.5% p.a. shall be paid from the date of closing of the scheme.

-sd/-

Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

FIXATION OF EXTERNAL DEVELOPMENT CHARGES

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To,

1. All the Zonal Administrators,
HUDA in the state.

Memo No.CCF-HUDA/AO(Cash)-2016/103347

Dated: 03.11.2016

Subject: Policy regarding adjustment of payments of land compensation/ development work against recovery of external development charge (EDC) from colonizers.

Please refer to the subject cited above.

1. Enclosed please find herewith copy of letter no. 8/11/2016-2TCP dated 25.10.2016 issued by Additional Chief Secretary, Town and country Planning Department Haryana, Chandigarh in respect of Policy/ guidelines regarding adjustment of payment of land compensation/ development works against recovery of External Development Charges (EDC) from colonizers.
2. You are requested to take necessary action as per above instructions.

DA/as above

-sd-

Sr. Accounts Officers

For Chief Controller of Finance

HUDA, Panchkula.

CC:-

1. Director General Town and country Planning, Haryana, Chandigarh.
2. GM (IT), Panchkula. with request to display on HUDA website. (Policy-Finance- Instruction).

From

Additional Chief Secretary,
Town & Country Planning Department,
Haryana, Chandigarh.

To

1. The Director General,
Town & Country Planning, Haryana,
Chandigarh.
2. The Chief Administrator,
HUDA, Panchkula.

Memo No. 8/11/2016-2TCP

Dated:- 25/10/2016

Subject: Policy/guidelines reading adjustment of payment of land compensation/development works against recovery of External Development Charges (EDC) from colonizers.

1. The matter regarding adjustment of payment of land compensation/development works against recovery of External Development Charges (EDC) from colonizers has been external and it is desired that the dues of the colonizers to be paid by HUDA may be considered for adjustment in EDC amount payable to Government/HUDA by colonizer. The colonizer may give specific request indicating the amount to be adjusted in any license. This adjustment amount will be considered as in front payment (10% of outstanding dues of EDC and IDC) also which is required to be paid by the colonizer as per EDC relief policy dated 12.4.2016 as this is to be adjusted against the amount to be paid by HUDA to the colonizer.
2. Following procedure will be followed for adjusting the EDC amount against the payment to be made by HUDA.
 - a) Such adjustment shall be permissible only between two legal entities if they belong to the same group. Both legal entities have to produce resolution of their respective Board of Directors of permit such adjustment in between them.
 - b) The colonizer will submit application to the concerned Zonal Administrator, HUDA by giving the detail of payment to be received by him from HUDA in respect of land compensation or development works (accompanied by the resolution of Board of Directors for adjustment in case of two legal entities of the same group company).
 - c) The Zonal Administrator's office shall verify the claim and forward the same to the Director General, Town & Country Planning office with the recommendation for book adjustment. At the time of issuing recommendations, advance receipt should be taken from the colonizer and proper entries shall be made in accounts books to avoid the possibility of any double payment in future.
 - d) After taking approval, the requisite sanction order will be issued by office of the Director General, Town & Country Planning, Haryana to the Chief Administrator, HUDA with copy to concerned colonizer. Thereafter, HUDA (HQ) will make an adjustment entry in the newly opened account Head "**Adjustment of Land Compensation/Development Works against the recovery of EDC from Colonizers**" in FAS and issue receipt of EDC to the office of Director General, Town & Country Planning, Haryana.

Secretary
for Additional Chief Secretary to Govt. Haryana,
Town & Country Planning Department,
Haryana, Chandigarh.

DELEGATION OF POWER

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA.

To

All the Administrators
HUDA (In the State).

Memo No.HUDA-Acctts-Acctt-I-2007/3111-15

Dated : 25.01.2007

Subject : Delegation of Powers to the Administrators and Superintending Engineer's in HUDA.

Please refer to this office memo No.HUDA-Acctts-Acctt-I-2006/2237-2299 dated 20.01.06 vide which it was intimated that the zonal Administrators will be competent to Administratively approve the estimates upto Rs.50.00 lacs against all approved works which are provided for in the budget and price fixation.

The Authority in its 98th meeting held on 12.12.06 have decided that the powers of Zonal Administrators and Superintending Engineer's be brought at par and Superintending Engineer's be allowed to approve DNIT and accept tenders upto Rs.50.00 lacs subject to the condition that Administrators/Superintending Engineers will ensure that projects are not split into parts to exercise these delegated powers.

This is for your information and further necessary action.

-sd/-
Chief Controller of Finance
for Chief Administrator, HUDA,
Panchkula.
Dated 25.1.2007

Endst.No.HUDA-Acctts-Acctt-I-2007/3116-75

A copy is forwarded to the following for information and necessary action:-

1. The Chief Administrator, HUDA, Panchkula.
2. The Administrator, HQ, HUDA, Panchkula.
3. The Engineer-In-Chief, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. All the Superintending Engineer, HUDA (in the State).
8. All the Executive Engineers, HUDA (in the State).
9. All the Estate Officers, HUDA (in the State).

-sd/-
Chief Controller of Finance
for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

To

All the Administrators,

HUDA (In the State)

Memo No.HUDA.Accts.Acctt-I-2006/2242-99

Dated 20-01-2006

Subject: Delegation of powers to the Administrators in HUDA (Regarding Estimates)

Please refer to this office Memo No.20559-615 dated 18.07.2005 vide which it was decided that there will be no change in the powers of Administrators to accord the administrative approval to the estimates upto Rs. 10.00 lacs subject to the extent of Budget provision and availability of funds in the price fixation of the scheme.

These powers were revised vide memo No 31534-37 dated 1.12.2005 in respect of special repair of internal roads of sector with the following conditions:-

1. The power to administratively approve the estimate is special repair of internal roads was uncharged from Rs. 10.00 lacs to Rs. 20.00 lacs. Accordingly the powers of Superintending Engineer was be revised to allot the work of special repair of internal roads from the existing powers of Rs. 10.00 lacs to Rs. 20.00 lacs.
2. The technical specification for the special repair of internal roads of the sectors will be circulated by the Engineer in Chief HUDA according to which the estimate of special repair of internal roads will be prepared and executed.
3. One single estimate for one sector will be prepared and it will not be bifurcated. In case it exceeds the limit of Rs. 20.00 lacs it will be sent to Head Office for the approval of the competent authority.

The Authority in 96th meeting held on 29.12.2005 has approved the above said delegation of powers with the modification that the Zonal Administrators will be delegated powers upto Rs. 50.00 lacs against all approved works which are provided for in the budget and price fixation. Resultantly zonal Administrator will be competent to administratively approve the estimate upto Rs.50.00 lacs against all approved works which are provided for in the budget and price fixation.

This is for your information & further necessary action.

-sd/-

Chief Controller of Finance
for Chief Administrator,
HUDA, Panchkula

Dated 20-01-2006

Endst.No.HUDA.Accts.Acctt-I-2006/2242-99

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Administrator, HUDA, Panchkula.
2. The Administrator (HQ), HUDA, Panchkula
3. The Engineer-In-Chief, HUDA, Panchkula
4. The Secretary, HUDA, Panchkula.
5. All the Superintending Engineers, HUDA (in the state)
6. All the Executive Engineers, HUDA, (in the State)
7. All the Estate Officers, HUDA (in the State)

-sd/-

Chief Controller of Finance
for Chief Administrator,
HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR – 6 PANCHKULA

To

All the Administrators,

HUDA (in the State)

Memo No.HUDA-Acetts-Acctt-I-2002/17745-48

Dated 16.7.2002

Subject : Delegation of Powers to Administrators in HUDA (Regarding Compounding Fee).

Please refer to the subject cited above.

The matter regarding delegation of powers in respect of expenditure out of compounding fee and re-appropriation of the budget was placed before the Authority in its 5th meeting held on 26.6.2002. The authority has decided to revise the existing delegation of powers. The existing as well as revised delegations of powers are given below:-

Sr. No.	Head of powers	Existing delegation of powers in favour of Administrators	Revised powers as approved by the authority in 5 th meeting dated 26.6.2002
1.	Compounding fee re-appropriation of funds	Vide letter No HUDA Acetts-88/31145-47 dated 30.8.1988 incurring of expenditure upto Rs. 1.00 lacs per item for public amenities as specified in letter No HUDA Acetts-94/11700 dated 24.6.1994 subject to the availability of funds upto 50% on the income from the compounding fee in respective Urban Estate. Vide letter No HUDA Acetts Acct-II 2002/4122-25 dated 12.2.2001 to re-appropriate funds under the various heads of expenditure upto Rs. Rs. 4.00 lacs on any single work but maximum upto Rs. 1.00 crores in a financial year against the sanctioned estimates within the approved budget.	Existing powers are revised from Rs. 1.00 to Rs. 10.00 lacs subject to the maximum of 50% of compounding fee collected during the year in the respective urban Estate with the following conditions:- The expenditure may be incurred as per the budget provision. the expenditure may be incurred on the amenities which have not been provided in the original price fixation of the sector but has become necessary with the passage of time. The expenditure not be incurred on the items such as purchase of furniture and fixtures air conditioners desert coolers, refrigerators ceiling fans office equipments typewriters, computers etc. or any other item which is covered under the head of office expenses for which separate budget is provided. Existing powers to re-appropriate the funds upto Rs. 4.00 lacs on any single work are revised upto Rs. 10.00 lacs. However, a maximum limit upto Rs. 1.00 crore in a year against the sanctioned estimates within the approved budget will remain un-changed

-sd/-

Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula

A copy is forwarded to the following for information and necessary action.

1. The Chief Administrator, HUDA, Panchkula
2. The Administrator (HQ), HUDA, Panchkula
3. The Joint Director, law HUDA, Panchkula
4. The Chief Engineer, HUDA, Panchkula
5. The Secretary, HUDA, Panchkula
6. The Additional Chief Engineer, HUDA, Panchkula
7. All the Superintending Engineer, HUDA (in the State)
8. All the Executive Engineer, HUDA (in the State)
9. All the Estate Officer, HUDA (in the State)

-sd/-

Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula

GUIDELINES REGARDING DEFENDING OF COURT CASES

HARYANA SHAHRI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA.

To

1. Zonal Administrator-cum-ADUE,
HSVP, Faridabad.
 2. The Land Acquisition Officers,
Urban Estate Department,
Haryana, Faridabad.
- Memo No. HSVP/CCF/AO-Cash/2018/ 31157

Dated. 16/02/2018

Subject: CWP No. 727,733,772 of 2017 titled as M/s Daulatram auto Pvt. Ltd. Vs State of Haryana, Payment of compensation as award u/s 28A land acquisition act, 1894, decided vide order dated 06.12.2017 (Regarding making the payment as per merit/eligibility of the beneficiary)

Please refer to the letter issued under memo No. DA/ADA-N. Sh/2018 dated 5.2.2018 through email by H.Q. Legal Wing on the above subject where tender it was conveyed as below:-

“Reference to the order dated 6.12.2017 passed by the Hon’ble High Court in the subject cited case.

It has been decided with the approval of the Hon’ble CM., Haryana-cum-Chairman, HSVP that in compliance of the order dated 6.12.2017 the Chief Controller of Finance, HSVP, Panchkula be asked to process the case of the petitioner for payment as a special case subject to the decision of the Hon’ble Supreme Court in RFA No. 7108 of 2012.

Therefore, you are hereby requested to process the case of the petitioner for payment’ as a special case subject to the decision of the Hon’ble Supreme Court in RFA No. 7108 of 2012 as per above approval”.

2. As already clarified under Para-3 of instruction No.45 dated 28.11.2017, a role of HQ is only to provide lump-sum funds to the bank for making payments and the LAO being DDO for making such payments has to ensure that amount is due to the land owners based on merits and eligibility of each individual beneficiary.

3. Therefore, in the above subject case also, the LAO office should make payment only if the amount is to be paid as per the merits and eligibility of the beneficiary. To comply with the Hon’ble High Court order dated 6.12.2017, if the Zonal Administrator-cum-ADUE/LAO office is of the opinion, amount is not to be paid to the beneficiary they should pass speaking orders accordingly.

-sd-

Chief Accounts Officer,
for Chief Controller of Finance,
HSVP, Panchkula.

C.C..

1. Zonal Administrator-cum-ADUE, Panchkula, Gurugram, Hisar, Rohtak
2. The LAO, Panchkula, Gurugram, Hisar, Rohtak.
3. District Attorney, legal Cell, H.Q., Panchkula.
4. GM(IT) HSVP H.Q Panchkula with the request to upload the above instructions on HSVP Website under policy - Finance Wing-Instructions.

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3, SECTOR-6, PANCHKULA

To

1. All the Zonal Administrators,
HUDA in the state
2. All the Estate Officers,
HUDA in the state.

Memo No.HUDA/CCF/AO-Cash/2017/ 74616-17

Dated:- 27.04.2017

Subject: Instruction with regard to **defending of executions of enhanced compensation** pending in various Hon'ble court of **Additional District Judges/ District Judge** in all Urban Estates of HUDA.

1. Please refer to the subject cited above.
2. It has been observed that the various Hon'ble courts of Additional District Judge/ District Judge are issuing orders of attachment of properties situated outside their respective local limits of jurisdiction and are even issuing warrants against the officers of HUDA who are based outside their respective local limits of jurisdiction.
3. Your attention is invited to Section 39 (4) of the Code of Civil Procedure, 1908 which provides that "Nothing in this section shall be deemed to authorise the Court which passed a decree to execute such decree against any person or property outside the local limits of its jurisdiction." The Hon'ble Supreme Court in Appeal (Civil) 2078 of 2007 titled as Mohit Bhargava vs Bharat Bhushan Bhargava decided on 20.04.2007 has considered the issue. In terms thereof, the executing court is not authorized to execute the decree with respect to any person/ property situated outside the local limits of its jurisdiction.
4. Therefore, it has been decided that in future the above mentioned provision of law should be apprised to the Executing Court and wherever the Executing Court has issued attachment orders of properties or warrants of persons situated outside the local limit of its jurisdiction, then an application shall be filed in the Executing Court without delay, for recall of said orders and/or vacation of such attachment orders. The execution applications shall be defended properly. A list of such cases where either the attachment orders have been issued or warrants of arrest have been issued shall be compiled and report in this regard be sent to Legal Cell HUDA (HQ) without any delay.
5. HUDA has filed Affidavit on Hon'ble High Court in **CWP No. 727, 733, 772, 3324 and 3681 of 2017 – M/s Daulatram – Dharambir Auto Private Limited vs State of Haryana and others** on 18.04.2017 by giving action plan regarding payment of original award amount and enhanced compensation to the landowners. As per action plan, the pending payments on account of original awards shall be made as first priority. Thereafter, the pending payments on account of enhanced compensation of the old awards shall be taken up.

6. As Hon'ble High Court accepted the Govt version in the Affidavit, the same may be brought to the notice of lower courts also with the request not to pass any orders for out of turn payment. The above instructions may be brought to the notice of all concerned broadly and an action may be taken for strict compliance.
7. This issue with the approval of C.A HUDA

-sd-

Sr. Accounts Officer,
for Chief Administrator
HUDA, Panchkula.

CC:-

1. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions.
2. DA, Legal Cell, HUDA, HQ,Panchkula.
3. All Chief Accounts Officer/Sr Accounts Officers HUDA in the State.

POST ALLOTMENT RECEIPTS

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

All Estate officers,
HUDA in the State.

Memo No.HUDA/CCF/ AO(Cash)2016 / 13639

Dated:25/05/2016

Subject: Collection of **Post Allotment receipts** from all Estate Offices of HUDA under Centralized System – Operationalization of Nodal Post Allotment Collection Account (Regarding **partial modification** of the **instruction dated 22.12.2015**),

Please refer to the Instructions No.7 dated 22.12.2015 issued under 23130 on the subject cited above available on https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf.

1. As per existing procedure, 6 banks namely Punjab National Bank, Union Bank of India, ICICI Bank, HDFC Bank, OBC and Indian Bank have been authorized for post allotment collections. All the post allotment collections deposited in any branch (Pan India branches in case of PNB, ICICI Bank, HDFC & UBI and Pan Haryana in case of OBC and Indian Bank) are directly credited to the nodal account of the respective bank. The PPM data is updated on real time basis by the six authorized banks as soon as cheque /Demand Draft is encashed and amount is credited to the nodal HUDA's account with the respective banks.
2. After the introduction of above collection system, a situation has emerged that where the collecting bank is different from the cheque /Demand Draft issuing bank. In these cases, cheque /Demand Draft is credited usually on T+2 basis (i.e. two working days after deposit of cheque /Demand Draft with T being the date of deposit in the bank). During these two working days interval, the payable amount sometimes gets increased in PPM automatically if any interest is leviable for additional days. This is causing problems to the allottees and some amount is again shown pending due in the PPM. For example, on 28.3.2016, the challan generated on PPM shows payable amount inclusive of interest as Rs. 100/-. This amount will get increased to Rs. (100+x) on 30.3.2016. If DD/cheque of Rs. 100/- deposited on 28.3.2016 is credited on 30.3.2016, the PPM will show balance amount of Rs. 'X' to be still payable by the allottee.
3. In partial modification of the instruction No. 7 dated 22.12.2015, the following amended procedure shall be followed for deposit/collection in future:-
 - (i) The challan generated on PPM shall be valid only for the day of generation i.e. challan generated on 28.3.2016 (say) is to be used only on 28.3.2016 itself. For making payments on 29.3.2016 (say), fresh challan will have to be generated from the PPM.
 - (ii) The six authorized banks shall collect the amount either **by cash or by transfer cheque** only (transfer cheque is a term where the collecting and the issuing bank is same though branch may be different). The transfer cheques are credited to the HUDA account on the same day of tendering i.e. on T basis. To be more clear, if a person possessing HDFC bank cheque tenders it at any branch of HDFC bank, such cheque is encashed and credited to the HUDA account on the same day on T basis.
 - (iii) If the installment is to be deposited by other than transfer cheque, PNB & ICICI bank have engaged to provide solution. The allottee will generate a challan opting "*other than transfer cheque*" as mode of payment. Each such challan will contain an automatically generated virtual account which is mapped to HUDA's account for NEFT/RTGS reconciliation purpose i.e. identify the allottee and the payment purpose. The allottee will take this challan to the bank branch where he is maintaining his bank account or can alternatively remit money through the net banking facility from his/her bank. The respective branch will transfer the money by NEFT/RTGS mode to the virtual account printed on the challan. As soon as the money is credited in virtual account, the same shall be updated on real time basis in the PPM by ICICI or PNB.

- (iv) There may be cases that the challan is submitted by allottee to bank not on the date of generation and is submitted on subsequent days. Such challan is not valid for RTGS/NEFT payments. As per RBI guidelines, the bank should not push RTGS/NEFT payments on challan which is not valid on the date of transaction. But due to oversight of the bank official, if RTGS/NEFT is pushed to the ICICI/PNB bank account, the following two situations emerge:-
- (a) **First situation:-** the plot status is resumed/canceled on such date, the ICICI/PNB bank shall not be able to upload such transaction on PPM. In such cases, the ICICI/PNB bank shall automatically return the amount to the bank account from which RTGS/NEFT was received.
- (b) **Second situation:-** where plot status is still active, there may be chances that the payable amount gets increased as PPM automatically adds the interest amount for additional days. In this case, ICICI/PNB bank shall be able to upload such transaction on PPM and IT Wing HUDA shall send SMS to the allottee about the balance amount to be paid.
4. GM(IT), HUDA is requested to make a provision in the PPM to enable each EO office to generate report about post allotment collection for his respective urban estate.
5. For easy reconciliation of accounts by H.Q. accounts branch in FAS, GM(IT), HUDA is requested to make provisions so that
- (i) Aggregate total collections uploaded on PPM by the banks, should be automatically transported to the FAS Bank wise.
- (ii) The interest income credited in Huda Auto sweep FDR Bank account along with debit entry of TDS deducted separately, should be uploaded by the Bank, directly to the FAS.
6. The H.Q. accounts branch shall carry out the reconciliation to ensure that the amount uploaded on PPM by the banks, tally with the actual balance available in Huda account with the respective bank. The banks are requested to file monthly statement with H.Q. through Email id sao2hghuda@gmail.com in the following format:-

Name of Bank				
Sr. No.				
1	Opening balance as on 1 st of the month			
		Upto the Previous month	During the month of ----- ---	Upto the month
2	Amount uploaded on PPM			
3	Interest earned in HUDA account			
4	TDS deducted			
5	Amount withdrawn by HUDA			
6	Balance at the end of month			

7. In case of any difficulty regarding deposit of money or non-display on PPM of money already deposited, the allottee may be advised to contact the following bank officials :-

S . No.	Name of Bank	Name of nodal officials (Sh./Smt)	Designation	Contact No.	E.mail id
1	PNB	Rajnish Kashyap	Senior Manager	09815882044	rajnish@pnb.co.in
		Rajiv Dhiman	Sr. Manager	9855158778	rd_303@pnb.co.in
2	UBI	Sachin Verma	Manager, IT	9988886461	rcc.chandigarh@unionbankofindia.com
		C.K.Babu	Chief Manager	9846749481	cbschandigarhmain@unionbankofindia.com
3	HDFC	Harish Bhardwaj	Sr.Manager	9316175094	harish.bhardwaj@hdfcbank.com
		Rajan Singla	Asst.Vice President	9316279776	rajan.singla@hdfcbank.com
4	ICICI	Varun Aggarwal	Chief Manager	8054222725	varun.aggarwal@icicibank.com
		Rashmi Sharma	Dy.Branch Manager	8146672405	rashmi.sharma@icicibank.com
5	Indian Bank	Ajay Sharma	Sr. Manager	8901300141	panchkula@indianbank.co.in
		M.K. Manchanda	Sr. Manager	8901300107	ambalacity@indianbank.co.in
6	OBC	Ved Singh Tindle	Sr. Manager	9050282800	bm0244@obc.co.in
		Kush Bhateja	Clerk	9896441149	bm0244@obc.co.in

Copy of these instructions can also be viewed and downloaded from https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf.

-sd-

Chief Controller of Finance,
For Chief Administrator,
HUDA,Panchkula

ENDST.NO.HUDA/CCF/AO(Cash)/2016/13640-49

Dated:25.05.2016

A copy of the above is forwarded to following for information and taking immediate necessary action in this regard.

1. PA/CA, HUDA for kind information for Chief Administrator, HUDA, Panchkula.

2. All the Zonal Administrators HUDA in the State.

3. **GM (IT) HUDA Panchkula** :- With request to hold meeting before 31.5.2016 with all the scheduled banks and educate them about the new procedure to be followed .(ii) May make necessary arrangements and may hold periodic meetings with the Nodal Bank Branch every fortnight to ensure that data is being uploaded on HUDA server. (iii) The process flow chart for guidance of the allottee should be displayed on the HUDA Website.

4. **All the Chief Accounts officers/Senior Accounts Officer HUDA**with directions to close all bank accounts other than nodal accounts in these 6 authorized banks immediately after reconciliation.

1. The Branch Manager, OBC ,Manimajra,	4. The Branch Manager, ICICI, Sec-11 ,Panchkula
2. The Branch Manager, HDFC Bank Ltd Sec- 17/C, Chandigarh.	5. The Branch Manager, Indian Bank ,Sec-6, Panchkula
3. The Branch Manager, PNB, Manimajra	6. The Branch Manager, UBI Sec-17, Chandigarh

With request to issue directions to their field branches to make above procedure operational w.e.f. 01.06.2016.

-sd-

Chief Controller of Finance,
for Chief Administrator,
HUDA,Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

All Estate officers,
HUDA in the State.

Memo No.HUDA/CCF/ACCTT IV /2015/23130

Dated: 22.12.2015

Subject: Collection of **post allotment receipt** from all Estate offices of HUDA under Centralized system-Operationalization of Nodal post allotment collection account. (Regarding closing of all **virtual sub accounts**)

Please refer to the Instructions No.3 dated 9.7.2015 issued under 12788-93 on the subject cited above available on https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf. As per existing procedure, the Post Allotment collection Accounts are centralized and various Estate Offices Accounts function as virtual sub account of the respective Nodal Account. The Estate Office wise virtual sub accounts are only for accounting purpose. The amount deposited in any virtual sub account is immediately transferred to the nodal account without any human intervention. The nodal branch of the bank is up-loading data of the Post Allotment Collections on the HUDA Server in a centralized manner.

2. It is observed that the challan on the basis of which payments are deposited in the bank are unique for each transaction and contain the details of Urban Estate, plot id and sector. Any report about post allotment collection urban estate wise can be generated by HUDA from the PPM system after the data has been uploaded by the bank. Therefore, there appears to be no need to maintain virtual sub account urban estate wise.
3. To further simplify and rationalize the procedure, it is now directed that virtual sub accounts urban estate wise shall be closed and each of the six banks authorized for post allotment collections shall have only one nodal account as per details in the table below. All the post allotment collections deposited in any branch shall be directly credited to the nodal account of the respective bank. This nodal account will have Auto Sweep FDR facility.
4. Punjab National Bank, Union Bank of India, ICICI Bank & HDFC Bank have developed a facility whereunder data of post allotment collections from the allottees, shall be uploaded on real time basis by the bank on the HUDA website. With this real time module, they are now equipped to receive collections in any of their branches (Pan India in case of PNB, ICICI Bank & UBI and Pan Haryana in case of HDFC) and for all the urban estates of HUDA.
5. The following system shall be made operational w.e.f. 1.1.2016.

Table

S r . No.	Name of Bank	Nodal Account			Name & address of Collecting Branch	Urban Estates in respect of which bank is authorized for collection
		Bank Account No.	IFSC Code	Branch		
1.	PNB	1183005900001228	PUNB0118300	Manimajra	Any branch in India	All
2	UBI	309301010049827	UBIN0530930	Sec - 17 B, Chandgiarh	Any branch in India	All
3	HDFC	50100130146006	HDFC0000213	Sec - 17 C, Chandigarh	Any branch in Haryana	All

11. In case of any difficulty regarding deposit of money or non-display on PPM of money already deposited , the allottee may be advised to contact the following bank officials :-

S . No.	Name of Bank	Name of nodal official	Designation	Contact No.	E.mail id
1	PNB	Sh. Rajnish Kashyap	Senior Manager	09815882044	rajnish@pnb.co.in
		Sh. Rajiv Dhiman	Sr. Manager	9855158778	rd_303@pnb.co.in
2	UBI	Sh. Sachin Verma	Manager, IT	9988886461	rcc.chandigarh@unionbankofindia.com
		Sh. Rajnesh Mukhra	Senior Manager	9888779500	rajnesh.mukhra@unionbankofindia.com
3	HDFC	Sh. Harish Bhardwaj	Sr.Manager	9316175094	harish.bhardwaj@hdfcbank.com
		Sh. Rajan Singla	Asst.Vice President	9316279776	rajan.singla@hdfcbank.com
4	ICICI	Sh. Vishal Mengi	Chief Manager	9596781376	vishal.mengi@icicibank.com
		Smt. Rashmi Sharma	Dy.Branch Manager	8146672405	rashmi.sharma@icicibank.com
5	Indian Bank	Sh. Rajesh Chopra	Chief Manager	8437530123	panchkula@indianbank.co.in
		Sh. M.K. Manchanda	Sr. Manager	8901300107	ambalacity@indianbank.co.in
6	OBC	Sh. Ved Singh Tindle	Sr. Manager	9050282800	bm0244@obc.co.in
		Sh. Kush Bhateja	Clerk	9896441149	bm0244@obc.co.in

12. Copy of these instructions can also be viewed and downloaded from https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf .

-sd-

Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula

A copy of the above is forwarded to following for information and taking immediate necessary action in this regard.

1. PA/CA, HUDA for kind information for Chief Administrator, HUDA, Panchkula.

2. All the Zonal Administrators HUDA in the State.

3. **GM (IT) HUDA Panchkula** :- With request to make necessary arrangements and may hold periodic meetings with the Nodal Bank Branch every fortnight to ensure that data is being uploaded on HUDA server. (ii) At the time of generation of challan, the allottee should be given the option to select the bank for payment and the challan should be generated in the format as specified by that particular bank. (iii) The process flow chart for guidance of the allottee should be displayed on the HUDA Website.

4. **All the Chief Accounts officers/Senior Accounts Officer HUDA** with directions to stop operation of all the other accounts for post allotment collection, not listed in the table above w.e.f. 01.01.2016 and close them immediately after reconciliation.

1. The Branch Manager, OBC ,Manimajra,	4. The Branch Manager, ICICI, Sec-11 ,Panchkula
2. The Branch Manager, HDFC Bank Ltd Sec- 17/C, Chandigarh.	5. The Branch Manager, Indian Bank ,Sec-6, Panchkula
3. The Branch Manager, PNB, Manimajra	6. The Branch Manager, UBI Sec-17, Chandigarh

With request to issue directions to their field branches to make above procedure operational and to stop operation of all the other accounts for post allotment collection, not listed in the table above w.e.f. 05.01.2016.

-sd-

Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

All Estate officers,
HUDA in the State.

Memo No.HUDA/CCF/Acctt IV/2015/2788

Dated 09.07.2015

Subject: Collection of **post allotment installments/receipts** of Estate offices of HUDA under **Centralized system** opening of **separate Nodal Bank account** with **virtual sub- Accounts**.

1. Presently, HUDA is maintaining Estate Office wise bank accounts for post allotment installments/ receipts as per details below. All the post allotment collections of a particular Estate Office are received in the respective bank account. Each EO office manually up-loads data on HUDA server, after CD is received from the respective bank branch.

Table 1

Sr.No.	Name of Bank	Name of Estate Office	No. of accounts
1	OBC	Rohtak, Jind, Naraingarh, Kaithal, EO-1 Gurgaon, EO-2 Gurgaon, Hissar	7
2	PNB	Jagadhri, Bahadurgarh	2
3	UBI	Rewari, Faridabad, Karnal, Kurukshetra, Sonapat, Panipat	6
4	Indian Bank	Panchkula, Ambala	2
5	ICICI	Rewari, Gurgaon, Sirsa, Panchkula, Bhiwani, Sonipat, Kurukshetra, Panipat, Hissar, Bahadurgarh, Faridabad	11
6	HDFC	Rewari, Gurgaon-I, Panchkula, Gurgaon-II, Kurukshetra, Panipat, Hissar, Bahadurgarh, Faridabad, Kaithal, Jind, Ambala, Karnal	13
			41

2. The multiplicity of accounts results in delay in the reconciliation. With the advent of the core banking system, there is no need to maintain separate accounts in the individual Estate Office.
3. It is now decided that Post Allotment collection Accounts shall be centralized and various Estate Offices Accounts will function as virtual sub account of the respective Nodal Account as per Annexure 'A'. Under this scheme, bank has opened a nodal account at Panchkula/Manimajra. The Estate Office wise virtual sub accounts are only for accounting purpose. The amount deposited in any virtual sub account is immediately transferred to the nodal account without any human intervention.
4. The nodal branch of the bank shall up-load data of the Post Allotment Collections on the HUDA Server in a centralized manner. They shall make necessary arrangements with G.M, I.T. Wing of HUDA for this purpose. The present system of manual up-loading of data by respective Estate Office shall discontinue henceforth.
5. Copy of these instructions are also being displayed on <https://www.huda.gov.in/Financial%20Wing/>

DA/as above

-sd-
Chief Controller of Finance,
For Chief Administrator,
HUDA, Panchkula

ENDST.NO.HUDA/CCF/ACCTT IV /2015/2788

Dated 09.07.2015

A copy of the above is forwarded to following for information and taking immediate necessary action in this regard.

1. PA/CA, HUDA for kind information for Chief Administrator, HUDA, Panchkula.
2. All the Zonal Administrators HUDA in the State.
3. **GM (IT) HUDA Panchkula** to make necessary arrangements for centralized uploading of data by the Nodal Bank Branch. He may hold periodic meetings with the Nodal Bank Branch every fortnight to ensure that data is being uploaded on HUDA server.
4. **All the Chief Accounts officers/Senior Accounts Officer HUDA** with further request to immediately close the bank accounts in the Table 1 above after reconciliation .
5. **Nodal bank branch of respective bank** with further request to issue directions to their field branches to credit post allotment receipts into the respective virtual sub account as per Annexure 'A' only. Once this system stabilizes, Nodal Branch may submit application to this office with a request to allow them Post Allotment collections in all the 18 Urban Estates. You may also examine the possibility and submit proposal where under allottee is given the freedom to deposit installment in any branch of your bank instead of present system where allottee is forced to approach a particular nominated bank branch.

-sd-
Chief Controller of Finance,
For Chief Administrator,
HUDA, Panchkula.

`Annexure A'

Detail of Post Allotment receipt virtual Sub-Accounts of Estate offices of HUDA

Sr. No.	Name of Bank	HDFC Bank Sec-17/C Chandigarh	ICICI bank Sec-11 Panchkula	Indian Bank sec-6 Panchkula	UBI Bank Sec-17/B Chandigarh	PNB MM	OBC MM
(A)	Cartelized Nodal Account No.	20500008879382	004305004538	875765758	309301010013094	1183002100018001	024410100003210
	IFSC Code	HDFC0000213	ICICI0000043	IDIB000P151	UBIN0530930	PUNB0118300	ORBC0100244
(B)	<p align="center">Virtual Sub Account numbers (Estate office wise)</p>						
1	Rewari	50200012341163	06265000376		309301010040805	1183005900000935	
2	Gurgaon-I,	50200012336443	004305005064			1183005900000917	02441011002504
3	Panchkula	50200012352997	004305005057	6341700239		1183005900000908	
4	Gurgaon-II	50200012336456				1183005900000926	02441011002511
5	Kurukshetra	50200012353004	059405000208		309301010040804	1183005900001006	
6	Panipat	50200012352984	017405005811		309301010040810	1183005900000971	02441011002528
7	Hisar	50200012336482	017205005134			1183005900000944	
8	Bahadurgarh	50200012336506	004305005061			1183005900000892	
9	Faridabad	50200012353020	004305005062		309301010040806	1183005900000962	
10	Kaithal	50200012341315				1183005900001060	02441011002535
11	Jind	50200012336469				1183005900001024	02441011002481
12	Ambala	50200012336519		6341700433		1183005900001015	
13	Karnal	50200012341584				1183005900000917	
14	Sirsa		073050500295			1183005900000953	
15	Bhiwani		004305005056		309301010040809	1183005900001042	
16	Sonipat		030205001640			1183005900000980	
17	Rohtak					1183005900001033	02441011002474
18	Jagadhari					1183005900000883	

INSTRUCTION REGARDING OPENING OF BANK ACCOUNT

HARYANA SHEHRI VIKAS PRADHIKARN SECTOR 6 PANCHKULA

To

All the Estate Offices,

HSVP, (in the State)

Memo No. HSVP/CCF/AO-Cash/2018/124572

Dated:19/06/2018

Subject: Proposal for **loan to allottees of residential plot** to enable them to make payment of additional price on account of enhancement – **Authorisation of Banks** to provide loan facility to the allottees.

1. Please refer on the subject cited above.
2. One time settlement scheme (OTSS) for payment of Enhanced Compensation by the allottees has already been started w.e.f 15.05.2018 for a period of 2 months.
3. Three Banks i.e HDFC Home Loan Ltd, Bank of India and Axis Bank have agreed to provide loan to the allottees to enable them to make payment under OTSS scheme. The detail of contact persons of the bank are given below:-

Sr. no.	Name of Bank	Name of contact person	Mobile no.	Email ID
1.	HDFC Bank	i) P r a b h j o t Singh Pahwa ii) M e n a k a Mehta	8196940007 9357205862	Prabhjot.pahwa@hdfcbank.com Menaka.mehta@hdfcbank.com
2.	Bank of India	i) Anuj Sinha ii) A b h i s h e k Bhatia	8780348041 7837482210	Chandigarh.marketing@bankofindia.co.in MCBchandigarh@bankofindia.co.in
3.	Axis bank	i) K.S. Sodhi ii) Rachita	8556017521 8556017522	Mdcsector5Panchkula.Branchhead@axisbank.com Mdcsector5Panchkula.Operationshead@axisbank.com

4. In case the allottee wants to take loan from the Banks, the Estate Offices are requested to issue permission to mortgage of the plot subject to condition that loan amount shall be utilized only for payment under OTSS scheme and shall not be diverted for any other purpose.
5. This is for information please.

-sd-

Sr. Accounts Officer,
For Chief Administrator,
HSVP Panchkula

A copy of the above is forwarded to the following for information and necessary action:-

1. PS/CA for kind information of Worthy Chief Administrator HSVP, Panchkula.
2. All the Zonal Administrators , HSVP (in the State)
3. GM(IT) HSVP, HQ Panchkula with the request to upload the above instructions on HSVP website under policy – Finance Wing-Instructions.
4. Sh. Prabhjot Singh Pahwa, Sales Manager- HDFC Home loans and Smt Menaka Mehta, Branch Manager, HDFC Bank Sec 17C, Chandigarh.
5. Sh. Abhishek Bhatia, Senior Manager, and Sh. Anuj Sinha, Bank of India, SCO 81-82,Sec 17B Chandigarh.
6. Sh. K.S. Sodhi, Asstt Vice President & Branch Head, Axis Bank, MDC Sector-5, Panchkula.

-sd-

Sr. Accounts Officer,
For Chief Administrator,
HSVP Panchkula

HARYANA SHAHRI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA.

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HSVP/CCF/AO-Cash/2018/ 36425-26

Dated. 23/02/2018

Subject: Payments of land compensation through **Indusind Bank Panchkula** pertaining to **original awards** and **Enhanced compensation payments** in respect of all LAO and Zonal Administrators- regarding.

1. Please refer to this office instructions No.50 issued under Memo No. HSVP/CCF/AO-Cash/2018/7651 dated 11.01.2018 on the subject cited above where under payments pertaining to original awards of specified categories and enhanced compensation awarded by the Hon'ble Supreme Court is being done currently. Thereafter in the 2nd phase, the payment of enhanced compensation based on Hon'ble High Court was to be taken up and the payment of enhanced compensation based on the orders of the ADJ Court was to be taken up in the 3rd phase.
2. During the review meeting of Gurugram & Faridabad Zone held at Gurugram on 9.1.2018, it was brought to the notice in Faridabad Zone, that now only in a very small numbers of cases, the payment in respect of enhancement awarded by the Supreme Court are left. Such payments cannot be made due to some issues. is fully made or inscrutable in number of cases, the payment cannot be made due to some issues. It was felt that in such zones should be allowed to start making payment of enhanced compensation based on orders of Hon,ble High Court.
3. In this background, it is directed that:-
 - (i) Zonal Administrators who are also working as ADUE in their respective jurisdiction should take review of the pending payments of enhanced compensation arising of Supreme Court orders and if they are fully satisfied that such pending payments cannot be made immediately, they should send a reference to the HQ for allowing them to make payment of enhanced compensation based on High Court order.
 - (ii) Based upon their recommendation of the respective Zonal Administrator-cum-ADUE, this office shall procure orders from the competent authority to allow payment of enhanced compensation based on Hon'ble High Court order to the respective zone.
 - (iii) Thereafter the respective zone shall start payment of the enhanced compensation based on High Court by uploading the details in the Web portal of Indusind Bank in respect of enhanced compensation awarded by High Court.
 - (iv) It is relevant to mention that as already notified vide H.Q. instructions dated 22.2.2007 that payment of enhanced compensation in land acquisition cases is to be made as under:-
 - a. In case of enhancement, once the rates are finalized and no appeal of HSVP is pending; the entire enhancement compensation should be disbursed in one go. The Land Acquisition Officer should not wait for execution proceedings. After receiving the communication that the rates of enhancement compensation have attained the finality and no further appeal is being filed. Land Acquisition Officer's will process all such communication and submit the same to the concerned Administrator who shall sanction the payment within 10 days of the receipt.

- b. In case where HSVP has preferred appeal before Higher Court against enhanced compensation and no stay has been granted. 100% payment may be released subject to furnishing of adequate security or a bank guarantee from the land owners so that in the event of reduction the rates of enhancement compensation by the Higher Courts the excess amount could easily be recovered.

-sd-

Chief Accounts Officer
For Chief Administrator, HUDA,
Panchkula.

Endst. No. HUDA/CCF/AO-Cash/2018/ 36425-26

Dated. 23/02/2018

A copy of the above is forwarded to the following for information and necessary action:-

1. Director Urban Estate Panchkula.
2. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions.
3. Indusind Bank, Panchkula.

-sd-

Chief Accounts Officer
For Chief Administrator, HUDA,
Panchkula.

To

1. All the Zonal Administrators-cum-ADUE
HSVP (in the State)
 2. All the Land Acquisition officers,
Urban Estate Department,
Haryana (in the State).
- Memo No.HSVP/CCF/AO-Cash/2018/ 7651

Dated:-11.01.2018

Subject: Shifting of bank account of PNB to Indusind bank Panchkula pertaining to original award and enhanced land compensation payment in respect of all LAO and Zonal Administrators- regarding.

1. Please refer to the instructions No.45 issued under No. HSVP/CCF/AO-Cash/2017/224512 dated 28.11.2017 on the subject cited above, available on the HSVP website under the link where under the payment of enhanced compensation in respect of three zones namely Gurugram, Faridabad and Panchkula zone was shifted to the portal of Indusind Bank.
https://www.HSVP.org.in/_layouts/CCF/Release_payments_Land_compensation_New_procedure.pdf
2. It has now been decided that henceforth all payments of land compensation including original award payments as well as enhanced compensation shall be made through Indusind Bank portal only. The remaining two zones namely Hisar and Rohtak shall also now open their zone wise bank account with the Indusind Bank.
3. It is again clarified that henceforth no e-mail for payment of land compensation (above original awards as well as enhanced compensation) shall be sent to the PNB for making payments. All land payment shall be done only through the portal of Indusind Bank.
4. As already directed vide instructions No. 40 dated 4.10.2017, the payment of enhanced compensation based on the order of Supreme Court shall be done on first priority as these matters have attained finality at the level of Hon'ble Supreme Court. Thereafter payment of enhanced compensation based the orders of Hon'ble High Court shall be taken up in the 2nd phase. The payment of enhanced compensation based on the ADJ Court shall be taken up in the 3rd phase.
5. **Original Award:-**
 - (i) So far HSVP was following the practice of opening original award wise separate bank accounts for each award. Now data of original award payment shall be uploaded online by respective LAO on the Indusind Web Portal and the same shall be available for viewing by H.Q. as well as to LAO office, as the bank has agreed to provide report generation facility.
 - (ii) It is felt that no useful purpose will be served by opening award wise account in the Indusind Bank. To simplify the procedure, the practice of opening original award wise separate bank accounts for each award, is discontinued. Henceforth payment of all original awards shall be done from the zone wise bank account opened and maintained with the Indusind Bank.
 - (iii) The payments shall be made in respect of following cases of original award only:-
 - (a) Where award has been announced before 1.1.2014
 - (b) Where award has been announced after 1.1.2014 but Section 6 notification has been issued before 1.1.2014.
 - (c) Where award as well as Section 6 notification has been announced after 1.1.2014 but the land owner has not filed any litigation in the court for release of land or quashing of award on the ground that Section 6 notification has been announced after 1.1.2014 (As Hon'ble High Court order dated 5.9.2017 in CWP No.

3281 of 2014 (O&M) titled as VikramTuli Vs. State of Haryana & others has held that acquisitions shall lapse only qua the petitioners only).

-sd-

(Rajesh Jindal)

Chief Controller of Finance,
For Chief Administrator, HSVP,
Panchkula.

Endst. No. HSVP/CCF/AO-Cash/2018/ 7651

Dated:-11.01.2018

A copy of the above is forwarded to the following for information and necessary action:-

1. Director Urban Estate Panchkula.
2. GM(IT) HSVP, HQ Panchkula with the request to upload the above instructions on HSVP website under policy – Finance Wing-Instructions.
3. Indusind Bank, Panchkula to open the zone-wise original award bank accounts for all 5 zones as well as bank accounts for payment of enhanced compensation in respect of Hisar and Rohtak zones. You are also requested to hold a training session with the officials of Hisar and Rohtak Zone.
4. Chief Manager, Punjab National Bank, Manimajra with request to close all existing land payment bank accounts and transfer the available balance in our main nodal account no. 1183002100018001 of HSVP under intimation to this office.

-sd-

(Rajesh Jindal)

Chief Controller of Finance,
For Chief Administrator, HSVP,
Panchkula.

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana HUDA (in the State).

Memo No. HUDA/CCF/AO-Cash/2017/156984-85

Dated: 22/8/2017

Subject:-Close of all unauthorized Bank Accounts for payments of land acquisition and Enhanced Compensation instead of centralized bank account opened with PNB Manimajra and HDFC Bank, Chandigarh.

1. The Bank authorization issued by the Head Quarter in respect of awards announced on or before 31.03.2012 have already been closed and converted into General Authorization. All the payments of original award of close authorization which are pending are to be made from the following General Authorization Bank Account already operative with PNB, MM:-

Sr.No.	Name of Zone/LAO	Bank Account No.
1	Hissar	1183005900000034
2	Faridabad	11830059000000306
3	Rohtak	11830059000000458
4	Gurgaon	11830059000000360
5	Panchkula	11830059000000245

2. All the payments of new awards i.e. awards announced after 31.03.2012 are also required to be made through respective bank account of each award opened/operative with PNB Manimajra.

3. The enhancement payments are to be made by the Zonal Administrators only from the following bank Accounts of PNB MM and HDFC Chandigarh as per detail below:-

PNB Manimajra

S r . No.	Name of Zone	PNB Bank A/C No. for EDC Expenditure	PNB Bank A/C No. for Non EDC Expenditure
1	Administrator HUDA Panchkula	1183002100027285	1183005900001316
2	Administrator HUDA Faridabad	1183002100027294	1183002100025445
3	Administrator HUDA Gurgaon	1183002100027300	1183002100025898

HDFC Bank, Chandigarh

S r . No.	Name of Office	HDFC Bank A/C No. for EDC Expenditure	HDFC Bank A/C No. for EDC Expenditure
1	Administrator HUDA Hisar	205000250009930	50100166818621
2	Administrator HUDA Rohtak	50200025011772	50100155768089

4. Zonal Administrators/LAOs are requested to prepare a list of any other Bank Account which is not figuring in the above list and immediately start action for closure of accounts. The amount, if any, lying unutilized in the unauthorized bank account should be transferred to the following LAC Nodal Bank Account with PNB MM.

S r . No.	Name	Bank branch	CBS A/c No.	IFSC Code.
1	Senior Accounts Officer	PNB M.MAJRA	1183002100018001	PUNB0118300

5. The exercise should be completed before 31.08.2017.

6. It is reiterated that any future payments should be made only from the respective Bank Account opened by the Head Quarter at PNB, Manimajra or HDFC Sector-17, Chandigarh.

Chief Controller of Finance,
For Chief Administrator,
HUDA, Panchkula.

CC:-

1. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy - Finance Wing - Instructions.

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

1. All the Zonal Administrators,
HUDA in the state
2. Chief Town Planner,
HUDA, Panchkula.
3. All the Estate Officers,
HUDA in the state

Memo No.HUDA/CCF/AO-Cash/2017/ 38354

Dated:- 02/03/2017

Subject: Notification regarding – **Financing of balance 75%** of total tentative price of plot by **banks** or **Financial Institutions**.

1. I am directed to inform you that notification regarding Financing of balance 75% of total tentative price of plot by banks or Financial Institutions duly approved by the Govt and the same has been published in Haryana Govt Gazette on dated 10.01.2017.
2. Copy of these instructions alongwith copy of notification is also being available on the HUDA website at the following link https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf
3. It is for your kind information and taking further necessary action in the matter.

-sd-

Sr. Accounts Officer,
for Chief Administrator
Huda, Panchkula.

CC:-

1. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions

हरियाणा सरकार
हरियाणा शहरी विकास प्राधिकरण
अधिसूचना

दिनांक 9 नवम्बर 2016

संख्या प्रा.142592 हरियाणा शहरी विकास प्राधिकरण अधिनियम, 1977 (1977 का अधिनियम 13) की धारा 54 के (ड.) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा यादी क्रमांक 5/47/2016-2TCP दिनांक 9/11/2016 द्वारा सूचित राज्य सरकार के पूर्व अनुमोदन से हरियाणा शहरी विकास प्राधिकरण, इसके द्वारा, हरियाणा शहरी विकास प्राधिकरण (भूमि तथा भवन निपटान) विनियम, 1978 को आगे संशोधित करने के लिए निम्नलिखित विनियम बनाते हैं, अर्थात् :-

1- ये विनियम हरियाणा शहरी विकास प्राधिकरण (भूमि तथा भवन निपटान) संशोधन विनियम 2016 कहे जा सकते हैं।

2- हरियाणा शहरी विकास प्राधिकरण (भूमि तथा भवन निपटान) विनियम, 1978 में, विनियम 5 में, उप-विनियम (3) के स्थान पर, निम्नलिखित उप विनियम प्रतिस्थापित किया जाएगा, अर्थात् :-आवासीय प्लॉट/भवन के मामलों में जब आवेदन इस प्रकार दिया गया है, सम्पदा अधिकारी या ऐसा अन्य अधिकारी जिसे सशक्त किया जाए, ऐसे निदेशों के अध्याधीन जो इस निमित्त प्राधिकरण द्वारा जारी किए जाएं, आवेदित आकार के प्लॉट या भवन के आबंटन के लिए आवेदक को विचारा जाएगा। आबंटन “पहले आओ पहले पाओ” आधार पर या भाग्य-पत्रक (ड्रा आफ लाट्स) द्वारा किया जा सकता है, जैसा प्राधिकरण द्वारा अवधारित किया जाए तथा सफल आवेदक को पंजीकृत डाक द्वारा या इलैक्ट्रॉनिक ढंग से प्ररूप ‘ग’ या ‘ग-1’ या ‘ग-द’ में आबंटन पत्र भेजा जाएगा: परन्तु शहरी सम्पदा को उचित आयोजना तथा विकास के प्रयोजन के लिए, भूमि तथा भवन समूहों (ग्रुप) या व्यक्तिगत के लिए या किसी पेशे का व्यवसाय करने वाले या कोई व्यवसाय, व्यापार या कारबार करने वाले व्यक्तियों के लिए या व्यक्तियों के ऐसे अन्य प्रवर्ग, सरकारी विभागों तथा संस्थानों, धर्मार्थ संस्थानों तथा लोक कल्याण के अन्य संगठनों के लिए आरक्षित किया जा सकता है, जैसा समय-समय पर प्राधिकरण द्वारा निर्धारित किया जाए”।

3- प्रारूप ‘ग-द’ का फारमैट जोड़ा जाता है:

विकास गुप्ता
मुख्य प्रशासक
हरियाणा शहरी विकास प्राधिकरण

‘हरियाणा शहरी विकास प्राधिकरण

प्रारूप ‘ग-द’

देखिए विनियम 5(3).

(पूर्णस्वामित्व आधार पर आबंटन करने के लिए आबंटन पत्र का प्रारूप केवल आबंटन द्वारा आवासीय/संस्थागत निपटान के लिए प्रयुक्त किया जाना है)

प्रेषक

सम्पदा अधिकारी.....,

हरियाणा शहरी विकास प्राधिकरण

सेवा में

.....

.....

यादी क्रमांक:-

आबंटन तिथि :-

विषय :- पूर्ण स्वामित्व आधार पर शहरी सम्पदामें सेक्टर में प्लॉट नम्बर
..... प्रवर्ग ब.....मरला) का आबंटन।

1. शहरी सम्पदा में सेक्टर में प्लॉट के आबंटन के लिए रजिस्ट्रेशन संख्या द्वारा आपके आवेदन के संदर्भ में।

2. आपका आवेदन विचारा गया है तथा नीचे दिए गए ब्योरे अनुसार एक प्लॉट
.. निम्नलिखित निबन्धनों तथा शर्तों के अनुसार तथा हरियाणा शहरी विकास प्राधिकरण अधिनियम, 1977 (जिसे, इसमें, इसके बाद अधिनियम को रूप में निर्दिष्ट किया गया है) तथा उसके अधीन लागू तथा समय-समय पर यथा संशोधित नियमों/विनियमों/हिदायतों/मार्ग दर्शनो/पालिसियों इत्यादि के उपबन्धों के अधीन पूर्ण स्वामित्व आधार पर आपके आबंटित किया गया है। प्लॉट का लगभग क्षेत्र तथा प्लॉट की अस्थायी कीमत नीचे दिए गए अनुसार कब्जा देने के समय पर वास्तविक माप के अनुसार समायोजन के अधीन हैं।

सेक्टर संख्या	शहरी सम्पदा	प्लॉट संख्या	लगभग लम्बाई चौड़ाई	वर्ग मीटर में क्षेत्र	प्रति वर्ग मीटर दर	प्लॉट की अस्थायी कीमत (रुपयों में)

3. प्लॉट एक अधिमानिक/विशेष अधिमानिक है तथा उपरोक्त पैरा 2 में वर्णित कीमत की 10 प्रतिशत/20 प्रतिशत की दर से रु.....अधिक कीमत हैं जो उपरोक्त अस्थायी कीमत में शामिल की गई हैं।

4. आपको इस आबंटन पत्र के जारी करने की तिथि से तीस दिन अर्थात् दिनांक को या से पूर्व, की अवधि के भीतर प्राधिकृत बैंक तथा हुड्डा के खाते में रु..... की राशि जो पेशगी धन के रूप में आपके आवेदन प्रारूप के साथ आप द्वारा भुगतान रु..... की राशि सहित कुल

अस्थायी कीमत को 25 प्रतिशत होगा विधिवत जमा करानी होगी। इसके अतिरिक्त, बकाया राशि अर्थात् प्लॉट/भवन की अस्थायी कीमत की रू..... आबंटन पत्र को जारी करने की तिथि से 60 दिन के भीतर बिना ब्याज एक मुफ्त भुगतान की जाएगी, जिसमें असफल रहने पर आबंटन बिना किसी नोटिस के रद्द हो जाएगा तथा आप द्वारा जमा की गई पेपरी धन राशि जब्त हो जाएगी तथा आप हानि के लिए कोई दावा नहीं कर सकेंगे।

टिप्पणी:- पूर्वोक्त भुगतानों के भुगतान के लिए कोई भी अलग नोटिस नहीं भेजा जाएगा।

5. सभी भुगतान या तो हुड्डा वैबसाईट पर आनलाईन भुगतान या हुड्डा वैबसाईड से चालान निकाल करके प्राधिकृत बैंकों के माध्यम से आफ लाईन ढंग से की जाएगी।

6. प्लॉट का कब्जा क्षेत्र में विकास कार्य को पूरा करने के बाद आबंटन की तिथि से तीन वर्ष की अवधि के भीतर दिया जाएगा। यदि प्लॉट का कब्जा आबंटन की तिथि से तीन वर्ष की विहित अवधि में नहीं दिया जाता है, तो हुड्डा तीन वर्ष की समाप्ति के बाद कब्जा देने की तिथि तक आप द्वारा जमा राशि पर 9 प्रतिशत की दर से (या जो समय-समय पर प्राधिकरण द्वारा नियत किया जाए) देगा। इस प्रयोजन के लिए विकास कार्य से अभिप्राय है, मूल सुखसुविधाएं अर्थात् डब्ल्यू बी एम स्तर तक सड़क, पानी, बिजली तथा सीवरेंज।

7. उपरोक्त कीमत हुए सीमा तक अस्थायी है कि भूमि अर्जन अधिनियम के अधीन सक्षम न्यायालय द्वारा भूमि की कीमत में किसी वृद्धि के निर्णय के अनुसार मुख्य प्रशासन द्वारा यथा अवधारित आनुपातिक रूप से भी भुगता योग्य होगी। निर्धारित की गई अतिरिक्त कीमत उसकी मांग के तीस दिन के भीतर भुगतान की जाएगी।

8. देय राशि के भुगतान में किसी चूक के मामले में, सम्पदा अधिकारी अधिनियम की धारा 17 के उपबन्धों के अनुसार शास्ति अधिरोपित करने तथा प्लॉट को पुनर्ग्रहण की कार्रवाई करने के लिए अग्रसर होगा।

9. अन्तरण की किसी अन्य शर्त का भंग करने की घटना में, सम्पदा अधिकारी अधिनियम की धारा 17 के उपबन्धों के अनुसार भूमि/भवन का ग्रहण कर सकता है।

10. ऐसी भूमि/भवन या दोनों के विक्रय के कारण प्राधिकरण को देय ब्याज सहित सम्पूर्ण प्रतिफल धन राशि तथा अन्य राशि, यदि कोई हो, के भुगतान करने तक भूमि/भवन निरन्तर प्राधिकरण से सम्बन्धित होगा। आपको सक्षम प्राधिकारी पूर्व अनुमति के सिवाए प्राधिकरण को पूरी कीमत का भुगतान करने तक प्लॉट/भवन के विक्रय, उपहार, गिरवी या अन्यथा के रूप में या उसके किसी अधिकार, हक या हित का अन्तरण करने का कोई अधिकार नहीं होगा।

11. प्लॉट/भवन की अस्थायी कीमत के षट् प्रतिशत भुगतान करने पर, आपको विहित प्रारूप में या ऐसी रीति में जो सम्पदा अधिकारी द्वारा निदेशित की जाए, हस्तान्तरण विल्लेख निश्पादित करना होगा। रजिस्ट्रेशन तथा स्टाम्प शुल्क के प्रभार आप द्वारा भुगतान किए जाएंगे।

12. प्लॉट/भवन उस प्रयोजन से निम्न किसी अन्य प्रयोजन के लिए प्रयुक्त नहीं किया जाएगा जिसके लिए यह सक्षम प्राधिकारी द्वारा अनुमोदित योजना के अनुसार आबंटित किया गया है सिवाए समय-समय पर यथा संशोधित विनियम 16 में यथा वर्णित फीस के भुगतान पर मुख्य प्रशासक को पूर्ण अनुज्ञा से भवन के निर्मित कवरण क्षेत्र की 25 प्रतिशत या 50 वर्ग मीटर, जो भी कम हो, की सीमा तक आवासीय प्रयोजनों के लिए भूमि/भवन के निपटान में गैर-उपद्रव व्यावसायिक परामर्षी सेवाएं दी गई हों। कोई भी हानिकर (आपतिजनक) व्यापार किसी भूमि/भवन में या पर नहीं किया जाएगा।

13. आपके सक्षम प्राधिकारी द्वारा कथित भूमि/भवन पर अधिरोपित या निर्धारित सभी साधारण तथा स्थानीय करों, दरों या उपकरणों का भुगतान करना होगा।

14. आपको आबंटन के समय पर आपके प्लॉट में विद्यमान किसी निर्माण सामग्री, वृक्षों, संरचनाओं तथा संयुक्त (कम्पाऊण्ड) दोबार जिसका मुआवजा प्राधिकरण द्वारा निर्धारित किया गया है या भुगतान किया गया है, के लिए अलग से भुगतान करना होगा, यदि आप उसका प्रयोग करना चाहते हैं।

15. प्राधिकरण असमतल (उबड़-खाबड़ स्थलों को समतल कराने के लिए जिम्मेवार नहीं होगा।

16. (i) आपको भवनों के निर्माण को शासित करने वाले विनियमों के अनुसार सक्षम प्राधिकरण से प्रस्तावित भवन की अनुपेक्षित योजना प्राप्त करने के बाद कब्जा देने की तिथि के दो वर्ष के भीतर निर्माण को पूरा करना होगा। यह समय सीमा पालिसी के अनुसार विस्तार फीस प्रसारित करके सम्पदा अधिकारी द्वारा विस्तार योग्य है, अन्यथा यह प्लॉट ग्रहण किए जाने के लिए देय होगा तथा उसके सम्बन्ध में भुगतान की गई सम्पूर्ण राशि या उसका भाग, यदि कोई हो, उन अधिनियम के उपबन्धों के अनुसार जब्त कर लिया जाएगा। आप सम्पदा अधिकारी की पूर्व अनुज्ञा के बिना किसी भवन का निर्माण या कोई परिवर्तन/परिवर्धन नहीं करेंगे। किसी भूमि या भवन का कोई भी विखण्डन अनुमत नहीं किया जाएगा।

(पप) आपको कब्जा देने की तिथि के तीन मास की अधिकतम अवधि के भीतर प्लॉट का कब्जा लेना होगा तथा दूसरे तीन महीनों के भीतर कम से कम नौ ईंच उंचाई की चार दीवारी भी निर्मित करनी होगी।

17. प्राधिकरण के पास सभी ऐसे अधिकार तथा पक्तियों सहित उक्त स्थल में या के अधीन सभी खान तथा खनिज के लिए अधिकार आरक्षित हैं जो किसी सतह या किसी भूमिगत कार्य करने की शक्ति सहित तथा कथित स्थल का सारा या उसके किसी भाग की सतह को नीचे करने के लिए तथा गढ़े खोदने, भवन बनाने, लाईने निर्मित करने तथा साधारणतः उपयुक्त हो सभी ऐसी कार्यवाई करने के प्रयोजन के लिए उक्त स्थल की सतह का प्रयोग करने सहित सभी समयों पर उसकी खोज करने, कार्य करने, प्राप्त करने, हटाने तथा उपभोग करने के प्रयोजन के लिए आवश्यक तथा समीचीन हो जैसा प्राधिकरण उचित समझे जो उसमें दिए गए अपवादों तथा आरक्षणों के पूर्ण उपभोग के लिए सुविधाजनक या आवश्यक हो :

परन्तु आबटिती ऐसे कार्यों या कार्य करने या किराए पर देने से कथित भूमि की सतह का प्राधिकरण द्वारा अधिभोग तथा सतह या भवन को हुई क्षति के लिए ऐसे भुगतान प्राधिकरण से प्राप्त करने के लिए हकदार होगा जो प्राधिकरण तथा आबटिती के बीच सम्मत हो तथा ऐसे करार में असफल होने पर मध्यस्थता के संदर्भ से पता लगाया जाएगा।

18. प्राधिकरण इसके अधिकारियों तथा कर्मचारियों के माध्यम से कथित भूमि/उस पर बनाए गए भवन के किसी भाग में तथा पर लिखित में चौबीस घण्टे के नोटिस के बाद सभी युक्तियुक्त समयों पर तथा युक्तियुक्त रीति में यह पता लगाने के प्रयोजन के लिए प्रवेश कर सकता है कि आबटिती ने उक्त अधिनियम के अधीन लागू नियमों/विनियमों के अधीन पालन की जाने वाली शर्तों का विधिवत पालन तथा अनुपालन किया है।

19. प्राधिकरण को अपने अधिकारियों या कर्मचारियों के माध्यम से सभी समयों पर सभी कार्य तथा बातें करने के पूर्ण अधिकार, शक्ति तथा प्राधिकार होगा जो कथित भूमि/भवन पर प्रथम प्रभार के रूप में, ऐसे सभी या कोई कार्य तथा बातें करने की लागत तथा उससे सम्बन्धित या उसके सम्बन्ध में तथा किसी रूप में उपगत सभी लागत के रूप में उस पर अधिरोपित सभी या किन्हीं निबन्धनों, शर्तों तथा आरक्षणों सहित अनुपालन लागू करने तथा उससे वसूल करने के प्रयोजन के लिए आवश्यक तथा समीचीन हो।

20. इस आबंटन के विषय में से उत्पन्न या उसके सम्बन्ध में किसी भी प्रकार से उत्पन्न सभी विवादों तथा मतभेदों को मुख्य प्रशासक या उस द्वारा नियुक्त किसी अन्य अधिकारी को एक मात्र मध्यस्थता के लिए निर्दिष्ट किया जाएगा। ऐसी नियुक्ति पर कोई आपत्ति नहीं होगी कि इस प्रकार नियुक्त मध्यस्थ सरकारी कर्मचारी है या प्राधिकरण का अधिकारी है कि वह उस मामले से सम्बन्धित था जिससे यह आबंटन ऐसे सरकारी कर्मचारी या अधिकारी, जैसी भी स्थिति हो, उसकी डियूटि के दौरान से सम्बन्धित है, उसने विवाद या मतभेद के सभी या किन्हीं मामलों में अपने विचार व्यक्त किए हैं। ऐसे मध्यस्थ का निर्णय अन्तिम होगा तथा सम्बन्धित पार्टियों पर बाध्य होगा।

21. देय तिथि तक इस आबंटन पत्र के खण्ड 4 तथा 7 के अधीन यथा उपबन्धित अस्थायी कीमत/बढ़े हुए मुआवजे का भुगतान करना अनिवार्य है। यदि अस्थायी कीमत बढ़े हुए मुआवजे का भुगतान

देय तिथि को नहीं किया जाता है, तो साधारण या चक्रवर्ती ब्याज जो समय-समय पर प्राधिकरण द्वारा निर्णीत ऐसे विलम्बित भुगतानों पर प्रभार्य होगा चाहे ऐसे विलम्बित भुगतानों पर प्रभार्य होगा चाहे कब्जा दिया गया है या नहीं। इस समय ब्याज की दर 15 प्रतिशत प्रतिवर्ष (साधारण) है।

भविष्य में, आपको समय-समय पर प्राधिकरण द्वारा यथा निर्णीत ऐसे विलम्बित भुगतानों पर साधारण या चक्रवर्ती ब्याज का भुगतान करना होगा। यह अधिनियम की धारा 17 के अधीन कार्रवाई करने के लिए प्राधिकरण के अधिकारों पर प्रतिकूल प्रभाव डाले बिना है।

टिप्पणी :- (i) उपरोक्त आबंटन इस शर्त के अध्याधीन भी है कि आपको स्कीम को चलाने के लिए प्रस्तिका (ब्रोषर) में यथा अधिसूचित शपथ पत्र प्रस्तुत करना होगा।

(ii) कार्यकारी मजिस्ट्रेट द्वारा विद्यिवत साक्ष्याकित दो नवीनतम फोटो तथा तीन नमूना हस्ताक्षर तथा शपथ-पत्र प्रस्तुत किया जाएगा।

(iii) पते में किसी परिवर्तन को रजिस्टर्ड पावती डाक द्वारा सूचित किया जाएगा।

(iv) आबंटन से सम्बन्धित मामले के बारे में विवाद, यदि कोई हो, का निपटान हुड्डा के सम्पदा कार्यालय की अधिकारिता में किया जाएगा।

(अ) यदि आप द्वारा प्रस्तुत आमदनी के सबूत/शपथ पत्र/प्रमाण पत्र किसी चरण पर मिथ्या के रूप में पाए जाते हैं, तो उपरोक्त आबंटन रद्द हो जाएगा तथा जमा राशि प्राधिकरण के पास जब्त हो जाएगी तथा आपको उसके लिए किसी प्रकार का दावा करने का कोई अधिकार नहीं होगा।

सम्पदा अधिकारी,

हुड्डा

(नाम)

(मोहर)

HARYANA GOVERNMENT
HARYANA URBAN DEVELOPMENT AUTHORITY

Notification

The _____ November, 2016

No. Auth. _____ :- In exercise of powers conferred by clause (e) of Section 54 of the Haryana Urban Development Authority Act, 1977 (Act 13 of 1977) and with the previous approval of the State Government, conveyed vide memo No. 5/47/2016-2TCP dated 09.11.2016, the Haryana Urban Development Authority hereby makes the following regulation further to amend the Haryana Urban Development Authority (Disposal of Land and Buildings) Regulations, 1978 namely:-

1. These regulations may be called the Haryana Urban Development Authority (Disposal of Land and Buildings) Amendment Regulations, 2016.
2. In the Haryana Urban Development Authority (Disposal of Land and Buildings) Regulations, 1978, Sub Regulation (3) of the Regulation 5 shall be substituted with the following provision:

“ In the case of residential plot/building when the application has been so tendered, the Estate Officer or such other officer as may be empowered, shall subject to such directions as may be issued by the Authority in this behalf consider the applicant for allotment of a plot or building of the size applied for. The allotment may be on ‘first come first served’ basis or by draw of lots, as may be determined by the Authority and the successful applicant shall be sent allotment letter in form ‘C’ or ‘CI’ or ‘C-R’ by registered post or electronic mode; provided that for the purposes of proper planning and development of an urban estate, land or building may be reserved for groups or individuals or for persons practicing any profession or carrying on any occupation, trade or business or for such other category of persons, Government Departments and Institutions, charitable institutions and other organizations of public welfare, as may be decided by the Authority from time to time.”
3. Format of form ‘C-R’ is as annexed.

Vikas Gupta
Chief Administrator
Haryana Urban Development Authority

HARYANA URBAN DEVELOPMENT AUTHORITY,

FORM 'C-R'

(See Regulation-5(3))

(Form of allotment letter, for allotment made on free-hold basis. To be used for residential/institutional disposed of by allotment only)

From

The Estate Officer, _____
Haryana Urban Development Authority,

To

Memo No.:

Allotment Date:

Subject: Allotment of Plot No. _____ Category _____ (_____ Marla) in Sector _____
at Urban Estate _____ on free hold basis.

1. Please refer to your application vide Registration Number _____ for the allotment of a _____ plot in Sector _____ at Urban Estate _____.
2. Your application has been considered and a _____ plot as detailed below, has been allotted to you on free-hold basis as per the following terms and conditions and subject to the provisions of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the Rules/Regulations/instructions/guidelines/policies etc. applicable there under and as amended from time to time. The approximate area of the plot and the tentative price of the plot as given below are subject to adjustment in accordance with the actual measurement at the time of offer of possession.

Sector Number	Urban Estate	Plot No.	Approximate Dimension	Area in sq.mtr.	Rate Per Sq. mtr.	Tentative Price of plot in `.

3. The plot is **preferential/special preferential** one and an extra price @ 10%/20% of the price mentioned in para 2 above is ` _____ which is included in the above tentative price.
4. You shall deposit amount of Rs. _____ at the authorized bank and **duly credited to HUDA account** within a period of 30 days **i.e. on or before Dt. _____** from the date of issue of this allotment letter which together with an amount of ` _____ paid by you along with your application form as earnest money, will constitute 25% of the total tentative price. Further, the balance amount i.e. ` _____ of the tentative price of the plot/building shall be paid in lump-sum without interest within 60 days **i.e. on or before Dt. _____** from the date of issue of the allotment letter, failing which this allotment shall stand cancelled without any notice and earnest money deposited by you, shall stand forfeited and you shall have no claim for the damages.

Note: No separate notice will be sent for payment of the aforesaid payments.

5. All payments shall be made either online payment on HUDA Website or off line mode through authorized Banks by generating challan from the HUDA website.
6. The possession of the plot will be offered within a period of 3 years from the date of allotment after completion of development works in the area. In case possession of the plot is not offered within the prescribed period of 3 years from the date of allotment, HUDA will pay interest @9% (or as may be fixed by Authority from time to time) on the amount deposited by you after the expiry of 3 years till the date of offer of possession. Development works for this purpose shall mean provision of basic amenities i.e. road upto WBM level, water, electricity and sewerage.
7. The above price is tentative to the extent that any Enhancement in the cost of land awarded by the Competent Authority under the Land Acquisition Act shall also be payable proportionately as determined by the Chief Administrator. The additional price determined shall be paid within 30 days of its demand.
8. In case of any default in payment of the due amount, the Estate Officer shall proceed to take action for imposition of penalty and resumption of plot in accordance with the provisions of Section -17 of the Act.
9. In the event of breach of any other condition of transfer, the Estate Officer may resume the land/building in accordance with the provisions of Section 17 of the Act.
10. The Land/building shall continue to belong to the Authority until the entire consideration money together with interest and other amount, if any, due to the Authority on account of sale of such land/building or both is paid. You shall have no right to transfer by way of sale, gift, mortgage or otherwise the plot/building or any right, title or interest therein till the full price is paid to the Authority, except with the prior permission of the Competent Authority.
11. On payment of 100% of the tentative price of the plot/building, you shall execute the Deed of Conveyance in the prescribed form and in such manner, as may be directed by the Estate Officer. The charges on registration and stamp duty will be paid by you.

12. The plot/building shall not be used for any purpose other than that for which it has been allotted in accordance with the plans approved by the Competent Authority except for rendering non - nuisance professional consultancy services in land/building disposed of for residential purposes to the extent of 25% of the built - up covered area of the building or 50 square meters, whichever is less, with the prior permission of the Chief Administrator on payment of fees, as mentioned in Regulation 16 and amended from time to time. No obnoxious trade shall be carried out in or on any land/building.
13. You shall have to pay all general and local taxes, rates or cesses imposed or assessed on the said land/building by the competent authority.
14. You shall have to pay separately for any construction material, trees, structures and compound wall existing in your plot at the time of allotment of which compensation has been assessed and paid by the Authority, if you want to make use of the same.
15. The Authority will not be responsible for leveling the uneven sites.
16. (i) You will have to complete the construction within two years of the date of offer of possession, after getting the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. This time limit is extendable by the Estate Officer by charging extension fees as per policy, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it forfeited in accordance with the provision of the said Act. You shall not erect any building or make any alteration/addition without prior permission of the Estate Officer. No fragmentation of any land or building shall be permitted.
(ii) You will have to take possession of the plot within a maximum period of three months of date of offer of possession and also construct a boundary wall at least of nine inches height within another three months.
17. The Authority reserves to itself all mines and minerals whatsoever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching, for working, obtaining, removing and enjoying the same at all such times, and in such manner as the Authority shall think fit, with power to carry out any surface or any underground working and to let down the surface of all or any part of the said site and to sink pits, erect building, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein Contained.
Provided that the allottee shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or workings or letting down as may be agreed upon between the Authority and the allottee or failing such agreement as shall be ascertained by reference to arbitration.
18. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after twenty four hours notice in writing, enter in and upon any part of the said land/building erected there on for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the Rule/Regulations applicable under the said Act.

19. The Authority shall have full rights, power and authority at all times to do through its officer or servants, all acts and things which may be necessary or expedient for the purpose of enforcing compliance with all or any of the terms, condition and reservations imposed and to recover from you as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection there-with or in and any way relating there to.
20. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief Administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the Authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Government servant or officer as the case may be, he has expressed his views on all or any of the matters in dispute or difference. The decision of such arbitrator shall be final and binding on the concerned parties.
21. The payment of tentative price /enhanced compensation as provided under clause 4 & 7 of this allotment letter, by due date, is mandatory. In case, payment of the tentative price /enhanced compensation is not made on due date, interest, simple or compound as decided by the Authority from time to time shall be chargeable on such delayed payments irrespective of the fact whether the possession has been offered or not. Presently rate of interest is 15% per annum (simple).
In future, you shall have to pay the interest simple or compound on such delayed payments as decided by the Authority from time to time. This is without prejudice to the rights of Authority to take action under Section 17 of the Act.

Notes:

- (i) The above allotment is also subject to condition that you will furnish affidavits as notified in the brochure for floatation of the scheme.
- (ii) Two latest Photographs and 3 specimen signature and affidavits duly attested by the Executive Magistrate may be submitted.
- (iii) Any change in address must be notified by registered A/D Post.
- (iv) Dispute if any regarding allotment related matters shall be settled within the jurisdiction of the Estate Office Huda _____.
- (v) If Proof of Income /Affidavits/ Certificates submitted by you are found to be false at any stage, then the above allotment shall stand cancelled and deposited amount shall be forfeited to the Authority and you shall have no right to claim anything for the same.

-sd-

Estate Officer,

HUDA _____

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To,

All the Executive Engineers
HUDA in the state

Memo No.CCF-HUDA/AO(Cash)-2016/117749 Dated: 25.11.2016

Subject: Operation of **New centralized Bank account** for collection of **water and sewerage bills** collected manually at HUDA counters in all Urban Estate of HUDA.

1. The collection of water bills in the urban estates had been computerized and water bills of Gurgaon , Panchkula & Karnal urban estates were now being collected either online or at the branches of PNB, Indusind, YES Bank and Union Bank of India. Due to demonetization of old currency notes of high denominations w.e.f. 09.11.2016, the bank branches are witnessing heavy rush of public.

2. To facilitate the general public, it has been decided to collect the water and sewerage bill at HUDA collection centers manually also in the Urban Estates of Gurgaon , Panchkula & Karnal.

3. Earlier the amount collected was being deposited in the bank account of the respected division. However, now it is directed that all the amount so collected by the field offices/ concerned divisions shall be deposited in the newly opened centralized Bank account no. i.e **1183005900001538** with PNB Manimajra in the name of “**CA HUDA A/c collection of water and sewerage bills manually at HUDA counters**”.

4. It is clarified that at all other divisions, who are collecting water and sewerage bills manually at HUDA counters, shall also be deposit the amount in the above centralized Bank Account with PNB Manimajra.

5. All the divisions are directed to close the old existing Bank Accounts for collection of water and sewerage bills immediately and in future no amount may be deposited in the old existing Bank Account.

6. The PNB Manimajra has already been requested to give necessary instructions to all their, authorized branches in all Urban Estates of HUDA.

7. The copy of these instruction is also being hosted on the HUDA website under the link. https://www.huda.org.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf

-sd-

Sr.Accounts Officer
for Chief Controller of Finance
Huda, Panchkula

CC:-

1. PS/CA HUDA for kind information of Worthy Chief Administrator HUDA.
2. Chief Engineer-1 & II, HUDA, Panchkula with a request to ensure strict compliance.
3. GM(IT) HUDA, HQ Panchkula with the request to make necessary arrangements to ensure that the amount deposited by divisions in PNB centralized Bank account is reflected in FAS.
4. Branch Manager, PNB, Manimajra for information.
5. HUDA website under policy – Finance Wing-Instructions.

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

1. The Administrator,
HUDA, Rohtak.
2. The Administrator,
HUDA, Hisar.

Memo No. HUDA-CCF-Acctt-IV/2015/22972-73

Dated: 18.12.2015

Subject: Release of all payment through Centralized payment system with HDFC Bank Chandigarh.

Please refer to the Instructions No.4 dated 27.7.2015 issued under **NO.HUDA/CCF/Acctt-IV/2015/13846** also available on HUDA Website at https://www.huda.gov.in/_layouts/CCF/Operation_of_Bank_Account_in_HUDA.pdf

1. As per Para 3 of these instructions, a single centralized Nodal Expenditure Account is operational with Punjab National Bank Manimajra. The expenditure Account of each respective DDO is functioning as virtual Sub Account of centralized Nodal Account. All the payments are to be made by the DDO directly to the Account of the payee, only through RTGS/NEFT mode. No diversion of the funds from PNB Nodal Account to any other intermediary bank is allowed. The manual voucher system for payment has been discontinued. All vouchers are to be prepared only through FAS (Financial Accounting System) of HUDA.
2. After generation of vouchers on the FAS, the DDO prepares a flat soft file containing details of all vouchers for which payment are to be made. This flat soft file is sent to the PNB server by the DDO using his respective login Id and password. After making payments, PNB sends the reverse file containing details of payment to the HUDA server. The DDO can view the status of payment like RTGS/ NEFT number, date of transaction and amount paid etc., from the reverse file.
3. A need has been felt that HUDA should also engage one more bank for centralized expenditure system. This will ensure better services to HUDA. As a result, HDFC bank has been engaged for centralized payment system in addition to the PNB bank.
4. The module provided by HDFC bank contains the additional facility. After three working days of uploading of flat soft file on HDFC server by DDO , the details of payment like UTR number against each RTGS/NEFT, date of transaction and amount paid etc., can be viewed by the respective DDO against each voucher.
5. The module provided by HDFC bank is running successfully at HUDA Head Office and now the same has been approved for implementation in all the field offices of HUDA.
6. In the first phase, the module is being implemented at all the offices in the Hisar and Rohtak Zone. After successful implementation in these two zones, the remaining zones will be taken up.
7. The process work flow to be followed by the DDO is enclosed as per Annexure 'A'. In case of any difficulty, they may contact the following officials of the HDFC bank:-

Name of authorized person Sh.	Mobile No.	Email ID	Correspondence address
Rajan Singla, Asstt. Vice President	93162-79776	rajan.singla@hdfcbank.com	SCO 145-146, Sec-17C, Chandigarh. Land line No. 0172-5073710
Sh. Harish Bhardwaj, Sr. Manager	93161-75094	harish.bhardwaj@hdfcbank.com	

8. To proceed further in the matter separate bank account with HDFC Bank is required to be opened by each DDO in the name of **Chief Administrator, HUDA Centralized Nodal A/c (name of respective office)**. The team of HDFC bank will visit your office to get signed the account opening form and to complete the other requisite formalities and will also assist to operate the system.

Copy of these instructions is also being displayed on the HUDA website at the link https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf

You are requested to extend full cooperation with the officers/officials of the bank and to implement the system in letter and spirit.

Encl.: Annexure 'A'

-sd-

Sr. Accounts Officer
for Chief Controller of Finance
HUDA, Panchkula.

CC:

1. GM(IT), HUDA, Panchkula:- with a request to conduct at least two training sessions each at Hisar zone and Rohtak zone, to acquaint the staff with the HDFC module. He may also give the feed back in first week of February, 2016 after examining working of the HDFC module in these two zones.
2. Sr. Accounts Officer, HUDA, Rohtak and Hisar to ensure implementation of HDFC module latest by 15th Jan, 2016 in all field offices working under his zone.
3. All Field Offices under Rohtak and Hisar Zone (as per Annexure 'B') for immediate compliance.
4. Sh. Rajan Singla, Asstt. Vice President, HDFC Bank, SCO 145-146, Sec-17 C, Chandigarh.

Annexure 'A'

Workflow for DDO's on Centralized Payments through HDFC Bank

DDO/users have to generate the RTGS file in FAS and follow below procedure to authorize the transaction in HDFC Bank ENet

1. User to open HDFC Bank site in Internet Explorer at <http://www.hdfcbank.com> and click on Wholesale TAB.
2. DDO to click on EPayments under ENet.
3. In the ENet login window, DDO/User to input his login ID, password and domain and click on login button. Domain is CAHUDA for all the DDOs and user ID and password are shared to respective users on his/her emails IDs.
4. After login into ENet, user to click on Cash Management Services and select Disbursement.
5. Under disbursement option, user to select the file level Authorisation and click on view option to view the details.
6. User to select the file which needs to be approved in ENet. This file will show numbers of transactions and amount which have been uploaded.
7. DDO/ User to ensure to cross verify the numbers of transactions and amount with the FAS report before authorization.
8. DDO/User to input his transaction password and click on submit button.
9. In the next pop-up window, user to click on sign.
10. Once the transaction is authorized, user will get the message "The file has been marked for first authorization, please check the status after some time.
11. DDO/User to cross check the status of file under file level view to ensure that transaction has been executed.
12. If status of file is "E" mean transaction has been executed.
13. Reverse MIS of all the transactions will be uploaded on FAS after three working days.
14. The DDO can check the details of actual payment i.e. UTR No., Date of payment, Amount Paid against a particular Voucher by clicking the Reverse File hyperlink.

15. Annexure ‘B’

List of Offices

Hissar Zone

1. Administrator, HUDA, Hissar
2. Estate Officer, HUDA, Hissar
3. Estate Officer, HUDA, Jind
4. Estate Officer, HUDA, Sirsa
5. Estate Officer, HUDA, Bhiwani
6. XEN, Div-I, HUDA, Hissar
7. XEN, Div-II, HUDA, Hissar
8. XEN, Div-Hort., HUDA, Hissar
9. XEN, Div-Elect., HUDA, Hissar

Rohtak Zone

1. Administrator, HUDA, Rohtak
2. Estate Officer, HUDA, Rohtak
3. Estate Officer, HUDA, Bahadurgarh
4. Estate Officer, HUDA, Panipat
5. Estate Officer, HUDA, Sonapat
6. XEN, Div-I, HUDA, Rohtak
7. XEN, Div-II, HUDA, Rohtak
8. XEN, Div-Hort., HUDA, Rohtak
9. XEN, Div-Elect., HUDA, Rohtak
10. XEN Div , HUDA, Bahadurgarh
11. XEN Div, HUDA, Panipat
12. XEN, Div, HUDA, Sonapat
13. XEN Div, HUDA RGEC, Sonapat

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

1. All Administrators,
HUDA (in the State).
2. All the Estate Officers,
HUDA (in the State).
3. All Land Acquisition Officers,
(in the State).
4. All the Executive Engineers
HUDA (in the State).
5. The General Manager (T)
HUDA, Panchkula.

Memo No.HUDA/CCF/ Acct IV/2015-13846

Dated 27.07.2015

Subject: Operation of Bank Account in HUDA

From time to time various instructions have been issued by the Accounts Branch (Hqrs.) for streamlining the opening and operation of bank Accounts in HUDA as below:-

Sr. No.	Memo No. & Date	Subject	
1.	HUDA/CCF/SO-III/2014/19746 dt. 6.8.2014	Centralized Payment System of HUDA Accounts	Annexure 1
2.	HUDA/CC/SO-III/2014/19751 dt. 6.8.2014	Release of payment to various party firms/ contractor through RTGS/NEFT	Annexure 2
3.	HUDA/CCF/Acctt IV/2014/25795-99 dt. 4.11.2014	Operation of bank Accounts for Acquisition of Land and Enhanced Compensation A/c in Urban Estate Panchkula	Annexure 3
4.	HUDA/CCF/Acctt/ IV/2015/12788 dt.9.7.2015	Collection of post allotment installments / receipts of Estate Officer of HUDA under Centralized System - Opening of Separate Nodal Bank Account with the virtual Sub-Accounts.	Annexure 4
5.	HUDA/CCF/Acctt IV/2015/1652-56 dated 23.1.2015	Operation of new bank Account for closed authorization for Acquisition of Land given upto 31.3.2012 and existing authorization after 1.4.2012 with the PNB Manimajra in respect of all LAO's.	Annexure 5

2. A need has been felt that all these instructions should be consolidated for easy reference by the field offices of HUDA.
3. **Expenditure Accounts - Centralized payment system of HUDA Accounts vide letter dated 06.08.2014:-**

- 3.1 Earlier there was multiplicity of expenditure Accounts in HUDA. Many Administrator offices, Divisions and EO offices were maintaining multiple expenditure Accounts. This was causing delay in reconciliation.
- 3.2 To have proper supervision and control over Expenditure Account of all DDO's, a single centralized Nodal Expenditure Account was opened with Punjab National Bank Manimajra in the name of Chief Administrator, HUDA, Panchkula as conveyed vide letter HUDA/CCF/SI-III/2014/19746 dated 6.8.2014. The expenditure Account of each respective DDO now is functioning as virtual Sub Account of centralized Nodal Account. The respective Sub Account number of each DDO is as per **Annexure 'A' (Page no. 16-18)**. The amount in the PNB Nodal Account is kept in auto sweep flexi FDRs till the time of payment from any virtual Sub Account.
- 3.3. It is again reiterated that all the payments should be made by the DDO directly sent to the Account of the payee, only through R.TCTS/NEFT mode. No diversion of the funds from PNB Nodal Account to any other intermediary bank should be done.
- 3.4 The manual voucher system for payment has been discontinued vide letter dated 6.8.2014 (Annexure 2). All vouchers are to be prepared only through FAS (Financial Accounting System) of HUDA. This will ensure that all expenditure is done only after details are captured on HUDA server.
- 3.5 Any other expenditure bank Account not figuring in Annexure 'A' should be closed by the DDO immediately.
- 4. Receipts Accounts - Collection of post allotment installments /receipts of Estate Offices of HUDA under Centralized System vide Instructions No.3 dated 9.7.2015:-**
- 4.1 Earlier HUDA was maintaining Estate Office wise bank Accounts for post allotment installments/ receipts. All the post allotment collections of a particular Estate Office were received in the respective bank Account. Each EO office would manually up-load data on HUDA server, after CD was received from the respective bank branch. With the advent of the core banking system, there was no need to maintain separate Accounts in the individual Estate Office.
- 4.2 Instructions No.3 dated 9.7.2015 were issued and Post Allotment Collection Accounts were also centralized. Under this scheme, bank has opened a Nodal Account at Panchkula/Manimajra. The Estate Office wise virtual Sub Accounts are only for Accounting purpose. The amount deposited in any virtual Sub Account is immediately transferred to the Nodal Account without any human intervention. The Nodal branch of the bank shall up-load data of the Post Allotment Collections on the HUDA Server in a centralized manner. They shall make necessary arrangements with G.M, I.T. Wing of HUDA for this purpose. The present system of manual up-loading of data by respective Estate Office was discontinued. GM IT shall hold periodic meetings with the Nodal Bank Branch every fortnight to ensure that data is being uploaded on HUDA server.
- 4.3 Details of Estate Office- wise virtual Sub Account alongwith the respective Nodal Account as per **Annexure 'B' (Page no. 19)**. All other bank Accounts should be immediately closed after reconciliation.
- 5. Collection and transfer of water & Sewerage charges & other receipts by the divisional offices of HUDA:-**
- 5.1 Earlier divisional offices of HUDA were utilizing funds on Account of revenue receipts at their level. For safety and security purpose, it was directed vide H.Q. instructions No. HUDA/CCF/S0-111/2014/18817, 18819, 18821, 18823 & 18825 dated 24.7.2014 that transfer of any amount from collection head to expenditure head should only be routed through Head Quarter. The Division office at its own. will not utilize any amount collected by it.
- 5.2 All the receipts in the divisional offices on Account of water & sewerage charges, rent of HUDA building, sale of grass & trees, sale of in-lieu fee, road cut / renewal / plumber fee, storage charges and other miscellaneous receipts etc. should be transferred to main Account of HUDA at Head Office on daily basis.
- 5.3 List of bank Account of division offices is enclosed at **Annexure 'C' (Page no. 20-21)**. Any other Account

should be closed immediately.

6. Bank Accounts of Land Acquisition Collectors for payment of award for land acquisition.

- 6.1 All the 5 Land Acquisition Officers (LAOs) in HUDA were opening bank Accounts award-wise for payment of compensation to the land owners. There was multiplicity of working Accounts.
- 6.2 Instructions were issued vide HUDAJCCF/Acctt IV/2015/652-56 dated 23.1.2015 re-iterating that now single Nodal Account have been opened LAO wise ha PN13 Manimaira. The various award wise Accounts will function as Sub-Accounts of this Nodal Account. As a result, only 5 Nodal Accounts will be kept functional for payments in the long run.
- 6.3 All the bank Accounts opened before 31.3.2012 on basis of award wise authorizations have been closed. Any payment outstanding against these awards should be paid from the General Authorization Accounts intimated earlier.
- 6.4 List of bank Account of LAC wise is enclosed at Annexure 4LY (Page no 22-38) . Any other Account should be closed immediately.

7. Bank Accounts Land Acquisition Collectors for payment of Enhanced Compensation.

- 7.1 Instructions were issued vide HUDA/CCF/Acctt IV/2015/652-56 dated 23.1.20.15 re-iterating that all payments relating to Enhanced Compensation (Funds released through Administrator) will also be made through newly opened Account in the name of Chief Administrator, HUDA Ale LAO Enhanced Compensation A/c.
- 7.2 List of bank Account of LAC wise is enclosed at **Annexure 'E'** (Page no.39). Any other Account should be closed immediately.
8. Accordingly, all field offices are again directed that only the bank Accounts as per Annexures shall be kept operational and any other Account not figuring in the Annexures shall be closed after reconciliation immediately within 15 days positively.

Annexure 'A'	Expenditure (Page no. 16-18)
Annexure 'B'	Post Allotment Receipts (Page no. 19).
Annexure 'C'	Other revenue Receipts (Division office) (Page no. 20-21)
Annexure 'D'	Bank Accounts for payment of award of Land acquisition (Page no 22-38)
Annexure 'E'	Bank Accounts for payment of Enhanced Compensation. (Page no.39) 9

9. In future no bank Account in any field office will be opened without the specific approval of Head office.
10. Copy of these instructions are also being displayed on <https://www.huda.gov.in/Financial%20Wintig/Instruction>

of%/20Finance_i_HUDA.pdt. DA/As above.

-sd-

(Rajesh Jindal)

Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

Endst.No. HUDA/CCF/Acctt. IV/2015/13847

Dated: 27.7.2015

A copy of the above is forwarded to the following for information and necessary action:

1. The Chief Engineer, HUDA, Panchkula.
2. All the Superintending Engineers, HUDA (in the State).
3. All Chief Accounts Officers/Senior Accounts Officers, HUDA/DDO (HQ)/DDO, CTP, HUDA/DDO, Chief Architect, HUDA.

-sd-

(Rajesh Jindal)

Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3, Sector-6, Panchkula

To

All The Drawing & Disbursing Officers,
HUDA in the State

Memo No. HUDA/CCF/SO-III/2014/-19746

Dated:-06/08/2014

Subject: Centralized payment system of HUDA accounts.

In continuation to this office letter no. HUDA/ CCF SOIII/ 2014/18051 dated 17.07.2014 on the subject cited above.

2. It is intimated that Punjab National Bank, Manimajra has opened centralized nodal account in the name of Chief Administrator, HUDA, Panchkula. Henceforth, the expenditure account of each respective DDO will operate as sub account of this centralized nodal account of Chief Administrator, HUDA, Panchkula. The respective sub account number of each DDO is as per enclosed list.
3. PNB officials have conveyed that some of the DDOs have not so far signed the account opening forms without which the PNB is not able to handover the cheque books to those DDOs. All the DDOs are again directed to sign the account opening forms with PNB and procure the cheque books pertaining to their account from the PNB. This may be treated as most urgent, because very soon (within 10-15 days) we are completely shifting to PNB for expenditure account and no payment through any other bank will be made.
4. In the first phase, all the DDOs stationed at Panchkula i.e. Administrator/estate officer/ctp/sr architect HUDA and all divisional offices shall start making payments only through PNB w.e.f. 8.8.2014. they should ensure that all payments above rs 500/- will be made through RTGS/NEFT .they shall attend a familiarization cum training programme to be organized by gm(it) at 10.30 a.m on 7.08.2014 at conference hall of HUDA (HQ) Panchkula.
5. For the second phase, the RTGS/NEFT request by DDO to the PNB shall be made through secured electronic transmission system by sending digital signed soft copy. For this purpose official will get the application signed from the respective DDO for issuing of digital signatures. All the DDOs are directed to give full co-operation to the PNB authorities and get digital signature issued through PNB.

Da/as above

-sd-
Sr. Accounts officer
For Chief Administrator
HUDA, Panchkula.

Endst.no.HUDA/CCF/SO-III/2014/-19747-49

Dated:-06/08/2014

A copy of the above is forwarded to following for information and necessary action:-

1. GM (IT) HUDA (hq) along with copy of noting sheet with the request to arrange training of DDO's at sr. No 4 above.
2. All CAO/SAO HUDA in the state with the directions to direct the field offices working under your control for immediate compliance.
3. Assistant general manager Punjab National Bank Manimajra with a request to get digital signature issued for all DDO's and also get the cheque books received by the respective DDO's. PNB may also provide a list containing name, phone no., e-mail id ,address of responsible person with whom the respective DDO's at his station can contact in case of any help.
4. P.A / CCF HUDA for kind information of CCF HUDA, Panchkula please.

-sd-
Sr. Accounts officer
For Chief Administrator
HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3, sector-6, Panchkula

To

All the Field Offices of,
HUDA (in the state)

Memo No.HUDA/CCF/SO-III/2014/19751 Dated:-6/8/2014

Subject: Release of payment to various party firms/contractor through RTGS/NEFT.

Please refer to the subject cite above.

It is intimated that as per instructions issued from additional chief secretary to govt. Haryana, finance & planning department, Chandigarh, (copy enclosed) now all payments to payee including contractor /supplier/ beneficiary under various mode may be made in the bank account of payee directly through RTGS/NEFT to avoid misuse.

Now it has been decided that in future all such payments are to be released as per above instructions issued by the finance department through RTGS/NEFT directly in the account of payees. All cash payment above Rs. 500/-including advance payments may be stopped and released directly in the bank account of payee.

Accordingly necessary amendments has been made in fas. Now all banks payments request regarding release of payment through RTGS to supplier/contractor/beneficiary be generated through fas. Any voucher not generated through fas will not valid document for payment.

You are requested to implement these instructions immediately in letter & spirit under intimation to this office DA/ as above

-sd-
Sr. Accounts officer
For Chief Administrator
HUDA, Panchkula.

Endst. No. HUDA-CCF- SO-III – 2014

Dated:-6/8/2014

1. All CAO/SAOHUDA in the state with request to direct all the field offices working under your control for immediate compliance.
2. P.A / CCF HUDA for kind information of CCF HUDA, Panchkula please.

-sd-
Sr. Accounts officer
For Chief Administrator
HUDA, Panchkula.

D.O No.28/13/2014-IBEC
Additional Chief Secretary to Govt Haryana
Finance & Planning department
Chandigarh

Dated:- 2nd July,2014

Dear,

You are kindly aware that Haryana State Treasury has been fully computerized. Now payments to all kinds of payees including contractors suppliers or beneficiaries under social welfare schemes etc. can be made directly into their bank accounts without any intermediary bank account . Routing payments through intermediary bank account s is amenable to misuse.

Finance Department has issued instructions dated 24th June, 2014 that payments of all kinds by all the departments of the government should be made only by way of direct transfer into the accounts of the payees. A copy of the said instructions is enclosed for reference.

I may request you to please ensure that these instructions are strictly followed by all the HODs and the field officers.

Yours sincerely,
(Rajan Gupta)

Sh. T.C. Gupta, IAS,
Principal Secretary to Govt. of Haryana,
Town & Country Planning and Urban
Estates Departments

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3, sector-6, Panchkula

To

The Land Acquisition Officer
Panchkula.

Memo No.HUDA/CCF/Acctt IV/2014/25795-99

Dated:-4/11/2014

Subject: Operation of bank accounts for acquisition of land and enhanced compensation a/c in urban estate Panchkula.

Please refer to the subject cited above.

It has been decided that in future the bank account of all authorization for acquisition of land in urban estate Panchkula will be opened /maintained with Punjab national bank Manimajra. The account of each authorization will be treated as sub account of main centralized nodal a/c in the name of chief administrator HUDA a/c LAO Panchkula. It has also been decided that the bank account of closed authorization upto 31/03/2012 will also treated as sub account of main centralized nodal a/c in the name of chief administrator HUDA a/c LAO Panchkula. Similarly all payments relating to enhanced compensation (funds released through administrator Panchkula) will also be made through newly opened account in the name of chief administrator HUDA a/c LAO Panchkula enhanced compensation account. The existing all bank account may be closed immediately under intimation to this office and return the unused cheque books of all the existing bank account of land acquisition and enhanced compensation of all banks .

Accordingly an instruction has been issued to all the banks authorized for this purpose to close the existing bank authorization accounts. The PNB Manimajra has also been instructed to open the new accounts as per above procedure. The information relating to payment of above award may be sent to this office through email/fax on daily basis well in advance. In case of any query you can contact Shri Kulbir Singh mobile no. 9815613272 landline no 0172-5047065 concerned person of PNB mm.

you are requested to return the unused cheque books of the closed bank accounts/authorization immediately.

-sd-

Sr. Accounts officer,
For, Chief Controller of finance
HUDA, Panchkula.

Endst.no.HUDA/CCF/Acctt IV /2014/-

Dated:-4/11/2014

A copy of the above is forwarded to following for information and
Necessary action.

1. Addl.director urban estate, Panchkula.
2. The administrator, HUDA, Panchkula
3. Accounts officer-II, HUDA(hq), Panchkula.
4. Assistant general manger PNB Manimajra.

-sd-

Sr. Accounts officer,
For, Chief Controller of finance
HUDA, Panchkula.

Instructions No. 3

HARYANA URBAN DEVELOPMENT AUTHORITY **C-3, SECTOR-6, PANCHKULA**

To

All Estate officers,
HUDA in the State.

Memo No. HUDA/CCF/Acctt IV/2015/12788

Dated 09.07.2015

Subject: Collection of post allotment installments/ receipts of Estate offices of HUDA under Centralized System - Opening of separate Nodal Bank account with virtual Sub-Accounts.

Presently, HUDA is maintaining Estate Office wise bank accounts for post allotment installments/ receipts as per details below. All the post allotment collections of a particular Estate Office are received in the respective bank account. Each EO office manually up-loads data on HUDA server, after CD is received from the respective bank branch.

Table 1

Sr.No.	Name of Bank	Name of Estate Office	No. of accounts
1	OBC	Rohtak, Jind, Naraingarh, Kaithal, EO-1 Gurgaon, EO-2 Gurgaon, Hissar	7
2	PNB	Jagadhri, Bahadurgarh	2
3	UBI	Rewari, Faridabad, Karnal, Kurukshetra, Sonapat, Panipat	6
4	Indian Bank	Panchkula, Ambala	2
5	ICICI	Rewari, Gurgaon, Sirsa, Panchkula, Bhiwani, Sonipat, Kurukshetra, Panipat, Hissar, Bahadurgarh, Faridabad	11
6	HDFC	Rewari, Gurgaon-I, Panchkula, Gurgaon-II, Kurukshetra, Panipat, Hissar, Bahadurgarh, Faridabad, Kaithal, Jind, Ambala, Karnal	13
			41

- The multiplicity of accounts results in delay in the reconciliation. With the advent of the core banking system, there is no need to maintain separate accounts in the individual Estate Office.
- It is now decided that Post Allotment collection Accounts shall be centralized and various Estate Offices Accounts will function as virtual sub account of the respective Nodal Account as per Annexure 'A'. Under this scheme, bank has opened a nodal account at Panchkula/Manimajra. The Estate Office wise virtual sub accounts are only for accounting purpose. The amount deposited in any virtual sub account is immediately transferred to the nodal account without any human intervention.
- The nodal branch of the bank shall up-load data of the Post Allotment Collections on the HUDA Server in a centralized manner. They shall make necessary arrangements with G.M, I.T. Wing of HUDA for this purpose. The present system of manual up-loading of data by respective Estate Office shall discontinue henceforth.
- Copy of these instructions are also being displayed on https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf

DA/as above

-sd-

Chief Controller of Finance,
For Chief Administrator,
HUDA, Panchkula

A copy of the above is forwarded to following for information and taking immediate necessary action in this regard.

1. PA/CA, HUDA for kind information for Chief Administrator, HUDA, Panchkula.
2. All the Zonal Administrators HUDA in the State.
3. **GM (IT) HUDA Panchkula** to make necessary arrangements for centralized uploading of data by the Nodal Bank Branch. He may hold periodic meetings with the Nodal Bank Branch every fortnight to ensure that data is being uploaded on HUDA server.
4. **All the Chief Accounts officers/Senior Accounts Officer HUDA** with further request to immediately close the bank accounts in the Table 1 above after reconciliation .
5. **Nodal bank branch of respective bank** with further request to issue directions to their field branches to credit post allotment receipts into the respective virtual sub account as per Annexure 'A' only. Once this system stabilizes, Nodal Branch may submit application to this office with a request to allow them Post Allotment collections in all the 18 Urban Estates. You may also examine the possibility and submit proposal where under allottee is given the freedom to deposit installment in any branch of your bank instead of present system where allottee is forced to approach a particular nominated bank branch.

-sd-

Chief Controller of Finance,
For Chief Administrator,
HUDA, Panchkula

`Annexure A`

Detail of Post Allotment receipt virtual Sub-Accounts of Estate offices of HUDA

Sr. No.	Name of Bank	HDFC Bank Sec-17/C Chandigarh	ICICI bank Sec - 11 Panchkula	I n d i a n Bank sec-6 Panchkula	UBI Bank Sec-17/B Chandigarh	PNB MM	OBC MM
(A)	Cartelized N o d a l A c c o u n t No.	20500008879382	004305004538	875765758	309301010013094	1183002100018001	024410100003210
	IFSC Code	HDFC0000213	ICICI0000043	IDIB000P151	UBIN0530930	PUNB0118300	ORBC0100244
(B)	Virtual Sub Account numbers (Estate office wise)						
1	Rewari	50200012341163	06265000376		309301010040805	1183005900000935	
2	Gurgaon-I,	50200012336443	004305005064			1183005900000917	02441011002504
3	Panckula	50200012352997	004305005057	6341700239		1183005900000908	
4	Gurgaon-II	50200012336456				1183005900000926	02441011002511
5	Kurukshetra	50200012353004	059405000208		309301010040804	1183005900001006	
6	Panipat	50200012352984	017405005811		309301010040810	1183005900000971	02441011002528
7	Hisar	50200012336482	017205005134			1183005900000944	
8		50200012336506	004305005061			1183005900000892	
9	Faridabad	50200012353020	004305005062		309301010040806	1183005900000962	
10	Kaithal	50200012341315				1183005900001060	02441011002535
11	Jind	50200012336469				1183005900001024	02441011002481
12	Ambala	50200012336519		6341700433		1183005900001015	
13	Karnal	50200012341584				1183005900000917	
14	Sirsa		073050500295			1183005900000953	
15	Bhiwani		004305005056		309301010040809	1183005900001042	
16	Sonipat		030205001640			1183005900000980	
17	Rohtak					1183005900001033	02441011002474
18	Jagadhari					1183005900000883	

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3, sector-6, Panchkula

To

Land Acquisition Officer
Panchkula, Hissar, Faridabad, Gurgaon and Rohtak
Memo No. HUDA/CCF/ACCTT IV/2015/-1652-56

Dated:- 23-01-2015

Subject:- Operation of new bank account for closed authorization for acquisition of land given upto 31.3.12 and existing authorizations after 01.04.2012 with PNB mm in respect of all LAO's.

Please refer to the subject cited above.

As already decided that in future the bank account of all authorization for acquisition of land in all urban estate will be opened /maintained with Punjab national bank Manimajra. The account of each authorization will be treated as sub account of main centralized nodal a/c in the name of chief administrator HUDA a/c LAO. It has also been decided that the bank account of closed authorization upto 31/03/2012 will also treated as sub account of main centralized nodal a/c in the name of chief administrator HUDA a/c LAO general authorization.

Similarly all payments relating to enhanced compensation (funds released through administrator) will also be made through newly opened account in the name of chief administrator HUDA a/c LAO enhanced compensation a/c. The existing all bank account relating to enhanced compensation and land acquisition may be closed immediately under intimation to this office and return the unused cheque books of all the existing bank account of land acquisition and enhanced compensation of all banks .

Accordingly instructions has already been issued to all the banks authorized for this purpose to close the existing bank authorization accounts. PNB Manimajra has already opened new accounts as per above procedure. The information relating to payment of above award may be sent to this office through email/fax on daily basis well in advance. In case of any query relating to PNB, you can contact Shri Kulbir Singh mobile no. 9815613272 landline no 0172-5047065 concerned person.

You are requested to return the unused cheque books of the close all existing bank accounts/authorization immediately. **These instructions may be followed strictly in letter and spirit.**

-sd-

Sr. Accounts officer,
For, Chief Controller of Finance
HUDA, Panchkula.

Endst.no.HUDA/CCF/ACCTT IV /2015/1652-56

Dated:- 23-01-2015

A copy of the above is forwarded to following for information and Necessary action.

1. All the Administrator HUDA in the state.
2. Addl.Director Urban Estate, Panchkula.
3. All CAO/SAO HUDA with the request that in future all funds relating to enhanced compensation to the concerned LAO may be released in PNB account and all existing a/c of other banks may be closed immediately under intimation to this office.
4. Assistant general Manger PNB Manimajra.

-sd-

Sr. Accounts officer,
For, Chief Controller of Finance
HUDA, Panchkula.

Annexure A**Detail of expenditure Account with PNB MM of all filed offices of HUDA**

Sr.No	A/c Name	A/c. Id
	THE SENIOR ACCOUNTS OFFICER HUDA HQ PANCHKULA	1183002100025764
	THE ADMINSTRATOR HUDA GURGAON	1183002100025898
	THE ESTATE OFFICER HUDA I GURGAON	1183002100025904
	THE ESTATE OFFICER HUDA II GURGAON	1183002100025913
	THE EX ENGINEER DIVISION I GURGAON	1183002100025922
	THE EX ENGINEER DIVISION II GURGAON	1183002100025931
	THE EX ENGINEER DIVISION III GURGAON	1183002100025940
	THE EX ENGINEER DIVISION IV GURGAON	1183002100025959
	THE EX ENGINEER DIVISION V GURGAON	1183002100025968
	THE EX ENGINEER DIVISION VI GURGAON	1183002100025977
	THE EX ENGINEER DIVISION HORTI GURGAON	1183002100025986
	THE EX ENGINEER DIVISION ELEC GURGAON	1183002100025995
	THE ESTATE OFFICER HUDA REWARI	1183002100026000
	THE EX ENGINEER DIVISION REWARI	1183002100026019
	THE EX ENGINEER DIVISION PALWAL	1183002100026028
	THE ADMINSTRATOR HUDA FARIDABAD	1183002100025445
	THE ESTATE OFFICER HUDA FARIDABAD	1183002100025454
	THE EX ENGINEER DIVISION I FARIDABAD	1183002100025463
	THE EX ENGINEER DIVISION II FARIDABAD	1183002100025472
	THE EX ENGINEER DIVISION III FARIDABAD	1183002100025481
	THE SENIOR ACCOUNTS OFFICER HUDA ADMINSTRATOR ROHTAK	1183002100025506
	THE ESTATE OFFICER HUDA ROHTAK	1183002100025515
	THE ESTATE OFFICER HUDA PANIPAT	1183002100025524
	THE ESTATE OFFICER HUDA SONIPAT	1183002100025533
	THE ESTATE OFFICER HUDA BAHADURGARH	1183002100025542
	THE EX ENGINEER DIVN I ROHTAK	1183002100025551
	THE EX ENGINEER DIVN II ROHTAK	1183002100025560
	THE EX ENGINEER DIVN PANIPAT	1183002100025579
	THE EX ENGINEER DIVN SONIPAT	1183002100025588
	THE EX ENGINEER DIVN RGEC SONIPAT	1183002100025597
	THE EX ENGINEER DIVN BAHADURGRH	1183002100025603
	THE EX ENGINEER DIVN ELECT ROHTAK	1183002100025612
	THE EX ENGINEER DIVN HORT ROHTAK	1183002100025621
	THE EX ENGINEER DIVN KARNAL	1183002100025630
	THE ESTATE OFFICER HUDA KAITHAL	1183002100025649
	THE ESTATE OFFICER HUDA KURUKSHETRA	1183002100025658
	THE ESTATE OFFICER HUDA KARNAL	1183002100025667
	THE SENIOR ACCOUNTS OFFICER HUDA ADMINSTRATOR HISSAR	1183002100025676
	THE EX ENGINEER HUDA DIVN HORT HISSAR	1183002100025685

Sr.No	A/c Name	A/c. Id
	THE EX ENGINEER HUDA DIVN I HISSAR	1183002100025694
41.	THE EX ENGINEER HUDA DIVN II HISSAR	1183002100025700
42.	THE ESTATE OFFICER HUDA HISSAR	1183002100025719
43.	THE ESTATE OFFICER HUDA JIND	1183002100025728
44.	THE ESTATE OFFICER HUDA BHIWANI	1183002100025737
45.	THE ESTATE OFFICER HUDA SIRSA	1183002100025746
46.	THE EX ENGINEER HUDA DIVN ELECT HISSAR	1183002100025755
47.	THE ADMINSTRATOR HUDA PANCHKULA	1183002100025773
48.	THE ESTATE OFFICER HUDA PANCHKULA	1183002100025782
49.	THE ESTATE OFFICER HUDA AMBALA	1183002100025791
50.	THE ESTATE OFFICER HUDA JAGADHARI	1183002100025807
51.	THE EX ENGINEER HUDA DIVN I PANCHKULA	1183002100025816
52.	THE EX ENGINEER HUDA DIVN II PANCHKULA	1183002100025825
53.	THE EX ENGINEER HUDA DIVN III PANCHKULA	1183002100025834
54.	THE EX ENGINEER HUDA DIVN AMBALA	1183002100025843
55.	D D O HUDA ARCHITECTURE WING PANCHKULA	1183002100025852
56.	D D O HUDA CHIEF TOWN PLANNER PANCHKULA	1183002100025861
57.	THE EX ENGINEER HUDA DIVN ELECTRICAL PANCHKULA	1183002100025870
58.	THE EX ENGINEER HUDA DIVN HORT PANCHKULA	1183002100025889
59.	THE EX ENGINEER (VIG)HUDA DIVN PANCHKULA	1183002100026134
60.	THE EX ENGINEER HUDA DIVN HORT FARIDABAD	1183002100026295
61.	THE EX ENGINEER HUDA DIVN ELECTRICAL FARIDABAD	1183002100026301
62.	THE ADMINSTRATOR HUDA Hisar	1183002100025676

Annexure B

Detail of bank account for collection of Post Allotment receipts from Estate offices of HUDA

Sr.No.	Name of Estate Office	HDFC Bank	ICICI bank	Indian Bank	UBI Bank	PNB MM	OBC MM
(A)	Centralized Nodel Account (Main Account H.Q)	50200008879382	004305004538	875765758	309301010013094	1183002100018001	02441010003210
(B)	Virtual Sub Account numbers (Estate office wise)						
1	Rewari	50200012341163	062605000376		309301010040805	1183005900000935	
2	Gurgaon-I,	50200012336443	004305005064			1183005900000917	02441011002504
3	Panchkula	50200012352997	004305005057	6341700239		1183005900000908	
4	Gurgaon-II,	50200012336456				1183005900000926	02441011002511
5	Kurukshetra	50200012353004	059405000208		309301010040808	1183005900001006	
6	Panipat	50200012352984	017405005811		309301010040810	1183005900000971	
7	Hisar	50200012336482	017205005134			1183005900000944	02441011002528
8	Bahadurgarh	50200012336506	004305005061			1183005900000892	
9	Faridabad,	50200012353020	004305005062		309301010040806	1183005900000962	
10	Kaithal	50200012341315				1183005900001060	02441011002535
11	Jind	50200012336469				1183005900001024	02441011002481
12	Ambala	50200012336519		6341700433		1183005900001015	
13	Karnal	50200012341584			309301010040807	1183005900000917	
14	Sirsa		073050500295			1183005900000953	
15	Bhiwani		004305005056			1183005900001042	
16	Sonipat		030205001640		309301010040809	1183005900000980	
17	Rohtak					1183005900001033	02441011002474
18	Jagadhari					1183005900000883	

Annexure ‘C’

Detail of Bank Account in which all receipts on account of water charges ,Sewerage charges etc is collected and further transfer to Head Office Main Nodal Account

Sr.No	Name of division office	Name of branch (division office)	Account no. (division office)
Faridabad Zone			
1	XEN HUDA DIV-1, FARIDABAD	UBI, SEC-7, FARIDABAD	451102011082477
2	XEN HUDA DIV-II, FARIDABAD	UBI, NEELAM BATA ROAD, N.I.T, FARIDABAD	354402010015001
3	XEN HUDA DIV-III, FARIDABAD	IDBI, SEC-16, FARIDABAD	057104000174657
4	XEN HUDA DIV-HORTI, FARIDABAD	UBI, NEELAM BATA ROAD,N.I.T, FARIDABAD	354402010129221
5	XEN HUDA DIV. PALWAL	OBC, SEC-15, FARIDABAD	09492011008761
Gurgaon Zone			
6	XEN HUDA DIV-1, GURGAON	OBC,SEC-15, PART-II, GURGAON	12101011000289
7	XEN HUDA DIV-II, GURGAON	OBC,SEC-14, GURGAON	11512040000100
8	XEN HUDA DIV-III, GURGAON	OBC,SEC-14, GURGAON	11512040000110
9	XEN HUDA DIV-IV, GURGAON	OBC, SEC-14, GURGAON	11512040000260
10	XEN HUDA DIV-V, GURGAON	OBC, SEC-14, GURGAON	11512041000018
11	XEN HUDA DIV-VI, GURGAON	OBC, SEC-14, GURGAON	11512041000025
12	XEN HUDA DIV-ELECT, GURGAON	OBC, SEC-14, GURGAON	11512040000040
13	XEN HUDA DIV-HORTI, GURGAON	OBC, SEC-14, GURGAON	11512040000050
14	XEN HUDA DIV REWARI	OBC, REWARI	00961010005140
HISSAR ZONE			
15	XEN HUDA DIV-1, HISAR	OBC, SEC-13, HISAR	11672040001000
16	XEN HUDA DIV-11, HISAR	OBC, SEC-13, HISAR (WORKS/SUPPLY)	11672040001060
17	XEN HUDA DIV. HORTI, HISAR	OBC, SEC-13, HISAR	1167240001040
18	XEN HUDA DIV-ELECT. HISAR	OBC, SEC-13, HISAR	11672191015826
ROHTAK ZONE			
19	XEN HUDA DIV-1, ROHTAK	OBC, SEC-1, ROHTAK	51781010000180
20	XEN HUDA DIV-11, ROHTAK	UBI, JHAJJAR ROAD ROHTAK	309202010074061
21	XEN HUDA DIV-ELECT, ROHTAK	OBC, SEC-1, ROHTAK	51781091000035
22	XEN HUDA DIV-HORTI, ROHTAK	OBC, SEC-1, ROHTAK	51782191004091
23	XEN HUDA DIV. BAHADURGARH	INDIAN OVERSEAS BANK, DELHI ROAD, BAHADURGARH	160701000004050
24	XEN HUDA DIV-PANIPAT	UBI, G.T. ROAD, PANIPAT	369702010001001
25	XEN HUDA DIV. SONEPAT	UBI, SEC-14, SONIPAT	541402010063598
26	XEN HUDA DIV. RGEC SONEPAT	UBI, SONIPAT	541401010050133
Panchkula Zone			
27	XEN HUDA DIV-1, PANCHKULA	OBC, SEC-8, PANCHKULA	51631010000740
28	XEN HUDA DIV-II, PANCHKULA	OBC, SEC-8, PANCHKULA	51632010004020
29	XEN HUDA DIV-III, PANCHKULA	UBI, SEC-8, PANCHKULA	499302010002689
30	XEN HUDA DIV-ELECT, PANCHKULA	OBC, SEC-8, PANCHKULA	51632010001140
31	XEN HUDA DIV-HORTI., PANCHKULA	OBC, SEC-8, PANCHKULA	51631010000870
32	XEN HUDA DIV-KARNAL	UBI, SEC-12, U/E KARNAL	379901011017001
33	XEN HUDA DIV. AMBALA	PNB COURT ROAD AMBALA CITY	3255000105000377

Annexure-D
Gurugram Zone

S r . No.	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
A. Main Centralised Nodal Account of LAO Panchkula					
	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon.	Main Nodal Account of LAO Gurgaon		
B. Sub A/c of Main Nodal Account					
1	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	General Authorisation	1183005900000360	
2	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon.	2.24 acres land dev of left out pocket of sector Road,sector 99 to 115 part Gurgaon	1183005900000379	24622
3	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	LAC 11.0247 acres of sector-81 and 95 (pocket) road Gurgaon	1183005900000388	24631
4	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	58.2125 acres of land falling of sector 76-77-78 and 81- 85 Gurgaon	1183005900000397	24826
5	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	5.92 acres of land 220 KV sub station in sector-87, Gurgaon	1183005900000403	25056
6	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	1.4747 acres of sector 62,64 and 65 ,Gurgaon	1183005900000412	1866/OBC
7	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	LAC of 185.809 acres land sector-37/C Gurgaon	1183005900000421	40715/UBI
8	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	150 units under road MP R Gurgaon	1183005900000430	40726/UBI
9	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	26.45 acres land for construction of dividing road of sec-103 & 106 U/E, Gurgaon.	1183005900000449	40754/UBI
10	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	annuity a/c	1183005900000847	40474/UBI
11	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	land acq of 4.44 acres land div of water supply scheme chand behdera water treatment plant Northern water treatment plant basai gurgaon	24613/PNB MM	18.04.2013
12	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	Land Acquisition of 1.35625 acres of Land of left out area 75 Mts vide road Dharuhera Bhiwadi Bye Pass to NH-8 To pointing near village Kapdiwas to Sohna Road Dharuhera.	24835/PNB MM	26.06.2013
13	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	Land Acquisition of 14.08 acres of Land of sector 18/19 and 18/24 Dharuhera.	24871/PNB MM	26.06.2013

S r . No.	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
14	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	Land Acquisition of 1.125 acres of Land for the sewerage pipeline pumping station and sewerage plant in Narnaul Distt Mohindergarh, Gurgaon.	24996/PNB MM	31.12.2013
15	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	Land Acq of 30.07 acres land of sector 22-23 & 24 Dahuhera Distt rewari	25047/PNB MM	09.10.2013
16	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	5.92 acres of land for 220KV Sub Station in Sector-87, Gurgaon	25050/PNB MM	10.10.2013
17	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	land acq of 34.24 acres land of dev & utilization of land for pass road from confavour department to rewari	263/PNB MM	09.01.2014
18	PNB MM	Chief Administrator HUDA A/c LAO Gurgaon	Land acq 351.76 land of development and utilisation of land for sector 20 and 21 Rewari	1183005900000218	12.06.2014

FARIDABAD ZONE

S r . No	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
A. Main Centralised Nodal Account of LAO Panchkula					
1	PNB MM	Chief Administrator HUDA A/c LAO Faridabad.	Main Nodal Account of LAO Faridabad		
B. Sub A/c of Main Nodal Account					
1	PNB MM	Chief Administrator HUDA A/c LAO Faridabad.	G e n e r a l Authorisation	1183005900000306	
2	PNB MM	Chief Administrator HUDA A/c LAO Faridabad.	275.08 acres , sector 1,2 & p Nuh (Faridabad)	1183005900000315	
3	PNB MM	Chief Administrator HUDA A/c LAO Faridabad.	360.71 acres land of sector-7,8 and 11 tawadu	1183005900000324	
4	PNB MM	Chief Administrator HUDA A/c LAO Faridabad	34.13 acres master plan road sec-75 to 89 Faridabad	1183005900000333	
5	PNB MM	Chief Administrator HUDA A/c LAO Faridabad	9.29 acres badarpur to YMCA Chowk	1183005900000342	
6	PNB MM	Chief Administrator HUDA A/c LAO Faridabad	0.275 acres,sector- 21/B,faridabad	1183005900000351	
7	PNB MM	Chief Administrator HUDA A/c LAO Faridabad	Annuity FBD	1183005900000856	
8	PNB MM	Chief Administrator HUDA A/c LAO Faridabad	Award for land of 1.51 acres of land for footpath and viaduct metro in Badarpur to YMCA faridabad	1183005900000829	
9	PNB MM	Chief Administrator HUDA A/c LAO Faridabad	Award for land of 5.60 Arces of land of Badarpur to YMCA Faridabad for metro Coridor	1183005900000838	

ROHTAK ZONE

Sr. No.	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
A. Main Centralised Nodal Account of LAO Panchkula					
1	PNB MM	Chief Administrator HUDA A/c LAO Rohtak.	Main Nodal Account of LAO Rohtak		
B. Sub A/c of Main Nodal Account					
1	PNB MM	Chief Administrator HUDA A/c LAO Rohtak.	General Authorisation	1183005900000458	closed account of OBC ,UBI ,PNB
2	PNB MM	Chief Administrator HUDA A/c LAO Rohtak.	23.08 acres, sec-1-7 & 2-8, jhajjar (RTK)	1183005900000467	24020
3	PNB MM	Chief Administrator HUDA A/c LAO Rohtak.	9.19 acres land of sector- 33-33A Road Rohtak	1183005900000476	24233
4	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	59.07 acres land sector -6 part jhajjar	1183005900000485	24312
5	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	85.93 acres land of sector-26A and 27 and dividing road of Rohtak	1183005900000494	24446
6	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	0.81 acres land sector 21/A,Rohtak (no litigation)	1183005900000500	24455
7	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Land dividing 29 and 30 diving road rohtak (11.07 acres) (No litigation)	1183005900000519	24480
8	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	9.19 acres ,sector-33-33 A Rohtak no litigation	1183005900000529	24480
9	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	14.18 acres, sector-27,28,29,30, and 32 rohtak	1183005900000528	24580
10	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	sec -27,28,29,30,32, Extention road Rohtak	1183005900000537	24589
11	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	345.02 acres of land falling in sector -7 jhajjar	1183005900000546	25153
12	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	223.94 acres of land falling in sector-8 jhajjar	1183005900000555	25162
13	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	147.96 acres ,Sector 16 in Gohana	1183005900000564	24491
14	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	182.43 acres ,Sector 17A in Gohana	1183005900000573	24507
15	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	374.79 acres ,Sector 13 in Gohana	1183005900000582	24516
16	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	10.20 acres of land falling of sector 27-28 in sector 29-32, Green belt Rohtak	1183005900000591	24774
17	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	319.39 acres of Land falling of sector- 6,Sampla (Rohtak).	1183005900000607	24783
18	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	23.77 acres land of sector 32-33 Sonipat	1183005900000616	24701
19	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	27.24 acres land of sector 30-37,31-37 Sonipat (No litigation)	1183005900000625	24729
20	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	76.26 acres land of sector 34-35 -36 Sonipat	1183005900000634	24710
21	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	104.06 acres land falling sector road of panipat	1183005900000643	24695

Sr. No.	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
22	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	11.11 acres land od sec-32-36 sonipat	1183005900000652	24686
23	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	347.875 acres of sector-13 Gohana	1183005900000661	25001
24	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	1.125 acres of land for sewerage Narnaul distt	1183005900000670	24996
25	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	0.533 acres of land falling in sector 15 pocket Sonipat	1183005900000698	25108
26	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	147.96 acres ,Sector 16 in Gohana	1183005900000704	24923
27	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	182.786 acre land sec-1, Tarawari	1183005900000713	1187/OBC
28	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	40.37 acres in sec-21B,C,D & E, Rtk	1183005900000722	1736/OBC
29	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	11.07 acres sector 29-30 dividing road Rohtak	1183005900000731	1750/OBC
30	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	11.07 acres ,sector 29 & 30 Rohtak (No Litigation)	1183005900000740	1774/OBC
31	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	44.70 acres ,sector 26A,26,26-27,27-33,26-33,26A-34 and 33-34 in sonipat	1183005900000759	1767/OBC
32	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Sector 34,35 and 36 Sonipat	1183005900000768	40666/UBI
33	PNB MM	Chief Administrator HUDA A/c LAO 36Rohtak	Chief Administrator HUDA A/c LAO Rohtak	1183005900000777	40667/UBI
34	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Sector 32 and 36 sonipat	1183005900000786	40668/UBI
35	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Sector 32 and 33 sonipat	1183005900000795	40670/UBI
36	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	sector road sec-4, sonipat	1183005900000801	40675/UBI
37	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Annuity a/c	1183005900000865	40477/UBI
38	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Land acq 8.09 acres land of sector 26 (part) Rohtak	1941	06.11.2013
39	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	LAND ACQ 1.97 ACRES LAND OF SECTOR 59-64-64 AGRICULTURE ZONE SONIPAT	25144	06.11.2013
40	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	Land Acquisition of 47.11 acres land of sector-5-15,4A-15A, 4A-4,4A-3B,3-14,3-3A,14 Bahadurgarh	900000016	06.12.13
41	PNB MM	Chief Administrator HUDA A/c LAO Rohtak	of land Acquisition of 181.975 Acres of sector -17 A Sonipat.	1183005900000254	08.01.2014
42	PNB	Chief Administrator HUDA A/c LAO Rohtak	439.02 acres of Land falling in sector-10 jhajjar Rohtak.	1183005900001088	40755
43	PNB	Chief Administrator HUDA A/c LAO Rohtak	Land Acq of 45.75 Acres landof sewage treatment plant Sonipat	1183005900000810	

Sr. No.	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
44	PNB	Chief Administrator HUDA A/c LAO Rohtak	Land Acq 253.99Acrea land of sec -16 Panipat	1183005900001079	
45	PNB	Chief Administrator HUDA A/c LAO Rohtak	Land Acquisition of 118.43 acres of Land falling in sector- 9 A, Jhajjar.	1183005900001097	1934/OBC
46	PNB	Chief Administrator HUDA A/c LAO Rohtak	Land Acquisition of 8.09 acres of Land falling in sector-26 (Part), Rohtak.	1183005900001103	1941/OBC
47	PNB	Chief Administrator HUDA A/c LAO Rohtak	land of 42.00 Acres land of sector 26 to 34 ,No litigation account Rohtak	1183005900000236	

PANCHKULA

Sr. No.	Name of the bank	Account in favour of	Sector no/Urban Estate	New Account No.	Old Account No.
A. Main Centralised Nodal Account of LAO Panchkula					
1	PNB MM	Chief Administrator HUDA A/c LAO Panchkula.	Main Nodal Account of LAO Panchkula	1183005900000148	
B. Sub A/c of Main Nodal Account					
1	PNB MM	Chief Administrator HUDA A/c LAO Panchkula.	G e n e r a l Authorisation	1183005900000245	
2	PNB MM	Chief Administrator HUDA A/c LAO Panchkula.	7.61 acres of Land in sector-45 Karnal	1183005900000166	24844
3	PNB MM	Chief Administrator HUDA A/c LAO Panchkula	0.42 acres sector 12 Part II ,Urban Estate Karnal	1183005900000175	1859/OBC
4	PNB MM	Chief Administrator HUDA A/c LAO Panchkula	182.786 acre land sec-1, Tarawari	1183005900000184	1187/OBC
5	PNB MM	Chief Administrator HUDA A/c LAO Panchkula	Group Annuity Scheme, PKL.	1183005900000193	
6	PNB MM	Chief Administrator HUDA A/c LAO Panchkula	Award for land of 26.4023 Acres & 3.2656 Acres of land falling	1183005900000874	

HISSAR

Sr. No	Urban Estate/ Sector	New A/c No.	Old A/c No.
1	Main Nodal Account	1183005900000025	
2	General Authorization	1183005900000034	
3	197.90 acres land of sec-10 dabwali	1183005900000043	24598
4	220.40 acres of land for Sec-6,	1183005900000052	22846
	Agroha (Hisar)		
5	43.83 acres land of 4MLD sewerage Treatment Plant Fatehbad	1183005900000061	24215
6	0.75 acres land of sector -6 (Part) Agzoh distt hissar	1183005900000070	24520
7	2.89 acres of Landfalling in sector – 21 and 22, Urban Estate,Sirsa.	1183005900000089	24604
8	42.433 acres of land for sewerage treatment Plant at Sirsa	1183005900000098	24853
9	12.14 ACRES Sewreage treatment Plant/Storm Water Zdisposal in Urban Estate, Hansi, Hissar	1183005900000102	25038
10	1.544 acres sector 25(part) Hissar	1183005900000111	1781 /OBC
11	Group Annuity	1183005900000120	
12	Land Acq of 0.18 acres lan dof sector 13 hissar	1183005900000227	

Annexure E**Detail of Enhanced Compensation Bank Account in respects of LAO's**

Sr.no	Name of LAO	Name of bank	Account no.
1	LAO Hissar	PNB MM	1183005900000139
2	LAO Faridabad	PNB MM	1183005900000281
3	LAO Rohtak	PNB MM	1183005900000290
4	LAO Gurgaon	PNB MM	1183005900000272
5	LAO Panchkula	PNB MM	1183005900000209

BROUCHER AND ALLOTMENT & AUCTION OF SCHOOL SITE

To

1. All the Zonal Administrators,
HUDA in the state
2. Chief Town Planner,
HUDA, Panchkula.
3. All the Estate Officers,
HUDA in the state

Memo No.HUDA/CCF/AO-Cash/2017/ 177760

Dated:- 22/09/2017

Subject:Notification regarding-**Brochure and allotment** letters for **e-auction** of i) left out Residential plots ii) Booths/kiosks [https://www.huda.org.in/_layouts/CCF/Notification_Brochure and allotment letters for e-auction of left out Residential plots_Booths_kiosks_preferential_residential.pdf](https://www.huda.org.in/_layouts/CCF/Notification_Brochure_and_allotment_letters_for_e-auction_of_left_out_Residential_plots_Booths_kiosks_preferential_residential.pdf) (Regarding availability of instruction dated 20.10.2016 on website)

1. In continuation to this office **Instruction No.13** issued vide letter no. HUDA/CCF/AO-Cash/2016/95673-76 dated 20.10.2016 on the subject cited above.
2. I am directed to inform you that notification regarding Brochure and Allotment letters for e- Auction of i) left out Residential plots (CC-R) ii) Booths/kiosks (CC-B) iii) preferential(GP/P/SP) residential/institutional/ commercial plots/ buildings (CC-G)- has been published in Haryana Govt Gazette on dated **30.05.2017**.
3. Copy of these instructions alongwith copy of Gazatted notification is also being available on the HUDA website at the following link https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf
4. It is for your kind information and taking further necessary action in the matter.

-sd-

Chief Accounts Officer,
for Chief Administrator
Huda, Panchkula.

CC:-

1. Administrator HUDA (HQ), Panchkula.
2. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

1. All the Zonal Administrators,
HUDA in the state
2. Chief Town Planner,
HUDA, Panchkula.
3. G.M. (IT)
HUDA, Panchkula.
4. All the Estate Officers,
HUDA in the state

Memo No.HUDA/CCF/AO-Cash/2016/ 134324

Dated:- 20/12/2016

Subject:- Clarification regarding payment terms in case of **e-auction** of **school sites**.

1. In continuation to this office letter no.NO.HUDA/CCF/AO Cash/2016/95673 -76 dated 20.10.2016 (Instruction No.13)on the subject cited above.
2. It is further clarify that the terms and conditions on lumpsum payments shall also be applicable in case of sale of school/ college sites by e-auction. The allotment letter shall be issued in the format “CC-G”.
3. You are requested to take necessary action accordingly.

-sd-

Sr. Accounts Officer
for Chief Administrator
Huda, Panchkula.

CC: 1. PS/CA HUDA for kind information of Worthy Chief Administrator HUDA,Panchkula.

2. Administrator, HUDA (HQ), Panchkula.
3. GM(IT) HUDA, HQ Panchkula with the request to make necessary amendment in the PPM/ FAS system and upload the above instructions on HUDA website under policy – Finance Wing-Instructions
4. Chief Engineer, HUDA-I,II, Panchkula.
5. District Attorney HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

C-3, SECTOR-6, PANCHKULA

To

1. All the Zonal Administrators,
HUDA in the state
2. Chief Town Planner,
HUDA, Panchkula.
3. G.M. (IT)
HUDA, Panchkula.
4. All the Estate Officers,
HUDA in the state

Memo No.HUDA/CCF/AO-Cash/2016/95673-76

DATED:- 20.10.2016

Subject: Brochure and allotment letters for e- auction of i) left out Residential plots ii) Booths/kiosks iii) preferential (GP/P/SP) residential/ institutional/ commercial plots/buildings (specimen of Broucher and allotment letter)

1. Please find enclosed 3 different sets of draft brochure containing detailed terms & conditions (Draft as per Annexure A1, A2 & A3) and Allotment letters (form “CC-R” , “CC-B” & “CC-G”) in respect of future sale by e-Auction applicable as below:-

Sr. No.	Description	Draft brochure containing detailed terms & conditions applicable	Draft Allotment letters applicable
1.	left out Residential plots	A1	“CC-R”
2.	Booths/kiosks	A2	“CC-B”
3.	preferential (GP/ P/SP) residential/ institutional/commercial plots/buildings	A3	“CC-G”

2. The copy of above brochure and Allotment letter has also been forwarded to your office through E-mail. GM (IT), HUDA, may display the same on HUDA website. (Policy-Finance-Instruction).

DA/As Above

-sd-

Chief Controller of Finance
for Chief Administrator
Huda, Panchkula.

CC: 1. Administrator, HUDA (HQ), Panchkula.
2. Chief Engineer, HUDA-I,II, Panchkula.
3. District Attorney HUDA, Panchkula.
4. PS/CA HUDA, Panchkula.

Annexure A-I
BROCHURE
CONTAINING
DETAILED TERMS AND CONDITIONS FOR AUCTION OF
left out residential plots
“On as is where is basis”
IN ESTATE OFFICE HUDA
THROUGH E-AUCTION

Start Of E-Auction	AT 09.00 AM ON
Close Of E-Auction	TILL 5.00 PM ON
Online Payment of EMD	All the intended bidders are required to deposit the amount through e-challan which shall be generated online at below mentioned website for e-Auction Event Number “_____”. The e-payment of EMD shall be made in the stipulated time and period specified under clause ‘B’ Of “HOW TO PARTICIPATE” of this brochure.

The Brochure containing detailed Terms and Conditions of e-Auction are available on the website www.huda.org.in & portal <https://haryanaeprocurement.gov.in>

PORTAL FOR E-AUCTION: <https://haryanaeprocurement.gov.in> . The e-auction portal can also be accessed through HUDA website www.huda.org.in

HARYANA URBAN DEVELOPMENT AUTHORITY

Head Office	Plot no C-3, Sector-6, Panchkula.
Estate Office	(Address of respective EO office)
E-mail	(E-mail id of respective EO office)
Tendering Agency	M/s Nextenders Pvt. Ltd, O/o Director, Supplies and disposal Haryana SCO-09, Second Floor, Sector-16, Panchkula, Haryana 134109 contact helpdesk on Toll Free No. 1800-180-2097 and 0172-2582008-09 E-mail: chandigarh@nextenders.com
Timing	Technical Support Assistance will be available over telephone (Helpdesk support team shall not be contacted for online bidding on behalf of the bidders). Monday to Friday (09:00 am. to 5:30 pm)- On working days only & 4th Saturday (11:30 am to 3:00pm) for Training workshop at following locations

Training workshops

<p>Nextenders India Pvt. Ltd.,</p> <p>Municipal Corporation Faridabad, Near B.K. Chowk,</p> <p>Opp. B.K. Hospital NIT, Faridabad</p> <p>Contact No. +91- 8743042801/9310335475</p>	<p>Nextenders India Pvt. Ltd.,</p> <p>Public Health Division No.2 Hisar,</p> <p>Model Town, Opp. N.D. Gupta Hospital,</p> <p>Hisar</p> <p>Contact +91- 9034357793</p>	<p>Nextender India Pvt. Ltd.,</p> <p>Nirman Sadan (PWD B&R),</p> <p>Plot No. 01, Basement, Dakshin Marg, Sector-33-A, Chandigarh – 160020</p> <p>For Support – 1800-180-2097, 0172-25822008-2009</p>
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TERMS AND CONDITIONS FOR E-AUCTION OF
LEFT OUT RESIDENTIAL PLOTS

E-AUCTION WILL START AT 9.00 AM ON -----

A. ELIGIBILITY FOR PARTICIPATION:

1. Any person legally competent to enter into a contract will be eligible to participate in the auction.
2. No bid shall be accepted in the name of any other person(s) unless the name of all the persons making the bid is given specifying their individual share and the person making the bid produces a valid legal power of attorney authorizing him to bid on their behalf and also copy of PAN card of the applicant.
3. In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement.
4. Offer will be received subject to the reserve price and to the right of the Competent Authority, HUDA to accept the bid up-to or beyond such reserve price.
5. The Competent Authority of HUDA shall reserve to itself the right to accept any bid or reject any bid or withdraw any or all the sites from auction or cancel/postpone the e-auction, without assigning any reason thereof.
6. No bid below the reserve price will be accepted.
7. In the event of default or breach or non-compliance of any of the terms and conditions as indicated or for furnishing any wrong or incorrect information at the time of auction etc. the Competent Authority shall have the right to cancel the bid and forfeit whole or any part of the amount paid by the bidder.

B. HOW TO PARTICIPATE:

8. Intending bidders will be required to sign-up and obtain user ID and password on the portal <https://huda.haryanaeprocurement.gov.in> and thereafter earnest Money Deposited (EMD)/ Security and ` 1,000/- towards non-refundable E-service fee for participation in the e-auction. The intending bidders shall be required to deposit the EMD/ Security amount online through RTGS/NEFT/OTC and e-service fee online through debit card/net-banking, as detailed in **Annexure-I**.
9. The intending bidders must ensure that the afore-said amounts are remitted and verified back on <https://huda.haryanaeprocurement.gov.in> portal as specified above **before 5.00 PM on** so as to be eligible to participate in the e-auction. In case of registration, challan generation and remittance of the afore-mentioned amounts after 5.00 PM on, for any reason whatsoever, HUDA will not be liable for non-participation/automatic rejection of bidder by e-Auction Portal <https://haryanaeprocurement.gov.in> for this e-Auction event.
10. The e-Auction will **start at 9.00 AM on** at the portal <https://haryanaeprocurement.gov.in>. However, in case any bid in respect of any site is received 10 minutes prior to time fixed for closure of the bids i.e. 5.00 PM or further extended time interval, then the time for closure of the complete auction programme would be extended automatically by 10 minutes in addition to Auction Ends Time reflecting on <https://haryanaeprocurement.gov.in>, so that equal opportunity is made available to the persons participating in the bidding process. Such extensions of ten minutes will continue till bids are received within next 10 minutes of last bid for any of the site, otherwise the complete auction event will get concluded.
11. It will be the sole responsibility of the bidder/ participant to obtain a compatible computer terminal with internet connection to enable him/her to participate in e- auction process.

12. The minimum bid incremental value will be as below:-

Sr. No.	Reserve price (Rs.)	Minimum bid incremental value (Rs.)	
		During initial time provided i.e. from 9.00 A.M. upto 5.00 P.M.	During extended time
1.	Less than or equal to (Rs.) 50 lacs	10,000	20,000
2.	Less than or equal to (Rs.) 1 crore but more than (Rs.) 50 lacs	50,000	1,00,000
3.	Less than or equal to (Rs.) 5 crore but more than (Rs.) 1 crores	1,00,000	2,00,000
4.	More than (Rs.) 5 crores	5,00,000	8,00,000

C. RESERVE PRICE AND DETAIL OF THE SITES:

13. Detail of the sites is as under (layout is at **Annexure ‘II’**): -

Sr. No.	Description of site/ building	Sector	Site No.	Name of U.E.	Area(in sq.mtr.)	Reserve price (Rs. in Lacs)	EMD/ Security amount for each site in Rs.
1							
2							
3							
4							
5							
6							

D.PAYMENT TERMS:

14. The successful/highest bidder shall be required to remit an amount equivalent to 10% of his quoted bid amount by 5.00 PM of the day succeeding to final bid closing day by way of generating “General Purpose Challan” from www.huda.gov.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank. In case the successful/highest bidder fails to deposit the said amount as specified above, his bid shall stand rejected and the EMD deposited by him for participation in the e-auction shall stand forfeited in favor of HUDA.
15. In addition to the above said payment of 10% of the quoted bid amount, the successful/highest bidder shall be required to furnish the below mentioned documents:

- a) Self-certified copy of PAN card and passport sized photo of applicant/authorized signatory.
 - b) In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement of sale of its behalf.
 - c) The above said documents would be required to be sent by the successful bidder(s) to the concerned Estate Office, HUDA within a period of 7 days of close of e-auction and the Regular Letter of Allotment in favor of the bidders would be issued only after the concerned Estate Office HUDA receives the said documents along with original challan & bank payment receipt to its satisfaction.
16. After acceptance of the bid, the successful bidder will further be required to deposit another 15% of the quoted bid amount within 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the authority against which successful bidder shall have no claim for damages.
 17. Thereafter, remaining 75% amount of the bid amount shall be paid within a period of 120 days from the date of auction without interest, failing which this allotment shall stand cancelled without any notice and money deposited by successful/highest bidder (equal to 25 % of bid amount) shall stand forfeited and successful bidder shall have no claim for the damages.

Note: No separate notice will be sent for payment of the aforesaid payments.

18. All The payments shall be made either through online payment on HUDA Website or off line mode through authorized Banks by generating challan from PPM on the HUDA website.

E. POSSESSION

19. The possession of the site/plot shall be offered only after full quoted bid amount has been paid to HUDA by successful bidder. In case possession of the plot is not offered within 30 days after deposit of full bid amount, HUDA will pay interest @ 5.5 % (or as may be fixed by Authority from time to time) on the amount deposited by successful bidder till the date of offer of possession. However such interest shall be payable for the period calculated after expiry of 30 days as aforesaid and till the date of offer of possession.
20. However, if due to stay by the Court or litigation or any other circumstances beyond its control, HUDA is not able to offer possession of the plot/site within three months after deposit of full (100%) highest bid amount, the full amount deposited by successful bidder shall be refunded back. The successful bidder will not have any claim, on this site/sites or any other site/sites.

F. CONSTRUCTION

21. The conditions for erection of building on the auctioned site shall be governed by the zoning plan of the site and in accordance with the Haryana Building Code, 2016 as framed and amended from time to time. The building shall be erected after getting the plans approved from the respective Estate Office, HUDA. The successful bidder/allottee shall not make any alterations/additions to the structure erected on the site without prior/explicit written permission of the Estate Officer.
22. The successful bidder will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. The time limit is extendable by the Estate Officer, subject to payment of extension fee as fixed by HUDA from time to time, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it is liable to be forfeited in accordance with the provision of the HUDA Act, 1977. The successful bidder shall not erect any building or make any alteration/addition without prior permission of the Estate Officer.
23. This allotment shall be at the old FAR existing prior to implementation of Haryana Building Code, 2016 and additional FAR permissible under Haryana Building Code, 2016, shall have to be purchased separately by the successful bidder on payment of charges as approved by the Government from time to time.

Plot Size	Max. permissible coverage on each floor	FAR		
		Now being allotted	Additional Purchasable	Total
U p t o 3-Marla	66	1.65	0.33	1.98
4-marla	66	1.65	0.33	1.98
6-Marla	66	1.45	0.53	1.98
8-Marla	66	1.45	0.53	1.98
10-marla	66	1.45	0.53	1.98
14-Marla	60	1.30	0.50	1.80
1-kanal	60	1.20	0.60	1.80
2-kanal	60	1.00	0.80	1.80

G. RESUMPTION

24. In the event of breach of any condition, the concerned Estate Officer, HUDA may resume the site in accordance with the provisions of sector 17 of the HUDA Act, 1977 and the money deposited shall be refunded back after forfeiting 10% of the total consideration money, interest and other dues payable upto the date of resumption. No interest shall be paid on such amount to be refunded.
25. Upon resumption, the successful bidder will be free to remove the structure/debris/fixtures, if any, within a period of three months of resumption order at his own cost, failing which it shall be removed by the HUDA at the successful bidder 's cost

H. SURRENDER OF SITE

26. Wherever an successful bidder surrenders the site at any time within 120 days from auction, the concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on such amount to be refunded.
27. The request for surrender has to be submitted online on the PPM system on HUDA website by using the login Id and password allotted by HUDA. Surrender by any other mode shall not be acceptable.

I. OTHER TERMS & CONDITIONS:

28. The sale of site/building shall be subject to the general terms and conditions as contained in the allotment letter appended to Haryana Urban Development Authority (Disposal of lands building) Regulations, 1978 and the provisions of HUDA Act, 1977, the rules/ regulations/code/instructions/guidelines as may be applicable there in and amended from time to time.
29. The site shall continue to belong to HUDA until the entire bid money together with interest and other amount due to HUDA on account of sale of site is paid and deed of conveyance in favour of successful bidder is executed. The successful bidder shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of the concerned Estate Officer, HUDA even after execution of Deed of Conveyance. Successful bidder may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of price including dues etc. of the plot but prior written

permission of the concerned Estate Officer, HUDA shall be required.

30. On payment of 100% of the bid amount/interest etc. the successful bidder shall get the deed of conveyance executed in his favour in the prescribed form and in such manner as may be directed by the concerned Estate Officer, HUDA. The deed of conveyance shall be executed within one year of making payment of full price of the plot/ building. However, in case of failure to so execute the conveyance deed in one year period specified herein, the conveyance deed shall be executable on the stamp duty on value of site calculated at the prevailing collector rates prevailing in the year of its execution or auction price which ever is higher. The charges for the registration and stamp duty will be paid by the successful bidder.
 31. The successful bidder shall have to pay all general and local taxes, rates or cess imposed or assessed on the said site by the competent authority.
 32. The site shall not be used for any purpose other than that for which it has been allotted. No obnoxious activity shall be carried out on the site. However, as per HUDA Regulations 1978 and policy issued there-under and amended from time to time, non nuisance professional consultancy services are permitted.
 33. The site shall not be subdivided or fragmented under any circumstances. However, registration of independent floors is permitted as per policy.
 34. The HUDA shall not be responsible for leveling of uneven sites and the sites are being auctioned on 'As is where is basis'.
 35. The successful bidder shall have to pay construction material, bricks, structures and compound wall etc. existing in successful bidder plot at the time of allotment of which compensation has been assessed and paid by the Authority, if successful bidder want to make use of the same.
 36. The Authority reserves to itself all mines and mineral whatever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same at all such times in such manner as the Authority shall think fit, with power to carry out any surface or any site and sink pits, erect buildings, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.
- Provided that the successful bidder shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between the successful bidder and the authority or failing such agreement as shall be ascertained by reference to Arbitration.
37. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours in writing enter in or upon any part of the said land/building erected thereon for the purpose of ascertaining that the successful bidder has duly performed and observed the conditions to be observed under the rule/regulations applicable under the said Act.
 38. The Authority shall have full rights, power and authority at all times to do through its officers or servant all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to recover from successful bidder as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in and any way relating thereto.
 39. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Govt. servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.

J. LAYOUT PLAN:

40. As per Annexure-II

Guideline for Online Payments at e-Procurement Portal of Govt. of Haryana

Post registration, bidder shall proceed for bidding by using his Password. Bidder shall proceed to select the event he is interested in. On the respective Department's page in the e-Procurement portal, the Bidder would have following options to make payment for tender document fee & EMD:

A. Debit Card

B. Net Banking

C. RTGS/NEFT

Operative Procedures for Bidder Payments:-

A) Debit Card

The procedure for paying through Debit Card will be as follows.

- (i) Bidder selects Debit Card option in e-Procurement portal.
- (ii) The e-Procurement portal displays the amount and the card charges to be paid by bidder. The portal also displays the total amount to be paid by the bidder.
- (iii) Bidder clicks on "Continue" button
- (iv) The e-Procurement portal takes the bidder to Debit Card payment gateway screen.
- (v) Bidder enters card credentials and confirms payment
- (vi) The gateway verifies the credentials and confirms with "successful" or "failure" message, which is confirmed back to e-Procurement portal.
- (vii) The page is automatically routed back to e-Procurement portal
- (viii) The status of the payment is displayed as "successful" in e-Procurement portal. The e-Procurement portal also generates a receipt for all successful transactions. The bidder can take a print out of the same,
- (ix) The e-Procurement portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

B) Net Banking

The procedure for paying through Net Banking will be as follows.

- (i) Bidder selects Net Banking option in e-Procurement portal.
- (ii) The e-Procurement portal displays the amount to be paid by bidder.
- (iii) Bidder clicks on "Continue" button
- (iv) The e-Procurement portal takes the bidder to Net Banking payment gateway screen displaying list of Banks

- (v) Bidder chooses his / her Bank
 - (vi) The Net Banking gateway redirects Bidder to the Net Banking page of the selected Bank
 - (vii) Bidder enters his account credentials and confirms payment
 - (viii) The Bank verifies the credentials and confirms with “successful” or “failure” message to the Net Banking gateway which is confirmed back to e-Procurement portal.
 - (ix) The page is automatically routed back to e-Procurement portal
 - (x) The status of the payment is displayed as “successful” in e-Procurement portal.
- The e-Procurement portal also generates a receipt for all successful transactions. The bidder can take a print out of the same.
- (xi) The e-Procurement portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

C) RTGS/ NEFT/OTC

The bidder shall have the option to make the EMD payment via RTGS/ NEFT/OTC. Using this module, bidder would be able to pay from their existing Bank account through RTGS/NEFT. This would offer a wide reach for more than 90,000 bank branches and would enable the bidder to make the payment from almost any bank branch across India.

- i. Bidder shall log into the client e-procurement portal using user id and password as per existing process and selects the RTGS/NEFT payment option.
- ii. Upon doing so, the e-procurement portal shall generate a pre-filled challan. The challan will have all the details that are required by the bidder to make RTGS-NEFT payment.
- iii. Each challan shall therefore include the following details that will be pre-populated:
 - Beneficiary account no: (unique alphanumeric code for e-tendering)
 - Beneficiary IFSC Code:
 - Amount:
 - Beneficiary bank branch:
 - Beneficiary name:
- iv. The Bidder shall be required to take a print of this challan and make the RTGS/NEFT on the basis of the details printed on the challan.
- v. The bidder would remit the funds at least T + 1 day (Transaction + One day) in advance to the last day and make the payment via RTGS / NEFT to the beneficiary account number as mentioned in the challan.
- vi. Post making the payment, the bidder would login to the e-Tendering portal and go to the payment page. On clicking the RTGS / NEFT mode of payment, there would be a link for real time validation. On clicking the same, system would do auto validation of the payment made.

For making payment through Demand Draft against the online Challan generated for OTC:

- i. The intended bidders are required to draw demand draft in favour of below furnished details.

Sr No.	Account title	Account No
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1	GOH e-Proc EMD Escrow a/c DSND-HUDA	001305009782
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Note –

1. **HUDA will not be liable and will not consider if any payment other than initial EMD/Security Amount is deposited by any bidder on or through <https://haryanaeprocurement.gov.in> portal, for adjustment against balance EMD for allotment of any commercial site and bidder will be fully responsible for the same.**
2. **Successful Bidder has to mandatory deposit the balance amount for auction site through by way of generating “General Purpose Challan” from www.huda.org.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank.**

Note:- Layout plan/map attached in PDF as Annexure-II

Annexure A-II
BROCHURE
CONTAINING
DETAILED TERMS AND CONDITIONS FOR AUCTION OF
BOOTHS/KIOSKS
“On as is where is basis”
(Strike out which is not applicable)
IN ESTATE OFFICE HUDA
THROUGH E-AUCTION

Start Of E-Auction	AT 09.00 AM ON
Close Of E-Auction	TILL 5.00 PM ON
Online Payment of EMD	All the intended bidders are required to deposit the amount through e-challan which shall be generated online at below mentioned website for e-Auction Event Number “_____”. The e-payment of EMD shall be made in the stipulated time and period specified under clause ‘B’ Of ‘HOW TO PARTICIPATE’ of this brochure.

The Brochure containing detailed Terms and Conditions of e-Auction are available on the website www.huda.org.in & portal <https://haryanaeprocurement.gov.in>

PORTAL FOR E-AUCTION: <https://haryanaeprocurement.gov.in> . The e-auction portal can also be accessed through HUDA website www.huda.org.in

HARYANA URBAN DEVELOPMENT AUTHORITY

Head Office	Plot no C-3, Sector-6, Panchkula.
Estate Office	(Address of respective EO office)
E-mail	(E-mail id of respective EO office)
Tendering Agency	M/s Nextenders Pvt. Ltd, O/o Director, Supplies and disposal Haryana SCO-09, Second Floor, Sector-16, Panchkula, Haryana 134109 contact helpdesk on Toll Free No. 1800-180-2097 and 0172-2582008-09 E-mail: chandigarh@nextenders.com
Timing	Technical Support Assistance will be available over telephone (Helpdesk support team shall not be contacted for online bidding on behalf of the bidders). Monday to Friday (09:00 am. to 5:30 pm)- On working days only & 4th Saturday (11:30 am to 3:00pm) for Training workshop at following locations

Location of Training workshops

Nextenders India Pvt. Ltd., Municipal Corporation Faridabad, Near B.K. Chowk, Opp. B.K. Hospital NIT, Faridabad Contact No. +91- 8743042801/9310335475	Nextenders India Pvt. Ltd., Public Health Division No.2 Hisar, Model Town, Opp. N.D. Gupta Hospital, Hisar Contact +91- 9034357793	Nextender India Pvt. Ltd., Nirman Sadan (PWD B&R), Plot No. 01, Basement, Dakshin Marg, Sector-33-A, Chandigarh – 160020 For Support – 1800-180- 2097, 0172-25822008-2009
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TERMS AND CONDITIONS FOR E-AUCTION OF
BOOTHS /KIOSKS

E-AUCTION WILL START AT 9.00 AM ON -----

A. ELIGIBILITY FOR PARTICIPATION:

1. Any person legally competent to enter into a contract will be eligible to participate in the auction.
2. No bid shall be accepted in the name of any other person(s) unless the name of all the persons making the bid is given specifying their individual share and the person making the bid produces a valid legal power of attorney authorizing him to bid on their behalf and also copy of PAN card of the applicant.
3. In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement.
4. Offer will be received subject to the reserve price and to the right of the Competent Authority, HUDA to accept the bid up-to or beyond such reserve price.
5. The Competent Authority of HUDA shall reserve to itself the right to accept any bid or reject any bid or withdraw any or all the sites from auction or cancel/postpone the e-auction, without assigning any reason thereof.
6. No bid below the reserve price will be accepted.
7. In the event of default or breach or non-compliance of any of the terms and conditions as indicated or for furnishing any wrong or incorrect information at the time of auction etc. the Competent Authority shall have the right to cancel the bid and forfeit whole or any part of the amount paid by the bidder.

B. HOW TO PARTICIPATE:

8. Intending bidders will be required to sign-up and obtain user ID and password on the portal <https://huda.haryanaeprocurement.gov.in> and thereafter earnest Money Deposited (EMD)/ Security and Rs. 1,000/- towards non-refundable E-service fee for participation in the e-auction. The intending bidders shall be required to deposit the EMD/ Security amount online through RTGS/NEFT/OTC and e-service fee online through debit card/net-banking, as detailed in **Annexure-I**.
9. The intending bidders must ensure that the afore-said amounts are remitted and verified back on <https://huda.haryanaeprocurement.gov.in> portal as specified above **before 5.00 PM on** so as to be eligible to participate in the e-auction. In case of registration, challan generation and remittance of the afore-mentioned amounts after 5.00 PM on, for any reason whatsoever, HUDA will not be liable for non-participation/ automatic rejection of bidder by e-Auction Portal <https://haryanaeprocurement.gov.in> for this e-Auction event.
10. The e-Auction will **start at 9.00 AM on** at the portal <https://haryanaeprocurement.gov.in>. However, in case any bid in respect of any site is received 10 minutes prior to time fixed for closure of the bids i.e. 5.00 PM or further extended time interval, then the time for closure of the complete auction programme would be extended automatically by 10 minutes in addition to Auction Ends Time reflecting on <https://haryanaeprocurement.gov.in>, so that equal opportunity is made available to the persons participating in the bidding process. Such extensions of ten minutes will continue till bids are received within next 10 minutes of last bid for any of the site, otherwise the complete auction event will get concluded.

11. It will be the sole responsibility of the bidder/ participant to obtain a compatible computer terminal with internet connection to enable him/her to participate in e- auction process.
12. The minimum bid incremental value will be as below:-

S r . No.	Reserve price (Rs.)	Minimum bid incremental value (Rs.)	
		During initial time provided i.e. from 9.00 A.M. upto 5.00 P.M.	During extended time
1.	Less than or equal to (Rs.) 50 lacs	10,000	20,000
2.	Less than or equal to (Rs.) 1 crore but more than (Rs.) 50 lacs	50,000	1,00,000
3.	Less than or equal to (Rs.) 5 crore but more than (Rs.) 1 crores	1,00,000	2,00,000
4.	More than (Rs.) 5 crores	5,00,000	8,00,000

C. RESERVE PRICE AND DETAIL OF THE SITES:

13. Detail of the sites is as under (layout is at **Annexure ‘II’**): -

Sr. No.	Description of site/building	Sector	Site No.	Name of U.E.	Area(in sq.mtr.)	Reserve price (Rs in Lacs)	EMD/ Security amount for each site in Rs
1							
2							
3							
4							
5							
6							

D. PAYMENT TERMS:

14. The successful/highest bidder shall be required to remit an amount equivalent to 10% of his quoted bid amount by 5.00 PM of the day succeeding to final bid closing day by way of generating “General Purpose Challan” from www.huda.gov.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank. In case the successful/highest bidder fails to deposit the said amount as specified above, his bid shall stand rejected and the EMD deposited by him for participation in the e-auction shall stand forfeited in favor of HUDA.
15. In addition to the above said payment of 10% of the quoted bid amount, the successful/highest bidder shall be required to furnish the below mentioned documents:
 - a) Self-certified copy of PAN card and passport sized photo of applicant/authorized signatory.
 - b) In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement of sale of its behalf.
 - c) The above said documents would be required to be sent by the successful bidder(s) to the concerned Estate Office, HUDA within a period of 7 days of close of e-auction and the Regular Letter of Allotment in favor of the bidders would be issued only after the concerned Estate Office HUDA receives the said documents along with original challan & bank payment receipt to its satisfaction.
16. After acceptance of the bid, the successful bidder will further be required to deposit another 30% of the quoted bid amount within 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the authority against which successful bidder shall have no claim for damages.
17. Thereafter, remaining 60% amount of the above plot/building shall be paid in lump-sum without interest within a period of 60 days from the date of auction or 6 half yearly installments. First installment will fall due after expiry of 6 months from the date of auction. Each installment would be recoverable together with interest @ 9% per annum on the remaining amount. However, in case balance 60% amount of the total bid amount is paid in lump-sum within a period of 60 days from the date of auction, rebate of 5% in the total bid amount will be allowed.

Note: No separate notice will be sent for payment of the aforesaid payments.

18. The payments/installments shall be made either through online payment on HUDA Website or off line mode through authorized Banks by generating challan from PPM on the HUDA website. The payment of installment (s) is not made on the due date is mandatory. In case, payment of installment (s) is not made by the due date, then allottee shall be liable to pay interest on the delayed payments. At present, the interest on delayed payment of installment is @ 12% p.a. simple interest basis. In future the successful bidder shall have to pay the interest, simple or compound and at such rate, on delayed payment of instalments as decided by the Authority from time to time irrespective of the fact whether the possession has been offered or not without the prejudice to the rights of Authority to take action u/s 17 of HUDA Act, 1977.

H. POSSESSION

19. The possession of the plot/building may be taken immediately after making payment of 40% amount of total bid amount as the development works (basic amenities) within the area are already complete. Development works for this purpose shall mean provision of basic amenities i.e. road up to WBM level, water, electricity and sewerage.
20. However, if due to stay by the Court or litigation or circumstances beyond its control, HUDA is not able to offer possession of the plot/site within three months after deposit of the entire bid amount and interest, the full amount of deposited by successful bidder shall be refunded back with simple interest @ 5.5 % per annum to be calculated only on the bid amount paid by the bidder. The successful bidder will not have any claim, on this site/sites or any other alternate site/sites.

I. CONSTRUCTION

21. The conditions for erection of building on the auctioned site shall be governed by the zoning plan of the site or 'Standard Design' of the site and in accordance with the Haryana Building Code, 2016 as framed and amended from time to time. The building shall be erected after getting the plans approved from the respective Estate Office, HUDA. The successful bidder/allottee shall not make any alterations/additions to the structure erected on the site without prior/explicit written permission of the Estate Officer.
22. The coverage (passage/verandah) in front of on the site of booths/Kiosks shall not be allowed for any other purpose other than for the public passage.
23. The allottee will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the rule/regulations/code governing the erection of buildings. The time limit is extendable by the Estate Officer, subject to payment of extension fee as fixed by HUDA from time to time otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it is liable to be forfeited in accordance with the provision of the HUDA Act, 1977. The successful bidder shall not erect any building or make any alteration/addition without prior permission of the Estate Officer.

G. RESUMPTION

24. In the event of breach of any condition, the concerned Estate Officer, HUDA may resume the site in accordance with the provisions of section 17 of the HUDA Act, 1977 and the money deposited shall be refunded back after forfeiting 10% of the total consideration money, interest and other dues payable upto the date of resumption. No interest will be paid on such amount to be refunded.
25. Upon resumption, the allottee will be free to remove the structure/debris/fixtures, if any, within a period of three months of resumption order at his own cost, failing which it shall be removed by the HUDA at the allottee's cost

H. SURRENDER OF SITE

26. Wherever an allottee surrenders the site at any time **prior to construction**, concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on the refunded amount.
27. The request for surrender has to be submitted online on the PPM system on HUDA website by using the login Id and password allotted by HUDA. Surrender by any other mode shall not be acceptable.

K. OTHER TERMS & CONDITIONS:

28. The sale of site/building shall be subject to the general terms and conditions as contained in the allotment letter appended to Haryana Urban Development Authority (Disposal of lands building) Regulations, 1978 and the provisions of HUDA Act, 1977, the rules/ regulations/code/instructions/guidelines as may be applicable there in and amended from time to time.
29. The site shall continue to belong to HUDA until the entire bid money together with interest and other amount due to HUDA on account of sale of site is paid and deed of conveyance in favour of allottee is executed. The successful bidder/allottee shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of HUDA even after execution of Deed of Conveyance. Successful bidder/allottee may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of price including dues etc. of the plot but prior written permission of the concerned Estate Officer, HUDA shall be required.
30. On payment of 100% of the bid amount/interest etc. the successful bidder shall get the deed of conveyance executed in his favour in the prescribed form and in such manner as may be directed by the concerned Estate Officer, HUDA. The deed of conveyance shall be executed within one year of making payment of full price of the plot/ building. However, in case of failure to so execute the conveyance deed in one year period specified herein, the conveyance deed shall be executable on the stamp duty on value of site calculated at the collector rates prevailing in the year of such execution or auction price which ever is higher. The charges for the registration and stamp duty will be paid by the allottee.
31. The allottee shall have to pay all general and local taxes, rates or cess imposed or assessed on the said site by the competent authority.
32. The site shall not be used for any purpose other than that for which it has been allotted. No obnoxious activity shall be carried out on the site.
33. The site shall not be subdivided or fragmented under any circumstances.
34. The HUDA shall not be responsible for leveling of uneven sites and the sites are being auctioned on **‘As is where is basis’**.
35. The allottee shall have to pay separately for any construction material, bricks, structures and compound wall etc. existing in successful bidder plot at the time of allotment of which compensation has been assessed and paid by the Authority, if successful bidder want to make use of the same.
36. The Authority reserves to itself all mines and mineral whatever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same at all such times in such manner as the Authority shall think fit, with power to carry out any surface or any site and sink pits, erect buildings, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.

Provided that the allottee shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between the allottee and the authority or failing such agreement as shall be ascertained by reference to Arbitration.

37. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours in writing enter in or upon any part of the said land/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the rule/regulations applicable under the said Act.
38. The Authority shall have full rights, power and authority at all times to do through its officers or servant all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to recover from successful bidder as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in and any way relating thereto.
39. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Govt. servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.

J. LAYOUT PLAN:

40. As per Annexure-II

Guideline for Online Payments at e-Procurement Portal of Govt. of Haryana

Post registration, bidder shall proceed for bidding by using his Password. Bidder shall proceed to select the event he is interested in. On the respective Department's page in the e-Procurement portal, the Bidder would have following options to make payment for tender document fee & EMD:

- E. Debit Card
- F. Net Banking
- G. RTGS/NEFT

Operative Procedures for Bidder Payments:-

B) Debit Card

The procedure for paying through Debit Card will be as follows.

- (x) Bidder selects Debit Card option in e-Procurement portal.
- (xi) The e-Procurement portal displays the amount and the card charges to be paid by bidder. The portal also displays the total amount to be paid by the bidder.
- (xii) Bidder clicks on "Continue" button
- (xiii) The e-Procurement portal takes the bidder to Debit Card payment gateway screen.
- (xiv) Bidder enters card credentials and confirms payment
- (xv) The gateway verifies the credentials and confirms with "successful" or "failure" message, which is confirmed back to e-Procurement portal.
- (xvi) The page is automatically routed back to e-Procurement portal
- (xvii) The status of the payment is displayed as "successful" in e-Procurement portal. The e-Procurement portal also generates a receipt for all successful transactions. The bidder can take a print out of the same,
- (xviii) The e-Procurement portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

C) Net Banking

The procedure for paying through Net Banking will be as follows.

- (ix) Bidder selects Net Banking option in e-Procurement portal.
- (x) The e-Procurement portal displays the amount to be paid by bidder.
- (xi) Bidder clicks on "Continue" button
- (xii) The e-Procurement portal takes the bidder to Net Banking payment gateway screen displaying list of Banks
- (xiii) Bidder chooses his / her Bank
- (xiv) The Net Banking gateway redirects Bidder to the Net Banking page of the selected Bank
- (xv) Bidder enters his account credentials and confirms payment

- (xvi) The Bank verifies the credentials and confirms with “successful” or “failure” message to the Net Banking gateway which is confirmed back to e-Procurement portal.
- (xii) The page is automatically routed back to e-Procurement portal
- (xiii) The status of the payment is displayed as “successful” in e-Procurement portal.

The e-Procurement portal also generates a receipt for all successful transactions. The bidder can take a print out of the same.

- (xiv) The e-Procurement portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

D) RTGS/ NEFT/OTC

The bidder shall have the option to make the EMD payment via RTGS/ NEFT/OTC. Using this module, bidder would be able to pay from their existing Bank account through RTGS/NEFT. This would offer a wide reach for more than 90,000 bank branches and would enable the bidder to make the payment from almost any bank branch across India.

- vii. Bidder shall log into the client e-procurement portal using user id and password as per existing process and selects the RTGS/NEFT payment option.
- viii. Upon doing so, the e-procurement portal shall generate a pre-filled challan. The challan will have all the details that are required by the bidder to make RTGS-NEFT payment.
- ix. Each challan shall therefore include the following details that will be pre-populated:
 - Beneficiary account no: (unique alphanumeric code for e-tendering)
 - Beneficiary IFSC Code:
 - Amount:
 - Beneficiary bank branch:
 - Beneficiary name:
- x. The Bidder shall be required to take a print of this challan and make the RTGS/NEFT on the basis of the details printed on the challan.
- xi. The bidder would remit the funds at least T + 1 day (Transaction + One day) in advance to the last day and make the payment via RTGS / NEFT to the beneficiary account number as mentioned in the challan.
- xii. Post making the payment, the bidder would login to the e-Tendering portal and go to the payment page. On clicking the RTGS / NEFT mode of payment, there would be a link for real time validation. On clicking the same, system would do auto validation of the payment made.

For making payment through Demand Draft against the online Challan generated for OTC:

- H. The intended bidders are required to draw demand draft in favour of below furnished details.

Sr No.	Account title	Account No
1	GOH e-Proc EMD Escrow a/c DSND–HUDA	001305009782

Note –

3. **HUDA will not be liable and will not consider if any payment other than initial EMD/Security Amount is deposited by any bidder on or through <https://haryanaeprocurement.gov.in> portal, for adjustment against balance EMD for allotment of any commercial site and bidder will be fully responsible for the same.**
4. **Successful Bidder has to mandatory deposit the balance amount for auction site through by way of generating “General Purpose Challan” from www.huda.org.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank.**

Note:- Layout plan/map attached in PDF as Annexure-II

Annexure A-III
BROCHURE
CONTAINING
DETAILED TERMS AND CONDITIONS FOR AUCTION OF
Preferential (GP/P/SP) residential/institutional/commercial site/building
“On as is where is basis”
(Strike out which is not applicable)
IN ESTATE OFFICE HUDA
THROUGH E-AUCTION

Start Of E-Auction	AT 09.00 AM ON
Close Of E-Auction	TILL 5.00 PM ON
Online Payment of EMD	All the intended bidders are required to deposit the amount through e-challan which shall be generated online at below mentioned website for e-Auction Event Number “_____”. The e-payment of EMD shall be made in the stipulated time and period specified under clause ‘B’ Of ‘HOW TO PARTICIPATE’ of this brochure.

The Brochure containing detailed Terms and Conditions of e-Auction are available on the website www.huda.org.in & portal <https://haryanaeprocurement.gov.in>

PORTAL FOR E-AUCTION: <https://haryanaeprocurement.gov.in> . The e-auction portal can also be accessed through HUDA website www.huda.org.in

HARYANA URBAN DEVELOPMENT AUTHORITY

Head Office	Plot no C-3, Sector-6, Panchkula.
Estate Office	(Address of respective EO office)
E-mail	(E-mail id of respective EO office)
Tendering Agency	M/s Nextenders Pvt. Ltd, O/o Director, Supplies and disposal Haryana SCO-09, Second Floor, Sector-16, Panchkula, Haryana 134109 contact helpdesk on Toll Free No. 1800-180-2097 and 0172-2582008-09 E-mail: chandigarh@nextenders.com
Timing	Technical Support Assistance will be available over telephone (Helpdesk support team shall not be contacted for online bidding on behalf of the bidders). Monday to Friday (09:00 am. to 5:30 pm)- On working days only & 4th Saturday (11:30 am to 3:00pm) for Training workshop at following locations

Location of Training workshops

<p>Nextenders India Pvt. Ltd.,</p> <p>Municipal Corporation Faridabad, Near B.K. Chowk,</p> <p>Opp. B.K. Hospital NIT, Faridabad</p> <p>Contact No. +91- 8743042801/9310335475</p>	<p>Nextenders India Pvt. Ltd.,</p> <p>Public Health Division No.2 Hisar,</p> <p>Model Town, Opp. N.D. Gupta Hospital,</p> <p>Hisar</p> <p>Contact +91- 9034357793</p>	<p>Nextender India Pvt. Ltd.,</p> <p>Nirman Sadan (PWD B&R),</p> <p>Plot No. 01, Basement, Dakshin Marg, Sector- 33-A, Chandigarh – 160020</p> <p>For Support – 1800-180- 2097, 0172-25822008- 2009</p>
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TERMS AND CONDITIONS FOR E-AUCTION OF
LEFT OUT RESIDENTIAL PLOTS

E-AUCTION WILL START AT 9.00 AM ON -----

A. ELIGIBILITY FOR PARTICIPATION:

1. Any person legally competent to enter into a contract will be eligible to participate in the auction.
2. No bid shall be accepted in the name of any other person(s) unless the name of all the persons making the bid is given specifying their individual share and the person making the bid produces a valid legal power of attorney authorizing him to bid on their behalf and also copy of PAN card of the applicant.
3. In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement.
4. Offer will be received subject to the reserve price and to the right of the Competent Authority, HUDA to accept the bid up-to or beyond such reserve price.
5. The Competent Authority of HUDA shall reserve to itself the right to accept any bid or reject any bid or withdraw any or all the sites from auction or cancel/postpone the e-auction, without assigning any reason thereof.
6. No bid below the reserve price will be accepted.
7. In the event of default or breach or non-compliance of any of the terms and conditions as indicated or for furnishing any wrong or incorrect information at the time of auction etc. the Competent Authority shall have the right to cancel the bid and forfeit whole or any part of the amount paid by the bidder.

B. HOW TO PARTICIPATE:

8. Intending bidders will be required to sign-up and obtain user ID and password on the portal <https://huda.haryanaeprocurement.gov.in> and thereafter earnest Money Deposited (EMD)/ Security and ` 1,000/- towards non-refundable E-service fee for participation in the e-auction. The intending bidders shall be required to deposit the EMD/ Security amount online through RTGS/NEFT/OTC and e-service fee online through debit card/net-banking, as detailed in **Annexure-I**.
9. The intending bidders must ensure that the afore-said amounts are remitted and verified back on <https://huda.haryanaeprocurement.gov.in> portal as specified above **before 5.00 PM on** so as to be eligible to participate in the e-auction. In case of registration, challan generation and remittance of the afore-mentioned amounts after 5.00 PM on, for any reason whatsoever, HUDA will not be liable for non-participation/ automatic rejection of bidder by e-Auction Portal <https://haryanaeprocurement.gov.in> for this e-Auction event.
10. The e-Auction will **start at 9.00 AM on** at the portal <https://haryanaeprocurement.gov.in>. However, in case any bid in respect of any site is received 10 minutes prior to time fixed for closure of the bids i.e. 5.00 PM or further extended time interval, then the time for closure of the complete auction programme would be extended automatically by 10 minutes in addition to Auction Ends Time reflecting on <https://haryanaeprocurement.gov.in>, so that equal opportunity is made available to the persons participating in the bidding process. Such extensions of ten minutes will continue till bids are received within next 10 minutes of last bid for any of the site, otherwise the complete auction event will get concluded.
11. It will be the sole responsibility of the bidder/ participant to obtain a compatible computer terminal with internet connection to enable him/her to participate in e- auction process.

12. The minimum bid incremental value will be as below:-

S r . No.	Reserve price (Rs.)	Minimum bid incremental value (Rs.)	
		During initial time provided i.e. from 9.00 A.M. upto 5.00 P.M.	D u r i n g e x t e n d e d time
1.	Less than or equal to (Rs.) 50 lacs	10,000	20,000
2.	Less than or equal to (Rs.) 1 crore but more than (Rs.) 50 lacs	50,000	1,00,000
3.	Less than or equal to (Rs.) 5 crore but more than (Rs.) 1 crores	1,00,000	2,00,000
4.	More than (Rs.) 5 crores	5,00,000	8,00,000

C. RESERVE PRICE AND DETAIL OF THE SITES:

13. Detail of the sites is as under (layout is at **Annexure ‘II’**): -

Sr. No.	Description of site/ building	Sector	Site No.	Name of U.E.	Area(in sq.mtr.)	Reserve price (Rs. in Lacs)	EMD/ Security amount for each site in Rs.
1							
2							
3							
4							
5							
6							

D. PAYMENT TERMS:

14. The successful/highest bidder shall be required to remit an amount equivalent to 10% of his quoted bid

amount by 5.00 PM of the day succeeding to final bid closing day by way of generating “General Purpose Challan” from www.huda.gov.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank. In case the successful/highest bidder fails to deposit the said amount as specified above, his bid shall stand rejected and the EMD deposited by him for participation in the e-auction shall stand forfeited in favor of HUDA.

15. In addition to the above said payment of 10% of the quoted bid amount, the successful/highest bidder shall be required to furnish the below mentioned documents:
 - a) Self-certified copy of PAN card and passport sized photo of applicant/authorized signatory.
 - b) In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement of sale of its behalf.
 - c) The above said documents would be required to be sent by the successful bidder(s) to the concerned Estate Office, HUDA within a period of 7 days of close of e-auction and the Regular Letter of Allotment in favor of the bidders would be issued only after the concerned Estate Office HUDA receives the said documents along with original challan & bank payment receipt to its satisfaction.
16. After acceptance of the bid, the successful bidder will further be required to deposit another 15% of the bid amount within 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the authority against which successful bidder shall have no claim for damages.
17. Thereafter, remaining 75% amount of the of the above plot/building of the bid amount shall be paid in lump-sum within a period of 120 days (for residential plot) or 180 days (for other categories) from the date of auction, failing which this allotment shall stand cancelled without any notice and money deposited by successful/highest bidder (equal to 25 % of bid amount) shall stand forfeited to the Authority and shall have no claim for the damages.

Note: No separate notice will be sent for payment of the aforesaid payments.

18. All The payments shall be made either through online payment on HUDA Website or off line mode through authorized Banks by generating challan from PPM system on the HUDA website.

E. POSSESSION

19. The possession of the site/plot shall be offered only after full bid amount has been paid to HUDA by successful bidder. In case possession of the plot is not offered within a period of 30 days after deposit of full bid amount , HUDA will pay interest @ 5.5 % per annum (or as may be fixed by Authority from time to time) on the amount deposited by successful bidder till the date of offer of possession. However such interest shall be payable for the period calculated after expiry of 30 days as aforesaid and till the date of offer of possession.
20. However, if due to stay by the Court or litigation or any other circumstances beyond its control, HUDA is not able to offer possession of the plot/site within three months after deposit of full (100%) highest bid amount, the full amount deposited by successful bidder shall be refunded back. The successful bidder will not have any claim, on this site/sites or any other alternate site/sites.

F. CONSTRUCTION

21. The conditions for erection of building on the auctioned site shall be governed by the zoning plan of the site and in case of commercial site also by ‘Standard Design’, in accordance with the Haryana Building Code, 2016 as framed and amended from time to time. The building shall be erected after getting the plans approved from the respective Estate Office, HUDA. The successful bidder shall not make any alterations/additions to

the structure erected on the site without prior/explicit written permission of the Estate Officer.

22. The coverage (passage/verandah) in front of on the site of shop cum-flats/shop cum-office etc. shall not be allowed for any other purpose other than for the public passage.
23. The auction of the sites is being made on the updated FAR permissible under the Haryana Building Code, 2016.
24. The successful bidder will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. The time limit is extendable by the Estate Officer, subject to payment of extension fee as fixed by HUDA from time to time otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it is liable to be forfeited in accordance with the provision of the HUDA Act, 1977. The successful bidder shall not erect any building or make any alteration/addition without prior permission of the Estate Officer.

G. RESUMPTION

25. In the event of breach of any condition, the concerned Estate Officer, HUDA may resume the site in accordance with the provisions of sector 17 of the HUDA Act, 1977 and the money deposited shall be refunded back after forfeiting 10% of the total consideration money, interest and other dues payable upto the date of resumption. No interest shall be paid on such amount to be refunded.
26. Upon resumption, the successful bidder will be free to remove the structure/debris/fixtures, if any, within a period of three months of resumption order at his own cost, failing which it shall be removed by the HUDA at the successful bidder 's cost

H. SURRENDER OF SITE

27. Wherever an successful bidder surrenders the site at any time within 120 days from auction, the concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on such amount to be refunded.
28. The request for surrender has to be submitted online on the PPM system on HUDA website by using the login Id and password allotted by HUDA. Surrender by any other mode shall not be acceptable.

I. OTHER TERMS & CONDITIONS:

29. The sale of site/building shall be subject to the general terms and conditions as contained in the allotment letter appended to Haryana Urban Development Authority (Disposal of lands building) Regulations, 1978 and the provisions of HUDA Act, 1977, the rules/ regulations/code/instructions/guidelines as may be applicable there in and amended from time to time.
30. The site shall continue to belong to HUDA until the entire bid money together with interest and other amount due to HUDA on account of sale of site is paid and deed of conveyance in favour of successful bidder is executed. The successful bidder shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of the concerned Estate Officer, HUDA even after execution of Deed of Conveyance. Successful bidder may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of price including dues etc. of the plot but prior written permission of the concerned Estate Officer, HUDA shall be required.
31. On payment of 100% of the bid amount/interest etc. the successful bidder shall get the deed of conveyance executed in his favour in the prescribed form and in such manner as may be directed by the concerned Estate Officer, HUDA. The deed of conveyance shall be executed within one year of making payment of full price of the plot/ building. However, in case of failure to so execute the conveyance deed in one year period specified herein, the conveyance deed shall be executable on the stamp duty on value of site calculated at the prevailing

collector rates prevailing in the year of its execution or auction price whichever is higher. The charges for the registration and stamp duty will be paid by the successful bidder.

32. The successful bidder shall have to pay all general and local taxes, rates or cesses imposed or assessed on the said site by the competent authority.
33. The site shall not be used for any purpose other than that for which it has been allotted. No obnoxious activity shall be carried out on the site. However, as per HUDA Regulations 1978 and policy issued there-under and amended from time to time, non nuisance professional consultancy services are permitted as per policy in case of residential plots only.
34. The site shall not be subdivided or fragmented under any circumstances. However, registration of independent floors is permitted as per policy in case of residential plots only.
35. The HUDA shall not be responsible for leveling of uneven sites and the sites are being auctioned on 'As is where is basis'.
36. The successful/highest bidder shall have to pay construction material, bricks, structures and compound wall etc. existing in successful bidder plot at the time of allotment of which compensation has been assessed and paid by the Authority, if successful/highest bidder want to make use of the same.
37. The Authority reserves to itself all mines and mineral whatever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same at all such times in such manner as the Authority shall think fit, with power to carry out any surface or any site and sink pits, erect buildings, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.

Provided that the successful bidder shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between the successful bidder and the authority or failing such agreement as shall be ascertained by reference to Arbitration.
38. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours in writing enter in or upon any part of the said land/building erected thereon for the purpose of ascertaining that the successful bidder has duly performed and observed the conditions to be observed under the rule/regulations applicable under the HUDA Act.
39. The Authority shall have full rights, power and authority at all times to do through its officers or servant all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to recover from successful/highest bidder as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in and any way relating thereto.
40. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Govt. servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.

J. LAYOUT PLAN:

41. As per Annexure-II

Guideline for Online Payments at e-Procurement Portal of Govt. of Haryana

Post registration, bidder shall proceed for bidding by using his Password. Bidder shall proceed to select the event he is interested in. On the respective Department's page in the e-Procurement portal, the Bidder would have following options to make payment for tender document fee & EMD:

- I. Debit Card
- J. Net Banking
- K. RTGS/NEFT

Operative Procedures for Bidder Payments:-

C) Debit Card

The procedure for paying through Debit Card will be as follows.

- (xix) Bidder selects Debit Card option in e-Procurement portal.
- (xx) The e-Procurement portal displays the amount and the card charges to be paid by bidder. The portal also displays the total amount to be paid by the bidder.
- (xxi) Bidder clicks on "Continue" button
- (xxii) The e-Procurement portal takes the bidder to Debit Card payment gateway screen.
- (xxiii) Bidder enters card credentials and confirms payment
- (xxiv) The gateway verifies the credentials and confirms with "successful" or "failure" message, which is confirmed back to e-Procurement portal.
- (xxv) The page is automatically routed back to e-Procurement portal
- (xxvi) The status of the payment is displayed as "successful" in e-Procurement portal. The e-Procurement portal also generates a receipt for all successful transactions. The bidder can take a print out of the same,
- (xxvii) The e-Procurement portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

D) Net Banking

The procedure for paying through Net Banking will be as follows.

- (xvii) Bidder selects Net Banking option in e-Procurement portal.
- (xviii) The e-Procurement portal displays the amount to be paid by bidder.
- (xix) Bidder clicks on "Continue" button

- (xx) The e-Procurement portal takes the bidder to Net Banking payment gateway screen displaying list of Banks
 - (xxi) Bidder chooses his / her Bank
 - (xxii) The Net Banking gateway redirects Bidder to the Net Banking page of the selected Bank
 - (xxiii) Bidder enters his account credentials and confirms payment
 - (xxiv) The Bank verifies the credentials and confirms with “successful” or “failure” message to the Net Banking gateway which is confirmed back to e-Procurement portal.
 - (xv) The page is automatically routed back to e-Procurement portal
 - (xvi) The status of the payment is displayed as “successful” in e-Procurement portal.
- The e-Procurement portal also generates a receipt for all successful transactions. The bidder can take a print out of the same.
- (xvii) The e-Procurement portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

E) RTGS/ NEFT/OTC

- The bidder shall have the option to make the EMD payment via RTGS/ NEFT/OTC. Using this module, bidder would be able to pay from their existing Bank account through RTGS/NEFT. This would offer a wide reach for more than 90,000 bank branches and would enable the bidder to make the payment from almost any bank branch across India.
- xiii. Bidder shall log into the client e-procurement portal using user id and password as per existing process and selects the RTGS/NEFT payment option.
 - xiv. Upon doing so, the e-procurement portal shall generate a pre-filled challan. The challan will have all the details that are required by the bidder to make RTGS-NEFT payment.
 - xv. Each challan shall therefore include the following details that will be pre-populated:
 - Beneficiary account no: (unique alphanumeric code for e-tendering)
 - Beneficiary IFSC Code:
 - Amount:
 - Beneficiary bank branch:
 - Beneficiary name:
 - xvi. The Bidder shall be required to take a print of this challan and make the RTGS/NEFT on the basis of the details printed on the challan.
 - xvii. The bidder would remit the funds at least T + 1 day (Transaction + One day) in advance to the last day and make the payment via RTGS / NEFT to the beneficiary account number as mentioned in the challan.
 - xviii. Post making the payment, the bidder would login to the e-Tendering portal and go to the payment page. On

clicking the RTGS / NEFT mode of payment, there would be a link for real time validation. On clicking the same, system would do auto validation of the payment made.

For making payment through Demand Draft against the online Challan generated for OTC:

- L. The intended bidders are required to draw demand draft in favour of below furnished details.

Sr No.	Account title	Account No
1	GOH e-Proc EMD Escrow a/c DSND-HUDA	001305009782

Note –

5. **HUDA will not be liable and will not consider if any payment other than initial EMD/Security Amount is deposited by any bidder on or through <https://haryanaeprocurement.gov.in> portal, for adjustment against balance EMD for allotment of any commercial site and bidder will be fully responsible for the same.**
6. **Successful Bidder has to mandatory deposit the balance amount for auction site through by way of generating “General Purpose Challan” from www.huda.org.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank.**

Note:- Layout plan/map attached in PDF as Annexure-II

FORM “CC-B”**Registered**

HARYANA URBAN DEVELOPMENT AUTHORITY

Estate Office, _____.

FORM “CC-B”

(See Regulation-6 (2))

(Form of Allotment letter, for allotment made on free-hold basis through e-auction for booths/kiosks)

Photograph of Allottee(s)

To

Memo No. : EO()/

Dated _____

**Subject: Allotment by sale of Booths/kiosks site/building No. _____ Situated in sector- _____
Urban Estate _____ on free hold basis.**Please refer to your bid for site/building No. _____ in Sector _____ Urban Estate
_____ auctioned on as is where is basis.

2. Your bid for plot/building No. _____ in Sector on _____ Urban Estates. _____ has been accepted and the plot/building as detailed below, has been allotted to you on free hold basis as per the following terms and conditions and subject to the provisions of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the Rules/ Regulations/ Code/ Instructions/ guidelines applicable thereunder and as amended from time to time including terms and conditions as already announced at the time of auction and accepted by you.

Sector No.	Name of Urban Estate	Plot/building No.	Approximate dimension or description as notified at the time of auction	Area (In sq.mtr.)	Price (in ₹.)

3. The sum of ` ____ deposited by you towards 10% of bid amount will be adjusted against the price of the plot/building.
4. You shall deposit another 30% of the bid amount i.e. ` _____/- in order to make the 40% price of the said plot/building within a period of 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the Authority, against which you shall have no claim for damages.
5. Thereafter, remaining 60% amount i.e. ` _____ of the bid amount of the said plot/building shall be paid in lumpsum without interest within a period of 60 days from the date of auction or in 6 half yearly installments. First installment will fall due after expiry of 6 months from the date of auction. Each installment would be recoverable together with interest @ 9% per annum on the remaining amount as mentioned in clause No.30 of this allotment letter. However, In case balance 60% amount of the total bid amount is paid in lump-sum within a period of 60 days from the date of auction, rebate of 5% in the total price will be allowed.
6. The possession of the plot/building is hereby offered to you which may be taken immediately after making payment of balance 30% amount as demanded in Sr. No. 4 above, as the development works (basic amenities) within the area are already complete. Development works for this purpose shall mean provision of basic amenities i.e. road upto WBM level, water, electricity and sewerage.
7. No separate notice will be sent for payment of the aforesaid payments.
8. All the payments/installments shall be made either through online payment on HUDA Website or through off line mode through authorized Banks by generating challan from PPM System on the HUDA website. The payment of installment (s) by due date is mandatory. In case, payment of installment (s) is not made by the due date, then you shall be liable to pay interest on the delayed payments. At present, the interest on delayed payment of installment is payable @ 12% p.a. on simple interest basis. In future you shall have to pay the interest, simple or compound and at such rate, on the delayed payment of installments as decided by the Authority from time to time irrespective of the fact whether the possession has been offered or not without the prejudice to the rights of Authority to take action u/s 17 of HUDA Act.
9. In case the installment is not paid by due date, the Estate Officer shall proceed to take action for imposition of penalty & resumption of plot in accordance with the provisions of section 17 of the Act.
10. Wherever in case you surrender the site at any time **prior to construction**, the concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on the refunded amount.
11. The request for surrender has to be submitted online on the PPM system on HUDA Website by using the login id and password allotted by HUDA. Surrender by any other mode shall not be acceptable.
12. However, if due to stay by the Court or litigation or circumstances beyond its control, HUDA is not able to offer possession of the plot/site within three months after deposit of the entire bid amount and interest, the full amount deposited by you shall be refunded back with simple interest @ 5.5 % per annum to be

calculated only on the bid amount paid by you. You will not have any claim, on this site/sites or any other alternate site-sites.

13. In the event of breach of any condition, the Estate Officer, HUDA may resume the site in accordance with the provisions of Section-17 of the Act and the money deposited shall be refunded back after forfeiting 10% of the total consideration money, interest and other dues payable upto the date of resumption. No interest will be paid on such amount to be refunded.
14. upon resumption, You will be free to remove the structure/debris/fixtures, if any, within a period of three months of resumption order at your own cost, failing which it shall be removed by the HUDA at your cost.
15. The site shall continue to belong to HUDA until the entire bid money together with interest and other amount due to HUDA on account of sale of site is paid and deed of conveyance in your favour is executed. You shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of the concerned Estate Officer, HUDA even after execution of Deed of Conveyance. You may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of price including dues etc. of the plot but prior written permission of the concerned Estate Officer, HUDA shall be required.
16. On payment of 100% of the bid amount and interest etc. you shall get the deed of conveyance executed in your favour in the prescribed form and in such manner as may be directed by the concerned Estate Officer, HUDA. The deed of conveyance shall be executed within one year of making payment of full price of the plot/building. However, in case of failure to so execute the conveyance deed in one year period specified herein, the conveyance deed shall be executable on the stamp duty on value of site calculated on the collector rates prevailing in the year of such execution or auction price whichever is higher. The charges for the registration and stamp duty will be paid by you.
17. The conditions for erection of building on the auctioned site shall be governed by the zoning plan of the site or 'Standard Design' of the site and in accordance with the Haryana Building Code, 2016 as framed and amended from time to time. The building shall be erected after getting plans approved from the respective Estate Office, HUDA. You shall not make any alterations/additions to the structure erected on the site without prior/explicit written permission of the Estate Officer.
18. The coverage (passage/verandah) in front of the site of booth/kiosks shall not be allowed for any other purpose other than for the public passage.
19. You will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the rule/regulations/code governing the erection of buildings. The time limit is extendable by the Estate Officer, subject to payment of extension fee as fixed by HUDA from time to time, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it is liable to be forfeited in accordance with the provision of the Act. You shall not erect any building or make any alteration/addition without prior permission of the Estate Officer.
20. The plot/building shall not be used for any purpose other than that for which it has been allotted in accordance with the plans approved by the competent authority. No obnoxious trade shall be carried out in or on any land/building.
21. The site shall not be subdivided or fragmented under any circumstances.
22. You shall have to pay all general and local taxes, rates or cesses imposed or assessed on the said land/building by the competent authority.
23. You shall have to pay separately for any construction material, bricks, structures and compound wall etc.

existing in your plot at the time of allotment of which compensation has been assessed and paid by the Authority, if you want to make use of the same.

24. The Authority will not be responsible for leveling the uneven site as the site has been auctioned on 'As is where is basis'.

25. The Authority reserves to itself all mines and mineral whatever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same at all such times in such manner as the Authority shall think fit, with power to carry out any surface or any underground working and to let down the surface of all or any part of the said site and to sink pits, erect buildings, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.

Provided that the allottee shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between the allottee and the Authority or failing such agreement as shall be ascertained by reference to Arbitration.

26. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours in writing enter in or upon any part of the said land/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the rule/regulations applicable under the said Act.

27. The Authority shall have full rights, power and authority at all times to do through its officers or servant all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to recover from you as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in and any way relating thereto.

28. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief Administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Govt. servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.

29. Half yearly installments will fall due on _____ & _____ of every year. The details of half yearly installments are as under:-

Installment No.	Principal (in ₹)	interest (in ₹)	Total (in ₹)
1.			
2.			
3.			
4.			
5.			
6.			

Estate Officer

HUDA_____

Note:

1. If the Allottee Appoints any attorney he/she shall submit the certified copy of the registered attorney along with photographs and signatures of the allottee and attorney duly attested by the magistrate within a week from the registration of the deed by Regd/A/D post or in person.
2. Any change in address must be intimated to this office within a week by registered A.D POST/IN PERSON.
3. You are requested to submit affidavit of three specimen signatures and one stamp size photographs duly attested by the Executive Magistrate within a week for record of this office.
4. You are also requested to submit the Marital status of all the allottees i.e. Married/Unmarried/Single/Widow. In case of widow, the date of death of spouse may be intimated.

HARYANA URBAN DEVELOPMENT AUTHORITY

Estate Officer, _____.

FORM "CC-G"

(See Regulation-6 (2))

(Form of Allotment letter, for allotment made on free-hold basis through e-auction for preferential (GP/P/SP) residential/ institutional/commercial plots/building)

Photograph of Allottee(s)

To

Memo No. : EO()/

Dated _____

Subject: **Allotment by sale of preferential (GP/ P/SP)residential/ institutional/commercial site/building No. _____ Sector- _____, Urban Estate, _____ on free hold basis.**

Please refer to your bid for site/building No. _____ in Sector _____, Urban Estate, _____ auctioned on as is where is basis.

1. Your bid for plot/building No. _____ in Sector _____ Urban Estate, _____ has been accepted and the plot/building as detailed below, has been allotted to you on free hold basis as per the following terms and conditions and subject to the provisions of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the Rules/Regulations/Code/Instructions/guidelines applicable thereunder and as amended from time to time including terms and conditions as already announced at the time of auction and accepted by you.

Sector No.	Name of Urban Estate	Plot/building No.	Approximate dimension or description as notified at the time of auction	Area (In sq.mtr.)	Price (in ₹.)

- The sum of ` _____ deposited by you towards bid money will be adjusted against the plot/building.
- Further you are requested to remit ` _____/- in order to make the 25% price of the said plot/building within a period of 45 days (Upto _____) from the date of auction. In case of failure to deposit the

said amount within the above specified period, the allotment shall be cancelled and the 10% amount towards bid money shall stand forfeited to the Authority, against which you shall have no claim for damages.

4. Thereafter, remaining 75% amount i.e. `_____ of the above plot/building of the bid amount shall be paid in lumpsum within a period of 120 days (for residential plots) or 180 days (for other categories) from the date of auction, failing which this allotment shall stand cancelled without any notice and money deposited by you (equal to 25% of bid amount) shall stand forfeited to the authority and you shall have no claim for the damages.
5. No separate notice will be sent for payment of the aforesaid payments.
6. All payments shall be made either online on HUDA Website or off line mode through authorized Banks by generating challan from the HUDA website.
7. Wherever an allottee surrenders the site at any time within a period of 120 days (for residential plot) or 180 days (for other categories) from the date of auction, the concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on such amount to be refunded.
8. The request for surrender has to be submitted online on the PPM system on HUDA Website by using the login id and password allotted by HUDA. Surrender by any other mode shall not be acceptable.
9. The possession of the site/plot shall be offered only after full bid amount has been paid to HUDA by you. In case possession of the plot is not offered within a period of 30 days after deposit of full bid amount ,HUDA will pay interest @ 5.5 % (or as may be fixed by Authority from time to time) on the amount deposited by you till the date of offer of possession. However, such interest shall be payable for the period calculated after expiry of 30 days as aforesaid and till the date of offer of possession.
10. However, if due to stay by the Court or litigation or circumstances beyond its control, HUDA is not able to offer possession of the plot/site within three months after deposit of full (100%) bid amount, the full amount deposited by you shall be refunded back. You will not have any claim on this site/sites or any other alternate site/sites.
11. In the event of breach of any condition, the Estate Officer, HUDA may resume the site in accordance with the provisions of section 17 of the Act and the money deposited shall be refunded back after forfeiting 10% of the total consideration money, interest and other dues payable upto the date of resumption. No interest shall be paid on such amount to be refunded.
12. Upon resumption, you will be free to remove the structure/debris/fixtures, if any, within a period of three months of resumption order at your own cost, failing which it shall be removed by the HUDA at your cost.
13. The site shall continue to belong to HUDA until the entire bid money together with interest and other amount due to HUDA on account of sale of site is paid and deed of conveyance in your favour is executed. You shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of the concerned Estate Officer, HUDA even after execution of Deed of Conveyance. You may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of price including dues etc. of the plot but prior written permission of the concerned Estate Officer, HUDA shall be required.
14. On payment of 100% of the bid amount and interest, if any, etc., you shall get the deed of conveyance executed in your favour in the prescribed form and in such manner as may be directed by the concerned Estate Officer, HUDA. The deed of conveyance shall be executed within one year of making payment of full price of the plot/ building. However, in case of failure to so execute the conveyance deed in one year period specified herein, the conveyance deed shall be executable on the stamp duty on value of site calculated at the prevailing collector rates prevailing in the year of its execution or auction price whichever is higher. The charges for the registration and stamp duty will be paid by you.

15. The site shall not be used for any purpose other than that for which it has been allotted. No obnoxious activity shall be carried out on the site. However, as per HUDA Regulations, 1978 and policy issued there-under and amended from time to time, non nuisance professional consultancy services are permitted in case of residential plots only.
16. The site shall not be subdivided or fragmented under any circumstances. However, registration of independent floors is permitted as per policy in case of residential plots only.
17. You shall have to pay all general and local taxes, rates or cesses imposed or assessed on the said land/building by the competent authority.
18. You shall have to pay separately for any construction material, bricks, structures and compound wall etc. existing in your plot at the time of allotment of which compensation has been assessed and paid by the Authority, if you want to make use of the same.
19. The Authority will not be responsible for leveling sites as site has been auctioned on as is where is basis.
20. The conditions for erection of building on the auctioned site shall be governed by the zoning plan of the site and in case of commercial site also by 'Standard Design', in accordance with the Haryana Building Code, 2016 as framed and amended from time to time. The building shall be erected after getting the plans approved from the respective Estate Officer, HUDA. You shall not make any alterations/additions to the structure erected on the site without prior/explicit written permission of the Estate Officer.
21. In case of commercial sites, the coverage (passage/verandah) in front of on the site of booths/shop cum-flats/ shop cum-office etc. shall not be allowed for any other purpose other than the public passage.
22. You will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. The time limit is extendable by the Estate Officer, subject to payment of extension fee as fixed by HUDA from time to time, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it is liable to be forfeited in accordance with the provision of the Act. You shall not erect any building or make any alteration/ addition without prior permission of the Estate Officer.
23. The Authority reserves to itself all mines and mineral whatever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same at all such times in such manner as the Authority shall think fit, with power to carry out any surface or any underground working and to let down the surface of all or any part of the said site and to sink pits, erect buildings, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.

Provided that the allottee shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between the allottee and the Authority or failing such agreement as shall be ascertained by reference to Arbitration.
24. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours in writing enter in or upon any part of the said land/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the rule/ code/regulations applicable under the said Act.
25. The Authority shall have full rights, power and authority at all times to do through its officers or servant all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to recover from you as first charge upon the said land/ building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in and any way relating thereto.

26. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief Administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Govt. servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.

Estate Officer

HUDA_____

Note:

1. If the Allottee Appoints any attorney he/she shall submit the certified copy of the registered attorney along with photographs and signatures of the allottee and attorney duly attested by the magistrate within a week from the registration of the deed by Regd/A/D post or in person.
2. Any change in address must be intimated to this office within a week by registered A/D post or in person.
3. You are requested to submit affidavit of three specimen signatures and one stamp size photographs duly attested by the Executive Magistrate within a week for record of this office.
4. You are also requested to submit the Marital status of all the allottees i.e. Married/Unmarried/Single/Widow. In case of widow, the date of death of spouse may be intimated.

FORM “CC-R”**Registered****HARYANA URBAN DEVELOPMENT AUTHORITY**

Estate Officer, _____.

FORM “CC-R”

(See Regulation-6 (2))

(Form of Allotment letter, for allotment made on free-hold basis –through e-auction for left out resident plots)

P H O T O G R A P H O F A L L O T T E E (S)

To

Memo No. : EO()/

Dated _____

Subject: **Allotment by sale of left out residential plots kept for last 10 years site/building No. ____ in Sector- _____, Urban Estate _____ on free hold basis.**

Please refer to your bid for site/building No. _____ in Sector _____ at _____ auctioned on as is where is basis.

30. Your bid for plot/building No. ____ in Sector _____ Urban Estate _____ has been accepted and the plot/building as detailed below, has been allotted to you on free hold basis as per the following terms and conditions and subject to the provisions of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the Rules/ Regulations/ code/ instructions/guidelines applicable thereunder and as amended from time to time including terms and conditions as already announced at the time of auction and accepted by you.

Sector No.	Name of Urban Estate	Plot/building No.	Approximate dimension or description as notified at the time of auction	Area (In sq.mtr.)	Price (in ₹.)

31. The sum of ` _____/- deposited by you towards bid amount will be adjusted against the price of the plot/building.

32. Further you are requested to remit `_____/- in order to make the 25% price of the said plot/building within a period of 45 days (upto_____) from the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards the bid money shall stand forfeited to the Authority, against which you shall have no claim for damages.
33. Thereafter, remaining 75% amount i.e. `_____ of the bid amount of the above plot/building shall be paid within a period of 120 days from the date of auction without interest, failing which this allotment shall stand cancelled without any notice and money deposited by you (equal to 2% of highest bid) shall stand forfeited and you shall have no claim for the damages.
34. No separate notice will be sent for payment of the aforesaid payments.
35. All payments shall be made either through online mode on HUDA Website or off line mode through authorized Banks by generating challan from PPM on the HUD A website.
36. Wherever in case you surrender the site at any time within a period of 120 days from auction, the concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on such amount to be refunded.
37. The request for surrender has to be submitted online on the PPM module on HUDA Website by using the login id and password allotted by HUDA. Surrender by any other mode shall not be acceptable.
38. The possession of the site/plot shall be offered only after full bid amount has been paid to HUDA by you. In case possession of the plot is not offered within 30 days after deposit of full bid amount, HUDA will pay interest @ 5.5 % P.A. (or as may be fixed by Authority from time to time) on the amount deposited by you till the date of offer of possession. However such interest shall be payable for the period calculated after expiry of 30 days as aforesaid and till the date of offer of possession.
39. However, if due to stay by the Court or litigation or any other circumstances beyond its control, HUDA is not able to offer possession of the plot/site within three months after deposit of full (100%) highest bid amount, the full amount deposited by you shall be refunded back you, will not have any claim, on this site/sites, or any other site/ sites.
40. In the event of breach of any condition, the concerned Estate Officer, HUDA may resume the site in accordance with the provisions of sector 17 of the HUDA Act, 1977 and the money deposited shall be refunded back after deducting 10% of the total consideration money, interest and other dues payable upto the date of resumption. No interest shall be paid on such amount to be refunded.
41. Upon resumption, you will be free to remove the structure/debris/fixtures, if any, within a period of three months of resumption order at his own cost, failing which it shall be removed by the HUDA at your cost.
42. The site shall continue to belong to HUDA until the entire bid money together with interest and other amount due to HUDA on account of sale of site is paid and deed of conveyance in your favour is executed. You shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of the concerned Estate Officer, HUDA even after execution of Deed of Conveyance. You may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of price including dues etc. of the plot but prior written permission of the concerned Estate Officer, HUDA shall be required.
43. On payment of 100% of the bid amount and interest, if any, etc., you shall get the deed of conveyance executed in your favour in the prescribed form and in such manner as may be directed by the concerned Estate Officer, HUDA. The deed of conveyance shall be executed within one year of making payment of full price of the plot/ building. However, in case of failure to so execute the conveyance deed in one year period specified

herein, the conveyance deed shall be executable on the stamp duty on value of site calculated at the prevailing collector rates prevailing in the year of its execution or auction price whichever is higher. The charges for the registration and stamp duty will be paid by you.

44. The site shall not be used for any purpose other than that for which it has been allotted. No obnoxious activity shall be carried out on the site. However, as per HUDA Regulations, 1978 and policy issued there-under and amended from time to time, non nuisance professional consultancy services are permitted.
45. The site shall not be subdivided or fragmented under any circumstances. However, registration of independent floors is permitted as per policy.
46. You shall have to pay all general and local taxes, rates or cesses imposed or assessed on the said land/building by the competent authority.
47. You shall have to pay separately for any construction material, bricks, structures and compound wall etc. existing in your plot at the time of allotment of which compensation has been assessed and paid by the Authority, if you want to make use of the same.
48. The Authority shall not be responsible for leveling of uneven sites and the sites are being auctioned on as is where is basis.
49. The conditions for erection of building on the auctioned site shall be governed by the zoning plan of the site and in accordance with the Haryana Building Code, 2016 as framed and amended from time to time. The building shall be erected after getting the plans approved from the respective Estate Officer, HUDA. You shall not make any alterations/additions to the structure erected on the site without prior/explicit written permission of the Estate Officer.
50. This allotment shall be at the old FAR existing prior to implementation of Haryana Building Code, 2016 and additional FAR permissible under Haryana Building Code, 2016, shall have to be purchased separately by the allottee on payment of charges as approved by the Govt. from time to time.

Plot Size	Max. permissible coverage on each floor	FAR		
		Now being allotted	Additional Purchasable	Total
Upto 3-Marla	66	1.65	0.33	1.98
4-marla	66	1.65	0.33	1.98
6-Marla	66	1.45	0.53	1.98
8-Marla	66	1.45	0.53	1.98
10-marla	66	1.45	0.53	1.98
14-Marla	60	1.30	0.50	1.80
1-kanal	60	1.20	0.60	1.80
2-kanal	60	1.00	0.80	1.80

51. You will have to complete the construction within two years of the date of offer of possession after getting

the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. The time limit is extendable by the Estate Officer, subject to payment of extension fee as fixed by HUDA from time to time, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it is liable to be forfeited in accordance with the provision of the Act. You shall not erect any building or make any alteration/ addition without prior permission of the Estate Officer.

52. The Authority reserves to itself all mines and mineral whatever in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same at all such times in such manner as the Authority shall think fit, with power to carry out any surface or any underground working and to let down the surface of all or any part of the said site and to sink pits, erect buildings, construct lines and generally appropriate and use surface of the said site for the purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.

Provided that you shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between you and the Authority or failing such agreement as shall be ascertained by reference to Arbitration.

53. The Authority may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours in writing enter in or upon any part of the said land/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the rule/ code/ regulations applicable under the said Act.
54. The Authority shall have full rights, power and authority at all times to do through its officers or servant all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to recover from you as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in and any way relating thereto.
55. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief Administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government servant or an officer of the Authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Government servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.

Estate Officer

HUDA_____

Note:

5. If the Allottee Appoints any attorney he/she shall submit the certified copy of the registered attorney along with photographs and signatures of the allottee and attorney duly attested by the magistrate within a week from the registration of the deed by Regd./A.D post or in person.
6. Any change in address must be intimated to this office within a week by registered A.D post or in person.
7. You are requested to submit affidavit of three specimen signatures and one stamp size photographs duly attested by the Executive Magistrate within a week for record of this office.
8. You are also requested to submit the Marital status of all the allottees i.e. Married/Unmarried/Single/Widow. In case of widow, the date of death of spouse may be intimated.

MAINTENANCE OF BOOKS OF ACCOUNTS

To

1. All the Zonal Administrators cum ADUE,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA/CCF/AO-Cash/2017/131655

Dated: 14.07.2017

Subject:- Release of funds for disbursement of pending payments of compensation/ Enhanced Compensation of all LAO's as per priority list uploaded on the HUDA website.

1. In continuation to this office letter No. 116482, dated 23.06.2017 ,No.118667-68, dated 28.6.2017 and 123016 dated 04.07.2017 on the subject cited above.
2. As per the existing procedure for payment of the original award as well as enhanced compensation to the land owners, each LAO is sending email request to PNB, Manimajra by giving beneficiary bank account No., IFSC code and HUDA bank account number from which payment is to be debited, for making payment by NEFT/RTGS. Such mails are being sent in piecemeal manner.
3. The PNB staff finds it tedious to compile the data as such piecemeal system is not fool proof and there are chances of some email getting lost.
4. To streamline the system, the following procedure is prescribed:-
 - (i) Henceforth, the LAO shall periodically (1st& 3rd Monday of every Month) send consolidated details to the PNB on mail id rd_303@pnb.co.in in the enclosed excel format. He shall also take printout of the consolidated list and physically sign each paper and send scanned copy of consolidated list in the PDF , in the same mail. In other words, the email shall have two attachments i.e. one containing consolidated data in excel format and second having scanned copies of physically signed consolidated list.
 - (ii) The mail from LAO not accompanied by scanned copies of physically signed consolidated list, shall not be entertained by the PNB and shall be returned to the respective LAO for sending scanned signed copies.
 - (iii) PNB server can accept upto 225 entries per excel file, therefore, each excel file sent should have a maximum of upto 225 entries only.
 - (iv) Such lists shall be assigned running serial number as per details below in the column “ Enter File Name (Without extension)” of the excel sheet:-

For example LAO Gurgaon office

Sr. No.	Running Sr.No. under “ Enter File Name (Without extension)”	Type of cases
1.	A001/LAO GGN	Original Award
2.	E 001/EDC/LAO GGN	Enhancement payments for EDC land
3.	E 001/Non EDC/LAO GGN	Enhancement payments for Non EDC land

- (v) The next running numbers shall be 002, 003,004,..... and so on. The numbering shall be done sequentially in running numbers. The other LAOs may name the file by using “ Fbd, PKL,

HSR, RTK” by LAO Fbd, PKL, HSR, RTK respectively instead of GGN as above. For example file name by LAO Faridabad shall be ”A 001/LAO Fbd”

- (vi) The excel sheet not bearing running file number shall not be entertained by PNB Manimajra.

The mails sent by LAO from the existing mail ids as below shall only be taken as valid mails by the PNB Manimajra. Each LAO shall be fully and solely responsible for security of the password of his respective mail id.

Sr.No.	Land Acquisition Office	Email id
1	Gurgaon	laogurgaon@gmail.com
2	Faridabad	laofaridabad@gmail.com
3	Hisar	laohisar1@gmail.com
4	Rohtak	laorohtak1@gmail.com
5	Panchkula	laopanchkula@gmail.com

- (viii) PNB Manimajra shall send the reverse file by email (in the first week of every Month) to the respective LAO containing the details where payments have been made by PNB.
3. The above instructions may be followed strictly in letter and split.

-sd-

Chief Account Officer
for Chief Controller of Finance
HUDA, Panchkula

CC:-

1. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions.
2. Manager, PNB Manimajra

HARYANA SHEHRI VIKAS PRADHIKARN SECTOR 6 PANCHKULA

To

1. All the Zonal Administrators,
HUDA in the state.
2. Chief Engineer-I,II
HUDA, Panchkula
3. All the Executive Engineers,
HUDA in the state.

Memo No.HUDA/CCF/AO-Cash/2017/ 92535

Dated- 23.05.2017

Subject: Maintenance of **separate Books of Accounts** for **EDC works** and **non EDC works**.

Please refer to the subject cited above.

1. The funds are being released to Engineering wing of HUDA for the following expenditure:-
 - (i) To meet the revenue like salary and wages and other office expenses.
 - (ii) To meet the expenditure of electricity bills and other statutory payments.
 - (iii) To execute the development works relating to EDC works.
 - (iv) To execute the development works relating to Non EDC works.
 - (v) To make payments of land acquisitions.
2. In the budget of 2017-18, a new scheme namely “Mangal Nagar VikasYojna” has been announced. From financial year 2017-18, the receipts on account of EDC shall be deposited in the Consolidated Fund of the State under Major Head-0217 receipts.The State Govt. shall release the funds to HUDA from time to time for execution of EDC works.
3. As a result, now EDC works by HUDA shall be executed as “Deposit works” on behalf of DGTCP office. HUDA shall be required to submit the utilization Certificate to DGTCP in respect of the EDC amount received. Therefore, it is necessary that HUDA should keep separate books of accounts for EDC works and Non EDC works.
4. Accordingly, the following procedure is being prescribed:-
 - (i) The requisition for release of EDC and Non EDC funds shall be separately submitted by the Engineering Wing HUDA to the Accounts Wing.
 - (ii) Separate GL / SL head in FAS for booking of expenditure of EDC works are being opened. The existing GL/ SL head shall be used only for Non EDC purpose in the books of accounts.

EDC works

Sr No.	GL Code	GL Head
1	400113	Payment of Enhancements Compensation for EDC work
2	400114	Continuous Work for EDC work
3	400115	New Work for EDC work
4	400116	Building Work for EDC work
5	400117	Special repair for EDC work

6	400118	Annual Maintenance for EDC work
7	400119	Repair and Maintenance of Machinery for EDC Work
8	400120	Annual maintenance of sectors Less than 10 years for EDC Work
9	400121	Annual maintenance of sectors beyond 10 years for EDC Work
10	400122	Expenditure on State Sports Complex Rohtak for EDC Work

Non EDC works

Sr No.	GL Code	GL Head
1	400001	Payment of Enhancements Compensation
2	400002	Continuous Work
3	400003	New Work
4	400004	Building Work
5	400005	Special repair
6	400006	Annual Maintenance
7	400043	Repair and Maintenance of Machinery
8	400044	Annual maintenance of sectors Less than 10 years
9	400045	Annual maintenance of sectors beyond 10 years

- (iii) The revenue expenditure like salary and wages, advertisement expenses, Petrol expenses (POL), maintenance of vehicles (MOV), travelling expenses enforcement expenses and other offices expenses cannot be book separately for EDC and Non EDC works. Therefore, it has been decided that the revenue expenditure may be booked proportionately i.e. 60% for EDC works and 40% for Non EDC works. The adjustment entry for the year will be passed at the time of preparation of Balance Sheet.
- (iv) Separate New Bank Accounts for expenditure of EDC has been opened for each division with PNB Manimajra (For Panchkula, Gurugram and Faridabad Zone and HDFC Bank, Sector 17 Chandigarh (for Hisar&Rohtak Zone).The existing bank accounts of the division shall be operated as Non EDC A/c. The amount from EDC Bank Account shall be spent only on EDC works and similarly, amount from Non EDC Bank Account shall be spent only for the non EDC works. The detail of Bank Account and GL head is enclosed **at Annexure-I**.
5. As there is pendency of payments to be made, a need has been felt to have a transparent system to arrive at the priority while making payments.
- (i) The engineering wing shall prepare a priority list division wise on the basis of sanction issued by concerned Executive Engineer for payment to be made to the contractors.
- (ii) This list shall be separately prepared for EDC works and Non EDC works. The payment to the contractors will be made by using FIFO method (First in First out) as per seniority.
- (iii) All payments of less than Rs.1 crore shall be released first. In respect of any sanction involving more than Rs.1 crore, amount shall be released in installments of Rs. 1 crore each.
- (iv) For example in the following case,

Case	Amount (Rs. in crores)
A	0.75
B	0.55
C	1.8
D	5.9
E	10.8

Payment of A & B shall be made in full. Thereafter, Rs.1 crore payment each shall be made to C, D & E. In the 2nd installment, Rs 0.8 Cr shall be paid to C & Rs.1 Cr. Each to D & E. and so on. It is reemphasized that the amount from EDC Bank Account shall be spent only on EDC works and similarly, amount from Non EDC Bank Account shall be spent only for the non EDC works.

- (v) **For Non EDC Works/expenditure:** The first priority will be given for statutory payments such as salary & wages, Electricity Bills, TDS, ST/GST etc., retiral benefits of the employees, advertisement expenses, Petrol expenses (POL), maintenance of vehicles (MOV), travelling expenses enforcement expenses and other offices expenses. Thereafter, payment to the contracts/firms shall be made.
- (vi) The above priority should be maintained strictly and if in case of emergency, any out of turn payment is to be made, the proposal shall be put up to the CA HUDA and payment same shall be made only after taking written approval of CA HUDA.
- 6. That the land is acquired by the Land Acquisition Officer, Urban Estate for development by Haryana Urban Development Authority for various purposes like
 - a) Case 1 : External Development works or
 - b) Case 2 : for External Development Works and Internal Development Works jointly or
 - c) Case 3 : for the development of residential plots to be sold by HUDA and IDC works.

6.1 Original award :

- (i) While sending the request to CCF, Branch for issue of authorization, the ADUE office should clearly indicate whether the acquisition is exclusively for EDC (case 1) or jointly for EDC & IDC works (case 2) or for HUDA sectors & IDC works (case 3).
- (ii) Accounts Branch H.Q. while issuing the authorization should indicate the type of expenditure. In the first case, the expenditure for acquisition should be incorporated immediately after payment. In the second case expenditure is to be accounted in EDC, once the land is earmarked/ identified for EDC works by the Engineering Wing. In the third case, the expenditure is to be accounted for in the non EDC expenditure.

6.2 Enhancement:

- (i) That the landowners whose land is acquired, have a statutory right to file references under Section 18 of the Land Acquisition Act, 1894 seeking enhancement of the compensation as compared to what has been determined by the Land Acquisition Collector and paid to them at the Award stage. Notwithstanding the Government Policy of minimum floor rates, scheme of Annuity payments and the R & R Policy, the amount of compensation is often enhanced by the Courts of competent jurisdiction. Finality in this behalf is a long drawn process.
- (ii) As per procedure under vide H.Q. office letter No. CCF-ACCT-II-2007/6499-6503 dated 22.2.2007, the Zonal Administrator is competent to sanction the payment of enhanced compensation to the land owners after receipt from the proposal from the Land Acquisition Officer. That in respect of land utilized for External Development Works, the enhancement, if any announced by Courts, is to be accounted for in the EDC head.
- (iii) So far, common bank accounts were being maintained for payment of enhancement both for EDC & non EDC land payments. Henceforth separate bank account shall be opened zone-wise for EDC and non EDC land payments.

PNB Manimajra

Sr. No.	Name of Office	A/C No. for	
		EDC Expenditure	Non EDC Expenditure
1	Panchkula	1183002100027285	1183005900001316
2	Faridabad	1183002100027294	1183002100025445

3	Gurgaon	1183002100027300	1183002100025898
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HDFC Bank, Chandigarh

Sr. No.	Name of Office	A/C No. for	
	Zonal Administrator	EDC Expenditure	Non EDC Expenditure
1	Hisar	50200025009930	50100166818621
2	Rohtak	50200025011772	50100155768089

- (iv) While submitting the request for demand of funds for payment of enhanced compensation, the Zonal Administrator should clearly indicate whether the enhancement is to be paid for EDC works or non EDC works. The amount meant for EDC land payments shall be released by H.Q. in the bank account meant for EDC only. Similarly non EDC payments shall be released from the non EDC account only.
- (v) While submitting the request of RTGS to PNB bank for payment in the account of beneficiary, the Zonal Administrator/LAO shall ensure that the proper bank account number is mentioned from which payment is to be made to the beneficiary. This is to ensure that EDC Bank Account is used only for expenditure on EDC land enhancement payments and similarly, amount from Non EDC Bank Account shall be spent only for the non EDC land enhancement payments.

-sd-

Chief Controller of Finance,
for Chief Administrator,
HUDA, Panchkula.

CC:-

1. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions.
2. All the superintendent engineer,HUDA in the state.

GST IMPLEMENTATION IN HSVP

To

1. All the Zonal Administrators,
HUDA in the state
2. Chief Town Planner,
HUDA, Panchkula
3. Chief Architect,
HUDA, Panchkula.
4. All the Estate Officers,
HUDA in the state.
5. All Executive Engineers,
HUDA (in the State).

Memo No.HUDA/CCF/AO-Cash/2017/195400

Dated :- 17/10/2017

Subject: GST implementation in HUDA- clarifications.

The following instructions are brought to the notice of all DDOs in respect of implementation of GST in HUDA:-

Anti-Profitteering Measure under GST in prices in respect of the contracts awarded prior to 1st July ,2017

- 1.1 (i) Under the GST regime, number of Indirect Taxes/Cess levied by Centre & State Government have been subsumed into One Tax i.e. GST. Because of elimination of multiple taxes and cascading effect, it is likely to result into savings which will bring down the prices of final products.
- (ii) As per Section 171 of the CGST Act, 2017, the following are required to be passed on by the contractor/supplier to HUDA by way of reduction in prices in respect of the contracts awarded prior to 1st July ,2017:-
 - (a) Benefit on account of reduction in Rate of Tax.
 - (b) Benefit on account of Input Tax Credit (ITC).
- 1.2. It is directed that while making payments in respect of contracts awarded prior to 1st July ,2017, a declaration should be taken from the supplier/contractor as per the **Annexure 'A'** to ensure that benefits on account of GST have been passed on to HUDA.
- 1.3 Regarding the existing contracts which were already allotted to the persons who are not registered with GST department, the DDO should insist and guide suppliers to obtain GST registration. If still the supplier remains unregistered, procurement of his services/supplies should be discontinued.
- 1.4 While making payments to the supplier/contractors, it should be carefully examined whether the rates in the contract/supply order are inclusive of taxes i.e. all applicable taxes are included in the contract rates. In such case, no extra amount on account of GST is to be paid.
- 1.5 In both cases whether inclusive of tax rates or exclusive of tax rates, payment is to be released only after ensuring that benefits on account of GST have been passed on to HUDA by supplier/contractor.

Reverse Charge Mechanism

- 2.1 Various Wings of HUDA procures goods and services either from the suppliers or by allotting contracts by inviting tenders. There may be situations that some contractors/suppliers engaged by HUDA may not be registered with GST department. In such cases, the contractor shall not have any GSTIN number issued by the GST Department.
- 2.2 In this regard, it is clarified that if GSTIN of supplier, is not mentioned on the bill issued by the supplier of goods or services or both, such supply is to be treated as supply from unregistered supplier.

2.3 As per GST Law in case of supplies received from the unregistered dealer, HUDA is required to pay GST on reverse charge basis in terms of Section 9(4) of the CGST Act. For brevity, Section 9(4) of CGST Act the Section 9(4) of CGST Act is reproduced below:

“(4) The central tax in respect of the supply of taxable goods or services or both by a supplier, who is not registered, to a registered person shall be paid by such person on reverse charge basis as the recipient and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to the supply of such goods or services or both.”

2.4 HUDA shall also be required to issue a self-invoice in respect of reverse charge liability in terms of Section 31(3) (f). The relevant extracts of Section 31 are reproduced below.

“(f) a registered person who is liable to pay tax under sub-section (3) or sub-section (4) of section 9 shall issue an invoice in respect of goods or services or both received by him from the supplier who is not registered on the date of receipt of goods or services or both;”

2.5 Besides issuing a self-invoice, HUDA shall also be required to issue a payment voucher to the unregistered suppliers while making payment to the unregistered supplier in terms of Section 31(g). The relevant portion is reproduced below.

“(g) a registered person who is liable to pay tax under sub-section (3) or sub-section (4) of section 9 shall issue a payment voucher at the time of making payment to the supplier.”

- a. In order to avoid such compliances, it is directed that **all the Wings of HUDA should procure supplies of goods or services from registered person only**. The contracts in future should be allotted only to the persons who are registered with the GST Department. **Registration with the GST department should be incorporated as essential condition in the future tenders to be floated by the HUDA.**
- b. The reverse charge mechanism under sub-section (4) of section 9 of the CGST Act, 2017 and under sub-section (4) of the section 5 of the IGST Act, 2017 has been suspended till 31.3.2018 for time being. But above procedure should be implemented to avoid any delay in implementation once reverse charge mechanism is introduced.

No payments to be made without procuring invoice from the supplier/contractor

- 3.1 It has been observed that there is a practice by the Engineering Wing where under the payments are released periodically to the contractor/supplier based on running bill method. In other words, the invoice is not raised/ submitted by the contractor/supplier each time he receives the payment.
- 3.2 It is clarified that issuance of tax invoice is a mandatory requirement for a registered person under the GST legislation. Such invoice is also required to avail Input tax credit in respect of any inputs or input services procured by HUDA. The contractor/supplier is mandatorily required to issue a tax invoice.
- 3.3 Accordingly, it is directed that the DDO shall not make any payment without procuring invoice from the supplier/contractor. Such invoice should clearly mention the GSTIN number of the supplier/contractor as well as of HUDA. The DDO shall intimate GSTIN number of HUDA “ **06AAAAH0087M1ZN**” to the supplier/contractor in advance to enable him to mention the same in the invoice.

TDS deduction under GST

- 4.1 As per provisions of GST law, each DDO of HUDA is required to deduct tax at source (hereinafter referred to as TDS) of 1% under State GST and 1% under Central GST from the payment made or credited to the supplier where the location of the supplier and place of supply are in the State of Haryana. Similarly, the tax at source shall be deducted @ 2% under Integrated GST (IGST) where the supplies are received by the Government Departments, local authorities and government agencies in the course of inter-state supplies. (See Section 51 of Haryana Goods and Services Tax Act, 2017 and Centre Goods and Service Tax Act, 2017 and section 20 of Integrated Goods and Service Tax Act, 2017).
- 4.2 TDS shall be deducted from the payment made or credited to a supplier where the total value of such supply

under a contract exceeds 2.5 lakh rupees. While computing value of contract, taxes under GST i.e. State GST, CGST and IGST, and Cess, shall be excluded. Thus, TDS will have to be deducted even if the individual supplies is less than Rs. 2.5 lacs, but contract value is more than Rs. 2.5 lacs.

- 4.3 The TDS deduction shall be made w.e.f the date when notification is issued by Central Govt for the same.

-sd-

Chief Accounts Officer,
For Chief Controller of finance
HUDA, Panchkula

CC:-

1. Chief Engineer-I/ Chief Engineer-II, HUDA, Panchkula.
2. GM(IT), HUDA, Panchkula
3. PA to CA HUDA for kind information of Chief Administrator HUDA ,Panchkula.

Annexure ‘A’

(On the letter head of the contractor/supplier of HUDA)

To

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

Dated:

Subject: Anti-Profitteering Measure in respect of the supply orders/contracts awarded prior to 1st July, 2017.

Reference: Supply orders/contract award by HUDA under F No. _____ dated _____.

We, _____ acknowledge that Section 171 of the Central Goods and Services Act, 2017 (hereinafter referred to as “Act”) deals with anti- profiteering measure. The provision requires us to pass on any reduction in rate of tax on any supply of goods and services or the benefit of input tax credit to HUDA by way of commensurate reduction in prices, in respect of the supply orders/contracts awarded prior to 1st July, 2017.

In compliance with the above mentioned statutory requirement, we have passed on the benefits of input tax credit available and/or reduction in rate of tax under GST regime to Haryana Urban Development Authority (HUDA). Further, we agree to pass on all future benefits to HUDA required to be passed as per the above provisions of the Act.

We are raising and submitting invoices to HUDA under the GST regime, after passing the benefit as above.

This declaration is being issued solely as a proof of compliance with the requirements laid down under Section 171 of the Act.

Your faithfully,
Authorized Signatory
Name
Designation

RELEASE OF PENDING LAND ACQUISITION PAYMENTS

To

1. All the Zonal Administrators,
HUDA in the state
2. Chief Town Planner,
HUDA, Panchkula.
3. All the Estate Officers,
HUDA in the state

Memo No.HUDA/CCF/AO-Cash/2017/226903

Dated:-30/11/2017

Subject: Notification regarding sale of **residential/Institutional plots** by allotment- **Finance of balance** 75% of total tentative price of plot by banks or Financial Institutions- **Partial Modification.**

1. Please refer to this office **Instruction No. 28** issued vide letter no. HUDA/CCF/AO-Cash/2017/38354 dated 02.03.2017 on the above subject, where under the format of allotment letter in case of sale of residential plots by allotment was circulated and the allottee is required to deposit the 25% of total tentative price of the plot/ site (including 10% earnest money deposited at the time of floatation) within 30 days from the date of issue of allotment letter. The balance amount of 75% of total tentative price is to be paid in lumpsum within 60days from date of issue of allotment letter.
2. In partial modification of above Instructions, it has been decided that the allottee of new floatation of residential scheme where sale is done by allotment can surrender the plot/ site at any time within the stipulated period of 60 days from date of issuance of allotment letter.
3. In the form "C-R" circulated vide instruction no. 38354 dated 02.03.2017, Para 8A will be inserted as below:-
"Wherever an allottee surrenders the site at any time within a period of 60 days for residential plots from the date of issuance of allotment letter, the concerned Estate Officer, HUDA will refund the amount after deducting 10% of the total consideration money including interest and penalty if any due upto the date of application for such surrender. However, no interest shall be payable on such amount to be refunded".
4. Copy of these instructions/ amendment is also being available on the HUDA website at the following link https://www.huda.gov.in/Financial%20Wing/Instruction_of%20Finance_HUDA.pdf
5. It is for your kind information and taking further necessary action in the matter.

-sd-

Sr. Accounts Officer,
for Chief Administrator
Huda, Panchkula.

CC:-

1. Administrator HUDA (HQ), Panchkula.
2. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions and make suitable changes in the allotment letter as above.

To

1. All the Zonal Administrators cum ADUE,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,
Haryana (in the State).

Memo No. HUDA/CCF/AO-Cash/2017/224512

Dated: 28/11/2017

Subject:- Release of pending payments of Land compensation- New procedure.

1. In continuation to this office Instruction No. 35 vide letter No. 131655, dated 14.07.2017 , on the subject cited above.
2. It is intimated that in view of huge pendency of payments of land compensation on account of Enhanced Compensation awarded by the courts, it has been decided to have a fair and transparent procedure about making payments of Enhanced Compensation.
3. A new software has been designed by Indusind Bank and henceforth, the following procedure will be followed:-
 - (i) Instead of sending requests to the bank by e-mail for making payment by NEFT/RTGS, each LAO shall upload the data on the website of Indusind Bank mentioning beneficiary details e.g. Name of beneficiary, his Bank Account Number alongwith IFSC Code, Amount to be paid etc.
 - (ii) The Head Quarter shall release lump sum funds to the bank for making payments.
 - (iii) It is clarified that LAO is the DDO for making such payments and role of Head Quarter is only to provide funds.
 - (iv) The officials of Indusind Bank will be available w.e.f.28.11.2017(for initial 2 weeks period with the respective LAO to guide& support him about uploading the data.
 - (v) As the uploading is to be done by each LAO using his own Login ID and Password, the respective LAO is responsible for uploading correct data.
 - (vi) In the first phase, the above system is being introduced in 3 zones namely Panchkula, Gurugram and Faridabad Zone for **making payment of enhanced compensation awarded by the courts**. The LAOs should try to complete the data uploading latest by 07.12.2017.
 - (vii) The Head Quarter has released funds to PNB for making payments in respect of Enhanced Compensation awarded by the Supreme Court as per the list dated 22.11.2017 uploaded on the HUDA Website under Link https://www.huda.org.in/_layouts/Priority/On%20Supreme%20Court%20orders.pdf
 - (viii) All payments of Enhanced Compensation which are still pending and are not figuring in the list dated 22.11.2017 (Supra), shall be uploaded on the Indusind Bank Website by the LAOs. This is important as further payments of Enhanced Compensation shall be released through the portal of Indusind Bank.
4. The mails sent by LAO from the existing mail ids as below shall only be taken as valid mails by the PNB

Manimajra. Each LAO shall be fully and solely responsible for security of the password of his respective mail id.

Sr.No.	Land Acquisition Office	Email id
1	Gurgaon	laogurgaon@gmail.com
2	Faridabad	laofaridabad@gmail.com
3	Hisar	laohisar1@gmail.com
4	Rohtak	laorohtak1@gmail.com
5	Panchkula	laopanchkula@gmail.com

The above instructions may be followed strictly in letter and split.

-sd-

Sr. Account Officer
for Chief Controller of Finance
HUDA, Panchkula

CC:-

1. GM(IT) HUDA, HQ Panchkula with the request to upload the above instructions on HUDA website under policy – Finance Wing-Instructions.
2. Manager, PNB Manimajra
3. PS/CA HUDA for kind information of Worthy CA HUDA please.

SURRENDER OF PLOTS

HARYANA SHEHRI VIKAS PRADHIKARN SECTOR 6 PANCHKULA

To

The Estate Officer,

HSVP, Rohtak.

Memo No. HSVP/CCF/AO-Cash/2018/79057

Dated:23/04/2018

Subject:- Regarding **surrender application** of plots of sector- **21P, Rohtak** (clarification of instruction dated 02.03.2017)

1. Please refer to your office e-mail dated 12.1.2018 on the subject cited above. After the draw of the sector was held, some of the successful applicants have submitted requests for surrender of plot. The issue is whether earnest money deposited by such applicants should be refunded or not.
2. In this regard, your attention is invited to Sr. No.4 of terms and conditions of the erstwhile allotment letter in the case of sale of plots by allotment as below:-
“In case applicant refuses to accept this allotment, he shall communicate his refusal by a registered letter within 30 days from the date of allotment letter, failing which this allotment shall stand cancelled without any notice and earnest money deposited by applicant, shall be forfeited to the authority and applicant, shall have no claim for the damages.”
3. But now new terms and conditions have been notified vide instruction No.28 issued under memo No. 38354 dated 2.3.2017 (copy available on HSVP website under policy- Finance wing - instructions of finance HSVP) where under no such willingness is called from the successful allottee whether he wants to retain the plot or refuse it.
4. For brevity, the new terms and conditions at Sr. No. 4 of allotment letter are as below:-
“You shall deposit amount of Rs._____ at the authorized bank and duly credited to HSVP account within a period of 30 days i.e on or before Dt._____ from the date of issue of this allotment letter which together with an amount of Rs._____ paid by you along with your application form as earnest money, will constitute 25% of the total tentative price. Further, the balance amount i.e Rs._____ of the tentative price of the plot/building shall be paid in lumpsum without interest within 60 days i.e on or before Dt._____ from the date of issue of the allotment letter failing which this allotment shall stand cancelled without any notice and earnest money deposited by you, shall stand forfeited and you shall have no claim for the damages.”
5. The only option given is to deposit specified amount within 30 days which together with the amount already deposited as earnest money, constitutes 25% of the total tentative price, failing which earnest money already deposited stands forfeited.
6. The applicant has the option to withdraw his application before the draw of lots, if he wants to get refund of full earnest money. In such case, his name shall not be considered for draw of lots i.e. he shall not be eligible to participate in draw of lots. But once the applicant has participated in the draw and is declared successful, there is no provision for refunding earnest money back to him.

7. It is for your information.

DA/as above

-sd-

Chief Accounts Officer,
for Chief Administrator,
HSVP, Panchkula.

Endst. No. CCF/HSVP /AO-Cash/2018/79057

Dated:23/04/2018

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Zonal Administrator, HSVP in the State.
2. All the Estate Officers, HSVP in the State.
3. GM(IT), HSVP has requested to display on HSVP Website - policy- Finance wing – instructions

-sd-

Chief Accounts Officer,
for Chief Administrator,
HSVP, Panchkula

NEW SOFTWARE REGARDING PAYMENT TO LAO

HARYAHA SHEHRI VIKAS PRADHIKARAN, SECTOR-6, PANCHKULA

To

1. All the Zonal Administrators,
HUDA (in the State).
2. All the Land Acquisition Officers,
Urban Estate Department,

Memo No. HSVP/CCF/AO-Cash/2018/209263-64

Dated:18/10/2018

Subject: Old software login of the respective LAOs on new software shall be disabled by the **Indusind Bank** (Regarding **Change of software**).

1. As per the existing practice, the payments of land compensation both original award and enhancement compensation are being made through Indusind bank portal. The Land Acquisition Offices upload the details on the Indusind Bank Portal and thereafter the payments are released by HQ. HSVP.
2. The existing software of Indusind Bank has been upgraded and new features have been added in it. The new version software is being now implemented in all offices of LAOs. The Indusind bank officials are disabling the login id of Section Officers/in putter on the old software with immediate effect.
3. Henceforth, uploading shall be done by Section Officers/in putter in the new software of Indusind Bank for which login id have been created by Idusind officials.
4. It is clarified that all details which have been uploaded on the old software shall be cleared/rejected by LAOs for payment on the old software itself. Thereafter old software login of the respective LAOs shall be disabled by the Indusind Bank.
5. Any transactions which were cleared by LAO but were unsuccessful on the old software shall be uploaded by the LAO on the new Software if payment is required to be done again. While uploading the same on the new software, they should carefully verify that the payments have not been released in the old software to the land owners.
6. The Indusind bank shall in the due course merge that data of old software with the new software so that all the details of payments are available to the LAO in a combined manner. It Is clarified that for the time being Indusind bank shall disable tha uploading feature on the old software in respect of LAO offices whereas report generation feature (without any transaction facility) shall continue to be available to the LAO office till the date of old software is merged by the indusind Bank on the new software.

-sd-

Sr. Accounts Officer,
For Chief Administrator,
HUDA Panchkula

Endst No. HUDA-CCF-Acett-II-2018/209263-64

Dated:18/10/2018

A copy of the above is forwarded to the following for information and necessary action: _

1. Indusind Bank, Sector-9, Panchkula.
2. GM(IT), HUDA with request to display on HUDA website (policy-Finance-Instructions).

-sd-

Sr. Accounts Officer,
For Chief Administrator, HUDA
Panchkula

REGARDING SANCTION OF GPF ADVANCE

To

1. All The Administrator, HSVP
2. C.T.P., HSVP, Panchkula.
3. Chief Architect, HSVP, Panchkula
4. All The Estate Officers, HSVP
5. All The Executive Engineers, HSVP
6. Sr. A.O. HQ, PKL, HSVP

Memo no.117205

Dated 03.07.2019

Subject: Regarding change in procedure for sanctioning the advances/withdrawal from GPF Accounts.

In the 19th meeting of HSVP provident fund trust held on 11.06.2019, It has been decided by the committee that no documentary proof will be required to be furnished at the time for applying the withdrawal/advances from the GPF of the subscriber. Only simple declaration form in the enclosed format by the subscriber explaining the reasons for withdrawal would be sufficient alongwith GPF A/c Statement duly verified by the accountant & signed by the DDO.

DA/Application format

-sd-

Accounts Officer (Pension
for Chief Controller of Finance,
HSVP, Panchkula

APPLICATION FOR WITHDRAWAL/ADVANCE FROM GENERAL PROVIDENT FUND OF HSVP

1.	Name of Subscriber	
2.	Subscriber's designation	
3.	Name of the section in which working or the office to whom attached.	
4.	Subscriber's pay	
5.	Subscriber's G.P.F. Account No.	
6.	Amount of withdrawal/Advance applied for	
7.	a) Object of withdrawal	
	b) Whether any withdrawal for this purpose has been made earlier	
	C) If yes, please give details	
8.	Balance whom in the last G.P.F. Account slip issued by the Account Officer(Which should be attached to this application)	
9.	Amount of advance/withdrawal, if any after the issue of the above mentioned Account slip.	
10.	Details of the amount subscribed to G.P.F. by the applicant after the issue of the said Account Slip.	
11.	Balance at the Credit of the Subscriber's G.P.F. on this day	
12.	Date of joining Government Service	
13.	Date of retirement on superannuation	
14.	*Details of Salary Account of Subscriber	
	a) Account Number	
	b) IFSC Code	
	c) Photo Copy 1 st Page of Pass Book must be attached	

*Amount of this withdrawal shall be credited in this salary account.

Date:

(Name and Signature of applicant)

Moblie No.

Email. ID:

Endst. No.

Dated:-

The above particulars are correct and atthe application in original is forwarded to GPF Branch of HQ for release of funds to the subscriber.

Signature of DDO

Name

Designation

Office Address

The logo consists of a horizontal rectangle divided into three equal-width bands. The top and bottom bands are a light gray color, while the middle band is a dark gray color. The text "IT WING" is centered within the dark gray middle band in a white, serif, all-caps font.

IT WING

In Partial modification of earlier order no GM/(IT)/HSVP/2018/22182 dated 05.02.2018, the time lines for the approval of Revised Building Plans (Residential) will be as under:

Sr. NO.	Building Plan (Revised)	Number of days
1.	Junior Engineer	3
2.	SDO(Survey)	1
3.	Estate officer	1

3 days is allocated to junior Engineer for site inspection, Processing of the online building plans as per regulations.

Dated , Panchkula , the
01ST March, 2018

J.Ganesan,IAS,
Chief Adminstrator,HUDA
Panchkula

Endst. No.GM (IT)/HSVP/2018/ 44170

Dated:-07.03.2018

A Copy of the above is forwarded to the following for information and necessary action:-

1. All the Adminstrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.
3. All the SDE (Survey) in the Estate offices.
4. All the JE in the Estate offices.
5. Representative of M/s Soft Tech Engineers Pvt. Ltd.

General Manger (IT),
for Chief Adminsitrator,
Huda panchkula

The revised time lines for the approval of Building Plan (Residential) Will be as under

Sr. NO.	Building Plan (Fresh/Revised)	Number of days
1.	Junior Engineer	One day
2.	SDO(Survey)	One day
3.	Estate officer	One day

Dated , Panchkula , the
30 th January, 2018

J.Ganesan,IAS,
Chief Administrator,
HUDA, Panchkula

Endst. No GM(IT)/HSVP/2018/ 22182

Dated:-05.02.2018

A Copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.
3. All the SDE (Survey) in the Estate offices.
4. All the JE in the Estate offices.
5. Representative of M/s Soft Tech Engineers Pvt. Ltd.

General Manager (IT),
for Chief Administrator,
Huda panchkula

Subject: Procedure for handling of PPM software where allottee has not deposited any amount after the deposit of 25% payment.

A meeting was held on 19-2-2013 under the chairmanship of Administrator, H.Q. with CCF & GM (IT) to finalize the implementation plan of point no. 4 i.e. **“All plots in the PPM software shall be deactivated where the allottee has not deposited any amount after the deposit of 25% payment and the schedule is over”** of the meeting held under the chairmanship of PSTCP on 15-12-2012.

The decisions are as follows:-

- 1) The owner of the plot/building will not be able to deposit any amount against such properties and no application will be accepted through PPM at Single Window Service.
- 2) All the concerned Estate officers will start resumption proceedings through system if not already started.
- 3) In case the due amount is paid by the allottee, before the resumption order is passed, then the plot status shall be Reactivated after taking written confirmation from the concerned Estate officer.
- 4) In case some site is deactivated due to in-complete data in the system, then the Estate officer shall get the receipts updated through the Data Correction System of PPM application so that the status of the plot can be updated.

-sd/-

(D.P.S. Nagal, I.A.S.)

Chief Administrator, HUDA.

Dated – 16.5.2013

(Circulated to all the Administrator and Estate Officer of HUDA vide e-mail date: 5-6-2013.)

From:

The Chief Administrator,
HUDA, Panchkula

To:

1. All the Zonal Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. GM(IT)/HUDA/2013/16509-32

Dated: 3-5-2012

Sub: Issue of Re-allotment Letter without getting Transfer Permission from HUDA.

Please find enclosed minutes of the meeting held under the chairmanship of Administrator, HUDA, H.Q. on 3-4-2012 regarding above cited subject for information and necessary compliance.

Endst. No. GM(IT)/HUDA/2013/16533

sd-
General Manager (IT)
For Chief Administrator,
HUDA, Panchkula
Dated: 3-5-2012

A copy of above is forwarded to the FCTCP, Haryana, Chandigarh with the request to take up the matter with FC (Revenue) for compliance of Point No.1 in all revenue offices.

sd-
General Manager (IT)
For Chief Administrator,
HUDA, Panchkula

Subject : Minutes of meeting held under the chairmanship of Sh. Surjeet Singh, IAS Administrator (HQ) on 03.04.2012 regarding Issue of Re-allotment Letter without getting Transfer Permission from HUDA.

The following members of the committee attended the meeting:

1. Sh. S.C. Kansal, Chief Controller of Finance, HUDA.
2. Sh. Sanjay Sharma, GM (IT), HUDA.
3. Sh. Anil Aggarwal, District Attorney, HUDA.

The subject matter was discussed in details as per agenda of the meeting supplied to all concerned vide e-mail dated 19.3.2012.

It was observed that the ownership of HUDA plots/buildings in various Urban Estates of Haryana is changed directly through sale deed /gift deed by the concerned Tehsildars /Executive Magistrates (Revenue) on the basis of previous conveyance deed/sale deed.

Due to such change of ownership /title of the property in HUDA records are not updated and consequential loss is suffered by HUDA on account of non- delivery of Enhancement letter to the current owner.

The situation is more embarrassing where ownership is changed more than once without any intimation to the concerned Estate officer of HUDA who is the main custodian of the allottees files.

As per practice in vogue; the Estate officer of HUDA issues Transfer Permission Letter with details like area of the plot, status of construction there on and covered area of construction for the purpose of generation of revenue to the authorities concerned. On the basis of Transfer Permission Letter of HUDA sale deed/gift deed is executed by the Tehsildar (Revenue)/Executive Magistrate. After submission of copy of the sale deed the Re-allotment letter is issued in favour of the transferee in whose favour Transfer Permission is issued by HUDA.

Decision:

1. It has been decided that a letter may be issued to all the Administrators to advise all the concerned Tehsildar/ Executive Magistrates (Revenue) to execute the sale deed /gift deed only after issue of NOC by the concerned Estate officer of HUDA so as to update the HUDA allottees account and to avoid in complete information of allottees on the computers which is accessed by all the allottees of HUDA on HUDA web portal/Internet.
2. The concerned Estate officers may also be directed to collect the information from the concerned Tehsildars regarding sale deed registered by them without NOC from the Estate office. After receiving the said information the Estate officers shall approach the transferee and the allottee as per record of estate offices for completing the formalities for changes of ownership in the record of estate offices.
3. A copy of the above may be sent through FCTCP to FC (Revenue) for strict compliance of Point No. 1 in all revenue offices.

Meeting ended with a vote of thanks to the chair.

-sd/-

Admn. HQ

-sd/-

CCF, HUDA

-sd/-

GM(IT), HUDA

-sd/-

DA, HUDA

From:

The Chief Administrator,
HUDA, Panchkula

To:

1. All the Zonal Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.
3. Programmer, O/o GM(IT), HUDA, IT Wing, Panchkula.

Memo No. GM(IT)/HUDA/2013/10218-40

Dated: 21-03-2012

Sub: Guidelines regarding clubbing of commercial sites.

Ref: Memo No. CTP-HUDA/STP-M/5113-35 dated 17-6-2009.

Policy guidelines mentioned below may be noted for compliance.

- 1 Respective Zonal Administrator, HUDA will issue sanction letter for clubbing of sites keeping in view all the structural safety measures along with certificate from Structural Engineer and will approve single building plan accordingly as per latest policy.
- 2 The Estate officer, HUDA will accept the single building plan for clubbed sites and shall run dummy PPM application for the remaining sites so as to update the data in each site on the same date.
- 3 The sub category code for clubbed site will be:-
CLUBS- Clubbed SCO/SCF Sites
CLUBB- Clubbed Booth Sites

-sd/-
General Manager (IT)
For Chief Administrator,
HUDA, Panchkula

Endst. No. GM(IT)/HUDA/2013/10241-42

Dated: 21-03-2012

A copy of above is forwarded to the following for information and necessary action please:-

- 1) Administrator, HUDA (HQ), Panchkula.
- 2) Senior Architect, HUDA, Panchkula.

-sd/-
General Manager (IT)
For Chief Administrator,
HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Sanction is hereby accorded to reimburse the expenditure maximum to the extent of Rs.500/- (Rs. Five hundred only) or as per actual amount spent (whichever is less) plus taxes on account of activating GPRS facility on mobile phone to each of the officer as per list attached. The reimbursement shall be made on submission of the bill.

Dated the 31st August, 2008

-sd/-
T.C. Gupta, IAS
Chief Administrator, HUDA

Endst.No. SM (IT) 2008/-3053

Dated:-03-09-2008

A copy of the above is forwarded to the followings for information and necessary action with a request to convey the same to the officers working under their control as per list attached.

1. All the Administrators of HUDA.
2. Secretary, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Chief Engineer, HUDA, Panchkula.
5. Chief Engineer-1, HUDA, Panchkula.
6. Addl. Chief Engineer, HUDA, Panchkula.
7. Chief Town Planner, HUDA, Panchkula.
8. L.R. HUDA, Panchkula.
9. All the Estate Officers of HUDA in Haryana.
10. All the Superintending Engineers of HUDA in Haryana.
11. All the Executive Engineers of HUDA in Haryana.
12. Senior Architect, HUDA, Panchkula.
13. Enforcement Officer, HUDA, Panchkula.
14. P.S. to C.A. HUDA, Panchkula.

-sd/-
Senior Manager,
I.T. Cell, HUDA,
Panchkula.

LIST OF OFFICERS FOR GPRS FACILITY ON MOBILE				
S.NO.	DESIGNATION		S.NO.	DESIGNATION
2	Administrator (HQ)		31	Xen, HUDA, Ambala
3	Administrator, Panchkula		32	S.E. Circle, Gurgaon
4	Administrator, Gurgaon		33	S.E., Circle-II, Gurgaon
5	Administrator, Faridabad		34	Xen, Div.II, GGN-I
6	Administrator, Hisar		35	Xen, Div.III, GGN-I
7	Administrator, Rohtak		36	Xen, Div. V, GGN-II
8	Secretary, HUDA		37	Xen, Div.I, GGN-II
9	Chief Engineer		38	Xen, Div.IV, GGN-II
10	Chief Engineer-I		39	Xen, Div. VI, GGN-II
11	Addl. Chief Engineer		40	Xen, Elect. GGN
12	S.E. (Montr. & Q.C.)		41	Xen, Hort., GGN.
13	Xen (Works)		42	S.E., Circle, Faridabad
14	Xen (Montr.)		43	Xen, Div. I, Faridabad.
15	Xen (Vig.)		44	Xen, Div.II, Faridabad.
16	C.C.F., HUDA		45	Xen, Div.III, Faridabad.
17	C.T.P., HUDA		46	Xen, Div. IV, Faridabad
18	Sr. Architect		47	S.E., Circle, Hisar.
19	L.R., HUDA		48	Xen, Div.I, Hisar
20	Sr. Manager (IT)		49	Xen, Hort., Hisar
21	S.E., Circle, Panchkula		50	Xen, Elect., Hisar
22	S.E., Hort., Panchkula.		51	Xen, Div.II, Hisar
23	Xen, Div.No.I, Panchkula		52	S.E., Circle, Rohtak.
24	Xen, Div.No.II, Panchkula		53	Xen, Div. I, Rohtak.
25	Xen, Div.No.III, Panchkula		54	Xen, Div. Sonipat
26	Xen, Hort. Div., Panchkula		55	Xen, Div.II, Rohtak
27	Xen, Elect. Div., Panchkula		56	Xen, Div. Rewari
28	S.E., Circle, Karnal		57	A.D.O. (H.Q.)
29	Xen, HUDA, Karnal.		58	Enforcement Officer (HQ)
30	Xen, HUDA, Panipat		59	All the Estate Officers of HUDA in Haryana.

LEGAL WING

MONITORING AND DEFENCE OF COURT CASES

MONITORING AND DEFENCE OF COURT CASES

From

The Chief Administrator,
HSVP, Panchkula.

To

All the Zonal Administrators, HSVP
All the Estate Officers, HSVP.

Memo No. DA/ADA(M)/2019/178090

Dated: 30.09.2019

Subject: RSA No. 2359/2017 titled as **HUDA and anr. vs Rajesh Kumar.** (Plot No.1721, Sector-4, Kurukshetra) - Instructions regarding **implementation or challenge to judgment/orders** of the Hon'ble Courts and updation of CCTNS.

In continuation of this office memo No. DA/2019/120281 dated 09.07.2019 on the subject cited above.

Whereas; under the instruction dated 07.08.2009, decision to file appeal/objections/petition/replies before the Lower Courts/SCDRC/DCF/PLA etc. used to be taken at the level of Estate Officer and Administrator.

Whereas; despite the instruction dated 07.08.2009, the Administrator, HSVP, Panchkula referred a case Arbitration No. 223 of 2017 Amit Kumar Singla Vs. HSVP through Chief Engineer, consisting of Sh. S.P Arora(HCS) Retd. as Sole arbitrator for decision on filing of objection against the award of Arbitrator under Section 34 of Arbitration and Conciliation Act, 1996 before the District Judge.

Therefore, to leave any manner of doubt, the present clarification in reference to the letter dated 09.07.2019 is hereby issued that the decision to file appeal/objections/petition/replies before the Lower Courts/SCDRC/DCF/PLA etc. shall be taken at the level of Administrator who shall file the same and that legal cell HQ shall take the decision in respect to appeal/revision/CWP to be filed in the Hon'ble High Court, SLP in Hon'ble Supreme Court and Revision Petition in NCDRC.

This is for your information and immediate necessary action and compliance.

-sd/-

Assistant District Attorney
for: Chief Administrator,
HSVP, Panchkula.

Memo No. DA/ADA(M)/2019/178090

Dated:30.09.2019

A copy of the above is forwarded to following for information and necessary action:-

1. Administrator, HQ, HSVP, Panchkula
2. Chief Controller of Finance, HSVP, Panchkula
3. Secretary, HSVP, Panchkula
4. General Manager, IT, HSVP, Panchkula with the request to upload these instructions on website of HSVP.
5. All Deputy District Attorney and Assistant District Attorneys at HQ.
6. Superintendent/ All Assistants/ record keepers at legal cell, HSVP, HQ.

-sd/-

Assistant District Attorney
for: Chief Administrator,
HSVP, Panchkula.

From

The Chief Administrator,
HSVP, Panchkula

To

All the Zonal Administrators, HSVP.
All the Estate Officers, HSVP.

Memo No. DA/2019/120281

Dated: 09.07.2019

Subject: RSA No. 2359/2017 titled as **HUDA and anr. vs Rajesh Kumar**. (Plot No.1721, Sector-4, Kurukshetra)-
Instructions regarding **implementation or challenge to judgment/orders** of the Hon'ble Courts and
updation of **CCTNS— Supersession of instructions dated 27.03.2018**

In supersession of this office letter no. 58162 dated 27.03.2018 issued in CWP No. 15424 of 2016 titled as Neelam Rani Vs State of Haryana.

Whereas; vide referred letter it was directed that decision regarding filing of appeal/LPA/SLP may be taken in accordance with the instruction dated 07.08.2009 by the Zonal Administrators.

Whereas; it has been noticed that neither the Estate Officers nor the Zonal Administrators are monitoring the court cases and are not even aware of the decision of the Hon'ble Courts. Thus, the Estate Officers are referring the cases to Zonal Administrators after delay and even at times, when limitation period for filing appeal etc is about to lapse and at times, even after such lapse of prescribed period of limitation.

Whereas; it has also been noticed that the Zonal Administrators are not taking prompt action to decide the reference of the Estate Officers for filing appeals etc or implementation and numerous cases have been delayed in this manner. It has also been noticed that despite the referred instructions that the Zonal Administrators shall decide the matters at their own level, still they are sending reference to the legal cell, HQ for decision, which further delays the decision making process.

Whereas; it has also been noticed that the cases are referred by the Zonal Administrators and Estate Officers without record or incomplete record and without any recommendations and financial implications.

Whereas; the ibid inaction on part of your office has resulted into unnecessary delay in taking the decision to implement the order or to challenge it. This has put the HSVP in an embarrassing position in the court of law with the Hon'ble Courts taking serious view of the same. This has resulted into meritorious cases being dismissed by the Hon'ble Courts at the threshold itself on ground of limitation and resultant financial loss to HSVP.

Whereas; it has been observed that it is not in the interest of HSVP to leave legal examination of the cases at the level of an ADA O/o Estate Officers & Zonal Administrators.

Whereas; non taking of timely action in court cases results into chain of litigation in form of execution petitions or COCPs, and second & third round of litigation in some cases.

Whereas; the matter has been re-considered and it has been decided that:

- a. Estate Officers shall send a reference for taking decision on implementation or to file appeal/ petitions etc. directly to the Legal Cell, H.Q. within a period of 5 days of the judgment/ order of the Hon'ble Court.
- b. Estate Officers shall ensure that reference contains complete dates and events upto the judgment/ order of the Hon'ble Court under examination, alongwith his recommendations, financial implications and policy, if any, affected by impugned judgment/ order. For any lapse on this account, the Estate Officers, ADAs and Assistants concerned shall be personally responsible.
- c. Estate Officers shall ensure that reference is accompanied by complete Photostat of file.
- d. Estate Officers shall be duty bound to ensure that directions of the legal cell, HQ are complied with, within a period of 3 days from date of communication of the decision of the competent authority with regard to challenge or implementation and report to that effect shall be sent to legal cell, HQ for appraisal of the Chief Administrator.
- e. Estate Officers shall ensure that all the court case are entered into CCTNS immediately on receipt of notice and shall ensure that CCTNS is completely updated and shall send a certificate to that effect to the legal cell, HQ. for verification. However, Zonal Administrators shall continue to keep updated the

- CCTNS. A consolidated report with regard to updation of CCTNS of the Zone shall be furnished by the Administrators by 3rd of every month.
- f. Estate Officers shall ensure that fee bills of the advocates engaged by HSVP are cleared promptly within a period of 3 months under due intimation to the engaged advocate and data is feeded into CCTNS.
 - g. Zonal Administrators shall ensure that all the pending references are decided by them within a period of 3 days in the light of these instructions and for any delay, they shall be personally responsible.

Receipt of these instructions be acknowledged and complied with meticulously.

-sd/-
District Attorney
For: Chief Administrator,
HSVP, Panchkula.

Memo No. DA/ 2019-120281

Dated: 09.07.2019

A copy of the above is forwarded to following for information and necessary action:-

1. Administrator, HQ, HSVP, Panchkula
2. Chief Controller of Finance, HSVP, Panchkula.
3. Secretary, HSVP, Panchkula.
4. General Manager, IT, HSVP, Panchkula with the request to upload these instructions on website of HSVP.
5. All Deputy District Attorneys and Assistant District Attorneys at HQ.
6. Superintendent/ All Assistants/ record keepers at Legal Cell, HSVP HQ.

-sd/-
District Attorney
For: Chief Administrator,
SVP, Panchkula.

OFFICE ORDER

Subject: Officer Order–Regarding **Appointment of Nodal Officer** for **HSVP**.

The Administrator, HQ., HSVP, Panchkula is designated as the nodal officer in respect of the court cases at HQ. level. The office order issued vide Endst No. DA/ADA-M/2018-48547/52/55/57/61/63, 48564/69/71 dated 13.03.2018 is hereby withdrawn with immediate effect. Further, as there are huge number of LAC cases pertaining to challenge to acquisition, RFAs, Executions in LAC cases and as the Administrators have been delegated the powers to file the reply/petition etc., Zonal Administrator (s) shall act as Nodal Officers in respect of their respective area of jurisdiction. Similarly, in service matters of Engineering Wing, concerned Superintending Engineer (s) are appointed as Nodal Officers at the field level.

Panchkula dated:

The 28th August 2019

D. Suresh, IAS
Chief Administrator,
HSVP, Panchkula.

Endst No. DA/ADA (M)/2019/155892

Dated:29.08.2019

A copy of the above is forwarded to the following for information and necessary action:

1. Administrator, HQ, HSVP, Panchkula
2. All the Administrators of HSVP in Haryana State.
3. Chief Controller of Finance, HSVP, Panchkula
4. Chief Engineer, HSVP, Panchkula
5. Chief Town Planner, HSVP, Panchkula
6. All the Estate Officers of HSVP in Haryana State.
7. Chief Architect, HSVP, Panchkula
8. GM(IT), HSVP, Panchkula for hosting the same on HSVP website.
9. All the Superintending Engineers of HSVP in Haryana State.
10. All the ADAs, HSVP, at HQ. Panchkula and field offices.
11. Superintendent, Legal Cell, HSVP, Panchkula.
12. Concerned Official (HQ.) Legal Cell dealing with policy.

-sd/-
District Attorney,
For: Chief Administrator,
HSVP, Panchkula.

Haryana Urban Development Authority

OFFICE ORDER

Subject : Appointment of Nodal Officer for Court cases.

The District Attorney, HQ., HUDA, Panchkula is designated as the nodal officer in respect of the court cases.

Dated: 28.12.2017

J. Ganesan, IAS,
Chief Administrator,
HUDA, Panchkula.

Endst. No. DA/ADA(M)/2018/48569

Dated: 12.03.2018.

A copy of the above is forwarded to the following for information and necessary action :

1. Administrator, HQ, HUDA, Panchkula.
2. All the Administrators of HUDA in Haryana State.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Chief Engineer, HUDA, Panchkula.
5. Chief Town Planner, HUDA, Panchkula.
6. All the Estate Officers of HUDA in Haryana State.
7. Senior Architect, HUDA, Panchkula.
8. All the ADAs, HUDA, at HQ Panchkula and field offices.
9. Concerned Official (HQ) Legal Cell dealing with policy.

-sd/-
Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY

OFFICE ORDER

Subject : Office order–Regarding **Appointment of Nodal Officer for HSVP in High Court cases.**

Sh. Sanjay Joon, IAS, Administrator, HQ, HUDA, Panchkula is appointed as Nodal Officer to pursue HUDA and Urban Estates Department court cases in Hon'ble High Court. He Shall be assisted by D.A. HUDA and Additional Director Urban Estates Department, Panchkula.

Dated , Panchkula, the
16th September, 2015

(Brijendra Singh, IAS)
Chief Administrator,
HUDA, Panchkula.

Endst No DA/2015/ 3100-3162

Dated: 18.09.2015

A copy of the above is forwarded to the following for information and necessary action:-

1. The Administrator, HUDA, HQ.
2. All the Zonal Administrators, HUDA.
3. All Heads of Branches, HUDA, HQ.
4. All the Estate Officer, HUDA.
5. All DDAs and ADAs in the HQ as well as in the field.
6. GMIT to host the office order on HUDA Website.
7. PS/A.G Haryana for kind information of A.G Haryana. The landline number of the O/o Nodal Officer is 0172-2566650.
8. PS/ACSTCP for kind information of ACSTCP.
9. PA/CA for kind information of C.A., HUDA.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
HSVP, Panchkula.

To

All the Head of Branches, HSVP, HQ.
All the Zonal Administrators, HSVP.
All the Estate Officers, HSVP. (in the field offices)
All the Senior Town Planners, HSVP (in the HQ and the field offices).
All the Superintending Engineers, HSVP (in the HQ and the field offices).
All the Executive Engineers, HSVP (in the HQ and the field offices).
Memo No. DA/2019/141118 Dated: 06.08.2019

Subject:- Power to Sue and be sued:- Proceedings of the **118th meeting of Pradhikaran** (Haryana Shehri Vikas Pradhikaran) held on 10.07.2019 at 3:00 pm and 12.07.2019 at 10:00 am under the chairmanship of Hon'ble Chief Minister, Haryana-cum-Chairman of the Pradhikaran in the main committee room, 4th floor of Haryana Civil Secretariat, Chandigarh.

Please find enclosed herewith the proceeding dated 17.07.2019 issued by Secretary, HSVP and copy of agenda placed before the Pradhikaran.

It is intimated that the Chief Administrator, HSVP issued notification dated 13.09.1989 delegating the powers of the authority to sue and to be sued in the Legal matters to Chief Administrator, HSVP, Administrator, Controlling Officer, Estate Officer and Executive Engineers.

The matter has been reconsidered and it has been decided by the Pradhikaran in the 118th meeting that the notification dated 13.09.1989 'To sue and be sued in Legal matters' has been amended and the power 'To sue and be sued in the legal matters' now shall be exercised by the following officers:-

1. Chief Administrator, HSVP.
2. Branch Heads at HQ.
3. Zonal Administrators, HSVP.
4. Senior Town Planners, HSVP (in the HQ and the field offices)
5. Superintending Engineers, HSVP (in the HQ and the field offices)

It has further been decided that the officers at 2, 3, 4 and 5 will keep Chief Administrator, HSVP informed of all the stages of the cases.

The above instructions are issued for meticulous compliance with immediate effect.
DA/As above.

-sd/-
District Attorney
For Chief Administrator,
HSVP, Panchkula.

Endst No. DA/2019/141118

Dated: 06.08.2019

A copy of the above letter is forwarded to the following officers for taking necessary:-

1. GM, IT with the request to upload the Guidelines on the website.

DA/As above

-sd/-
District Attorney
For Chief Administrator,
HSVP, Panchkula.

Subject:-Regarding supply of list of pending execution applications along with status thereof (enhanced compensation matters)-Attending of Court by Sr. AO/AO.

It has been observed that in the LAC executions pending in the various courts across all the zones of HSVP neither any counsel of HSVP nor representative of HSVP appears in the courts and taking serious note of the non appearance notices of personal appearance/bailable warrants/ non bailable warrants are being received against the undersigned even in those cases where no requisition as per instruction regarding payment of compensation has been received from the concerned LAO.

In order to avoid or minimize the possibility of passing of adverse orders in such execution, you are requested to ensure that:-

- a. Senior Account Officers/ Account Officers posted in your office shall attend each and every execution and apprise the court regarding HSVP policy and status of requisition if received from LAO. If the requisition is not received, court shall be apprised accordingly.
- b. Senior Accounts Officers/Accounts Officers shall immediately after attending each hearing send email to CCF and DA HSVP and shall also upload relevant documents i.e. copy of execution, reply if any, important Zimini orders and stand of HSVP and LAO.
- c. In case where in the Ld. Court has passed directions for personal appearance of C.A., HSVP, the LAO and the Estate Officer concerned shall attend the court assist.

Yours Sincerely,

-sd/-

J. Ganesan

Administrator, HUDA,
Gurgaon, Faridabad, Hisar,
Panchkula, Rohtak.

From

The Chief Administrator,
HSVP, Panchkula.

To

The Advocate General,
Haryana, Chandigarh.

Memo No. DA/2018-161625

Dated: 09.08.2018

Subject: COCPs filed for non compliance of the direction issued by the Hon'ble High Court in cases under **Section 24(2) of LARR Act, 2013- HUDA instructions.**

Reference on the subject cited above.

2. It has been observed that in a number of CWPs filed by the petitioners claiming release of land under Section 24(2) of the LARR Act, 2013, time bound directions to pass a speaking order or to decide the claim is issued by the Hon'ble High Court to the appropriate authority. The appropriate authority is the concerned Additional Director, Urban Estates Department, Haryana as per the guidelines issued by the Government. However, the petitioners implead C.A, HSVP as respondent in COCPs unnecessarily alleging violation of the time bound directions whereas he has no role in passing such speaking orders.

It is, therefore, requested that the Law Officers posted in the A.G. Office may kindly be advised to apprise the Hon'ble Court accordingly.

-sd/-

Anil Aggarwal, DA
For Chief Administrator,
HSVP, Panchkula.

Endst. No. DA/2018/161629/643/646

Dated: 09.08.2018

A copy of the above forwarded to the following for information and necessary action:

1. All the Administrators of HSVP.
2. All Estate Officers of HSVP.
3. All ADAs, Legal Cell, HSVP, Panchkula.

-sd/-

Anil Aggarwal, DA
For Chief Administrator,
HSVP, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula

To

All the Zonal Administrators, HSVP in the State.

All the Estate Officer, HSVP, Panchkula.

Memo No. DA/ADA/Y/2018/ 58162 Dated: 27.03.2018

Subject : CWP No. 15424 of 2016 titled as **Neelam Rani vs. State of Haryana-filing of appeals, LPA & SLP etc.**

Please refer to the subject cited above.

In regard to the above, it is intimated that the Administrator, HSVP, Hisar vide letter dated 20.02.2018 has referred the matter to legal cell, HSVP, HQ for examination of the same regarding filling / non filling of SLP against the order dated 22.11.2017.

It is intimated that as per instructions dated 07.08.2009 (Clause-4), on receipt of copy of order from the Hon'ble Supreme Court, Hon'ble High Court, Hon'ble NCDRC & SCDRC etc. the Zonal Administrators shall file appeal, revision review etc. at their own level within the limitation period by getting a counsel engaged under intimation to Legal Cell (HQ) immediately with a copy of appeal etc. However, if they feel that the judgement / order of the court should be implemented, they shall refer the matter to Legal Cell (HQ) with their specific recommendations and complete record for final decision at the earliest to avoid possible delay in the implementation of Court order or in filing appeal etc. If so decided except in those cases where financial liability is upto Rs.25000/- and policy of HSVP is not affected.

It has been decided with the approval of the Chief Administrator, HSVP that the decision regarding filling of appeal?LPA/SLP etc may be taken in accordance with the ibid instructions.

This is for your information and necessary action please.

-sd/-
Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula.
Dated: 27.03.2018

Endst. No. 58162

A copy of the above is forwarded to all the ADAs posted in Legal Cell, HSVP, HQ.

-sd/-
Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Administrators, HUDA in the State.
All the Estate Officer, HUDA in the State.

Memo No. DA/ADA/NS/2018/17753-57

Dated: 29.01.2018

Subject: Clarification:- Instructions dated 23.08.2017 issued by Chief Administrator, HUDA HQ-Regarding **delegation of power qua Court Cases** pertaining to HUDA.

Please refer to the subject cited above.

Vide said instructions, the Chief Administrator, HUDA issued directions that the draft replies/ Affidavits to be filed by the Administrators/Estate Officers in the Hon'ble High Court and Hon'ble Supreme Court shall be vetted and approved by the Legal Cell HUDA HQ and after approval of the same, the reply/affidavit will be filed by the Estate Officers/Administrators HUDA in the Hon'ble Courts.

It has been observed that the Estate Officers, HUDA & Administrator, HUDA are sending CWPs/Review Applications/SLPs etc. for approval of Chief Administrator, HUDA. In one case, even a draft appeal to be filed in District Court was sent to Legal Cell, HUDA (HQ) for vetting resulting into unnecessary delay.

It has been decided by the Chief Administrator, HUDA (HQ) that to avoid delay in filing of Appeals/CWPs, Revision Petitions/ SLPs etc, only the draft replies/affidavits to be filed in Hon'ble Supreme Court and Hon'ble High Court be sent for vetting & approval to Chief Administrator, HUDA (Legal Cell).

This issues with approval of Chief Administrator, HUDA, Panchkula.

-sd/-

District Attorney, HUDA,
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. Administrator, (HQ),
HUDA, Panchkula.
2. All the Zonal Administrators,
HUDA, in the State.
3. The Secretary,
HUDA, Panchkula.
4. All the Estate Officers,
HUDA, in the State.
5. All the DDAs/ADAs
HUDA, in the State.

Memo No. DA/ADA/NS/2017-158027

Dated: 23.08.2017

Subject:-Modification in the instructions dated 07.08.2009 (as amended till date) regarding **delegation of powers qua** Court cases pertaining to HUDA.

In order to review the litigation of HUDA, a meeting to discuss was convened under the Chairmanship of Chief Administrator, HUDA on 21.08.2017 which was attended by all the ADAs of Legal Cell, HUDA H.Q. After detailed deliberations on the issued, the following decisions were taken by the Chief Administrator, HUDA:-

- i) The Legal Cell, HUDA HQ shall circulate the latest orders added 21.08.2017 passed by the Hon'ble High Court (CWP No. 727 of 2017 titled as M/s Dault Ram Vs State of Haryana and Ors) to all the Administrators, HUDA-cum-ADUE and DDAs /ADAs of their office. The DDAs/ADAs of the office concerned shall ensure that the said stay orders are brought on record before the executing courts so that no coercive methods are adopted qua payment of compensation against the officer of Authority by the said courts during the currency of stay orders.
- ii) Ld. Chief Secretary, Haryana has issued an instructions through D.O. letter dated 7.04.2017 regarding non compliance of the directions of the Hon'ble Courts and it was conveyed that the concerned officer shall be personally responsible for imposition of cost etc. In this regard, a D.O. letter dated 18.04.2017 was issued by the Chief Administrator, HUDA whereby directions regarding preparation of list of cases where speaking orders are to be passed/time bound directions of Hon'ble High/Supreme Court was issued and it was also directed to update CCTNS as well as to prepare a separate register for such cases. A proforma was also circulated wherein the said lists are to be prepared. Another letter dated 04.08.2017 was also issued by Legal Cell, HUDA HQ regarding non filing of replies/non compliance of time bound directions. In order to review the implementation of the said directions of HUDA HQ, a review meeting of all the DDAs/ADAs office of Administrators HUDA & Estate Officers, HUDA in the state (Official looking after legal work in case no law officer is posted in the concerned office) shall be held under the Chairmanship of Chief Administrator, HUDA on Monday i.e. 28.08.2017 at 11AM. All the law officers shall supply the information as conveyed through D.O. letter dated 18.04.2017 by Friday i.e. 25.08.2017 to the Legal Cell Hq (through email) and shall attend the meeting on above given date and time without fail. The cases where reply has not been filed in the Hon'ble High Court / Supreme Court fixed for hearing in September 2017 alongwith COCPs/time bound directions shall also be discussed.
- iii) In order to streamline the defence of Court cases, it was decided by the Chief Administrator, HUDA that the draft replies/affidavits to be filed by the Administrators/ Estate Officer, HUDA in the Hon'ble High Court and Hon'ble Supreme Court shall be vetted and approved by the Legal Cell HUDA HQ and after approval of the same, the reply/affidavit will be filed by the Estate Officer, HUDA/ Administrator, HUDA in the Hon'ble Court. The concerned DDA/ADA of the office of Administrator/ Estate Officer, HUDA shall attend the Legal Cell HUDA HQ alongwith draft reply and record of the case one week prior to the date of hearing and after

getting the same vetted from HUDA HQ shall ensure filing of the reply affidavit after getting it signed from the concerned officer. It shall be personal responsibility of DDAs/ ADAs posted in the office of Administrator, HUDA/Estate Officer, HUDA to ensure filing of reply atleast 3 days prior to the date of hearing. In case the reply is not filed timely, the cost imposed by the Hon'ble Court shall be recovered from the pocket of concerned Administrator/ Estate Officer, HUDA and the Law Officer posted in his office. As per instruction dated 07.08.2009, in case of non compliance of directions of the Hon'ble High Court /Supreme Court, the cost of proceedings i.e. counsel fee etc. shall be recovered from the salary of the concerned officer. The said direction of HQ shall be implemented in its letter and spirit.

- iv) In case the compliance of the time bound direction issued by the Courts could not be made for certain unavoidable reasons, the concerned officer shall move and application before the respective Court for extension of time for compliance citing the reason thereof and will try to get the time extended so as to avoid the possibility of filling of COCPs/ executions etc where it has been decided not to challenge the said order.
- v) The ADAs posted in Legal Cell, HUDA shall prepare an Advocate wise list of cases fixed for hearing before Hon'ble High Court and Supreme Court. It shall be incumbent upon the DA/ADAs Legal Cell HUDA HQ to brief The Chief Administrator, HUDA about the cases fixed before Hon'ble High Court one day prior to the date of hearing after discussion of the same with the HUDA counsels engaged in those cases so that if in any case any input is required, the same can be provided to the counsel by the concerned filed office.
- vi) The Administrators, HUDA shall prepared a District wise list of competent Advocates who have experience in handling the HUDA Litigation and possess knowledge of HUDA policies. The said list shall be discussed by the Administrator, HUDA with Chief Administrator, HUDA and cases shall be marked to these Advocates so that the litigation of HUDA is properly defended from the lower level itself.
- vii) The Zonal Administrators, HUDA shall hold a weekly meeting of DDAs/ADAs of their office on every Friday with regard to the court cases fixed in coming week and shall send the proceedings of the said meeting to the DA, HUDA, HQ on that very day through email.
- viii) There are 21 sanctioned posts of DDAs/ADAs in HUDA since 1977 and the litigation has increased manifold. There is acute shortage of Law Officers in HUDA and keeping in view that the interest of the Authority and for proper functioning of Legal Cell of Zonal Administrator and Estate offices, HUDA, they shall be at liberty to engage one Advocate through outsourcing as per applicable instructions of Govt. of Haryana in this regard for preparing replies, affidavits/updateion of CCTNS etc. Similarly, 5 Advocates shall be hired at the Level of HUDA, HQ through outsourcing policy to assist the ADAs at HQ in monitoring of court cases.
- ix) The DDAs/ADAs shall that ensure CCTNS is updated regularly and effectively at filed level as well as HQ Level.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula.
Dated: 23.08.2017

Endst No. DA/ADA/NS/2017-158027

A copy of the above is forwarded to the following for information please:-

1. Ld. Advocate General, Haryana.
2. PS/Chief Administrator, HUDA, Panchkula.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator, HUDA (H.Q.), Panchkula.
2. All the Zonal Administrator(s), and Additional Directors Urban Estates, in the State.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer-I & II, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Estate Officer(s), in the State.

Memo No. DA/2017/146534

Dated: 04.08.2017

Subject: Regarding non filing of reply/affidavits/status reports etc. in the court cases and non compliance of time bound directions issued by the courts-HUDA instructions.

1. It is informed that the Chief Administrator, HUDA Panchkula appeared before the Court of Hon'ble Justice Daya Chaudhary on 02.08.2017 in CRM No. M-26292 of 2013 titled as Dharam Singh Yadav Vs State of Haryana and others, and during the course of hearing in the ibid case the Hon'ble Court expressed displeasure on non compliance of the directions issued by the Hon'ble High Court from time to time and non filing of replies in the Hon'ble High Court by the HUDA officers. It was conveyed by the Hon'ble Court that in a large number of contempt petitions pending before the Hon'ble High Court either HUDA has not complied with the directions issued by the Court by passing speaking order etc. or speaking order has been passed/compliance has been made with the considerable delay without filing any application for extension of time in the court by which direction was issued.
2. As you are aware that various Instructions/Orders have been issued by the Chief Secretary, Govt. of Haryana vide which all the Administrative Secretaries, Head of Departments, Board/ Corporations in State of Haryana were requested to ensure that replies/Affidavits be filed well within time at least 03 working days prior to the date fixed. It is also directed that cost should be borne on account of delay in filing reply/affidavit imposed by the concerned court from delinquent officer. The Administrative Secretaries were also requested to take suitable corrective administrative action against the delinquent officer in case the reply is not filed within the stipulated period.
3. A D.O. letter No. 67725-29 dated 18.04.2017 was issued by the Chief Administrator, HUDA, Panchkula in this regard to all the zonal Administrators with following proforma to prepare list/register but despite that position has not improved:

Sr. No.	Case no. & title	Date of direction & Court	Description of direction in brief	Time given	Date of receiving certified copy	Date on which time shall expire	If time expired whether application for extension of time filed	Remarks
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A Review meeting was also held by Sh. P. Raghvendra Rao, IAS, the then ACSTCP on 27.01.2016 to improve the monitoring/defence of court cases but scant regard is being paid by the Administrators/ Estate Officers to the

decisions taken therein.

Similarly it has been observed that in cases where approval from the competent authority is required before filing the reply/affidavit/status report in the Hon'ble Supreme Court/High Court, the draft for approval is submitted at the last moment i.e. only 1-2 days prior to date fixed.

4. Therefore, you are hereby again directed as under:-

- (i) That it shall be your responsibility to ensure submission of draft reply/affidavit/status report before the competent authority for approval at least 07 days prior to the next date of hearing, so that, the same can be timely got vetted and approved.
- (ii) That it shall be your responsibility to ensure the filing of reply/affidavit/status report at least 03 days prior to the next date of hearing after approval as per instructions.
- (iii) To personally look into all cases and verify, as to in which cases time limit prescribed by the Hon'ble Courts have lapsed and to ensure to pass the speaking order in accordance with the directions of the Hon'ble Courts within a period of 07 days.
- (iv) To personally look into all cases and verify, as to in which cases time limit prescribed by the Hon'ble Courts have lapsed and in case passing of speaking orders are likely to take time due to unavoidable reasons, then to ensure to file within a period of 07 days, an application in the courts for extension of time in all such cases. A weekly report shall be supplied to the Head Office in the proforma hereinbefore mentioned.
- (v) To maintain personal liaison regarding court cases/COCs especially those pending in the Hon'ble Supreme Court and the Hon'ble High Courts to ensure timely action is taken regarding filing of written statement/status report/affidavit/compliance of directions thereof.
- (vi) That it shall be your responsibility to get the CCTNS updated regularly/properly.

These instructions are being issued with the approval of the Chief Administrator, HUDA, Panchkula for meticulous compliance and any laxity in compliance thereof shall be viewed seriously.

-sd/-
(S.D.Bhatti)
District Attorney, HUDA,
For Chief Administrator, HUDA,
Panchkula.

Endst. No. DA-2017/146549-52

Dated: 04.08.2017

A copy of above is forwarded to the following for information and necessary action please.

1. The Director, Urban Estates, Panchkula.
2. The GM(IT), HUDA, Panchkula uploading the instructions on the HUDA website.

-sd/-
(S.D.Bhatti)
District Attorney, HUDA,
For Chief Administrator, HUDA,
Panchkula.

Subject: Regarding **non-compliance of the time bound directions** issued by the Hon'ble High Court/Supreme Court-**DO of CA.**

1. Your attention is invited to the D.O. No. 62/42/2014-6GSI dated 07.04.2017 received from the Chief Secretary to Government, Haryana. (Copy attached).
2. The Chief Secretary to Government, Haryana has pointed out that despite time bound directions of the Hon'ble High Court, the orders are not being complied with, which is resulting into initiation of contempt petitions. The Chief Secretary has further pointed out that the Hon'ble High Court is taking a serious view of non-compliance with the orders and observed that in case of non-compliance of the directions timely, the concerned officer shall be personally responsible for the same and also for costs if any imposed by the Courts.
3. Your further attention is invited to the directions which have been issued on regular basis by the undersigned in this regard, to pass the speaking orders timely. A number of meetings in this regard have already been held by the undersigned. However, despite it, the situation has not shown much improvement at your end. It has been observed that a number of cases are pending wherein speaking orders are yet to be passed despite time period having lapsed, which may result into filling of avoidable contempt petitioners. The filling of contempt petitions are not only resulting into increase in the litigation cost but are also burdening the courts as well as diversion of energies in defending the same.
4. Therefore, All the Administrators, HUDA, in the State are hereby again directed as under:
 - a. To prepare the updated list of cases wherein the speaking orders are to be passed and /or time bound directions are issued by the Hon'ble High Court/Supreme Court.
 - b. To get the CCTNS updated as well as to prepare a separate register for such cases as are mentioned at serial no. (a) above.
 - c. The list/register be prepared in the following:

Sr. No.	Case no. & title	Date of direction & Court	Description of direction in brief	Time given	Date of receiving certified copy	Date on which time shall expire	If time expired whether application for extension of time filed	Remarks
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- d. To personally look into all the cases and verify, as to in which cases time limit specified by the Hon'ble Courts have lapsed and to ensure to pass the speaking order in accordance with the directions of the Hon'ble Courts within a period of 7 days.
 - e. To personally look into all cases and verify, as to which cases time limit specified by the Hon'ble Courts have lapsed and in case passing of speaking orders are likely to take time due to unavoidable reasons, then to ensure to file within a period of 7 days, an application in the courts for extension of time in all such cases, duly justifying the reasons for seeking such extension.
 - f. To ensure to file the replies to the CWPs/COCs timely.
5. It is made clear that all the Zonal Administrators shall be personally responsible for ensuring passing of speaking orders timely under their respective jurisdiction. The Administrator (s) shall be liable for the cost of litigation as well as the costs if any as may be imposed by the Hon'ble Court. It is further clarified to you that in case any Administrator/Estate officer is summoned by the Hon'ble Courts, then no TA/DA for said visit shall be paid. Non compliance shall also entail disciplinary action.

Yours sincerely,

-sd/-
(Vikas Gupta)

Administrator,HUDA
Gurgaon, Faridabad, Hisar,
Panchkula, Rohtak

Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA Complex, Panchkula
Phone: 0172-566381, e-mail: aduepkl1@gmail.com

Most Urgent
SLP Matters

To

1. Administrator, HUDA-cum-ADUE,
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.
2. Land Acquisition Officer,
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.

Memo No. DA-2016/13115-26

Dated: 09.12.2016

Subject: Instruction for **filing of SLP in cases** allowed by the Hon'ble High Court in **terms of section 24(2)- DUE instructions.**

Please refer to the D.O. Letter no. ACSTCP-2016/188983 Dated 23.11.2016 (copy enclosed) on the subject matter cited above.

On the issue of lapse of acquisition proceedings under section 24(2) of RFCT LARR Act, 2013, Advocate General, Haryana has advised that in all such cases where the acquisition proceedings has been allowed to lapse by any Court, the appeal may be filed immediately so that we can take advantage of the amended provision in the RFCT LARR Act, 2013. In case, the appeal is not filed, we may not be able to get the benefit of the proposed amendment in the RFCT LARR Act, 2013.

Therefore, it is requested to identify all such cases and file SLPs in all the cases immediately within the limitation period.

Encls: As above.

Endst. No. DA-2016/13115-26

A copy is forwarded to Additional Chief Secretary to Govt. of Haryana, Urban Estates, Department for information please.

-sd/-
Dy. Director,
O/o Director, Urban Estates,
Haryana, Panchkula.
Dated: 09.12.16

Endst. No. DA-2016/13115-26

A copy is forwarded to Chief Administrator, HUDA, Panchkula for information please.

-sd/-
Dy. Director,
O/o Director, Urban Estates,
Haryana, Panchkula.
Dated: 09.12.16

Encl. As above.

-sd/-
Dy. Director,
O/o Director, Urban Estates,
Haryana, Panchkula

Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA Complex, Panchkula
Phone: 0172-566381, e-mail: aduepk1@gmail.com

Most Urgent

To

1. Administrator, HUDA-cum-ADUE,
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.
2. Land Acquisition Officer,
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.

Memo no.: DA-2016/11434-43

Dated: 24.10.16

Subject: Instruction for filing of SLP/Appeal in all fit cases after receiving opinion of AG, Haryana or LR Haryana- DUE instructions.

It has been noticed that the matters regarding filing of SLPs/Appeals get delayed in the office of LAOs even after receiving the opinion from AG, Haryana/LR Haryana. In order to avoid delay in such cases, all Zonal ADUEs & LAO are requested to file SLPs/Appeals immediately after receipt of the opinion/recommendation (fit for filing SLP), from any of the soliciting authority without waiting for the opinion of the second authority. The case may only be sent to the Directorate if any contradictory opinion is received from AG, Haryana and LR Haryana.

-sd/-

Dy. Director,
O/o Director, Urban Estates,
Haryana, Panchkula

From

Chief Administrator
HUDA, Panchkula.

To

The Administrator (HQ)
HUDA, Panchkula.

All Head of the Branches,
HUDA(HQ), Panchkula.

All Administrators(In the State),
The Secretary,
HUDA, Panchkula.

All Estate Officers (In the State)

Memo No./ADA/2016/68953

Dated: 14.09.2016

Subject: Directions of W/Additional Chief Secretary Town and Country Planning Department Haryana with regard to passing of speaking orders.

Reference on the subject cited above.

I have been directed to inform that in CWP No. 12072 of 2016 titled as Silochna Vs State of Haryana and others the concerned Estate Officer has passed the sketchy and non-speaking order while deciding the representation of the petitioner with regard to plot no. 342, Sector-5, Rohtak which caused unnecessary litigation to the department.

W/ACSTCP has taken a serious view on the issue and has directed that in future while passing the orders, all the officers will ensure that an opportunity of hearing is afforded to the petitioner and a detailed speaking order giving justification for arising at a particular decision, is given in such cases. All the officers are directed to pass a well reasoned order in such cases. Non-compliance of directions will be viewed seriously.

-sd/-

Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula.

Dated: 14.09.2016

Endst. ADA/2016/68953

A copy of the above is forwarded to the following for information please:-

1. PS to W/ACSTCP
2. PS to W/Chief Administrator.

-sd/-

Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula.

From

Additional Chief Secretary to Government,
Haryana Administration of Justice Department.

To

1. All the Additional Chief Secretaries/Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries of the Government of Haryana.
2. All the Head of the Departments, Haryana.
3. The Commissioners, Ambala, Hisar, Gurgaon, Rohtak Divisions.
4. The Registrar, Punjab and Haryana High Court, Chandigarh.
5. All the Deputy Commissioners and Sub Divisions Officers (Civil) in Haryana.
6. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar, Ch. Devi Lal University, Sirsa and Bhagat Phool Singh Mahila Vishav Vidhalya, Khanpur, Sonapat.
7. All the Managing Directors/CAs of Boards/Corporations/State Public Sector Undertakings.

Memo No.11/29/2016-5JJ(1)

Dated Chandigarh, the 14.07.2016

Subject: Removal of delay in filing appeals-strict compliance of clause 9.3 of the Haryana State Litigation Policy.

I am directed to refer to the subject noted above and to say that it has been brought to the notice of the Government that in many cases appeals are filed after expiry of period of limitation and delay in many cases has been found even more than one year. In many cases, delay in filing appeal occurred on account of the reason that the file remains on the different desks for seeking legal opinions of the Advocate General, Haryana and the Legal Remembrancer resulting unnecessary delay and good cases are often lost on account of such period. Government, with a view to reduce delays and to ensure accountability, have decided that clause 9.3 of the Haryana State Litigation Policy should be implemented effectively, which is as under:-

“9.3 Limitation-Delays Appeals

Good cases are often lost because appeals are filed well beyond the period of limitation and without any proper explanation for the delay or without a proper application for condonation of delay. It is recognized that such delays are not always bonafide particularly in cases where high revenue stakes are involved.

9.3.1 Each Head of Department will be required to call for details of cases filed on behalf of the Department and to maintain a record of cases which have been dismissed on the ground of delay. The Nodal Officers must submit a report in every individual case to the Head of Department explaining all the reasons for such delay and identifying the persons/causes responsible. Every such case will be investigated and if it is found that the delay was not bonafide, appropriate action must be taken. Action will be such that it operates as a deterrent for unsatisfactory work and malpractices in the conduct of Government litigation. For this purpose, obtaining of the data and fixing of responsibility will play a vital role. Data must be obtained on a regular basis annually, bi-monthly or quarterly.

9.3.2 Applications for condonation of delay are presently drafted in routine terms without application of mind. This practice must immediately stop. It is the responsibility of the drafting counsel to carefully draft an application for condonation of delay, identifying the areas of delay and identifying the causes with particularity.

- 9.3.3 Every attempt must be made to reduce delays in filling appeals/applications. It shall be responsibility of each Head of Department to work out an appropriate system for elimination of delays and ensure its implementation.
- 9.3.4 The question of limitation and delay must be approached on the premise that every court will be strict with regard to condonation of delay.”

In addition to the above, it shall be ensured that the affidavit in support of application for condonation of delay under section 5 of the Limitation Act should contain the details of period for which file remain with one desk and the names of the officers many these desks to be held responsible for unnecessary delay.

2. The above instructions be brought to the notice of all the concerned for strict compliance. Any lapse on part of the concerned person shall be viewed seriously and action will be taken against the erring officers/officials.

-sd/-

Under Secretary, Jails & Judicial,
For Additional Chief Secretary
to Government, Haryana,
Administration of Justice Department.

Haryana Urban Development Authority

Endst. No.

Dated: 14.07.2016

A copy of the above is forwarded to Administrator (H.Q) HUDA, CTP, HUDA, CCF HUDA, C.E., HUDA and all the ADA Legal Cell, HUDA Panchkula for taking necessary action.

-sd/-

Dy. Supderintendent,
O/o D.A, HUDA
Panchkula.

From

The Advocate General, Haryana
Chandigarh.

To

The Additional Director, Prosecution,
Haryana Legal Cell, Haryana Bhawan,
Copernicus Marg, New Delhi.

Memo No. 31056

Dated: 12.07.2016

Subject: Instructions regarding **defending land acquisition matters and enhancement matters** in the Hon'ble Supreme Court of India and Hon'ble Punjab and Haryana High Court-**A.G. instructions.**

After discussing the matter with high ranking officials of HUDA, it was decided that all land acquisition matter of HUDA will be defended by the Law Officers of the Office of Advocate General, Haryana posted in the Legal Cell, Haryana at New Delhi as well as at Chaingarh without any remuneration/legal fee. It was also decided that if earlier any case(s) challenging acquisition or for enhancement/reduction of compensation have been entrusted to private counsels to defend HUDA, it may be ensured that these private counsels do not appear in these cases in future and such cases be withdrawn from private Advocates. The Chief Administrator, HUDA (Legal Cell), Panchkula has already issued instructions in this regard vide Memo No. DA/2015/2570-2644 dated 07.08.2015, a copy of which is enclosed herewith for ready reference and strict compliance.

Please ensure strict compliance of these instructions and also inform all Law Officers posted at Delhi.

-sd/-
(Baldev Raj Mahajan)
Advocate General, Haryana.
Dated: 12.07.2016

Endst. No. 31056

A copy of the above is forwarded to the Chief Administrator, HUDA (Legal Cell), Panchkula for information and further necessary action in the matter.

-sd/-
(Baldev Raj Mahajan)
Advocate General, Haryana

DATE BOUND/ MOST URGENT

From

Additional Chief Secretary. to Govt., Haryana
Town & Country Planning and Urban Estates Department.

To

1. Director General,
Town & Country Planning Department
Haryana, Chandigarh.
2. Director General,
Urban Estates Department,
Haryana, Chandigarh.
3. The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

Memo No. 14/38/2016-3TCP

Dated: 17.05.2016

Subject: Procedure to be followed for issuance of instructions of defense in all courts of District Level, High Court/Tribunal(s)/Commission(s)/ Arbitrator(s) and Supreme Court-Govt. instructions.

Reference to the subject cited above.

The Legal Remembrancer and Administrative Secretary to Government Haryana, Law & Legislative Department vide his letter no. 1286 to 1455 dated 20.04.2016 which is addressed to all the Heads of the Departments has intimated that it has been decided by the Hon'ble CM that all concerned Administrative Departments shall issue instructions for defence of all cases at public expenses in all Courts of District Level, High Court/Tribunal(s)/ Commission(s)/Arbitrator(s) and High Court as well as in the Supreme Court directly to the District Attorney or Advocate General, Haryana as the case may be.

It has further decided that necessary amendment in the Law Department Manual in this regard will be carried out in due course. Hence, no reference for issuance of instructions for defence of Government cases in civil litigation shall be entertained by the Legal Remembrancer and Administrative Secretary to Government Haryana, Law & Legislative Department in future in view of these instructions.

A copy of the aforesaid instructions issued by the Legal Remembrancer and Administrative Secretary to Government Haryana, Law & Legislative Department vide their letter no. 1286 to 1455 dated 20.04.2016 is sent herewith with the request to send such cases directly to the Government for issuance of necessary instructions for defence of all cases at public expenses in all courts of District Level High Court/Tribunal(s)/Commission(s)/ Arbitrator(s) and High Court as well as in the Supreme Court directly to the District Attorney or Advocate General, Haryana as the case may be so that necessary sanction could be issued at the level of A.D.

Further, these instructions may also be circulated to all the concerned for making the compliance strictly.

-sd/-

Deputy Superintendent
for Additional Chief Secy. to Govt., Haryana
Town & Country Planning and
Urban Estates Department.

Dated: 17.05.2016

Endst. No. 14/38/2016-3TCP

A copy alongwith copy of letter no. 1286 to 1455 dated 20.04.2016, received from Legal Remembrancer and Administrative Secretary to Government Haryana, Law & Legislative Department is forwarded to the Additional Director, Urban Estates Department and all the Administrators, HUDA-cum-Additional Director, Urban Estates Department, Haryana, Panchkula, Hisar, Gurgaon, Faridabad and Rohtak and Chief Coordinator Planner, NCR, Panchkula for similar action in the matter.

-sd/-

Deputy Superintendent
for Additional Chief Secy. to Govt., Haryana
Town & Country Planning and
Urban Estates Department.

Dated: 17.05.2016

Endst. No. 14/38/2016-3TCP

A copy alongwith copy of letter no. 1286 to 1455 dated 20.04.2016, received from Legal Remembrancer and Administrative Secretary to Government Haryana, Law & Legislative Department is forwarded to all the Land Acquisition Officers in Haryana, All Senior Town Planners in Town & Country Planning Department and all the District Town Planners in Town & Country Planning Department for similar action in the matter.

-sd/-

Deputy Suprintendent
for Additional Chief Secy. to Govt., Haryana
Town & Country Planning and
Urban Estate Department.

From

Legal Remembrancer and Administrative Secretary
to Government, Haryana,
Law and Legislative Department.

To

1. Advocate General, Haryana, Chandigarh;
2. The Chief Secretary to Government, Haryana;
3. All the Additional Chief Secretaries/Principal Secretaries/Commissioner & Secretaries to Government, Haryana;
4. Registrar, General, Punjab and Haryana High Court, Chandigarh;
5. All Head of Departments to Government, Haryana;
6. All the Divisional Commissioners in the State of Haryana;
7. All the Deputy Commissioners to Government, Haryana; and
8. All the District Attorneys/Deputy District Attorneys/Assistant District Attorneys in the State of Haryana.

Memo No. 1286-1455

Dated Chandigarh, the 20.04.2016

Subject: Procedure to be followed for issuance of instructions of **defence** in **all courts** of district Level, High Court/Tribunal(s)/Commission(s)/ Arbitrator(s) and Supreme Court-**L.R. instructions.**

Sir,

I have been directed to say that the question regarding issuance of instructions for defence of Govt. cases in civil litigation at the level of departments itself was under consideration of Hon'ble Chief Minister for some time past and it has now been decided by the Hon'ble Chief Minister vide orders dated 14.04.2016 as under:

“The concerned Administrative Department shall issue instructions for defence of all cases at public expenses in all courts of District Level, High Court/Tribunal(s)/Commission(s)/ Arbitrator(s) as well as in the Supreme Court directly to the District Attorney or Advocate General, Haryana as the case may be.”

It has further been decided that necessary amendment in the Law Department Manual in this regard will be carried out in due course.

Thus, in view of above, no reference for issuance of instructions for defence of Govt. cases in civil litigation shall be entertained by this department in future and accordingly necessary instructions to this effect are required to be issued by the concerned Administrative Department at its own level in compliance of orders passed by Hon'ble Chief Minister.

-sd/-

Additional L.R & S.S.-I
for Legal Remembrancer and Admn. Secretary
to Government, Haryana,
Law and Legislative Department.

Dated Chandigarh, the 20.04.2016

Endst. No.1456-57

Copy to:-

1. Senior Secretary/Hon'ble Chief Minister; and
2. Senior Secretary/Hon'ble Law Minister for information

-sd/-

Additional L.R & S.S.-I
for Legal Remembrancer and Admn. Secretary
to Government, Haryana,
Law and Legislative Department.

From

The Chief Administrator
HUDA, Panchkula.

To

1. All the Administrators of HUDA in Haryana State.
2. All the Estate Officer, HUDA, Panchkula.

Memo No. DA/2016/128-52

Dated: 21.01.2016

Subject : Regarding supply of record in Court cases to the counsels.

Reference to the subject cited above.

It has been observed that in Court cases generally files are sent to the counsels by the O/o concerned Administrator/Estate Officer which also contain irrelevant documents vis-a-vis the court case for preparing written statements or drafting appeals/ LPA/SLPs resulting into delay and confusion.

It has been decided that henceforth in every court case only relevant record shall be sent to the counsels along-with forwarding letter under the signatures of concerned Assistant District Attorney. Similarly, whenever a document is sent to the counsel, the same should be sent alongwith forwarding letter under the signatures of concerned ADA clarifying the contents of the documents (wherever required) in the interest of court cases.

In case of non compliance of above instructions, appropriate disciplinary action shall be initiated forthwith.

-sd/-
(AnilAggarwal)
District Attorney,
For Chief Administrator,
HUDA, Panchkula.
Dated 21.01.2016.

Endst. No. DA/2016/153-65

A copy of the above is forwarded to the following for information and necessary action :-

1. PS/AG Haryana for information of Ld. AG.
2. Legal Cell, Haryana Bhawan, New Delhi.
3. All the DDAs./ ADAs posted in the office of Zonal Administrators/ Estate Officers and H.Q to ensure strict compliance.

-sd/-
(AnilAggarwal)
District Attorney,
For Chief Administrator,
HUDA, Panchkula

NON INTIMATION AND NON COMPLIANCE OF TERMS AND CONDITIONS OF ENGAGEMENT.

Mon, Dec 21, 2015 at 4.07 PM

Subject- Non-intimation and Non-compliance of terms and condition of engagement.

Anil aggarwal lrhuda12@gmail.com

To: Amar Vivek amarvivek551@gmail.com, Vishal Mahajan vishal_m30@yahoo.com Deepak Balyan deepakbalyan286@gmail.com Parminder Kanwar kanwarparminder@gmail.com abhinandan pandhi abhi.pandhi@gmail.com KS Malik ksmalik204@gmail.com Lokesh Sinhal sinhal.lokesh@gmail.com advocatektiware advocatektiware@gmail.com Deepak Manchada solicitors24@gmail.com aakansha.sawheny aakansha.sawheny@gmail.com Sudeep Mahajan sudeep_mahajan@yahoo.com Gaurav Jindal gjindal.adv@gmail.com Vivek Verma vermavivek16@gmail.com Vishal Garg advvishal@gmail.com Rajesh Kumar singh rajeshsinghadv@gmail.com Ashok Singla advashoksinglambc@gmail.com Ashish Yadav ashishadv17@yahoo.in Rajinder Mathur r.mathuradv@gmail.com Deepak Sabherwal Deepak.sabherwal.legal@gmail.com Padamkant Dwivedi padamkant@gmail.com

CC: Advocate General adv.gen.hry@gmail.com

Bcc: ada.mukesh.huda@gmail.com

MOST URGENT

IT HAS BEEN OBSERVED THAT THE ENGAGED COUNSEL ARE NOT COMPLYING WITH THE TERMS AND CONDITIONS OF THE ENGAGEMENT DUE TO WHICH IT IS NOT POSSIBLE TO UPDATE RECORD AND CCTNS OF HUDA.

1. FOR EXAMPLE, IF THE DATE OF FILING OF REPLY IS NOT INTIMATED THROUGH E-MAIL, HUDA CANNOT UPDATE THE CCTNS AND THE CCTNS GENERATES EVEN THOSE CASES WHEREIN REPLY HAS BEEN FILED AND IT LEADS TO CONFUSION WHILE MONITORING THE COURT CASES.
2. DUE TO NON INTIMATION OF DAILY PROGRESS IT IS NOT POSSIBLE FOR HUDA TO UPDATE CCTNS AND THE CASES LISTED ON A PARTICULAR DAY ARE NOT CORRECTLY GENERATED BY THE CCTNS DUE TO THIS REASON.
3. SIGNED COPY OF REPLY AND CERTIFIED COPY OF ORDER ARE NOT BEING SENT AND IT WILL NOT BE POSSIBLE TO PROCESS THE FEE BILLS AS PER INSTRUCTIONS.
4. COMMENTS ARE NOT VETTED PROMPTLY AND WELL IN TIME DUE TO WHICH ADJOURNMENT HAS TO BE SOUGHT WHICH IS NOT APPRECIATED BY THE HON'BLE HIGH COURT.
5. RSA/LPA ARE ALSO NOT BEING DRAFTED PROMPTLY DUE TO WHICH SAME ARE BEING DISMISSED OR LIKELY TO BE DISMISSED ON THE GROUND OF DELAY ALONE.

From

The Additional Chief Secretary to Government,
Haryana, Admn. Of Justice Department.

To

1. All the Head of Departments in the State.
2. All the Managing Directors/Chief Administrators of the Boards and Coronations in the Haryana State of Haryana.
3. All the District Attorney in the Haryana State.

Memo No. 21/02/2015-5JJ(1)

Dated: 03.11.2015

Subject- Monitoring of Court case in the Hon'ble Court-Govt. instructions- Service matter.

Reference on the subject noted above

2. It is observed that while defending the court cases, the matter are not examined in the High of Rules/Instructicus/Policy of the Government/Department.
3. Therefore, it has been decided that after the receipt of notice of Hon'ble Court in Civil Suit/Civil Writ Petition, the matter should be got examined by the Members of SAS Cadre posted in the Deponents/Boards/Corporations in the light of Service Rules/Instructions/Litigation Policy applicable in the case. After detailed examination alogwigh relevant provisions of service rules applicable in that case, detailed comments with regard to claim of the petitioner shall be given by them. On the basis of that comments of Member of SAS Cadre, written statement should be prepared by the Law Officer of Prosecution Department Posted in the Departments/Boards/Corporations. The Law Officer of the Prosecution Department should discus all the issues within the Law Officers of Advocate General, Haryana office and should remain present in the Court during the time of arguments for assistance, whoever required.

-sd/-

Superintendent, Jails & Judicial-1
For Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.
Dated Chandigarh the 03.11.2015

Endst No. 21/2/2015-5JJ (1)

A copy is forwarded to the Director Prosecution Haryana Panchkula with the request that a direction be issued to all the District Attorneys/Deputy Distract Attorneys/Assistant District Attorneys posted in the various Departments and Boards/Corporations for strict compliance regarding the above said directions.

-sd/-

Superintendent, Jails & Judicial-1
For Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject: Office order regarding **timely filing of reply** by Zonal Administrators and Estate Officers.

It has been observed that replies are not being filed by the Zonal Administrators or the Estate officers as the case may be, timely in the Hon'ble high Court. The matter has been taken seriously by the Hon'ble High Court in many cases.

1. Henceforth, to avoid embarrassment to HUDA on this account, the DDA/ADA posted in the O/o the concerned Zonal Administrators along with dealing official(s) with complete record shall attend the Hon'ble High Court in the cases wherein the reply is not filed and render full assistance to the Hon'ble High Court and consul representing HUDA.
2. The DDAs /ADAs posted in the O/o the Zonal Administrators shall keep D.A., HUDA apprised regarding outcome of the cases after attending the Hon'ble High Court and regarding coming up cases in the ensuing week wherein reply is yet to be filed along with reasons of not finalization of reply.
3. The ADAs posted in Legal Cell, HUDA, H.Q shall put up the files 15 days prior in the cases wherein the Zonal Adminstrators or the Estate Officers, as the case may be, have not filed reply in the Hon'ble High Court .
4. Strict disciplinary action will follow in the case of disobedience of these orders.

Dated, Panchkula , the
23rd October, 2015

(Brijendra Singh, IAS)
Chief Administrator,
HUDA, Panchkula.

Endst No. DA/2015/3231

Dated: 23.10.2015

A copy of the above is forwarded to the following for information and necessary action:-

1. The Administrator, HUDA HQ-Cum-Nodal Officer.
2. All the Zonal Administrators, HUDA.
3. All Heads of Branches, HUDA, H.Q
4. All the Estate Officers, HUDA.
5. All DDAs and ADAs in the HQ as well as in the field.
6. GMIT to host the officer order on HUDA website.
7. PS/A.G., Haryana for kind information of A.G, Haryana.
8. PS/ACSTCP for kind information of ACSTCP.
9. PA/CA for kind information of C.A,S HUDA.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula.

From

The Additional Chief Secretary to Government,
Haryana, Administration of Justice Department

- To
1. All the Additional Chief Secretaries/Principal Secretaries to the Government, Haryana.
 2. All the Head of Departments in the State of Haryana.
 3. All the Managing Director of all Boards/Corporations in the Haryana State.
 4. All Divisional Commissioners/Deputy Commissioners in the State of Haryana.
 5. The Registrars of all the Universities in Haryana.

Memo No. 21/2/2015-5 JJ1

Dated Chandigarh, the 21.10.2015

Subject: Monitoring of Court cases in the Hon'ble Supreme Court of India, Delhi High court, Subordinate Courts in Delhi, CAT and other Tribunals **located at Delhi-Govt. instruction-returns of briefs.**

I am directed to refer Haryana Government Administration of Justice Department Letter no. 21/2/2005-5JJ-1 dated 01.01.2015 and any other letter issued from time to time in this regard on the subject noted above and to intimate that vide order dated 01.01.2015 Government has decided that all existing Panel of Advocates of various Departments/Boards/Corporation and Autonomous bodies etc. engaged for defending/pleading of cases in Hon'ble Supreme Court of India, Delhi High court, Subordinate Courts in Delhi, CAT, National Commission and other Court located at Delhi on behalf of Haryana State stand dissolved/scrapped.

Now, it has come to the notice of Government that many Ex Law officers/Panel Advocates engaged by the Haryana Government for defending/pleading of cases in Hon'ble Supreme Court to India, Delhi High court, Subordinate Courts in Delhi, CAT, National Commission and other Court located at Delhi has not returned the cases to Haryana Legal Cell, Haryana Bhawan, New Delhi till date. In the absence of brief of cases new engaged Law Officer/Panel Advocates are not able to defend the cases properly which may result adverse effect on the cases of Government.

Therefore, you are requested to look into the matter personally and ensure to hand over the cases pertaining to your department to the newly engaged Advocates so that those may be defended properly.

-sd/-

Under Secretary Jails & Judicial
For Additional Chief Secretary to Government
Haryana, Administration of Justice Department.

Endst. No. 21/2/2015-5 JJ1

Dated Chandigarh the 21.10.2015

A copy is forwarded to the Additional Director Prosecution, Haryana Legal Cell Haryana Bhawan, New Delhi with the request that to take brief of cases from the Ex Law Officer/Panel Advocates immediately without delay and handover the same to the new engaged Law Officer/Panel Advocates so that cases may be defended properly. It must also be ensured that timely information regarding latest Panel Advocates be provided to the concerned department.

-sd/-

Under Secretary Jails & Judicial
For Additional Chief Secretary to Government
Haryana, Administration of Justice Department.

Endst. No. 21/2/2015-5 JJ1

Dated Chandigarh the 21.10.2015

A copy is forwarded to the following for information and necessary action:-

1. The Advocate General, Haryana.
2. The Resident Commissioner Haryana Bhawan, New Delhi.
3. The Director Prosecution, Haryana, Panchkula is requested to monitor the matter personally and ensure compliance.

-sd/-

Under Secretary Jails & Judicial
For Additional Chief Secretary to Government
Haryana, Administration of Justice Department.

From

The Administrator(HQ)-cum-Nodal Officer,
HUDA, Panchkula.

To

1. All the Land Acquisition Officers in the State,
Urban Estate Department, Haryana.
2. All the District Town Planners in the State,
Town and Country Planning Department, Haryana.

Memo No. ADA(NS)/NO/2015/3193-3219

Dated: 06.10.2015

Subject: Instructions with regard to defending RFAs in the Hon'ble High Court.

1. The undersigned was summoned by Hon'ble Mr. Justice Rajesh Bindal, who is hearing the RFAs of Urban Estates Department on 05.10.2015. It was observed that the concerned senior officers do not come to the Court to assist it and the lower level staff which attends the Court is either not well versed with the facts of the case or is seen to be in-connivance with the other party thereby compromising the interest of the Department.
2. After discussing the issue, it has been decided that henceforth, the concerned Land Acquisition Officer as well as district Town Planner shall remain present in the Hon'ble High Court alongwith complete record of acquisition, Aks shajra, layout/development plan (area involved in the case duly marked), complete evidence led before the Reference Court by both the parties and any other relevant record in order to assist the conducting Law Officer. Non compliance shall be viewed seriously.

-sd/-

Administrator (HQ)-cum-Nodal Officer,
HUDA, Panchkula.

Endst. No.ADA(NS)/NO/2015/3220-3223

Dated: 06.10.2015

A copy of the above is forwarded to the following for information and necessary action:

1. The Advocate General, Haryana, High Court, Chandigarh.
2. The Additional Chief Secretary to Govt. Haryana, Town and Country Planning and Urban Estate Department Deptt., Mini Secretariat, Sector 17, Chandigarh.
3. The Director General, Urban Estates Department, Haryana Sector 17, Chandigarh.
4. The Chief Controller of Finance, HSVP, Panchkula with the direction to supply calculation statement of tentative price/development cost in each case to the office of Advocate General, Haryana by deputing dealing official who shall also brief the conducting Law Officer.

-sd/-

Administrator (HQ)-cum-Nodal Officer,
HSVP, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate officers, HUDA.

Memo No ADA/2015/2851-57

Dated: 24.08.2015

Subject: Supply of complete record to the counsels by the concerned Estate Offices.

In continuation of instructions dated 07.08.2009 and 30.08.2013.

It has been noticed in a number of cases that inspire of the issuance of engagement letters, the relevant record along with comments are not being supplied timely to the counsels by the Estate Offices. In some cases, the record is supplied to the counsel after the date of hearing which is causing embarrassment to the Department in the courts.

It has, therefore, been decided that in case complete documents, along with comments are not supplied to the counsel and the case is not briefed to him within 7 days from the date of issue of e-mail/letter regarding engagement of counsel, the concerned assistant be charge sheeted U/R 7.

This has the approval of W/Chief Administrator, HUDA,

-sd/-

District Attorney
For Chief Administrator,
HUDA, Panchkula.

Dated: 24.08.2015

Endst No. 2851-57

A copy of the above is forwarded to the following for information and necessary action:-

1. The Administrator, HUDA, HQ.
2. CCF, HUDA.
3. CTP, HUDA.
4. Secretary, HUDA.
5. Chief Engineer, HUDA.
6. All DDAs and ADAs in the HQ as well as in the field.
7. GMIT to host these instructions on HUDA Website.

-sd/-

District Attorney
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Secretary to Government,
Haryana.

To

1. All the Administrative Secretaries to Government Haryana.
2. All the Heads of Departments, Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. The Register, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners in the State of Haryana.
5. The Managing Directors/Chief Administrators of all the Boars Corporations in the State Of Haryana.
6. The Registrars of all the Universities in the State of Haryana.

Memo No. 62/31/2015-6GS1

Dated: 10.08.2015.

Subject:-Enactment of Statutory Rules for taking decisions on the **Representations made by employees** of Haryana Government and **non-compliance** of court orders/directions COCP No. 1740 of 2014 **Laksman Singh Vs. Shri Vineet Garg**, IAS and another.

Sir/Madam,

62/30/95-6GS1, Dated 23.3.1996
62/30/95-6GS1, Dated 11.6.97
62/30/95-6GS1, Dated 6.10.1997
62/30/95-6GS1, Dated 26.2.1998
62/76/2002-6GS1, Dated 18.11.2002
62/76/2002-6GS1, Dated 31.3.2003

1. I am directed to invite your attention to Government letter no 62/26/2002-6GS1, dated 02.05.2002 and others mentioned in margin issued from time to time on the subject noted above vide which it was decided that the directions of the Hon'ble High Court may be complied with forthwith in true letter and spirit so that undesirable litigation is avoided, thereby saving time and money of the Government. Further, immediate steps shall be taken to ensure that all such representation/claims of employees under your control are decided within stipulated period in pursuance to the directions of the Hon'ble High Court by the Competent Authority passing a speaking order giving cogent reasons, in support of his/her decision.
2. The Advocate General, Haryana Has brought to the notice of the State Government that the instructions referred above and time bound directions given Hon'ble High Court are not being complied with by concerned departments with stipulated time, with is generating another round of litigation by way of Contempt Petitions, resultantly, costs are being imposed on the State and Counsel for that State is facing embarrassing situation in the Court. Even the usual directions e.g. disposal of the representations are not being complied with by the departments. Recently faced with similar situation in COCP No. 1740 of 2014, while passing the order on 15.05.2015 in the contempt petition the Hon'ble High Court has made following observation:-

“It is not the solitary case in which the time prescribed by this court has not been adhered to, rather a large number of similar petitions are being filed everyday in with the only complaint made by the petitioner(s) against the State functionaries is for not complying with the innocuous orders passed by this Court for deciding their representation or legal notice, one way or other, within the prescribed period. As a result thereof the litigants have to resort to the multiple litigation; firstly by filing the writ petition for adjudication of their representation/legal notice within the stipulated period; secondly the contempt petition, when the representation/legal notice is not decided within the time prescribed by this Court and finally when the said representations/legal notice is decided, because of the contempt proceedings against the petitioner by way of a separate writ petition to challenge the same. The corridors of this Court are full upto it brim with such type of litigants whose only concern is to get an order from the Government on their representation or legal notice.”

Reverting back to the facts of the present COCP, the Hon'ble High Court passed the Following order on 15.05.2015:-

“Thus in view of these facts and circumstances, I have been left no other choice but to impose the cost of Rs. 50,000/- upon the respondent for non-compliance of the order of this Court within the stipulated time, which shall be paid to the petitioner to compensate the inconvenience and harassment faced by him. The costs shall be paid by way of Bank Draft drawn in the name of the petitioner and the said amount shall be recovered from the salary of erring official(s) who have failed to bring to the notice of the deponent the order dated 13/11/2013, for deciding the representation or legal notice of the petitioner within the time prescribed.

Thus the present petition is disposed of in the aforesaid terms.

The Registry is directed to send copy of this to the Chief Secretary of the States of Punjab, Haryana and the Advisor to the Administrator, Union Territory, Chandigarh, for information and necessary action.”

3. The State Government has taken a serious view of this and considered the matter again in light of the directions issued by the Hon’ble High Court. Accordingly, it has been decided that court matters and pursuant time bound dictions must be complied within letter and spirit and within prescribed period so as to minimize the scope of fining of contempt petitions against State. As soon as Legal notice is served upon any department asking for a relief the same should be decided expeditiously in accordance with the relevant rules/instructions and by passing a detailed speaking order as per para 5.2.1 of Haryana State Litigation Policy, 2010. If the notices are disposed of at the first instance, it would reduce the burden of the Court. The Nodal Officer shall be personally responsible to ensure that every legal notice/notice of demand for justice is promptly attended to and appropriate reply is given to the notice within maximum period of one month or as prescribed by the Court. In case the departments are not in a position to abide by the directions issued by the Court within the stipulated time due to administrative reasons, they must file an appropriate application before the Court concerned for extension of time.
4. It has further been decided that the Head of Department will also be responsible for non-compliance or non-implementation of the court orders/directions for disposal of representations/notices of the employees within stipulated time. It must be ensured that the costs imposed by the Hon’ble Court on account of failure of prompt disposal of representations/court notices within stipulated time, mandatorily be recovered from the erring/delinquent official/officer(s) so that the State do not suffer.
5. These instructions may be brought to the notice of all concerned for strict compliance. Any violation thereof will be viewed seriously by the Government.

-sd/-

Under secretary General Administration
For Chief Secretary to Government Haryana.

From

The Chief Administrator,
HUDA (Legal Cell), Panchkula.

To

1. The Director General, Urban Estate, Panchkula.
2. All the Zonal Administrators-cum-ADUE.
3. All the Estate Officers,
4. All the Land Acquisition Officers,
5. All ADAs posted at Headquater & Field Offices,
6. All Private Counsels/Advocates,
7. The GM(IT), HUDA (for hosting on website).

Memo No. DA/2015/2570-2644

Dated: 07.08.2015

Subject: Defending of land acquisition matters and enhancement matters in the Hon'ble High Court and Supreme Court of India on behalf of HUDA.

On the basis of letter received from Ld. Advocate General, Haryana on 22.04.2015 all the Zonal Administrators-cum-Additional Directors, Urban Estates, were instructed by the Director General, Urban Estate, vide letter dated 02.05.2015 to file consolidated reply on behalf of State and HUDA in land acquisition matters.

Keeping in view the decision taken for filing consolidated reply, CWP No. 12054 and 12099 of 2015 filed by the land owners in the Hon'ble High Court seeking the quashing of notifications issued under section 4 & 6 of the Land Acquisition Act were referred to Ld. AG with the proposal not to engage counsel on behalf of HUDA in these cases. Ld. A.G. observed that HUDA cannot remain unrepresented in these cases and held discussion with DA, HUDA. After discussion, it was decided by Ld. A.G. Haryana that henceforth for better defence and to reduce litigation expenses all the land acquisition matters of HUDA will be defended by AG Office without any remuneration/legal fee.

However, Ld. A.G. directed that all these matters are also to be monitored by HUDA and his office should be briefed in time by the officers of HUDA alongwith officers of State so that these cases can be properly defended in the Hon'ble High Court and Hon'ble Supreme Court.

It was further decided that if earlier, any cases have been entrusted to private counsels to defend HUDA, it may be ensured that these private counsels do not appear in these cases in future and these cases be withdrawn from private advocates.

The ibid directions be complied with meticulously with immediate effect.

This has the approval of CA HUDA.

-sd/-
(Anil Aggarwal)
District Attorney,
F or Chief Administrator, HUDA,
Panchkula.

Dated: 07.08.2015

Endst no. DA/2015/

A copy of the above is forwarded to Ld. Advocate General, Haryana, for information and necessary action please.

-sd/-
(Anil Aggarwal)
District Attorney,
for Chief Administrator, HUDA,
Panchkula

HARAYAN URBAN DEVELOPMENT AUTHORITY

Office Order

Subject: Office order regarding Land Acquisition cases

As per the decision of the ACS, TCP in the meeting dated 23.02.2015, services of Sh. V. K. Singla, ADA (Retd) has been hired for looking after the work of Land Acquisition cases of Urban Estates Depttment and HUDA because of the reason that both the Departments are impleaded as respondents in Land Acquisition cases. Further a direction through DO letter dated 22.04.2015 of Ld A. G. Haryana has also been received in regard to filling of joint reply by the DGTCP, CA, HUDA and LAOs in LAC cases. Therefore, Sh V. K. Singal is hereby directed to look after the Court cases pertaining to Land Acquisition of Urban Estates Department & HUDA irrespective of zone

Panchkula, dated The 4th May, 2015

(Anil Aggarwal)
District Attorney,
HUDA, (HQ) Panchkula.

Dated: 04.05.2015

Endst No. 1242-1265

A Copy of the above is forwarded to the following for information and necessary action.

1. All Administrators, HUDA-cum-ADUE, in State.
2. All LAOs in the State.
3. All ADAs posted in Legal Cell, HUDA, Panchkula.
4. Official concerned.
5. All record keepers posted in legal Cell, HQ.

-sd/-
(Anil Aggarwal)
District Attorney,
HUDA, (HQ) Panchkula.

Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA Complex, Panchkula
Phone: 0172-566381, e-mail: aduepk11@gmail.com

To

Zonal Administrator-cum-ADUE
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.

Memo No 2015/3570

Dated: 02.05.2015

Subject: Regarding **filing of one comprehensive reply** on behalf of **State Respondents and HUDA** in the **LAC** matter- letter of **DGUE**.

Reference to DO No. 605 dated 22.04.2015 of advocate General, Haryana (Copy enclosed)

Vide above mentioned DO letter it has been informed that in many cases in which petitioners are seeking benefit of Section 24(2) of 2013 Act, separate replies are being filed by the District Town Planner and Land Acquisition Officer and beneficiary Department i.e HUDA. Therefore, it has been suggested that one comprehensive reply should be filed on behalf all the three Departments in these cases. The suggestion made by AG, Haryana was found worthwhile and it has been decided by the Government that not only in the cases referred to in the DO letter of AG, Haryana, but also in all other similarly placed court matters wherein ASTCP, DGTCP/DGUE, DTP, LAO and HUDA are impleaded as respondents, one comprehensive reply shall be filed in future, unless the situation warrants filing a separate reply by any of the state respondents or HUDA.

As is aware, recently the post of all Zonal Administrator of HUDA has been redesignated as Zonal Administrator-cum-Additional Director Urban Estates and he is competent to file reply of behalf of the state respondents as well as HUDA. It may be appreciated that this is a nice practice to synchronise the efforts of all the respondent Departments in one direction. And, it would also rule out the possibility of contradiction in facts and figures to be given in the reply. The comprehensive reply shall be prepared with the assistance of concerned LAO, DTP, and EO, who will supply all facts and figures of their respective domain. After preparation of the reply, the well conversant officials of these offices shall get the reply vetted from AG Haryana. Accordingly, it is requested to prepare comprehensive replies to the CWPs referred to in the enclosed list of the respective zones. Besides, Administrator, HUDA, Gurgaon and Administrator, HUDA, Panchkula are also requested to prepare comprehensive replies to the CWPs referred to in DO of AG dated 24.04.2015. the CWP NO. 17463, 17464, 17465, 17466, 17467, 17468, 17469, 17470, 17471, 17472 of 2007–Hari Chand & Ors. Vs State of Haryana pertain to Distt. Gurgaon and CWP Nos. 11945 of 2008- Mirdula Joshi Vs. State of Haryana pertain to Distt. Panchkula.

It is also suggested that while preparing replies to the CWPs filed by the landowners seeking benefits of Section 24 (2), the Following specific information must be given in them:-

- (i) The specific public purpose for which land has been acquired.
- (ii) The area which was notified under section 4 and declaration under section 6 and award under section 11.
- (iii) The planning on the land acquired duly depicted on the layout plan.
- (iv) Allotment of plots or creation of any 3rd party rights in the entire acquired area as well as the land of the petitioner.
- (v) The payment/tendering of the compensation to the land owners qua the claimed land and the entire acquired area or deposited in the Reference Court on bank account of LAC.

- (vi) Status of physical possession of the claimed land and the entire acquired land and
- (vii) Status of latest development works alongwith photographs.

This is issued with prior approval of ACSUE.

Encl: As above.

-sd/-
(R.K Singh)
Additional Director,
O/o Director General Urban Estates
Haryana, Panchkula.
Dated: 02.05.2015

Endst No. 3570

A Copy is forwarded to Chief Administrator, HUDA, Panchkula for information and necessary action please.

Encl: As above.

-sd/-
(R.K Singh)
Additional Director,
O/o Director General Urban Estates
Haryana, Panchkula.
Dated: 02.05.2015

Endst No. 3570

A copy is forwarded to all Sonior Town Planners i.e Faridabad, Gurgaon, Hisar, Panchkula & Rohtak for information and necessary action please.

Encl: As above.

-sd/-
(R.K Singh)
Additional Director,
O/o Director General Urban Estates
Haryana, Panchkula.
Dated: 02.05.2015

Endst No. 3570

A copy is forwarded to the following for information and necessary action please:

1. Land Acquisition Officer, Faridabad.
 2. Land Acquisition Officer, Gurgaon.
 3. Land Acquisition Officer, Hisar.
 4. Land Acquisition Officer, Panchkula.
 5. Land Acquisition Officer, Rohtak.
 6. All District Town Planner i.e Panchkula, Ambala, Yamunanagar, Karnal, Kurukshetra, Kaithal, Rohtak, Panipat, Sonipat, Jhajjar, Hisar, Sirsa, Fatehabad, Jind, Bhiwani, Gurgaon, Rewari, Narnaula, Faridabad, Palwal & Nuh at Mewat.
 7. All Estate Officers i.e Panchkula, Ambala, Yamunanagar, Karnal, Kurukshetra, Kaithal, Rohtak, Panipat, Sonipat, Jhajjar at Bahaudrgarh, Hisar, Sirsa, Jind, Bhiwani, Gurgaon, Rewari, Narnaula, Faridaba, Palwal.
- Encl: As above.

-sd/-
(R.K Singh)
Additional Director,
O/o Director General Urban Estates
Haryana, Panchkula.
Dated: 02.05.2015

Endst No. 3570

A copy is forwarded to Assistant District Attorney, Urban Estaete, Haryana, Panchkula. for information and necessary action please.

Encl: As above.

-sd/-
(R.K Singh)
Additional Director,
O/o Director General Urban Estates
Haryana, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Estate Officers in the State.

Memo No. DA/ADA/NS/2015/1174-1191

Dated: 27.04.2015

Subject:-Consumer Complaint No.258 of 2010 titled as **Bal Kishan Vs Administrator**, HUDA, Gurgaon and ors. decided vide order of Hon'ble **DCDRDF**, Naranaul dated **10.02.2015-Submission of full facts, recommendation and records.**

Kindly refer to this office e-mail dated 07.04.2015 on the subject cited above.

It has been directed by W/Chief Administrator, HUDA to inform you that all the Estate Officers in the State of Haryana shall send the reference to HUDA Head Office (Chief Administrator, HUDA, Legal Cell) with full facts, recommendations of Zonal Administrators and with complete record to enable proper examination of matter. It is further intimated that in case any incomplete reference is received, the same will be returned in original and delay so caused will be sole responsibility of concerned Estate office.

-sd/-
(Assistant District Attorney)
For Chief Administrator, HUDA
Panchkula.

Endst no-DA/ADA/NS/2015/1192-1196

Dated: 27.04.2015

A Copy of the above is forwarded to all the Administrators, HUDA in the State for taking similar necessary action.

-sd/-
(Assistant District Attorney)
For Chief Administrator, HUDA
Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrator, HUDA in State.
2. All the Estate Officers, HUDA in State
HUDA, Gurgaon.
All the ADAs, HUDA posted in field.

Memo No. 6845

Dated: 10.04.2015

Subject: Regarding **updtion of CCTNS**-Review meeting dated 08.04.2015 held under the chairmanship of ACSTCP.

Please refer subject cited above.

Ld. ACSTCP has convened a meeting to review the Court cases and updtion of CCTNS of HUDA and Urban Estates Department on 08.04.2015 at 12.00 Noon. As per the details shown in CCTNS of HUDA there are 3111 cases wherein reply has not been filed/and if filed the relevant column in CCTNS has not been updated.

It was observed that despite written instructions the Estate Officers while filing reply do not send a signed copy to the Legal Cell, HUDA (HQ) and also don't update the relevant columns of CCTNS resulting into non updtion of CCTNS at their level as well as the level of Legal Cell, HUDA (HQ). It was decided that the Administrators as well the Estate Officers will depute the ADAs posted in their offices to initiate the process of updtion of CCTNS year wise. For an instance, list of cases filed in the year 2014 be prepared mentioning the latest status i.e. date of filing of reply etc. and the same may be updated by 30.04.2015. The list so prepared by the field offices shall also be forwarded to Legal Cell HUDA (HQ) for monitoring and updtion of CCTNS.

Since the Zonal Administrators HUDA have been given charge of Additional Director Estates, therefore, ACSTCP has desired that all the court cases pertaining to Urban Estates Department be entered in CCTNS after getting details from the concerned LAO. The updtion of CCTNS in respect of court cases pertaining to Urban Estate Department also be initiated in year-wise manner.

This is for your information and meticulous compliance.

-sd/-
Secretary
For Chief Administrator
HUDA, Panchkula

HARAYAN URBAN DEVELOPMENT AUTHORITY

Office Order

Subject: Office order regarding Constitution of Committee in State Litigation Policy, 2010

In pursuance of Para No 4 of the State Litigation Policy of 2010 under the heading implementation/Control structure, the following Committees are constituted:-

1. Department Level Policy implementation Committee.
 - (i) Chief Administrator, HUDA, (Chairman).
 - (ii) Administrator, HUDA, HQ (Member).
 - (iii) District Attorney, HUDA (Member/Nodal Officer).
 - (iv) Heads(s) of the Concerned Branch(s) keeping in view the subject matter of a particular case (Member).The Committee will regularly monitor and review the litigation arising in the department and will submit its monthly report to ACSTCP.

2. District Level Policy implementation Committee.
 - (i) Zonal Administrator, HUDA (Chairman).
 - (ii) Estate Officer Concerned (Member).
 - (iii) ADA O/o Zonal Administrator (Member).

The District Level Committee shall monitor and review all the cases pertaining to its Zone on monthly basis and recommendations will be made to the department level committee to reduce the litigation. Final decision in the matter will be taken after the approval of ACSTCP through Chief Administrator, HUDA (Legal Cell).

3. Both the Committees constituted above shall also act as Grievance Redressed Committees at HQ Level and Zonal Administrator level. Decisions recommendations of both the Committees will be got approved from ACSTCP as suggested above.
4. The Committee after constitution shall identify promptly the type of litigation which can be reduced, shall devise methodology to effectively prosecute/defend litigation and shall also decide representations/Legal notices by passing detailed orders within eight weeks as stipulated in litigation policy so that the representationist is aware of HUDA Rules/Polices Court rulings etc. which may deter him/her to resort to litigation.

Dated:23.02.2015

Ensdst no.DA/2015/753-800

A Copy of the above is forwarded to the following for information and necessary action:

1. The Administrator, HUDA , HQ Panchkula.
2. All the Zonal Administrators, HUDA.
3. All the Estate Officers,. HUDA.
4. General Manager (IT Cell), HUDA, Panchkula.
5. All Heads of Branches at HQ.
6. All DDAs/ADAs in the HQ as well as in the filed.

Chief Administrator,
Haryana Urban Development Authority.
Panchkula.

Dated: 04.03.2015

-sd/-
Chief Administrator,
Haryana Urban Development Authority.
Panchkula.

Form

The Chief Administrator
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo no DA/2015/636-658

Dated: 25.02.2015

Subject- Partial Modification in the instructions dated **07.08.2009**

Refer on the subject cited above.

In partial modification of the instructions dated 07.08.2009, it is intimated to you all that the orders of Hon'ble Supreme Court and High Court would be examined at the level of Legal Cell, HQ for decision regarding filing of Review/LPA/SLP etc. The concerned Estate Officer and Zonal Administrator shall send their recommendations along with complete factual position and relevant record to Legal Cell, HQ Within 10 days from the date of receipt of copy of order for taken final decision in the matter. These instructions be followed meticulously with immediate effect.

This has the approval of W/ACSTCP.

-sd/-
District Attorney
For Chief Administrator, HUDA
Panchkula.

Dated: 25.02.2015

Endst. No ADA/2015/659-665

A copy of the above is forwarded to the following for information and necessary action:

1. The Administrator, HUDA, HQ.
2. CCF, HUDA.
3. CTP, HUDA.
4. Secretary, HUDA.
5. Chief Engineer, HUDA.
6. All DDA's and ADA's in the HQ as well as in the field.
7. GMIT to host these instructions on HUDA Website.

-sd/-
District Attorney
For Chief Administrator, HUDA
Panchkula

Form

Additional Chief Secretary to Government,
Haryana , Admn. of Justice Department.

To

1. All the Managing Director/Chairman of all Boards/Corporations in the Haryana State.
2. All the Deputy Commissioners in the State of Haryana.
3. The Registrars of all the Universities in Haryana.

Memo No. 14/6/2005-5JJ(1)

Dated: Chandigarh the 01.01.2015

Subject: Appointment of Standing Counsel/Legal Advisor in Autonomous Bodies sand District Consumer Forums and subordinate Courts etc-**Scrapping of panel.**

Sir,

I am directed to invite your attention of Haryana Govt. Administration of Justice Department's letter No. 14.06.2005-5JJ (1) dated 07.11.2005 and other letters issued time to time in this regard on the subject noted above and to intimate that Government has decided that all existing panel of Advocates/Empanelment/Part time legal Advisors/Standing Counsels of Various Boards/Corporations/ Autonomous Bodies/Universities etc. for defending the cases before the Hon'ble Punjab & Haryana High Court & all District and Sub Divisional Courts stands dissolved/scrapped with immediate effect.

It is, further directed that the marking of cases of these instrumentalities to the Advocates will be done by the Advocate General, Haryana till new appointments are informed/issued.

Your's faithfully

-sd/-

Under Secretary, Jail & Judicial,
for Additional Chief Secretary to Government,
Haryana , Admn. of Justice Department.

Endst. No 14/6/2005-5JJ(1)

Dated: Chandigarh the 01.01.2015

A copy is forwarded to the Following for information and necessary action.

1. The Advocate General, Haryana, Chandigarh w.r.t. their D.O No. 3060 dated 26.12.2014.
2. The Law Secretary-cum-Legal Remembrancer to Govt., Haryana Law & Legislative Department.
3. The Director, Prosecution, Haryana , Panchkula.
4. The Additional Director, Prosecution, Haryana Legal Cell, Haryana Bhawan, New Delhi.

-sd/-

Under Secretary, Jail & Judicial,
for Additional Chief Secretary to Government,
Haryana , Admn. of Justice Department.

HARAYAN URBAN DEVELOPMENT AUTHORITY

Office Order

Subject: Appointment of Estate officers as **nodal officer for monitoring of court cases.**

It has been observed that the monitoring of court cases is not being done effectively at the level of Estate Offices resulting into delay in filing of appeal/replies etc. in the respective courts. Since the court cases pertaining to various sectors are being dealt by different assistants and record keepers and it is very difficult at the level of Legal Cell, HQ to contact each Assistant/record keeper for pursuing the matters, to avoid such non response Dy. Supdtl./ Supdt./AEO of the concerned Estate Office is hereby appointed as Nodal Officer for monitoring of court cases and coordination with Legal Cell. HQ.

Dated: 09.12.2014

Chief Administrator,
HUDA Panchkula.

Dated: 12.12.2014

Endst. No 4528-4556

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators, HUDA in the State.
2. All the Estate officers, HUDA in the State with the direction to supply the name and contact no. of Dy. Supdt./ AEO to legal cell, HUDA HQ for proper coordination.
3. All the ADAs posted in Legal Cell, HUDA, HQ.

-sd/-
District Attorney
HUDA Panchkula

Form

The Chief Administrator
HUDA, Panchkula.

To

The Estate Officer-II
HUDA, Gurgaon.

Memo No. DA/ADA/NS/2014/ 3608-3625

Dated: 09.09.2014

**Subject: CWP No 22652 of 2013 titled as Mahabir Parsad Vs. State of Haryana, Estate officer-II Gurgaon-
Supply of complete parawise commenets.**

Refer to the subject cited above.

The petitioner has filed the present CWP seeking a direction to HUDA for quashing of the cancellation order 29.11.2001 passed by the Estate Officer, Gurgaon on account of non deposit of 15% amount as upheld by the Appellate Authority on notice, HUDA engaged Sh. Mainsh Bansal, Advocate for defending the case. The O/o Estate Officer-II, Gurgaon vide letter dated 25.11.2013 has supplied Para –wise comments to HUDA counsel. In the Para no 14 of the Para wise comments, the Estate Officer-II, Gurgaon has mentioned that the Para relates to Chief Administrator, HUDA.

The HUDA Counsel vide email dated 19.08.2014 has sent third reminder for supplying proper comments for enabling him to settle reply. But no action has been taken by the O/o Estate Officer-II, Gurgaon.

In regard to above, it is intimated that the Estate Officers file the reply on behalf of HUDA and not in personal capacity and therefore, in order to ensure proper defence, it is incumbent upon the Estate Officers to supply detailed comments complete in all respect by obtaining information from the concerned wing of HUDA (HQ) if need by deputing the dealing official along with complete rescored who shall contact the concerned wing and obtain the record/information.

The case mentioned in the subject is fixed for 07.10.2014 for filling of reply. You are therefore, directed to supply para-wise comments complete in all respects after obtaining the information form HUDA HQ and ensure filling of reply.

-sd/-

(Anil Aggarwal)
District Attorney
HUDA, Panchkula.

Endst No DA/ADA/NS/2014/ 3608-3625

Dated 09.09.2014

1. A copy of the above is forwarded to the all the Administrators, HUDA in the State for information and necessary action.
2. A copy of the above is forwarded to Estate Officers, HUDA in State for information and compliance.
3. A copy of the above is forwarded to ADAs O/o Legal Cell HUDA, HQ for information and compliance.

-sd/-

(Anil Aggarwal)
District Attorney
HUDA, Panchkula.

Form

The Chief Administrator
HUDA, Panchkula.

To

1. All Administrators, HUDA in the field
2. All the Estate Officer, HUDA, in the field.

Memo No. DA/2014/ 3165-3169

Dated: 05.08.2014

Subject : CWP No 28245 of 2013 titled as **Thaminder Singh Vs State of Haryana and others** decided on 10.01.2014-**Taking of preliminary objections.**

Refer on the subject cited above.

It is to inform you that the ibid writ petition was filed by the petitioner in the Hon'ble High Court challenging the demand of additional piece in the form of enhanced compensation for plot no.1469, measuring 138.60 square meters in Sector 25, Urban Estate, Panchkula. The Hon'ble High Court has disposed of the case vide order dated 10.01.2014 with the observations that:-

"The matter was earlier agitated by the Residents Welfare Society, Sector 26, Panchkula in CWP No. 1861 of 2011 which was disposed of by a Co-ordinate Bench vide order dated 04.10.2011 with a direction to bring transparency in the matter of determination of additional allotment price pursuant to those directions, HUDA, passed a speaking order dated 18.01.2012. It appears that the petitioner is dissatisfied with the above-stated order who thereafter submitted an exhaustive representation to the respondent- authorities on 15.07.2013 (Annexure P-19).

A perusal of the representation would reveal that various disputed questions of fact have been raised by the petitioner. In the facts and circumstances, we deem it appropriate to dispose of this writ petition with a direction to respondent nos. 2 & 3 to consider the above mentioned representation of the petitioner and decide the same by passing a speaking order after affording opportunity of personal hearing to him. However, if the petitioner is still dissatisfied with the speaking order, we grant him liberty to approach the Civil Court but no writ petition shall be entertained on this issue."

The above judgment reveals that where disputed questions of fact is regarding the enhancement of price, no writ petition shall be entertained by the Hon'ble High Court rather the issue would be decided by Civil Court.

All the Administrators and Estate Officers are directed to take a preliminary objection while filing replies before High Court in such types of cases that petition involves disputed question of facts which cannot be adjudicated in writ jurisdiction and reference to the aforesaid orders may be made.

This is being issued with the approval of W/C.A., HUDA.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula.

Endst No. DA/2014/ 3165-3169

Dated: 05.08.2014

A copy of the above is forwarded to the following for information and necessary action.

1. All ADA's and LA's of H.Q and field offices.
2. All panel advocates of HUDA.
3. All the Branch Heads.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula.

To

The Land Acquisition Officer,
Faridabad, Gurgaon, Rohtak, Hisar and Panchkula.

Memo No. 2763-74

Dated: 26.03.2014

Subject:(1)Counter reply to be filed in all the cases of CWP/CM applications being filed in the Hon'ble High Court and in Hon'ble Supreme Court by the petitioners claiming the benefit under Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.

(2) Issuance of notifications u/s-6 of the Land Acquisition Act 1894, in which notification u/s-4 have been issued under the old Act of 1894 before 31.12.2013.

Please refer to the matters cited as subject above.

1. The new LARR Act 2013 has come into force w.e.f 1.1.2014. as you are aware that in this new Act, the most contentious provision is with regard to the applicability of Section 24. This is specifically in the context of the judgment of the Hon'ble Supreme Court dated 24.01.2014 in Civil Appeal No. 877/2014 titled as Pune Municipal Corporation & Anr. Vs Harakchand Misirimal Solanki & ors. And also the judgment dated 04.02.2014 in Civil Appeal No. 1971 of 2014 titled as Bharat Kumar Vs. State of Haryana.
2. The Department has received/ is receiving no. of CWPs/CM Applications being filed in Hon'ble High Court and Hon'ble Supreme Court in pending cases and the representation from the petitioners, claiming the benefit of section 24 (2) of the new LARR Act 2013 on the ground that they have not obtained the compensation and the physical possession of the land is with them. In this connection it has been noticed that in such type of matters your office is not filing any counter reply, which further strengthen the contention of the petitioners.
3. The matter has been examined at the Govt. level. It has been noticed that Section 24 (2) has a limited applicability only to the extent if the physical possession of the land in respect of the entire awards has not been taken or the compensation amount in respect of the entire awards has not been made. The provision of section 24 (2) does not operate in respect of individual land owners of part of the land forming part of an award because the provision relates to land acquisition proceedings in respect of entire land of an award. In this context, a copy of D.O dated 24.03.2014 of the Principal Secretary to Govt. Haryana, Department of Town and Country Planning and Urban Estate sent to Financial Commissioner Revenue, alongwith enclosures is enclosed herewith, in which the applicability of the above provisions has been clearly explained. You are, therefore, hereby instructed that in all the CWPs/CM applications filed by the petitioners claiming the benefit of Section 24(2) of the new LARR Act 2013, as explained in the D.O of PS, UE and its enclosures, a complete factual position pertaining to the land acquisition i.e. the total land notified u/s-4 and 6 and the land for which award has been made disbursed and possession given to HUDA vis-a-vis size of the land holding of the petitioner and the status of the disbursement of the award and possession of land may be given in the counter reply. The position of the land of the petitioner falling in the acquired land duly shown on the layout plan alongwith status of development be also explained in the counter reply. This instruction should be got noted from ADA and all concerned officials of your office.
4. The second issue relates to the issuance of notification u/s-6, wherein notification u/s-4 have been issued under the old Land Acquisition Act, 1894, on or before 31.12.2013. In this connection the copy of the note of the Law and Legislative Department dated 11.3.2014 enclosed with the enclosures of the D.O dated 24.03.2014 as referred in para 3 above, may be seen Law and Legislative Department has opined that *"to achieve the objective, a harmonious reading of the old Act and the new Act is required and under these circumstances the proceedings which has been initiated under the old Act shall continue till the stage of determination of compensation. Prior to the stage of determination of compensation, the provisions of the old Act should be*

applicable". Therefore, in view of this advice, further action for issuance of notification u/s-6 may be taken on all the cases in which notification u/s-4 under the old Land Acquisition Act 1894 have been issued on or before 31.12.2013.

DA. As above.

-sd/-
(Kamal Kumar)
Additional Director,
Urban Estates Department,
Haryana, Panchkula.

Endst No. 2763-74

Dated: 26.03.2014

Copy along with copy of D.O dated 24.03.2014 of Principal Secretary to Govt. Haryana Town & Country Planning and Urban Estate Departments along with its enclosures is forwarded to the following for information and necessary action:

1. Director General, Town and Count P1annng Haryana, Sector 17, Chandigarh.
2. Chief Administrator, HUDA, Panchkula. It is requested that it may be circulated to all the Administrator, Estate Officers, DA/ADA, law officers/law associates, counsels on the panel of HUDA who are defending the land acquisition cases and all other concerned.
3. Senior Town Planners, Panchkula, Hisar, Faridabad, Gurgaon and Rohtak.

-sd/-
Additional Director,
Urban Estates Department,
Haryana, Panchkula

Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA Complex, Panchkula
Phone: 0172-566381, e-mail: aduepkl@gmail.com

To

The Administrator, HUDA,
Faridabad, Gurgaon, Hisar , Panchkula, and Rohtak

Memo No. 1575-85

Dated: 17.02.2014

Subject : Review of filing of RFA in respect of the order passed by the reference Court.

Please refer to the matter cited as subject above.

It has been observed that at present there is no mechanism to review the status of filing RFAs in respect of the order passed by the Reference Court. In this connection I have been directed to inform that the duty to review the filing of RFA in respect of the order passed by the Reference court is assigned to your office. It is, therefore, requested that this review may be carried out on every month and report of review may be sent to this office by 10th of every month.

-sd/-

(Kamal kumar)

Additional Director,
For Director General Urban Estates Deptt.
Haryana, Panchkula

Dated: 17.02.2014

Endst no 1575-85

Copy is forwarded to Chief Administrator, HUDA for information and necessary action

-sd/-

(Kamal Kumar)

Additional Director,
For Director General Urban Estates Deptt.
Haryana, Panchkula.

Dated;

Endst no

Copy is forwarded to the following for information and necessary action:-

1. Land Acquisition Officer, Faridabad, Gurgaon, Hisar , Panchkula, and Rohtak

-sd/-

(Kamal kumar)

Additional Director,
For Director General Urban Estates Deptt.
Haryana, Panchkula.

COURT MATTERS

Form

The District Attorney,
HUDA, Panchkula.

To

1. All the Administrator, HUDA (In the State),
2. All the Estate Officer, HUDA (In the State),
3. All the ADAs/Law Associates posted at HQ,
4. All the ADAs/Law Associates posted in the field.

Memo No. 31-59

Dated: 03.01.2014

Subject: Submission of record to the advocates in court cases.

Refer to the subject cited above.

The issue has been discussed with the concerned officers at head office.

It has been decided by the Competent Authority that only photocopy of complete record pertaining to court case may be handed over well in time to the engaged counsel by the concerned field offices. The original record shall be produced as & when specifically directed by the competent court & after showing the record and satisfying the, Court the same may be collected back, if not required by the court.

In no case should original file be in the custody of the Advocate. If at all the file is handed over to an Advocate, when absolutely essential, it should be under proper receipt with name, designation, signature and date of HUDA official handing over the file and the advocate receiving the file. This receipt be entered in the case file of the field office.

These orders be complied with meticulously and any violation shall be viewed seriously.

-sd/-
District Attorney
For Chief Administrator, HUDA
Panchkula.
Dated: 03.01.2014

Endst.31-59

A copy of the above is forwarded to the following for information and necessary action.

1. Administrator, HUDA, HQ.
2. The Chief Controller of Finance, HUDA.
3. Chief Engineer, HUDA.
4. Chief Town Planner, HUDA.

-sd/-
District Attorney
For Chief Administrator, HUDA
Panchkula.

From

Principal Secretary to Govt. Haryana
Town and country Planning Department.

To

1. Director General,
Town and Country Planning Department
Haryana, Chandigarh.
2. Director General,
Urban Estates Department, Haryana
Sector-6, Panchkula.
3. Chief Administrator,
Haryana Urban Development Authority
Sector-6, Panchkula.

Memo No. 14/31/2013-3TCP

Dated: 28.11.2013

Subject:-Implementations of Case Management System (CSM) in Punjab and Haryana High Court, Chandigarh.

Kindly refer on the subject Cited above.

Please find enclosed a copy of letter No. 62/52/2013-6GS1 dated 18.11.2013 along with Prescribed Performa received from Chief Secretary to Govt. Haryana with the request to read the instructions given in enclosed perform and send the requisite information in the prescribed performa to the Registrar (Computerization and I.T.) Punjab and Haryana High Court, Chandigarh directly.

-sd/-

Dy. Superintendent,
For Principal Secretary to Government Haryana,
Town and country Planning Department.

Punjab & Haryana High Court, Chandigarh
Registration Form for Access to case Management System

Read the instructions given below, the completed application form, duly signed by the Head of Department/ Secretary should be submitted to joint Registrar (Computerization). Please use CAPITAL LETTER.

1. Name _____
2. Designation _____
3. Office _____
4. Ministry/Organization _____
5. Department _____
6. Contact address _____
7. City/ State _____
8. Telephone Number with STD code _____
9. Mobile number _____
10. Email address(official on Govt. Domain) _____

1. I will keep the user id and password secure and that the consequences of any unauthorized use of the user id assigned shall be borne by me and that I shall keep the Punjab & Haryana High Court indemnified against my claim arising out of use of my user id .
2. I shall not make the Punjab & Haryana Court responsible for any misuse of my account for any reason any misuse of the user id will be my sole responsibility.
3. The Punjab & Haryana High Court and/or NIC are not responsible for the correctness of the contents including data that are being managed by the user.
4. Through the Punjab & Haryana High Court and/or NIC will take all possible measures to prevent data loss. However, due to unforeseen technical issue, if data is corrupted or otherwise is incorrect for any reason. Neither the Punjab & Haryana High Court nor the NIC shall be held responsible.
5. This account will be deactivated, if not used for 120 days.
6. User id along with data will be deleted after a period of 6 months from the date of deactivation if no request for activation is received.

Date _____

Place _____

Signature of the Applicant _____

Recommended for creation of user ID.

Head of Department/Secretary

Note: contact Punjab & Haryana High Court through email on webmaster-phc@indianjudiciary.gov.in for any user related query.

FOR OFFICE USE

Approved for creating of account for Case Management System.

Signature of High Court Coordinator
With date and seal.

Signature of NIC PHHC Coordinator

USER ID creation

Assigned login ID:----- date of creation-----Remarks : _____

User created by:

Signature

Name:-----

Designation:-----

Date:-----

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers, HUDA
3. Counsels on the panel of HUDA.

Memo No.: DA/2013/3844-48

Dated: 30.08.2013

Sub: To file **written statements/replies** etc on **first date of hearing-** CWP No. 6875 of 2013 titled as **Ram Kumar** and Anr. Vs State of Haryana and Ors. (Urban Estate, Rohtak).

Reference the interim order of Hon'ble High Court dated 04.07.2013 on the subject cited above (Copy enclosed).

The Hon'ble High Court has taken a serious view of non filing of replies etc. by HUDA promptly and has passed the ibid order dated 04.07.2013 in the following terms:-

“Reply filed on behalf of respondents No. 1 and 2 is taken on record.

A perusal of the record shows that four opportunities have already been granted to the respondents to file reply. There is absolutely no justification to grant further time to respondent-HUDA to file its reply. However, on persistent request made by its Counsel, one more but last opportunity is granted making it clear that henceforth if no reply is filed on behalf of HUDA on the first date of hearing, there shall be exemplary costs to be personally recoverable from the all the Class-I officer (s) who are responsible to run the helm of affairs.

List on 11.09.2013.

Till the next date of hearing, status quo shall be maintained”.

(SURYA KANT)
JUDGE

(SURINDER GUPTA)
JUDGE

As per the instructions No.CA/2/2007 dated 21.05.2007, No. 208 dated 07.01.2008, No. 5629-62 dated 07.08.09, endst No. 3015-90 dated 19.04.2010 as well as terms and conditions of the engagement letter, the written statement/ reply shall be got prepared and filed on the first date of hearing or at the most on the second date of hearing if the time is very short. Whenever the Administrator or the Estate Officer, as the case may be, is unable to file the reply on the first two dates, report regarding the same shall be sent to the Chief Administrator in L-1 format.

Inspite of the ibid instructions issued by HUDA from time to time to streamline the procedure regarding the defence of court cases, non filing of written statement /reply on or before the date fixed has become an issue and causes embarrassment to the Authority. Such lapse should not be allowed to recur in future. The written statement/ reply must be filed three days prior to the first date of hearing in the registry of the Hon'ble Court (s). In case costs are imposed for any such lapse in future, 90% of cost be recovered from main parties i.e. Estate Officer etc. responsible for non supply of written statement/ reply for vetting and filing and 10% be apportioned between the

concerned dealing hand in legal branch at HQ, Administrator Office, Estate Office and the Advocate on panel.

The instructions issued from time to time, the order of the Hon'ble High Court dated 04.07.2013 and the present instructions be complied with meticulously without fail. The receipt of the instruction may be acknowledged

DA/ as above

-sd/-
for Chief Administrator,
HUDA, Panchkula.

Endst. No.: DA/2013/3869-80

Dated:30.08.2013

A copy of the above is forwarded to:-

1. The Administrator, HUDA HQ, Panchkula
2. The Chief Engineer, HUDA (HQ), Panchkula
3. The Chief Engineer-I, HUDA, (HQ), Panchkula
4. The CTP, HUDA, Panchkula
5. The CCF, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula
7. All the Law Officers in the Legal Cell, H.Q. HUDA with the direction to ensure that replies are filed three days prior to the first date of hearing in the registry of the Hon'ble Court (s) and to put up the files of those cases wherein replies are not being field by Administrators/Estate Officers etc. inspite of emails, reminders and telephonic massages for taking strict disciplinary action.
8. PS to Ld. PSTCP for kind information of Ld. PSTCP.
9. PS to Chief Administrator for kind information of W/CA.

-sd/-
for Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers. HUDA

Memo. No.3250-72

Dated: 02.08.2013

Subject:-Regarding management of Litigation in the Hon'ble Supreme Court and others Courts/Tribunals at Delhi-HUDA instructions.

This is in partial modification of office order conveyed vide Endst No. 5629-62 dated 07.08.09, office order conveyed vide Endst No. 51-81 dated 04.01.2010 and officer order conveyed vide Endst No. 6098- 6128 dated 26.07.2011.

The Government of Haryana in Home & Administration of Justice Department has issued Memo. No. 21/2/2005-5JJ (1) dated 05.10.2012 and Memo. No. 21/2/2005-5JJ(1) dated 20.11.2012 in supersession of all the previous arrangements regarding management of litigation in the Hon'ble Supreme Court and other Courts/Tribunals at Delhi.

In view of the above instructions, you are directed to approach Sh. Narender Hooda, Senior Additional Advocate General, Haryana for the purposes of conducting all the pending/current cases before the Hon'ble Supreme Court and other Courts/Tribunals at Delhi and for engagement of Senior Advocate/Advocates for conducting such cases, in case need be. A list of pending cases in the Hon'ble Supreme and other Courts/Tribunal at Delhi be supplied to him alongwith name of HUDA counsel and status of the cases. The counsels already engaged may be continued.

However, the Chief Administrator, HUDA Panchkula retains power to engage counsels and to exercise it as and when required.

The above instructions be complied with meticulously with immediate effect and the receipt of the letter be acknowledged.

-sd/-

for Chief Administrator, HUDA,
Panchkula.

Endst No. 3273-3280

Dated: 02.08.2013

A copy of the above is forwarded to the following for information and necessary action to:-

1. Sh. Narender Hooda, Sr. Additional, Advocate General, Haryana, Supreme Court of India, Haryana Bhawan, Copernicus marg, New Delhi-110001. Mobile No. 08586885878, 09815788444. E-mail narenderhoodaadv@gmail.com, nhoda@me.com.
2. The GM (IT), HUDA Panchkula with the request to host the instructions on HUDA website.
3. PA to W/Chief Administrator for kind information of C.A., HUDA.
4. All Law Officers, O/o Legal Cell, H.Q., HUDA, Panchkula.
5. The A.E.O. O/o Legal Cell, H.Q., HUDA, Panchkula.

-sd/-

for Chief Administrator, HUDA,
Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject:- Office order to follow the instructions regarding **delegation of powers dated 07.08.2009** meticulously

It has been observed that the office order issued by the Chief Administrators HUDA vide Endst No. 5592-5622 dated 07.08.2009 is not being followed meticulously by the filed offices, therefore, the Zonal Administrators and the Estate Officers of HDUA in the State are hereby advised as under:-

1. It has been noticed that against the orders of District Consumer Forum etc, the concerned Estate Offices are filing appeals without legal examination and without referring the matter to the Zonal Administrator for advice, which practice is against ibid instructions .
2. It has been further observed that even the cases which are referred by the Estate Offices to the Zonal Administrator and / or to the Legal Cell HUDA HQ, the same are normally sent quite late/ after the expiry of limitation period and without complete record in the first instance leading to unnecessary delay in the examination. The filing of appeals etc. beyond limitation period many times leads to the dismissal of the same only on the ground of delay and no stay is granted even if the case is strong on merit. The financial loss occurs to the Authority in such cases by way of litigation expensed as well. Therefore, all the Estate Officers are advised to refer the matter to the Zonal Administrator, along with the complete relevant record with a copy of record to Legal Cell, HUDA H.Q within a week from the date of receipt of copy of order, failing which the concerned Estate Officer and his staff would be personally responsible for any adverse order due to delay and the financial loss occurred on account of loosing the case.
3. It has also been noticed that in those cases where directions are issued to the Estate Offices to implement the orders of various Courts/ For a, are not being implemented timely leading to filing of COCPs and Executions causing adverse situations, legal complications and financial burden in shape of litigation expenses to the Authority. The Estate Officers are advised to implement the directives of H.Q. and send compliance report within 15 days from the date of receipt of the communication from H.Q., failing which financial loss including litigation expenses occurring due to filing of COCPs or Executions shall be recovered from the salary of erring officials.
4. The emails of Zonal Administrator and of Legal Cell, HUDA H.Q., are not being responded to promptly even after reminders. The Estate Officers are advised to check the emails personally on regular basis and ensure the timely reply / action required. This has the approval of Chief Administrator, HUDA Panchkula.

(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA,
Panchkula

Endst No. DA/2012/5036-59

Dated :10-10-2012

A copy of above is forwarded to the following for information and necessary action:-

1. All the Administrators, HUDA (In the State).
2. All the Estate Officers, HUDA (In the State).
3. All the ADAs/ LAs/A.E.O, Legal Cell (H.Q), Panchkula.
4. All the Advocates on HUDA Panel.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA, Panchkula

From

The Additional Chief Secretary to Govt. Haryana
Home & Administration of Justice Department.

To

1. All the Administrative Secretaries to Government Haryana.
2. All the Head of the Departments.
3. All the Managing Director/Chief Administrators of Boards, Corporations/ Nigams and Authorities.

Memo No. 21/2/2005-5 JJ(1)

Dated:-05.10.2012

Subject: Regarding Management of Litigation in the Supreme Court and other Court at Delhi. **Procedure for allocation** of court cases before **Supreme Court/ Tribunals/Courts at Delhi-Govt. Instructions.**

Kindly refer to the subject noted above.

2. With a view to further streamline the working of legal cell at New Delhi and to enhance the efficiency in conducting the cases on behalf of the State and statutory bodies more effectively and to ensure accountability, Ld. Advocate General Haryana have decided to restructure the procedure of allotment of cases amongst law officer functioning at the level of Supreme Court/ Tribunals and other Courts at Delhi and has requested to notify the changes in supersession of all the previous arrangement. The said decision of the Ld. A.G have been approved by the Government.
3. Accordingly, it is brought to the notice of all the concerned departments/statutory Bodies as indicated in the annexure enclosed herewith to approach the respective Law Officer for the purposes of conducting all the pending /current cases before the Hon'ble Supreme Court of India and other Courts at Delhi and for engagement of Senior Advocate/Advocates for conducting such cases, in such need be. The Departments/Statutory Bodies indicated in part-A of the annexure will be approaching Sh. Narender Hooda, (Senior Advocate) Senior Additional Advocate General, Haryana and those indicated in part-B of the annexure will be approaching Sh. Manjit Singh Dalal, Advocate, Additional Advocate General, Haryana

So far as conduct of criminal cases is concerned, the cases of Rohtak and Gurgaon division has been allocated to Sh. Narender Hooda, Senior Additional Advocate General, Haryana and that of Hisar and Ambala Division has been allocated to Sh. Manjeet Singh Dalal, Additional Advocate General, Haryana for purposes of engagement of lawyers in the Supreme Court of India and others Courts at Delhi.

However, it is clarified that the Ld. Advocate General shall retain his original rights to allocate cases and to exercise it as and when so required as per the provisions of the Haryana State Litigation Policy. In case of difficulty being faced by any department /statutory Body, they may seek further clarification in this regard from the Ld. Advocate General, Haryana.

This is for your information and necessary action

-sd/-

Superintendent. Jails & Judicial-I
for Additional Chief Secretary to Govt. Haryana
Administration of Justice Deptt.

Endst no 21/2/2005-5JJ(1)

Dated Chandigarh, the 05.10.2012

A copy is forwarded to the following for information and necessary action:

1. The Chief Secretary to Government Haryana.
2. The Principal Accountant General, (A&E), Haryana Chandigarh.
3. The Advocate General, Haryana, Chandigarh w.r.t. letter No 45304 dated 29.09.2012
4. The Resident Commissioner, Haryana Bhawan, New Delhi.

5. The Law Secretary-cum-Legal Remembrancer to Government Haryana, Law and Legislative Department.
6. The Director Prosecution, Haryana Panchkula.
7. The Additional Director Prosecution, Haryana Legal Cell, Haryana Bhawan, New Delhi.
8. The concerned Law Officers in the O/o Advocate General, Haryana/Additional Director Prosecution, Haryana Legal cell, Haryana Bhawan New Delhi..

-sd/-

Superintendent. Jails & Judicial-I
for Additional Chief Secretary to Govt. Haryana
Administration of Justice Deptt.

ANNEXURE

SH. NARENDER HOODA (SENIOR ADVOCATE) SENIOR ADDITIONAL ADVOCATE GENERAL, HARYANA	SH. MANJIT SINGH DALAL, ADDITIONAL ADVOCATE GENERAL, HARYANA.
PART-A	PART-B
Department of Education (Higher Education, School Education, Elementary Education)	Agriculture
	Animal Husbandry & Dairying.
	Archeology & Museums
	Architecture
	Archives
Environment	Charitable Endowments
Excise & Taxation	Census Operations
	Civil aviation
Forests	Consolidation, Land Records
Health Services	Development & Panchayats
Home (Police, CID, Prison, State Vigilance Bureau)	Economic & Statistical Analysis
	Elections
	Electronics & I.T.
Industries & Commerce	Chief Electrical Inspector
	Employment
	Fisheries
	Grievances
Law & Legislative	Ayush
Medical Education & Research	Haryana Aids Control Society
Mines & Geology	TB Cell & State Leprosy Cell
	TB Association
Panchayati Raj Public works	HIPA
	Horticulture

	Industrial Training & Vocation Education
	Information, Public Relations & Cultural Affairs
	Inst. Fin & Credit Control
	Land Records
	Haryana State Legal Services Authority
PWD (B&R)	Local Audit
Rural Development	Lotteries
PW (Water Supply & Sanitation)	Moti Lal Nehru School of Sports, Rai, Sonipat
	Home Guards & Civil Defense
	Printing & Stationery
Technical Education	Public Health Engineers
	Renewable Energy
Town & Country Planning	Revenue & Disaster Management
	Small Savings
	Supplies & Disposals
Urban Local Bodies	Treasuries & Accounts
Urban Estates	Welfare of SCs & BCs
Finance Department	Woman & Child Development
Accountant General	Vocational Education
HSAMB	Agro Industries Corporation Ltd.
Coop. Labour & Construction Fed. Ltd.	BC & EWS Kalyan Nigam Ltd.
	Haryana Board of School Education
Haryana State Financial Corporation	CADA
HSI IDC	Coop. Agri. & Rural Dev. Bank Ltd.
Pollution Control Board	Coop. Apex Bank Ltd.
Haryana Power Generation Corporation	Coop. Dev. Fed. Ltd.
Haryana Vidyut Parsaran Nigam	Coop. Housing Fed.

Uttar Haryana Bijli Vitran Nigam	Fed. of Coop. Sugar Mills Ltd .
Dakshin Haryana Bijli Vitran Nigam	CONFED
Haryana Urban Development Authority	Council for Child Development
All Municipal Corporations	Dairy Development Coop. Fed. Ltd.
All Municipal Committies	HARTRON
	Forest Dev. Corporation
	Pharmacy Council
	Housing Board
	MITC
	Warehousing Corporation
	Women Development Corporation
	Walkf Board
	Welfare Society for Hearing & Speech Handicapped
	Cooperation
	Advocate General
	Food and supplies
	Food and Drugs Authority and HRHM
	ESI
	Hospitality
	Labor
	Irrigation
	HIRMI
	Prosecution
	Science and Technology
	Social Justice and Empowerment
	Sports and Youth Affairs
	Tourism
	Department of Transport

From

The Chief Administrator,
HUDA, Panchkula.

To

Administrator HUDA, Panchkula
Administrator HUDA, Hisar
Administrator HUDA, Rohtak
Administrator, Gurgaon
Administrator, Faridabad.

Memo No. LR/V.K/09/2206-10

Dated: 10.05.2012

Subject: Filing of written statements/replies and counters affidavits in the Hon'ble Punjab and Haryana High Court/Supreme Court-HUDA instructions.

Reference memo No. 3771 dated 16.04.2012 received from Directorate of Urban Estate Haryana, on the subject cited above (Copy enclosed).

In such cases, as mentioned in the above reference, HUDA may write to learned AG Haryana and send a copy of reply filed by HUDA with the request to represent the Urban Estate Department in view of the reply filed by HUDA. A copy of this letter may also be endorsed to Directorate of Urban Estate Haryana for information.

You are requested to take further necessary action accordingly under intimation to this office.

-sd/-
Assistant District Attorney.
For Chief Administrator, HUDA
Panchkula.

Endst. No.

Dated:

A copy of above is forwarded to the Director General Urban Estates Department Haryana for information with reference to their memo No. 3771 dated 16.04.2012 on the subject cited above.

-sd/-
Assistant District Attorney.
For Chief Administrator, HUDA
Panchkula

**Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA, Complex, Panchkula**

To

Chief Administrator,
HUDA, Panchkula.
Memo No. 8771

Dated: 16.04.2012

Subject: Filing of written statements/replies and counters affidavits in the Hon'ble Punjab & Haryana High court/ Supreme Court-Urban Estate instructions.

It has been noticed that in number of writ petitions State of Haryana through Department Of Urban Estates is arrayed as party through cause of action is on the part of Haryana Urban Development Authority. Such cases relates to polices like oustees policy, levy of proportionate enhanced compensation on the plot holders, Allotment plots and other similar issues where the petitioners are aggrieved on actions/decisions of HUDA. Although, the Urban Estates Department is the Administrative Department for HUDA but none of these policy documents are routed through the Director General, Urban Estates Haryana but are directly taken up with the Administrative Secretary/Government. Therefore, the Department of Urban Estates has no comments to offer in such cases. It has been observed that in such cases, the CWP's are referred to Director General, Urban Estates Haryana for filing the reply on behalf on behalf of State of Haryana.

This matter has been examined and was submitted before the Financial Commissioner & Principal Secretary to Government of Haryana Urban Estates Department, who has desired that CA, HUDA should file the reply on behalf of the State, in cases where the petitioner are aggrieved by the decision of HUDA at various levels, after seeking the approval from the Administrative Secretary. It has been further observed that there is no such legal obstacle in filing reply by CA, HUDA on behalf of State of Haryana. It is therefore requested to take necessary action in the matter.

-sd/-
(Jaswant Singh)
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Panchkula.
Dated:

Endst. No.

A copy is forwarded to the followings for information.-

1. District Attorney, HUDA Panchkula.
2. Administrator, HUDA Faridabad, Gurgaon, Hisar, Panchkula and Rohtak.

-sd/-
(Jaswant Singh)
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Panchkula.
Dated:

Endst. No.

A Copy of above is forwarded to the PS/FCTCP for information of Financial Commissioner & Principal Secretary to Government of Haryana Town & Country Planning & Urban Estates, Haryana.

-sd/-
(Jaswant Singh)
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Administrators, HUDA (In the state).
All the Estate officers, HUDA (In the State).

Memo No DA/2011/7172-94

Dated: 16.09.2011

Subject: Instructions regarding filing of replies in the court case. In continuation of office order bearing memo no 5592-5622 dated 07.08.2009.

In continuation of office order bearing memo no 5592-5622 dated 07.08.2009

1. I have been directed to state that the Hon'ble High Court has taken serious view of non filing of reply 3 days prior to the date of hearing. The instructions dated 07.08.2009 are not being complied with by the field offices in letter and spirit which clearly mentions that written statements, rejoinder etc. must be filed preferably on the first date of hearing which means the filing of reply etc. in the registry of the Hon'ble High Court which is accepted at least three days prior to the date of hearing.
2. The above instructions must be Complied with meticulously The no compliance thereof shall be viewed seriously.

-sd/-
Anil Aggarwal
District Attorney
for Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject: Officer order in supersession of order dated 07.08.2009 engagement of counsels for filing/defending cases in the various courts.

1. This is in supersession of office order conveyed vide Endst No. 5629-62 dated 07.08.2009 and in continuation of office order conveyed vide Endst No. 51-81 dated 04.1.2010 (Copy Attached).
2. The matter has been re-considered and it has been decided that henceforth, Zonal Administrators shall engage the Advocates for the cases of Hon'ble Supreme Court, Delhi High Court, National Consumer Disputes Redressal Commission out of Advocates on HUDA panel as amended from time to time.
3.
 - i) Chief Administrator, HUDA shall continue to exercise his discretion of allotting Court Cases to any advocate on panel of HUDA in the interest of the Organization.
 - ii) Chief Administrator, HUDA shall also continue to nominate Advocates from HUDA panel in COCPs wherein FCTCP/ Chief Administrator, HUDA is party and the reply thereof shall also be filed with his approval.
 - iii) District Attorney, HUDA shall continue to monitor the cases and nominate Advocates from HUDA panel keeping in view the urgency and importance of the cases. He shall also nominate Advocates for the execution case in District Consumer Forum, Panchkula wherein C.A., HUDA is a party.
 - iv) The Estate Officers shall not engage Advocates at their level for the cases in the above mentioned Courts/ Foras.
4. This issues with the approval of Chief Administrator, HUDA, Panchkula.
5. The receipt of the office order be acknowledged and complied with immediate effect.

(Anil Aggarwal)
District Attorney, HUDA
Panchkula
Dated :26.07.2011

Endst No. 6098-6128

A copy of above is forwarded to the following for information and necessary action:-

1. All the Administrators, HUDA (In the State).
2. All the Estate Officers, HUDA (In the State).
3. All the ADAs/ LAs/A.E.O, Legal Cell (H.Q), Panchkula.

-sd/-
(Anil Aggarwal)
District Attorney, HUDA
Panchkula

HARYANA GOVERNMENT
ADMINISTRATION OF JUSTICE DEPARTMENT
NOTIFICATION
THE 5TH JULY, 2011

NO. 29/4/2010-4JJ(1)- HARYANA STATE LITIGATION POLICY - 2010

Subject: Haryana State **Litigation Policy-2010** as **amended** on 18.08.2011

1. Introduction

- 1.1 This Policy reflects the resolve of the State Government to bring about a visible and enduring qualitative and quantitative improvement in the manner in which litigation is perceived, managed and conducted in the State. It embodies the national concern that pendency and delays in our learned Courts should be reduced proactively by the Government.
- 1.2 It has been formulated by drawing upon the National Litigation Policy published by Ministry of Law, Govt. of India. A major part of its provisions applicable to the State have been incorporated mutatis mutandis.

2. Objective

- 2.1 To transform Government into an Efficient and Responsible Litigant so that it (a) manages and conducts litigation in a collusive, coordinated and time bound manner (b) Ensures that good cases are won and bad cases not pursued needlessly (c) Reduces overall Govt. Litigation load in Courts thereby providing relief to the judiciary.
- 2.2 To encourage and enable redressal of genuine grievances through alternate dispute redressal forum / institutions within the Government.
- 2.3 To provide for a substantive mechanism which would inter alia serve to monitor and control the implementation of the Policy, enforce accountability on and provide clarifications, to the implementers and stakeholders of the Policy and to consider changes in the Policy, depending on its performance and effectiveness.

3. Nature and Applicability of the Policy

- 3.1 It shall be mandatory on all Government/ State Public Sector Undertaking/ Statutory Bodies personnel who directly or indirectly are associated with litigation, to follow provisions of the Policy.
 - 3.1.2 The Policy shall serve as the main authoritative reference point for all questions of procedure, norm, and interpretation.
- 3.2 The Policy shall have the force of an administrative regulation.
- 3.3 The Policy shall bind all participants stakeholders, personnel to enforceable performance, which may be prescribed.
- 3.4 The Law Department Manual, which is an evolving collection of guidelines, instructions, clarifications and information would continue to serve as a reference document in matters connected with litigation. However, those of its provisions which may come into conflict with any provision of this Policy would be deemed to have been superseded by the Policy with immediate effect.
 - 3.4.1 The Law Department manual is to be constantly reviewed and updated due to the changing legal scenario. A comprehensive updation will be done within the period prescribed by the Government which would incorporate relevant portions of the Policy.

4. Implementation/ Control Structure

- 4.1 **State Level Empowered Committee:** There shall be a State level Empowered Committee under Chairmanship of CS comprising of Secretaries of the departments concerned and shall include representatives of AG, Home, Finance, LR. The Committee may invite any other department or expert to join the deliberations. The Committee shall aim to streamline the litigation and grievance redressal systems. The Committee

shall have full powers to take decisions in respect of policy content and changes in procedures to be introduced. Decisions duly authorized by the Committee would be implemented directly by the department. Separate approval on file by the departments would not be necessary. This would minimize delays. In cases of decisions involving core policy changes, its recommendations will be referred to the Government. The Committee shall identify the major causes of litigation, and shall recommend suitable measures to the Government to minimize litigation.

- 4.2 The Committee shall oversee the implementation of all aspects of this Policy. It shall either on reference by a Stakeholder or member of the Public or suomoto take notice of observations in implementation of the Policy, including deviant or malafide behavior by any official and initiate corrective action. It shall enforce accountability of all stages of the litigation process and for this purpose introduce a comprehensive reporting and data flow system.
- 4.3 The Policy and decisions of the Empowered Committee shall be implemented by the FC Home/ Administrative of Justice. He shall be supported by a special cell to be constituted in the Home/ Admn. of Justice Department.

4.4 Department Level Policy Implementation Committee

This would be a Second Tier Committee at the Principle Secretary Level of each department, to regularly monitor and review the litigation arising in the departments. The Committee shall have representatives from Office of LR, Advocate General and Finance Department. The Committee shall have power to take decision in respect of cases whereby financial implication is not very high. In case the Committee feels that certain policies/ rules need to be streamlined, it shall make its recommendations to the State Level Committee and also take up the matter for changing the rules/ procedures the Committee shall meet once in a month. In matters not in its jurisdiction or requiring directions at Departmental HQ level or in matters needing policy clarification, this Committee would make a reference to the Departmental level Policy Implementation Committee.

4.5 District Level Policy Implementation Committee

This would be a Third-Tier Committee at the District Level to be headed by the Head of the Offices of various Department and District level . This Committee shall consist of the Departmental Head and the District Attorney and shall monitor and review all cases in the same way as at the State level. The Committee shall meet at least once in a month. In matters not in its jurisdiction or requiring directions at Departmental HQ level or in, matters needing-policy clarification, this Committee would make a reference to the Departmental Level Policy Implementation Committee.

- 4.6 Detailed terms of reference, powers and jurisdiction of these three Committees will be notified separately.
- 4.7 For greater accountability the Committees would take up critical appreciation on the conduct of cases. Good cases which are lost would be reviewed and subject to scrutiny to ascertain responsibility.
- 4.8 Home/ Administration of Justice Department will be the nodal agency to facilitate coordination and interaction between these Committees.

5. Prevention and Control of Avoidable Litigation

5.1 Setting up of Grievance Redressal System

A major cause of litigation is arbitrariness in decision making, and lack of proper response to representations made by employees and parties. In service matters, most of the cases relate to relief not being given as per rules, instructions and policy decisions. In other cases there may exist more than one policy. In majority of such cases coming to the Courts, the Courts give directions to pass speaking orders in a time bound manner. Before the matter reaches the Court, the affected party generally spends a lot of time and effort to redress its grievances through the normal administrative channel. In view of this all Departments shall set up effective grievance redressal Committees which would preempt a lot of unnecessary litigation.

- 5.1.1 It shall be mandatory for employees to seek redressal through this system, first, before going to the Courts.
- 5.1.2 A time limit of eight weeks may be fixed to decide a representation.
- 5.1.3 A Two tier structure will be set up. In the first tier each department shall have a grievance cell at the State Level. The second tier would be at the district level. All cases and issues, at the request of the aggrieved party, shall be reviewed to redress genuine grievances.
- 5.1.4 The department level grievance cell / committee shall be headed by the HOD, and shall meet on a monthly basis to review the efficiency of the grievance redressal system in the Department at the head quarters and field level. In case it is found that certain instructions by the CS or FD need to be reviewed, it shall refer the matter to the, as well as the Empowered Committee, so that decision on the same can be expedited. As the seniority matters are a major source of litigation, these shall be resolved by all departments expeditiously and seniority lists updated and printed/ published regularly.

5.2 Quick Action on Legal Notices/ Representation

- 5.2.1 As soon as Legal notice is served upon any department asking for a relief the same should be decided expeditiously in accordance with the relevant rules/ instructions and by passing a detailed speaking order.
- 5.2.2 Large number of cases comes before the Hon'ble High Court wherein grievances are that legal notice/ representations are not being decided or are delayed by the Government. Generally Hon'ble High Court directs Govt. to decide the representation within a specific time. If Govt. disposes of the notice at the first instance, it would reduce the burden of the Court.
- 5.3 In disciplinary matters while passing the orders in original jurisdiction or in appeals a detailed speaking order should be passed. Also the inquiry officer should follow all the procedures for conducting the inquiry so that no lapse occurs in the procedural part and orders are not set aside on that ground.
- 5.4 While deciding the cases relating to seniority of the employees, the decision should be taken strictly in accordance with the rules and it should be taken promptly so that interest of no employee is jeopardized due to delayed decision.

5.5 Covered Matters

A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim a representational/ applicant employee/ citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature, can be disposed of at the level of the department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.

- 5.5.1 In similar cases, departments shall endeavour to settle the issue as per post judicial proceedings formed in identical cases by different courts when attained finality to avoid multiplicity of same matters increasing rush of work in different courts.

5.6 Settlement of dispute through Alternative forums (Lok Adalat)

All pending disputes/cases litigation would be reviewed by the Department & District Policy implementation Committee with a view to settling them before the Lok Adalat/ Special Camp, in consultation with the legal Aid cell of Hon'ble High court. This exercise shall be carried out periodically, preferably every three months. Further, permanent Lok Adalats shall be set up to settle disputes in an ongoing manner.

- 5.6.1. Every department should authorize some officers with sufficient powers to take final decisions so that minor disputes pending in different Courts can be settled through Lok Adalats with active participation of such officers. Moreover not attending of Lok Adalat by an officer deputed to do so would straight away invite and the disciplinary proceedings.
- 5.6.2. State empowered Committee And the Litigation Policy Implementation Committee would look into the ways and means for maximizing case/dispute disposal through Fast Track Courts, Gram Nyayalas, Evening Courts, Family Courts etc.

5.7 Guidelines regarding filing of Appeals

No Appeal at any level is to be filed without full application of mind to the order/judgment at hand.

5.7.1 Appeals will not be filed in cases where insignificant amounts are involved and when no question of Law is involved.

5.7.2 Principles governing filing of Appeals.

- (A) Appeals will not be filed against *ex parte* adinterim orders. Attempt must first be to have the order vacated. An appeal must be filed against an order only if the order is not vacated and the continuation of such order causes prejudice.
- (B) Appeals must be filed intra court in the first instance. Direct appeals to the Supreme Court must not be resorted to except in extraordinary cases.
- (C) Given that Tribunalisation is meant to remove the loads from Courts, challenge to orders of Tribunals should be an exception and not a matter of routine.
- (D) In Service Matters, no appeal will be filed in cases where:
 - (a) The matter pertains to an individual grievance without any major repercussion;
 - (b) The matter pertains to a case of pension or retirement benefits without involving any principle and without setting any precedent or financial implications.
- (E) Further, proceedings will not be filed in service matters merely because the order of the Administrative Tribunal affects a number of employees. Appeals will not be filed to espouse the cause of one section of employee against another.
- (F) Proceedings will be filed challenging orders of Administrative Tribunals only if:
 - (a) There is a clear error of record and the findings has been entered against the Government.
 - (b) The judgement of the Tribunal is contrary to service rule or its interpretation by a High Court or the Supreme Court.
 - (c) The judgment would impact the working of the administration in terms of morale of the service, the Government is compelled to file a petition; or
 - (d) If the judgment will have recurring implications upon other cadres or if the judgment involves huge financial claims being made.
- (G) **Appeals in Revenue matters will not be filed:**
 - (a) if the stakes are not high and are less than that amount to be fixed by the Revenue Authorities;
 - (b) If the matter is covered by a series of judgement of the Tribunal or of the High Courts which have held the field and which have not been challenged in the Supreme Court;
 - (c) Where the assesses has acted in accordance with long standing industry practice;
 - (d) merely because of change of opinion on the part of jurisdictional officers.
- (H) **Appeals will not be filed in the Supreme Court unless:**
 - (a) the case involves a question of law;
 - (b) If it is a question of fact, the conclusion of the fact is so perverse that an honest judicial opinion could not have arrived at that conclusion;
 - (c) Where public finances are adversely affected;
 - (d) Where there is substantial interference with public justice;
 - (e) Where there is a question of law arising under the Constitution;
 - (f) Where the High Court has exceeded its jurisdiction;
 - (g) Where the High Court has struck down a statutory provision as *ultra vires*;
 - (h) Where the interpretation of the High Court is plainly erroneous.

- (I) In each case, there will be a proper certification of the need to file an appeal. Such certification will contain brief but cogent reasons in support. At the same time, reasons will also be recorded as to why it was not considered fit or proper to file an appeal.

6. Decision Mechanism for filing of Appeals.

- 6.1 The LR and Advocate General offices shall mention substantial question of law involved in the cases, while giving their opinion to file further appeal as according to the Article 133 of the Constitution and provisions contained in the Code of Civil Procedure Appeal before the Hon'ble High Court and Supreme Court lies only if substantial question of law is involved and not on facts of the case. The instruction issued in this regard shall be strictly followed.
- 6.2 The government may not file appeal which lack substantial question of law particularly where two learned subordinate Courts have recorded concrete findings of fact or where no evidence had been led on behalf of the Government or where the amount is not of substance, however, the government may prefer appeal against the judgement and decrees passed by the learned Courts below before the Hon'ble High Court or the Hon'ble Apex Court where substantial question of law in any manner is involved, which requires adjudication by the Hon'ble Court.
- 6.3 Decision to file or not to file appeal takes a long time, and is invariably non speaking. The reasons for the same are not given by the concerned departments. There is need to evolve an objective proforma, which needs to elaborate the issues involved, financial implications, policy implications etc. Final decision in this matter shall be taken by the Secretary of the Department, in consultation with Advocate General, but the reasons for filing/not filing must be given. This shall bring transparency, efficiency and cut down delays.

7. Land Acquisition Cases:

- 7.1 With the objection of reducing litigation connected with Land Acquisition compensation, Govt. have introduced "No Litigation" Incentive" vide its Revised Floor Rate Policy for acquisition of Land notified on 9.11.2010. It has been decided to pay an additional amount equal to 20% of the basic rate of land determined by the Land Acquisition Collector (excluding the interest and the Solatium components as an incentive for 'No Litigation' to such of the landowners who opt (a) not to challenge the acquisition of their land, and (b) to accept the compensation amount as awarded and undertake not to seek a reference under Section 18 of the Act qua the amount of compensation. This incentive would still be available in cases where a reference is sought with respect to other issues i.e. (a) the measurement of land, (b) the persons to whom it is payable, or (c) the apportionment of the compensation among the persons interested. This measure is expected to have positive impact on decreasing litigation of this category. This will be duly monitored by the Committees set up under this Policy.
- 7.2 In cases where an appeal is sought to be filed in Hon'ble High Court against compensation enhancement by the Reference Court for land acquired by State Govt. for one of its undertaking agencies like HUDA, HSIIDC, HSAMB etc., the Administrative Department will ensure that the appeal is filed by the State only and that under no circumstances, is there duplication with the concerned agency also filing an appeal. There can not be any divergence of interest between the State and its Agency in such cases.

8. Public Interest Litigation:

Where the State Government receive notices regarding Public Interest Litigation, the Government, even before filing of the written statement/ response, if it is required to do or to take some immediate steps to do the needful as per the averments in the writ petition, then the Government must take all remedial measures to do the needful and then status report may be filed along with the response on the first date of hearing. It would save the time of the government as well as of the Hon'ble Courts.

9. Control and Management of Litigation:

- 9.1 Every department of the Government shall have one senior Administrative Officer with legal background who shall be designated as Legal Nodal Officer. He will be responsible for proactive Management

of the Court cases and constant monitoring of the proceedings of the Court cases. He will ensure that there is no delay on the part of the department while conducting the cases in different Courts. The Nodal Officer would have an adequate staff. The Nodal Officer will be assisted by legal officers (ADA/ DDA/DA) on deputation to the Department. He shall also undergo suitable training for capacity building in the sphere of litigation management.

9.2 Pleadings & Counters:

Suits or other proceedings initiated by or on behalf of Government have to be drafted with precision and clarity. There would be no repetition either in narration of facts or in the ground.

- (A) Suits or other proceedings initiated by or on behalf of Government have to be drafted with precision and clarity. There should be no repetition either in narration of facts or in the grounds.
- (B) Appeals will be drafted with particular attention to the Synopsis and List of Dates which will carefully crystallize the facts in dispute and the issues involved. Slipshod and loose drafting will be taken serious note of. Nodal officers shall exercise control in this regard.
- (C) Care must be taken to include all necessary and relevant documents in the appeal paper book. If the court adversely comments on this, the matter will be enquired into by the Nodal Officer.
- (D) Effort will be made in time bound manner, to formulate and circulate Special formats for Civil Appeals, Special Leave Petitions, Counter Affidavits etc. by way of guidance and instruction as a Manual. This will include not only contents but also the format, design, font size, quality of paper, printing, binding and presentation. It will be the joint responsibility of the Drafting Counsel and the Law Officer/ Advocate on Record to ensure compliance.
- (E) Counter Affidavits in important cases will not be filed unless the same are shown to and vetted by Law Officers. This should, however, not delay the filing of counters.

9.2.1. In cases where State is a party through Administrative Secretary and in which issue(s) of (a) Policy (b) inter departmental or inter State (c) connected with specific directions of the Court are involved the Administrative Secretary himself approve the reply/affidavit.

9.2.2. It shall be ensured by the Nodal Officer/Legal Officers of the Department that there is no contradiction in the replies or any submission filed by Government respondents who may be filing replies separately.

9.2.3. The replies shall be signed and filed by officers at appropriate levels. It shall not be below Deputy Secretary/Joint Secretary; Joint Director/HCS officer as the case may be in respect of Government or Department or District Administration respectively.

9.3 Limitation- Delays Appeals

Good cases are often lost because appeals are filed well beyond the period of limitation and without any proposer explanation for the delay or without a proper application for condonation of delay. It is recognized that such delays are not always bonafide particularly in case where high revenue stakes are involved.

9.3.1 Each Head of Department will be required to call for details of cases filed on behalf of the Department and to maintain a record of cases which have been dismissed on the ground of delay. The Nodal Officers must submit a report in every individual case to the Head of Department explaining all the reasons for such delay and identifying the persons/ causes responsible. Every such case will be investigated and if it is found that the delay was not bonafide, appropriate action must be taken. Action will be such that it operates as a deterrent for unsatisfactory work and malpractices in the conduct of Government litigation. For this purpose, obtaining of the data and fixing of responsibility will play a vital role. Data must be obtained on a regular basis annually, monthly or quarterly.

9.3.2 Applications for condonation of delay are presently drafted in routine terms without application of mind. This practice must immediately stop. It is responsibility of the drafting counsel to carefully draft an application for condonation of delay, identifying the areas of delay and identifying the causes with particularity.

9.3.3 Every attempt must be made to reduce delays in filling appeals/ applications. It shall be responsibility of each Head of Department to work out an appropriate system for elimination of delays and ensure its implementation.

9.3.4 The question of limitation and delay must be approached on the premise that every court will be strict with regard to condonation of delay.

10. IT based decision support & monitoring system for Litigation Management

10.1 In view of the excessively large number of cases and their numerous categories, there is need for extensive qualitative and qualitative monitoring of these cases. To monitor these cases and take timely decisions, it is essential that a comprehensive computerized database of these cases is created and maintained at all levels i.e district, High Court and Supreme Court. This will enable the Advocate General Office as well as the Secretaries/ Head of Departments and Nodal officers to easily keep track of the cases filed, the issues involved, and the importance/ urgency.

10.2 The database/ software shall be so designed that all the necessary particulars about the cases, including important documents/ images are uploaded, so that the officers monitoring the case may get complete idea about the case through the site. The judgment of the case and grounds of appeal / LR's opinion shall also be part of the database to facilitate decision making in appeal matters and eliminate delays.

10.3 The State Level computerization shall be initiated immediately and made fully functional within six months and the District level computerization within one year.

10.4 IT bases Legal Resource Base

10.4.1 There is need to facilitate online and offline access to case laws and relevant Acts, Book etc. To help the departments and their counsels prepare their cases. For this purpose, online access to computerized databases shall provided through suitable arrangement/ service provider.

10.4.2 Landmark judgements, especially in favour of the Government, shall be researched and made available on website Act wise. All acts, Rules and notifications, judgements shall be available on the website of the Department as well as a website to be developed for managing litigation.

10.4.2.1 Exchange of Legal Resources:

There shall be sharing of judgements/ orders passed by the Hon'ble Supreme Court. High Court against different departments so that while taking a decision in any matter they are kept in view. This shall be done by placing the important judgements on the website of the departments or through emails.

10.4.3 A databank of the decided case shall be maintained by properly cataloguing the same which may be an effective tool for reference while deciding the case by competent authority and for making reference while defending the cases before the courts.

11. Legal training for the department officers/ officials shall be a regular feature. The officers/ officials of the different departments of the Government will be imparted legal training by conducting appropriate training programmes regarding the Court procedure. Basic knowledge of computers and internet will be imparted mandatory for legal officers.

12. Proper Representation

12.1 It has also been experienced that many a time no body from the Government department comes present in the Court to attend the Court proceedings and the Department remains unaware about the Court order. Further, relevant official record would not be available for the assistance of the Government Counsel representing the State in the Court. This practice must be stopped immediately. The concerned officer/ official is also required to submit a detailed report of the Court proceedings regularly to this higher authorities.

12.2 Law officer will ensure that the cases are duly represented on behalf of State of Haryana before the Hon'ble Court and also that there is no procedural lapse regarding submission of process fee and issuance of notice etc.

13. Avoiding Adjournments

Adjournments on behalf of State shall be minimized and pleadings completed as far as possible on first available date. This shall be overseen by responsible and accountable authority. Prevailing practice of seeking adjournment on first date of hearing despite the department concerned having been duly served months earlier, must be stopped immediately and responsibility be fixed by taking suitable remedial action against the erring officials. In case of any direction given by the Court which could be complied with even before the filing the response / written statement, then such directions should be complied with forthwith. The response/ written statement must be filed within the period stipulated in the order/ notice issued by the Hon'ble Court. Earned efforts be made that adjournments are avoided under all circumstances. IT solutions will bring out periodical report for all concerned authorities reminding them about due dates for passing orders/ filing replies.

14. Periodical review of the pending court cases.

- 14.1 All pending cases involving Government/ PSUs need to be periodically reviewed. The Office of Advocate General, District Attorney at District Level and the Law officer of the concerned Department shall also be responsible for reviewing all pending cases and filtering frivolous and vexatious matters from the meritorious ones. MIS Reports shall be prescribed which will give overview of litigations every month.
- 14.2 Cases will be grouped and categorized. The practice of grouping should be introduced whereby cases should be introduced whereby cases should be assigned a particular number of identities according to the subject and statute involved. In fact, further sub grouping will also be attempted. To facilitate this process, standard forms must be devised which lawyers have to fill up at the time of filing of cases. Panels will be set up to implement categorization, review such cases to identify cases which can be withdrawn. These include cases which are covered by decisions of courts and cases which are found without merit withdrawn. This must be done in a time bound fashion.
- 14.3 About 60,000 writ petitions are pending in the High Court to which the State is party. Many of such petitions may have become infructuous. The State shall review all such cases and wherever the cases have become infructuous or covered or involve short points, the Registrar of the High Court may be informed so that such cases can be expeditiously disposed of.

15. Litigation at Apex Level

- 15.1 While Advocate General shall be responsible for defence of cases in the High Court; he shall also be responsible for defence of cases at National level. The litigation at the National level shall be directly under the control and monitoring of the Advocate General. The legal Cell at Delhi, looking after the litigation in Hon'ble Supreme Court and other statutory authorities, shall function under the guidance and administrative control of the Advocate General. The assignment of cases in the Supreme Court/ other Authorities to Standing Counsels shall be done by the Advocate General in consultation with Secretary of the concerned Department. In important cases, where senior private counsels have to be engaged, the terms and conditions of engagements shall be as settled by the AG office.
- 15.2 The legal cell at Haryana Bhawan New Delhi shall be refurbished, strengthened and infrastructure upgraded to provide proper working facilities. The cases shall be equitably / rationally distributed amongst advocates and advocates on record to enable proper defence of cases. The communication between advocates on record and defending counsels shall be systematized and timely information of court matters to the counsels defending the cases at Delhi shall be ensured. Library, conference place and search facilities shall be provided at Haryana Bhawan to the counsels.

16. District Level Litigation

The District level litigation, in which, State Government is a party is mainly in respect of criminal cases. There is need to streamline the system of defence of cases, production of record, evidence, witnesses etc. There is need to monitor availability of official witnesses, and nodal agency shall be appointed at the District level and the State level to monitor availability of official witnesses. The District Attorney shall collect list of official witnesses to be examined in next one month in different courts in the District and ensure that either the official witness appears in person or the witness is

available for recording of evidence by way of video conferencing at any other District Court in the State with prior intimation to the District Judge of the place where he is to be available(The District Judges shall be intimated about the procedure to be followed in this direction by the Hon'ble High Court). The evidence of official shall be preferably recorded by video conference to avoid delay.

The State Nodal Agency will review the working of District Nodal Agencies so that there is no default in the availability of official witnesses for evidence on dates planned in advance. If for any inevitable reason, the availability of witnesses cannot be secured, intimation must be given in advance to the District Judge concerned. In such a situation the changed date may be intimated to the District Judge who may re-schedule the recording of the evidence accordingly and confirm the revised schedule to the Nodal Agency. Centralized State Agency shall monitor working of District Nodal Agencies. Further, the IT based monitoring planned at the State level, needs to be implemented, at district level also. Judgments in criminal cases, along with comments/ recommendations of the District Attorney shall be submitted to the District Magistrate through the District SP of the SP concerned (SP/State Vigilance Bureau etc.) in single file, for decision regarding filing of appeal. Copy of the judgment, statements of witnesses and police file shall be put up as part of this file. This will help the District SP (or the SP concerned) to understand flaws in the investigation and take remedial measures. The Superintendent of Police concerned shall also be competent to issue directions/ grant approval for filing revision petition against any order of the Ilqa Magistrate/ Trial Court in accordance with Section 397 of the Code of Criminal Procedure, 1973.

17. Coordination with the courts.

The Empowered Committee shall regularly interact and get feedback from Hon'ble High Court to improve System, and infrastructure thereby accelerating disposal of cases. The Hon'ble High Court may be requested to make e-filing of cases/ replies and documents mandatory. It will help in expeditious disposal of cases because most of the time, Department are not able to file replies in the absence of copies of Writ Petitions, Application, Interim Orders etc Since all the documents being filed in the Hon'ble High Court / Supreme Court are necessarily typed on computers, making e-filing mandatory shall not be much of a problem. Further, request be made to the Hon'ble High Court to allow sharing of the data on the website of the High Court, with the State Government, to enable better monitoring.

18. Dispute Settlement Committee

It has been noticed that there is lack of co-ordination between various Government departments and sometimes also between the Boards/ Corporation/ Municipal Councils etc. This lack of co-ordination, departments generally try to shift the onus/ burden to the other departments and such conflict create not only embarrassing situation, but even delay the adjudication of the important matters by the Hon'ble Courts. In view of such a situation, cases of overlapping jurisdiction/areas shall be resolved by the Empowered Committee. The Committee shall have the powers to resolve inter-se disputes between the departments. The government may frame guidelines, to be followed by such committee.

19. Amendment to Policy

The State Litigation Policy should be responsive to the changing requirements of the litigation system and its various constituents like Judiciary, Govt and the Public. The State Level Empowered Committee shall consider reasonable suggestions/ proposals for amendment to the policy as may be received from stakeholders in the litigation system at various levels with the objective of achieving of objectives of the Policy more effectively. The committee may recommend modification in the Policy as and when necessary on its own motion also.

20. Key Strategies

To sum up, the key strategies to streamline and minimize litigation are the following:

1. Avoiding Litigation better decision making and quick response to representations.
2. Managing litigation through IT bases decision support system.
3. Capacity building.
4. Review and Dispute Settlements.
5. Improving infrastructure, quality of manpower, system and procedures.

-sd/-

Financial Commissioner and Principal Secretary
to Government of Haryana,
Administration of Justice Department.

HARYANA GOVERNMENT
ADMINISTRATION OF JUSTICE DEPARTMENT
NOTIFICATION
THE 18TH AUGUST, 2011

No. 29/4/2010-4JJ(1)- In exercise of powers conferred under clause 19 of the Haryana State Litigation 2010, the Governor of Haryana hereby makes the following amendments in the Haryana State Litigation 2010 namely:-

In the Haryana State Litigation Policy, 2010 in clause 7 after sub clause (2) the following explanation inserted namely:-

Notification:-

- i) This clause does not in any way restrict the instrumentalities of the State to the co-appellant in the appeal filed by the State.
- ii) The clause also does not restrict the Rights of Instrumentalities of the State to engage their own Counsel in addition to the State Counsel to Assist the Hon'ble Court in the same appeal.

-sd/-

Sameer Mathur

Financial Commissioner and Principal Secretary
to Government of Haryana,
Administration of Justice Department.

Form

The Chief Secretary to Government, Haryana ,

To

1. All the Financial Commissioners and Principal Secretaries/Administrative Secretaries to Government of Haryana
2. All the Heads of Departments in Haryana.
3. The Commissioner Rohtak, Gurgaon, Hisar and Ambala Divisions and all the Deputy Commissioners in Haryana.
4. The Managing Director/Chief Executives/Member Secretaries of all the Boards and Corporations in Haryana.
5. The Registrar, Punjab and Haryana High Court.
6. The Registrars of All Universities in Haryana.

Memo No/21/2/2011-4GSIII

Dated Chandigarh, the 20.05.2011

Subject:-Implementation of State Litigation Policy, 2010

Sir

I am directed to invite your attention to contents of the Haryana State Litigation policy -2010 issued by the department of Administration of Justice, which require setting up of Department Level Policy implementation Committee (Para 4.4), District Level Policy implementing Committee (Para 4.5) Grievance Redressed system (Para 5.1) appointment of one Administrative Officer with legal background who shall be designated as Legal Nodal Officer (Para 9.1), District Level and State Nodal Agency (Para 16) and Dispute Settlement Committee (Para 18).

As directed by the Chief Minister in the meeting of Administrative Secretaries, you are requested to intimate the action taken in implementing the Haryana state Litigating Policy and also confirm the setting up of various committees in your department to the Financial Commissioner and Principal Secretary to Government Haryana, Administration of Justice Department within a period of 15 days positively. Compliance report may also be submitted to Principal Secretary to Chief Minister for placing it before Chief Minister.

Necessary steps should also be taken to apprise the employees as well as officials/officers about the contents of the State Litigation Policy while bringing to their notice that it shall be mandatory for the employees to seek redressal through Grievance Redressed System before approaching the courts. After the contents of the Haryana State Litigation Policy are brought to the notice of all the employees therefore, if any case is filed against the State Government seeking relief without availing the redressal under the Grievance Redressal System, the department while defending the case should take a plea before the court that the employee concerned has not sought the redressal as per the State Litigation Policy and straight away approached the court. This would not only reduce litigation but also have it simpler and easy for the employee to get relief.

It is again emphasized that the provisions of State Litigation Policy 2010 should be strictly adhered to and committees be framed to reduce the litigation.

These instructions may please be brought to the notice of all concerned for strict compliance.

-sd/-

Under Secretary General Administration,
For Chief Secretary to Government Haryana

Internal Circulation

State Informatics, Officer, NIC, Haryana for hosting on the Chief Secretary website and sending by e-mail to recipients.

Endst no.4021-45

Dated: 07.06.2011

A copy of above is forwarded to all field offices of HUDA in Haryana for necessary action please.

-sd/-

Assistant District Attorney
For Chief Administrator,
HUDA ,Panchkula.

Form

The Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana
2. All the Heads of Departments and Divisional Commissioners, Rohtak, Gurgaon, Hisar and Ambala Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners and Sub Divisional officers (Civil) in Haryana State
5. All the Managing Directors of Boards /Corporations/Punlic Undertaking of the State.
6. All the Registrars of the Universities of the State.

Memo No. 62/34/2011-6GS1

Dated Chandigarh, the 20.05.2011

Subject: Instructions regarding attending the **Legal Notice of Demand and their prompt disposal.**

Sir

The matter has been examined by the State Government and after careful consideration and with a view to fix responsibility and reduce the litigation, following immediate steps should be taken for disposal of notices/ representations.

Section 80 of the Code of Civil Procedure provides that no suit shall be instituted against the Government or against public officer in respect of any act purporting to be done by such public officer in his official capacity, until the expiration of two months, a public notice in written has been delivered to or left at the office of the officer authorized by the Government in this behalf or the Secretary to the Government or Collector of the District. After receipt of notice the following procedure, as laid down in para 18.3 and 18.4 of the Law Department manual should be followed:-

1. "18.3(1) When notice of an intended suit is given, under the provisions of section 80 of the Code of Civil Procedure, the officer to whom it is delivered or the head of the office at which it is left shall forthwith endorse, or cause to be endorse on notice :-
 - (a). The date of receipt,
 - (b). The manner of delivery,
 - (c). The date of endorsement, and
 - (d). The signature of the officer making the endorsement, and shall thereupon proceed as hereinafter provided.
- 2). If the notice is served upon an officer other than an officer specified in section 80 of the Civil Procedure Code, that officer shall forthwith transmit it, in original, to the Deputy Commissioner or head of the department concerned.
- 3) If the notice is served on a Secretary to the Haryana Government, that officer shall forward it, to the Deputy Commissioner or head of the department concerned.
- 4) If the notice served on or forwarded to the Deputy Commissioner under the provisions of sub-rule (2) of this rule that officer shall.
 - a) if the subject matter of the threatened suit is connected with District Administration and within his control, or is unconnected with any particular department-proceed in the manner hereinafter in these rules provided;
 - b) if the subject matter of the threatened suit is connected with a department not within his control-forward the notice in original to the head of the department concerned in order that he may so proceed.
- (5) In every case in which the officer on whom a notice is served transmits it, in original to any other officer, he shall retain a certified copy of notice and of endorsement made thereon, and place the same on record.

18.4 (a) The district or departmental officer concerned shall immediately on receiving any notice of an intended suit proceed to enquire into the matter and to consider the claim put forward and to decide or move the proper authority to decide whether any and if so, what steps should be taken to adjust the claim (whether in whole or in part) or whether the claimant should be left to take such legal action as he may deem proper.

In accordance with paras 5.1 and 5.2 of the State Litigation Policy the following steps need to be taken for disposal of notices:-

- “5.1 As Soon as Legal notice is served upon any department asking for a relief the same should be decided expeditiously in accordance with the relevant rules/instructions and by passing a detailed speaking order.
- 5.2 Large number of cases comes before the Hon’ble High Court wherein grievances are that Legal notice/representations are not being decided or are delayed by the Government Generally Hon’ble High Court directs Govt. to decide the representation within a specific time If Govt disposes of the notice at the first instance, it would be the burden at the court”

If the notice is received by the authority competent to dispose off the same at the far end of the period of two months mentioned in the notice then the said authority shall give an interim reply mentioning that the date when notice was received in their office and also mentioning date by which the said notice shall be disposed off, which shall in no case be later than a period of two months from the date of receipt of notice in office of competent authority.

If at any stage, it is found that there is delay in disposal of the legal notices, then the responsibility shall be fixed and disciplinary proceedings should be initiated against the person causing delay.

It is further emphasized that notice should be replied by passing a detailed speaking order and taking into consideration all the grounds mentioned in the notice.

These instructions may please be brought to the notice of all concerned for strict compliance.

-sd/-

Yours Faithfully,

Under secretary General Administrator,

For Chief Secretary to Government Haryana.

INTERNAL CIRCULATION

SIO, NIC, Haryana for hosting on the Chief Secretary website and sending by e-mail to recipients.

Endst. No. 3996-4020

Dated 07.06.2011

Copy of the above is forwarded to the all field offices EO(P) of HUDA in Haryana for necessary action please.

-sd/-

Assistant District Attorney

For Chief Administrator, HUDA

Panchkula

Form

The Chief Secretary to Government, Haryana ,

To

1. All the Administrative Secretaries to Government Haryana
2. All the Heads of Departments and Divisional Commissioners, Rohtak, Gurgaon, Hisar and Ambala Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners and SDOs (C) in Haryana State
5. All the MDs of Boards/Corporations/Public undertakings of the State
6. All the Registrars of the Universities of the State.

Memo No. No.62/35/2011-6GSI

Dated Chandigarh, the 19.05.2011

Subject: Regarding **filing** of Regular First appeals (**RFAs**) Land Acquisition in the Hon'ble High Court of Punjab and Haryana

Sir,

I am directed to invite your attention on the subject noted above and to say that the Advocate General, Haryana has brought to the notice of the State Government that power of attorney is not being sent along with the record while sending record to Legal Cell at Delhi. Similarly, for filing written statement pertaining to SLP filed by the private parties, the Power of Attorney is also not being sent along with the written statement. The Registry of the Hon'ble Apex Court has raised objections in this regard, resultantly causing delay in completing the pleadings.

The department shall be responsible to ensure that the entire records/ documents along with Power of Attorney is sent to the Advocate General, Haryana, Chandigarh/ Legal Cell at Delhi at the first instance so that cases could be filed in time and similarly effective arguments could be advanced in the Hon'ble Courts at the time of hearing to avoid delay in any manner in filing the cases before the Hon'ble Apex Court and other Appellate Tribunals.

These instructions may please be brought to the notice of all concerned for strict compliance.

-sd/-

Under Secretary General Administration
For Chief Secretary to Government Haryana

Dated: 19.05.2011

Endst no.62/35/2011-6GSI

A copy is forwarded to the Advocate General, Haryana with reference to his DO No 26611 dated 12.05.2011 for information.

Under secretary General Administration
For Chief Secretary to Government Haryana

CC

SIO, NIC, Haryana for hosting on the Chief Secretary website and sending by e-mail to recipients.

Endst. No. 4046-70

Dated: 07.06.2011

Copy forwarded to All Field Offices of HUDA in Haryana.

-sd/-

Assistant District Attorney
For Chief Administrator, HUDA
Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

Estate Officer.
HUDA Gurgaon.

Memo No. LR/LA/NS/11/799

Dated: 02.02.2011

Subject: Regarding **stream lining** of the process of **filing written statement** in various courts as well as **sending Para-wise comments to the counsels.**

Reference your e-mail and memo no. spl-1 dated 29.01.2011 on the subject cited above.

2. As per the approval of CA, HUDA, the following instructions are being issued for compliance.

(i) It is the basic duty of Legal Officer to see that no reply is filed which is contrary to HUDA rules/policy. While vetting the reply, He/She should specifically mention that the reply is as per applicable rules/policy.

(ii) An ADA posted in the EO office should follow the lawful orders of the Estate officer being subordinate to him. An ADA is free to write to the Estate officers to reconsider his/her orders citing rules/Policy of HUDA.

(iii) The stake of HUDA in various court cases is very high and runs into even crores of Rupees. The verification of facts of every important because the concealment of a material fact may lead to a verdict against HUDA.

(iv) Therefore, the Estate Officer should himself verify the facts where the stake is fifty lacs or more, the Deputy Superintendent where the stake is between ten lacs to fifty lacs and assistant below ten lacs. It is clarified that in cases below fifty lacs the concerned EO would continue to counter verify and signed the facts.

-sd/-

Navneet Sharma(LA)
For Chief Administrator,
HUDA, Panchkula.

Dated: 02.02.2011

Endst no. 800-04

A copy to the above is forwarded to all the Zonal Administrators/EOs for compliance thereof.

-sd/-

Navneet Sharma(LA)
For Chief Administrator,
HUDA, Panchkula

From

The District Attorney,
Legal Cell, HUDA HQ,
Panchkula.

To

1. All the Administrators, HUDA (in the State)
2. All the Estate Officers, HUDA, (In the State)
3. All the DDAs/ADAs posted in the field
4. All the ADAs/ Law Associates/ Superintendent, Legal Cell, HUDA, HQ.

Memo. No. 9570-9605

Dated: 30.12.2010

Subject: -Engagement of Counsels for filing/defending cases in the various **Courts-Modification.**

1. This is in-continuation of this office Memo. No. LR (HUDA)-2009/5629-62 dated 07.08.2009 and endst No. 51-81 dated 04.01.2010 on the subject cited above.
2. The matter has been considered in the light of the order of Hon'ble High Court dated 15.11.2010 in RFAs No. 2125-29 of 2010 and it has been decided to clarify that henceforth Counsels may not be engaged in the RFAs filed by the State wherein HUDA is merely a proforma respondents.
3. The receipt of these instructions be acknowledged by return e-mail for meticulous compliance thereof with immediate effect.
4. This issue with the approval of the Worthy Chief Administrator, HUDA, Panchkula.

-sd/-
(Anil Aggarwal)
District Attorney,
HUDA Panchkula
30.12.2010

From The Chief Administrator,
 HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, I & II, HUDA
4. All the Superintending Engineers, HUDA
5. All the Estate officers, HUDA.

Memo no.DA/2010/ 8545-78

Dated: 22.11.2010

Subject : Filing of appeals –Regarding competence for approval of reply.

In Continuation of this office endst. No. 5592-5622 dated 07.08.2009 on the subject cited above.

In the review meeting held at Faridabad on 13.11.2010 under the Chairmanship of FCTCP, it has been decided that no reply will be filed in the High Court/Supreme Court until & unless it is seen be the concerned Administrator.

You are therefore, requested to comply with the instructions accordingly.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA
Panchkula.

Endst No.

Dated:

A copy to the above is forwarded to all ADA's/LT's, Legal Cell, HQ, HUDA for information and necessary action.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA
Panchkula

From

The District Attorney,
HUDA, Panchkula.

To

All the Administrators,
HUDA in the State.

Memo No. DA/2010/6604-08

Dated: 26-08-2010

Subject: Engagement of counsel in the Hon'ble Supreme Court and NCDRC-In continuation instructions.

1. In continuation to this office memo no. DA/2010/6347-69 dated 17.08.2010 on the subject cited above.
2. The following advocates are on HUDA Panel for Supreme Court and NCRDC:-

FOR SUPREME COURT

- i) Sh. Neeraj Jain, Sr. Advocate alongwith his Jr. Sh. Sanjay Kumar
- ii) Sh. Govind Goel. Grade 'B'
- iii) Sh. Manish Vashishth
- iv) Sh. Bimal Roy Jad
- v) Ms. Anubha Aggarwal

FOR NCDRC

- i) Sh. R.S Badhran
- ii) Smt. Pragati Neekhara Singh
- iii) Ms. Anubha Aggarwal
- iv) It is for your information and necessary action

-sd/-

(Anil Aggarwal)
District Attorney,
HUDA, Panchkula
26.08.2010

C.C to:-

All the Estate Officers of HUDA in the State.

From

The District Attorney,
HUDA, Panchkula.

To

All the Administrators,
HUDA (in the State)

Memo. No. DA/2010/6347-69

Dated: 17.08.2010

Subject:- Engagement of Counsel in the Hon'ble Supreme Court and NCDRC.

Reference on the subject cited above.

1. As per Office Order dated 07.08.2009, only the following Advocates are on HUDA Panel for Hon'ble Supreme Court and NCDRC respectively:-

- i) Sh. Neeraj Jain, Sr. Advocate alongwith his Jr. Sh. Sanjay Kumar.
- ii) Sh. Govind Goel, Grade 'B'
- iii) Sh. Manjeet Singh Dalal, Addl. Advocate General
- iv) Sh. Manish Vashishth
- v) Sh. Bimal Roy Jad

For NCDRC

- i) Sh. R.S. Badhran
 - ii) Sh. Parshant Sharma (has left HUDA Panel)
 - iii) Smt. Pragati Neekhara Singh
2. Sh. Manjeet Singh Dalal, Advocate is not being given any case due to non filing of cases speedily. Sh. Manish Vashishth, Advocate is also slow in preparing the SLPs.
3. In view of the shortage of the Advocates on HUDA Panel, it was decided to engage Ms. Anubha Aggarwal, Standing Counsel as appointed by the Govt. of Haryana in the Hon'ble Supreme Court for Supreme Court cases, NCDRC cases etc. Her address and mobile number are as under:-

-sd/-

Anubha Agarwal
M-133 Greater kailash II, New Delhi 110048
E-mail: anubha.advocate@gmail.com
Telephone: 91-98185-71133, 011-29215290

4. It is for your information and necessary action. This has the approval of Chief Administrator, HUDA.

-sd/-

(Anil Aggarwal)
District Attorney,
HUDA, Panchkula

C.C. to:-

All the Estate Officers of HUDA in the State.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject:- Regarding **preparation of replies by the counsels** expeditiously (OFFICE ORDER).

- a. It has been observed that some of the Advocates on HUDA Panel do not prepare and send the draft reply within a reasonable time inspite of receipt of parawise comments etc. from the Estate Officers/ Administrators which is in-appreciable, and deficient professional Service.
- b. To ensure that the replies are filed on the first date of hearing in the interest of speedy disposal of cases, it has been decided that if as Advocate on HUDA panel fails to send the draft reply within seven days of the receipt of parawise comments, his explanation would be called to see the reason behind the non-preparation of draft reply.
- c. It has further been decided that if HUDA Counsel fails to send the draft reply within 15 days from the date of receipt of parawise comments, he shall be de-paneled without issuing any notice.
- d. The receipt of the office order may be acknowledged.

(Anil Aggarwal)
Legal Remembrancer, HUDA
Panchkula

Endst No. 3015-90

Dated: 19.04.2010

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators, HUDA (in the State) (Through E-mail).
2. All the Estate Officers, HUDA, (In the State) (Through E-mail).
3. All the ADAs/ LTs / Superintendent, Legal Cell, HUDA, HQ (Through E-mail).
4. All Advocates on HUDA Panel. (Through E-mail).

-sd/-
(Anil Aggarwal)
Legal Remembrancer, HUDA
Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject:- Office Order regarding **engagement of counsels**

1. In continuation and in partial modification of Office Order dated 07.08.2009 (Copy attached).
2. The matter has been re-considered and it has been decided to allocate / distribute cases of the Hon'ble High Court amongst the advocates on HUDA panel as under :
 - i) Chief Administrator, HUDA shall continue to exercise his discretion of allotting Court Cases to any advocate on panel in the interest of the Organization.
 - ii) Chief Administrator, HUDA shall also continue to nominate counsel in COCPs wherein FCTCP/ Chief Administrator, HUDA would be a party and the reply thereof shall also to be filed with his approval.
 - iii) Legal Remembrancer, HUDA shall continue to monitor the cases and nominate counsel keeping in view the urgency and importance of the case.
 - iv) The Zonal Administrators shall henceforth engage counsel for High Court cases in consultation with Sh. Arun Walia, and apprise him about the importance and subject matter of the case through E-mail/ attachments.
 - v) The Estate Officers or Officers other than Zonal Administrators in the field shall not engage counsel for High Court Cases.
3. This issues with the approval of Chief Administrator, HUDA.

(Anil Aggarwal)
Legal Remembrancer, HUDA
Dated: 04.01.2010

Endst.No.51-81

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators, HUDA (In the State).
2. All the Estate Officers, HUDA (In the State).
3. All the ADAs/ LTs/ Superintendent, Legal Cell, HUDA (HQ).
4. Sh. Arun Walia, Sr. Standing Counsel of HUDA.

-sd/-
(Anil Aggarwal)
Legal RemembranFrom

Form

Legal Remembrancer,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA (in the state)
2. All the Estate officers, HUDA (In the state)
3. All the ADAs/Law Trainees posted at HQ.
4. All The DDAs/ ADAs posted in the field.

Memo no.LR(HUDA)-2009/6886-6919

Dated: 14.09.2009

Subject: Engagement of Counsels for filing/defending cases in the various courts-**modification** thereof.

In partial modification of this office Memo No. LR (HUDA)-2009/5629-62 dated 07.08.2009 on the subject cited above.

2. It has been decided that in all the notices of the Contempt of Court petitions issued by the Hon'ble Punjab and Haryana High Courts, wherein Chief Administrator, HUDA, Panchkula is a respondent, Ms. Preeti Khanna, advocate is to be engaged whose name finds mention in the above refereed approved list of advocates.
3. The terms and conditions circulated vied Memo No-LR-AEO-08/208 dated 07.01.2008 and No.DA-HUDA (HQ) 08/5653-5700 dated 29.05.2008 shall remain same.
4. The ibid directions be complied with meticulously with immediate effect.
5. This issues with the approval of the Chief Administrator, HUDA. Panchkula. The receipt of the letter may be acknowledged at once.

-sd/-
(Anil Aggarwal)
Legal Remembrancer,
HUDA, Panchkula.

Endst No. LR(HUDA)-09/ 6920-21

Dated: 14.09.2009

A copy of the above is forwarded to the following for information:

1. Ms. Preet Khanna, Advocate, Kothi No 120, Ist Floor, Sector-16A, Chandigarh. Phone No 9988229330, 0172-2746006, E-mail-preetikhanna2005@gmail.com
2. PS/CA for the information of W/ Chief Administrator, HUDA, Panchkula.

-sd/-
(Anil Aggarwal)
Legal Remembrancer,
HUDA, Panchkula.

From

Legal Remembrancer,
Haryana Urban Development authority,
Panchkula.

To

1. All the Administrators, HUDA (in the state)
2. All the Estate officers, HUDA (In the state)
3. All the ADAs/Law Trainees posted at HQ.
4. All the DDAs/ADAs posted in the Field.

Memo no LR(HUDA)-2009/5629-62

Dated: 07.08.2009

Subject: Engagement of Counsels for filing /Defending Cases in the Various Courts

This is in continuation of this office Memo no. LR/2008/7131-70 dated 21.07.2018 on the subject cited above.

The matter has been re-considered and now it is ordered that the following Counsels shall handle the cases of various Courts /Zones of HUDA as per the terms and conditions applicable /Circulated vide Memo No.LR-AEO-08/208 dated 07.01.2008 and No DA-HUDA (HQ)-08/5653-5700 dated 29.05.2008 as under:

1. For High Court at Chandigarh.

a.	COCF	i) Sh. Manish Bansal ii) Ms. Preeti Khanna iii) Sh. Ajay Kumar Nara
b.	Oustee Matter	i) Sh. Siddharth Batra ii) Sh. R.S Madan
c.	Rate of Interest	i) Ms. Preeti Khanna ii) Sh. Manish Bansal
d.	Non-Delivery of possession due to lack of development etc.	i) Sh. Schin Kapoor ii) Sh. Raman Gaur
e.	Service Matter	i) Sh. S.P Singh

f. Others including Land Acquisition Cases & RFAs.

i)	Faridabd Zone	Sh. Manish Bansal
ii)	Gurgaon Zone	Sh. Arun Walia
iii)	Hisar Zone	Sh.Ajay kansal
iv)	Panchkula Zone	Ms.Sheenu Sura
v)	Rhotak Zone	Sh. R.S Madan

2. For Hon'ble NCDRC, MRTP/ UTPE, New Delhi.

- a. Sh. R.S Badharan
- b. Sh.Parshant Sharma
- c. Smt. Pragati Nekhra Singh

3. For Hon'ble Delhi High Court

- a. Sh. Manish Vashishth
- b. Sh. D.K Sharma

4. For Hon'ble Supreme Court

- a. Sh. Neeraj Jain, Sr. Advocate alongwith his junior Sh.Sanjay Kumar.
- b. Sh. Govind Goel
- c. Sh. Manjeet Sigh Dalal, Addl, Advocate General.
- d. Sh. Manish Vashishth
- e. Sh. Bimal Roy Jad

5. For SCDRC, Haryana, Panchkula.

1. Faridabd Zone	Sh. Ajay Kansal
2. Hisar Zone	Brig (Retd.)B.S Tonque
3. Gurgaon Zone	Sh.Sachn Kapoor
4. Panchkula Zone	Suveer Sheokand
5. Rhotak Zone	Raman Gaur

6. For Execuition in DCF, Panchkula where C.A. HUDA is party.

Sh. Atul aggarwal.

This issues with the approval of the Chief Administrator, HUDA, Panchkula.

-sd/-
(Anil Aggarwal)
Legal Remembrancer,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject: Office order regarding **delegation of powers** exercised by C.A, HUDA **to the Zonal Administrators** in addition to the powers already exercised by them.

During the last two years or so, the work relating to Court Cases has been streamlined and computerization by way of E-mail and CCTS has also been introduced. The O/o Zonal Administrators and the Estate Officers have been sensitized to take up the legal cases on priority basis and in time. The working has almost attained perfection and there is no startling situation in any court case presently. The time is ripe for delegation of powers to the Zonal Administrators as it will be conducive for swift action required to be taken in Court Cases pertaining to the Hon'ble Supreme Court, Hon'ble High Court and Hon'ble NCDRC.

Hence, it has been decided to delegate the following powers exercised by the Chief Administrator, HUDA to the Zonal Administrators in addition to the powers already exercised by them. :-

1. To **engage counsel** on receipt of notice from the Hon'ble Supreme Court, Hon'ble High Court and Hon'ble NCDRC etc. from the list of Advocates **approved by** the HUDA (HQ). They shall clear the **fee bills** of the counsels as per the **terms and conditions** applicable from time to time.
2. In such cases, the Zonal Administrators **shall file Written Statements, Rejoinder** etc. at their own level preferably **on first date** of hearing or at the most on the second date of hearing controverting all the averments/ contentions with preliminary submissions under intimation to the Legal Cell (HQ). A signed copy of Written Statement etc. filed in the Court **shall be supplied to the Legal Cell (HQ)** by HUDA Counsel/Zonal Administrator. They shall ensure while contesting the cases that the **basic HUDA policies** are not affected and **important judgments** hosted on the HUDA web-site are quoted invariably.
3. If the Zonal Administrators are of the view that the **case is not fit to contest**, they shall refer the matter to the Legal Cell (HQ) with **their specific recommendation and complete record** for final decision at the earliest to **avoid any possible delay** in filing Written Statement or in the redressal of the petitioners' grievance, as the case may be.
4. On **receipt** of a copy of the **Order** from the Hon'ble Supreme Court, Hon'ble High Court, Hon'ble NCDRC and SCDRC etc., the Zonal Administrators shall **file appeal, revision, review etc.** at their own level within the **limitation** period by **engaging a counsel** under intimation to Legal Cell (HQ) immediately with a copy of appeal etc. However, if they feel that the Judgment/Order of the *ibid* Courts **or** any other subordinate Court **should be implemented**, they **shall refer** the matter to the Legal Cell (HQ) with **their specific recommendations and complete record** for final decision at the earliest to **avoid any possible delay** in the implementation of the Court Order or in the filing of Appeal/Revision etc., if so decided, except in those cases where the financial liability is **up to Rs.25000/-** and the **policy of HUDA** is not affected.
5. The Zonal Administrators shall meticulously **update CCTS** as per the instructions circulated vide this office letter **memo No.9753-9822 dated 21.10.2008** issued in this regard and continue to send the Legal returns i.e **L1 to L7 and D1** to the Legal Cell (HQ) without delay as stipulated in **memo. No. DA-HUDA(HQ)-08/5653-5700 dated 29.05.2008**.
6. In **Contempt of Court Petitions** wherein **FCTCP/Chief Administrator, HUDA** is a party, the **Counsel** shall be **nominated** by Chief Administrator and the **reply** thereof shall be filed after the **approval of C.A.** and the appropriate action shall be taken against the **guilty officers** due to whose **negligence** the Contempt Petition has taken place.
7. The **Cost imposed** by the Courts, if any, shall be recovered from the **pocket of erring officials /officers**. Similarly, the **cost of proceedings** shall be recovered from such **officials / officers** due to whose negligence the **non-serious/frivolous litigation** has taken place.

8. All such officials/officers **shall be** liable to be charge sheeted for major penalty under the relevant service Rules who will be found guilty of not defending or prosecuting the court cases properly.
9. The Zonal Administrators **shall** file complaints against HUDA Counsels in District Consumer Disputes Redressal Forum whenever they are found deficient in service so as to recover the loss suffered by HUDA as well as compensation etc. They **shall also** refer the matter to the legal cell (HQ) recommending the deletion of the name of the erring Counsel from the panel of HUDA.
10. The **Legal Cell (HQ)** shall continue to **monitor** the Court Cases as earlier. All the Zonal Administrators, Estate Officers and Law Officers posted in the field **shall cooperate** with the Legal Cell (HQ) in this regard and **supply the information** sought promptly as well as ensure that **E-mails** of the Legal Cell are acknowledged at once. The non-cooperation with the Legal Cell (HQ) shall be viewed seriously and strict action shall be taken against the negligent officials/officers.

This has the approval of Chief Administrator, HUDA.

(Anil Aggarwal)
Legal Remembrancer, HUDA
Dated:7-08-2009

Endst.No.5592-5622

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators, HUDA (In the State).
2. All the Estate Officers, HUDA (In the State).
3. All the ADAs/ LTs/ Superintendent, Legal Cell, HUDA (HQ).
4. All the Advocates on HUDA panel (through E-mail).

-sd/-
(Anil Aggarwal)
Legal Remembrancer, HUDA

From

Legal Remembrancer,
Haryana Urban Development Authority,
Panchkula.

To

All the Advocates on HUDA Panel.

Memo No:5182

Dated:21.07.2009

Subject: Submission of **daily Report** which is to be submitted by **paneled Advocate**.

Reference the instructions issued to all the Advocates on HUDA panel vide **memo No.LR-AEO-08/2008 dated 07.01.2008**.

Para No.2 of the ibid instructions mentions that:

“The counsel shall attend all hearings meticulously and keep track of various adjournments himself. He shall inform the progress of the case of each date in Annexure ‘I’ through E-mail either the same of at the best on next day to controlling authorities with a copy to Legal Cell (HQ)”.

1. Now the Addl. Director of Prosecution, Haryana Legal Cell, Haryana Bhawan, New Delhi has reiterated Order dated 03.08.2006 issued by the Government in Administrator of Justice Department which enjoins that:
“At the end of the day, they (Addl. Advocate General) will prepare a brief report in respect of each matter in which they appeared for the state on that day or, in which they accepted notice or order of the High Court. This report will be sent by them by name to the concerned Administrative Secretary and Head of Department the same evening indicating what further action is required to be taken on the basis of proceedings/order of the Court.”
2. It is clear from the terms and conditions settled by HUDA and the Govt. of Haryana that the conducting Advocate is required to give the progress report/next date of the case the same evening to HUDA in Annexure ‘A-I’ for necessary action and record.
3. However, it has been observed that the ibid instructions are not being followed meticulously by the HUDA Counsels. Therefore, all the Counsels on the panel of HUDA are requested to provide a list of all the Court cases entrusted to them, whether pending or disposed off, with details for record.
4. They are further requested to send daily report without fail in the prescribed proforma as the same is mandatory in view of the terms and conditions dated 07.01.2008 supra which mentions in **point-12** that if the counsel violates any terms and condition of the engagement, his fee may be forfeited besides removing his name from the panel of HUDA.
5. The letter may be acknowledged.

-sd/-

(Anil Aggarwal)
DA/Legal Remembrancer,
HUDA, Panchkula.

Dated 21.07.2009

Endst.No. 5183-5225

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrator, HUDA.
2. All the Estate Officer, HUDA.
3. All the Law Officer, Law Trainees/Record Keeper, Legal Cell, HUDA, (HQ).
4. PS/C.A. for the information of W/Chief Administrator, HUDA.

-sd/-

(Anil Aggarwal)
DA/Legal Remembrancer,
HUDA, Panchkula.

DAILY PROGRESS REPORT BY ADVOCATES

Date	
Name of Advocate	
Case No.	
Title of Case	
Name of Court	
Proceedings held	
Next date	
Purpose of next date	
Reasons for adjournments, if applicable (please tick) a. Request of HUDA's Counsel. b. Request of opposite party's counsel. c. Any other (please specify)	

DIRECTOR, URBAN ESTATES, HARYANA, PANCHKULA

OFFICE ORDER

Subject: Office order – Approval of reply in LAC cases.

Land acquisition in many Urban Estates is being challenged by the landowners on various grounds. While replies of some of the averments can be given on the basis the record of LAO, in some cases replies can be given on the basis of inputs from DTPs/HUDA. It is, therefore, ordered that in future replies on behalf of LAO, HUDA and Govt. shall be got approved from the concerned Zonal Administrator, HUDA who is the Chairman of Joint Site Inspection Committee and is actively associated with the acquisition and planning of land. Henceforth, no LAO should file the reply without getting it approved from the concerned Zonal Administrator, HUDA. Wherever some of the averments can be replied to only on the basis of record available at Govt. level which is not available at Govt. level which is not available in the field, concerned Zonal Administrator can procure the same from the concerned Authority. Copy of the reply so filed on behalf of LAO and HUDA shall be immediately sent to DA, Urban Estates and LR, HUDA for record and necessary action.

T.C. Gupta, IAS
DUE-cum-DTCP-cum-CA, HUDA.

No. DUE/ 6295

Dated: 22.06.2009

A copy is forwarded each to the following for information and necessary action :-

1. All Zonal Administrators, HUDA.
2. All LAOs in the State.
3. CTP, Haryana.
4. CTP, HUDA.
5. LR., HUDA.
6. DA, Urban Estates.

-sd/-
Dy. Superintendent
For Director, Urban Estates.

Endst. No. 4424-30

Dated: 23.06.2009

A copy of the above is forwarded to all ADAs, law trainees for information and necessary action please.

-sd/-
Dy. Superintendent
Legal Cell, HUDA (HQ)
Panchkula.

SPEAKING ORDER

Subject: A. Example of a **good Speaking Orders** passed in case of **Oustees Quota Plot**.
 B. **Model Reply/Written Statement** filed on behalf of HUDA.

This Speaking Order is being passed in compliance of order dated 03.02.2009 passed by Hon'ble Punjab and Haryana High Court in CWP No.1725 of 2009 titled Om Parkash and others Vs. HUDA and another. Order of the Hon'ble High Court is as under.

“Having heard Learned Counsel for the Petitioners and without going into merits of their claim, I deem it appropriate to dispose of this writ petition with a direction to the Estate Officer, HUDA at Karnal to consider the petitioners’ representation dated 15.05.2008 in terms of the judgment of this Court in the case of Mohan & Ors (supra) and dispose of the same by passing a reasoned order within a period of two months from the date of receipt of a certified copy of this order. Needless to say that in case the Estate Officer finds that the petitioners are entitled to the refund of compound interest, the needful shall be done within a period of one month thereafter”.

Hence in view of the direction, the case of the petitioners was to be decided within a period of two months from the date of receipt of a certified copy of the order. Copy of the said order was received by this office on 16.02.2009.

Before proceeding to decide the case of the each petitioner, it would be appropriate to divulge the circumstances under which HUDA was compelled to charge compound interest from its allottees.

HUDA charges interest on due payments from its allottees as per Rules and Regulations, instructions amended from time to time. It was noticed that due to higher rate of interest paid by the Banks or due to other considerations, the allottees preferred not to deposit outstanding amount within stipulated period. This practice resulted into huge outstanding against the allottees. Hence, it was decided vide policy letter dated 19.09.1985 that compound interest may be charged from the allottees on outstanding payments. However, rate of interest were slashed by the Banks in due course of time and it was decided that the allottees shall be liable to pay simple interest at stipulated rates on all types of outstanding dues w.e.f. 01.09.2000. Hence the allottees are liable to pay interest as per amended Regulation/instructions.

Moreover, the allottees are willing to avail benefit of simple interest as per instructions dated 22.09.2000 but they are not ready to pay compound interest as per instructions dated 19.09.1985. This view of the allottees is not justified that any thing beneficial to them based on instructions, they are ready to accept but anything which is against their interest, they are not ready to accept them. Whereas charging of compound interest or simple interest depends upon the circumstances and policies prevailing at the relevant time.

Moreover, the decision taken by the HUDA to charge compound interest finds justification in the judgment passed by Hon'ble Supreme Court of India titled S.M.S. Sandhu Vs. Chandigarh Administrator and others, AIR 2003 SC 1138 in which the Hon'ble Apex Court held as under:-

“Capital of Punjab (Development and Regulation Act (27 of 1952) Ss. 3,22 Chandigarh Leasehold of sites and building rules(1973), R-112(3)-Allotment of sites-delay in payment of installments-interest-rate increased subsequent to transaction in question-Applicability-Appellant-allottee enjoining site for a decade by paying only ¼ of the price has constructed building complete and was earning rental income.

Levy of interest at amended rate of 24% on the delayed payments from date of amendment not interfered with time, however, granted time to appellant to make payment of balance of interest amount”.

Hence, HUDA is justified in charging interest as per its instructions framed/amended from time to time.

However, in view of the direction of the Hon'ble High Court in CWP No.3737 of 2007 titled as Mohan Dass and others Vs. HUDA to decide the case of each petitioner in the light of Gian Inder Sharma's case.

I have gone through all the relevant documents. It is pertinent to mention here that in all the allotment/re-allotment letters of petitioners, it is clearly mentioned as under:-

“Your application has been considered and a residential plot/building as detailed below has been allotted to

you on the free hold basis as per the following terms and conditions and subject to the provisions of Haryana Urban Development Authority, Act 1977 (herein after referred to as the act) and the rules /regulations applicable these under and as amended from time to time”.

Hence, the allottee/petitioner are liable to pay interest as per the instructions framed from time to time.

The petitioner in the present CWP have prayed to issue a writ in the nature of mandamus for directions to respondents for issuance of directions to the respondents to refund the excess amount paid by the petitioner on account of compound interest as per their demand on the outstanding dues against the allotment of commercial plot in Urban Estate, Karnal and the petitioner has also prayed for issuance of direction to the respondents to decide the representation dated 15.05.2008 which is still pending from consideration by the respondents. The decision of the Hon’ble High Court in Gian Inder Sharma’s case is restricted towards payment of interest on enhanced compensation only. The issue of payment of interest on delayed payment was not raised and considered in Gian Inder Sharma’s case. Hence, it would be appropriate to decide case of petitioners regarding payment of interest on enhanced compensation in view of the Gian Inder Sharma’s case as per directions of Hon’ble High Court.

It has been brought to my knowledge by the dealing officials that out of 2 petitioners, petitioner No.1 is the allottee and another is re-allottee of the plots. Detail of both the plots is mentioned in the Annexure-A attached herewith.

The petitioner No.1 is bound by the terms and conditions of the allotment letter and the petitioner No.2 has tendered undertaking before re-allotment of the plot in the form of affidavit as under:-

“That I accept terms and conditions relating to the allotment of plot and of incidental open space, if any, and shall abide by the provisions of Haryana Urban Development Authority Act 1977 and Rules/Regulations applicable thereunder and amended from time to time”.

Hence, the plots have been allotted, re-allotted and the undertaking given by the above mentioned petitioners/allottee/re-allottee is a contract with HUDA. Now, the petitioner can not be go back from the terms and conditions of the allotment letter and undertaking given in the shape of affidavit. Although it has been mentioned in the allotment letter/re-allotment letter that simple interest will be charged. But no payment has been made on account of enhanced compensation after allotment/re-allotment except petitioner No.1 whereas the payment of enhanced compensation was made by Gian Inder Sharma himself in his case. Hence the case of the petitioner No.2 is distinct from Gian Inder Sharma as mentioned above. It is made clear that simple interest has been charged from the petitioner No.1 w.e.f. 01.09.2000.

The facts mentioned above make the cases of the allottee/petitioners distinct from Gian Inder Sharma’s case. Moreover, proposition of law is different with the facts of each case as well as judicial pronouncements by various courts from time to time. The Hon’ble Apex Court in the SLP No.12084, 12085, 12167, 12168, 12169, 12170 of 2004 arising out of CWP No.2099, 10422, 6280 of 2003, 19098, 18344, 19099 of 2002 has ordered as under:-

“The question arising in these cases is as to what is the rate of interest to be paid by the respondents for delayed payment to the petitioner-HUDA. We make it clear that the respondents are liable to pay compound interest@ 10% p.a. in these cases. We further make it clear that this direction is only confined to these cases. In other cases, HUDA would be at liberty to charge interest on the defaulting parties in accordance with law. The special leave petitions are disposed of accordingly. No costs”

Hence, the Hon’ble Apex Court has decided on 09.07.2007 that HUDA can charge compound interest in case of delay.

It is pertinent to mention here that the Civil Writ Petition No.3737 of 2007 titled Mohan Dass and others Vs. HUDA as well as present writ petition No.1725 of 2009 titled Om Parkash and another Vs. HUDA and another were decided by the Hon’ble Court before the written statement could be filed in both these cases.

HUDA has already formulated a policy dated 22.09.2000 to charge simple interest on outstanding amount w.e.f. 01.09.2000 and the simple interest @ 15% is already being charged on enhanced compensation. Although in view of detailed submissions made above I am of the considered view that HUDA is entitled to charge compound interest from the allottees. In the case of present petitioners (Om Parkash and Vijay Kumar, Sneh Lata), there is inordinate delay in payment of enhanced compensation and these case are squarely covered by the judgment passed

by the Hon'ble Apex Court mentioned above. Moreover the petitioner No.1 has not deposited the entire amount of enhanced compensation till today. However, in view of the directions of Hon'ble High Court it is decided that simple interest @ 15% on enhanced compensation will be charged w.e.f. 01.09.2000, whereas, the petitioners are not found entitled for the relief in view of the submissions made above.

It is pertinent to mention here that the petitioner No.2 has already filed a CWP No.19474 of 2006 titled as Arvind Kumar and others Vs. HUDA and another and the said CWP was decided vide order dated 8.12.2006 and in the compliance of said order a speaking order was passed by the then Estate Officer, HUDA, Karnal vide order dated 03.04.2007 and thereafter, the petitioner No.1 preferred a Civil Misc vide No.7052 of 2008 in the aforesaid CWP which has already been dismissed by the Hon'ble High Court on 09.01.2009 with the following orders:-

“After hearing the learned counsel for the applicant and perusing the averments made in the application, we are of the view that there is no ground to accept the prayer made in the application. Accordingly, the same is dismissed”.

Moreover, the Hon'ble Supreme Court in case titled HUDA Vs. Raj Singh Rana, AIR 2008, 3035 has held that the petitioner can not be exempted from payment of penal and compound interest which are part of the bilateral contract and also keeping in view the inordinate delay and repeated defaults by him towards payment of the installments/enhanced compensation. On the basis of said citation, the Hon'ble High Court has decided the CWP No.17573 of 2007 titled as Sanjay Gupta Vs. HUDA and CWP No.17576 of 2007 titled as Sudha Singal Vs. HUDA vide order dated 19.02.2009.

Hence the petitioners are not found entitled for the relief in view, of the submissions made above. The representation dated 15.05.2008 of the petitioner is disposed off accordingly.

-sd/-
Estate Officer,
HUDA Karnal

Endst No. 6397

Dated: 16.04.2009

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Administrator, HUDA (Legal Cell) Panchkula w.r.t. his memo No. 2009 dated 23.03.2009
2. The Administrator, HUDA, Panchkula.
3. Accounts Officer. O/o E.O., HUDA, Karnal.
4. Sh. Om Parkash S/o Sh. Gian Sarup, resident of House NO. 117, Sector-8, Urban Estate, Karnal.
5. Sh. Vijay Kumar S/o Sh. Om Parkash and Sneh Verma W/O Sh. Vijay Kumar, residents of House NO. 295 Sector-8, Urban Estate, Karnal.

-sd/-
Estate Officer,
HUDA Karnal

ANNEXURE-A

Sr. No.	Name of Original Allottee	No. & date of original Allotment	Plot No. and . Sector.	Name of- Present owner Petitioner	Due date of Payment of Last installment/ Enhancement	Date of Last payment deposited against instalment/ Enhancement	Re-allotment No. & date	Whether Petitioner is Original Allottee or re-allottee
1.	Shri Om Parkash son of Shri Gian Saroop . •	117 16.9.84	117/8	Shri Om Parkash son of Shri Gian Saroop	16.9.90/ 13.12.91	22.11.90/ 11.12:2008	N.A.	Original Allottee
2.	Sushil Rani wife of Shri Kuldip Chand	235, 16.9.84	295/8	Shri Vijay Kumar and Smt.Sneh Lata	16.9.90/ 13.12.91	1.10.93/ 4 10.93	273 dated 7.1.2002	Re-allottee

-sd/-
Estate Officer,
HUDA Karnal

**BEFORE THE LEARNED DISTRICT CONSUMER DISPUTES REDRESSAL FORUM,
PANCHKULA**

Sudesh Kharbanda & others Vs. HUDA and another

In Re: Execution No. 19 of 2008

Application for taking up of the Execution Application for today and for dismissal of the same and for recalling, of the bailable warrants issued against the Chief Administrator, HUDA, Panchkula.

RESPECTFULLY SHOWETH:-

1. That the above mentioned execution application is pending before this Ld. Forum and is fixed for further proceedings for 20.06.2008.
2. That the execution was fixed for 19.05.2008 and notice under Section 27 had been issued against the Chief Administrator, HUDA, Panchkula and Estate Officer, HUDA, Panchkula. Thereafter, bailable warrants have been issued against the Chief Administrator HUDA, Panchkula and Estate Officer, HUDA, Panchkula for 20.06.2008.
3. That the order of the Ld. Consumer 'Forum issuing bailable warrants against the Chief Administrator, Panchkula on 19.05.2008 returnable for 20.06.2008, is not maintainable in the eyes of law. The Ed. Forum has erred in law by issuing bailable warrants against the Chief Administrator, HUDA, Panchkula without even arriving at a conclusion that prima facie any offence has been committed by the Chief Administrator.
4. That the order of the Ld. Forum dated 19.05.2008 is not sustainable in the eyes of law and is in contravention with the provisions of Section 24 of the Consumer Protection Act, Section 24 is being reproduced hereunder for the kind perusal of this Hon'ble Court:-

"Finality of Orders- Every order of a District Forum, State Commission or the National Commission shall, if no appeal has been preferred against such order under the provisions of this Act, be final."
5. That a bare perusal of Section 24 makes it amply clear that the order of the District Forum attains finality if no appeal is preferred against the said order. However, if an appeal is filed against the order of the Ld. District Forum, in that eventuality the order of the Ld. District Forum does not become final.
6. That it is a settled law that execution can be filed only of the final order.
7. That it is submitted, that in the present case the HUDA has preferred an appeal before the Hon'ble State Commission, Haryana which is now fixed for 20.11.2008.
8. That it is also extremely relevant to note, that the complainant has also filed a cross appeal before the Hon'ble State Commission, Haryana meaning thereby that the complainant is also not satisfied with the orders of the Hon'ble District Forum and therefore, the order of District Forum has not attained finality even from the point of view of the complainant.
9. That as per the provisions of Section 24 of the Consumer Protection Act, since the orders of the Ld. District Consumer Forum has not attained finality, the execution filed by the complainant is premature and not maintainable.
10. That since the execution is premature and not maintainable, therefore, the subsequent proceedings in the execution are also null and void and need to be dropped immediately.
11. That a single application has been filed for taking action against the opposite party under Section 25 which provides for civil action and under Section 27 which provides for criminal liability. A single application praying for civil and criminal liabilities is not maintainable in the eyes of law.
12. That moreover, the action of the Ld. District Consumer Forum under Section 27 of the Consumer Protection Act, 1986 of issuing notice and subsequently bailable warrants against the Chief Administrator HUDA, Panchkula is not sustainable in the eyes of law to the extent that Section 27(2) of the Act provides, that the District Forum shall have the power of Judicial Magistrate of the First Class for the Trial of offences under this Act upon conferment of powers. Section 27 (2) of the Act is being reproduced hereunder for the kind perusal of this Hon'ble Forum:-

“Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the District Forum or the State Commission or the National Commission, as the case may be, shall have the power of a Judicial Magistrate of the First Class for the Trial of offences under this Act, and on such conferment of powers, the District Forum or the State Commission or the National Commission, as the case may be, on whom the powers are so conferred, shall be deemed to be a Judicial Magistrate of the First Class for the purpose of the Code of Criminal Procedure, 1973 (2 of 1974).”

It is submitted that a bare perusal of this provision makes it clear that the power of Judicial Magistrate First Class is to be conferred upon the District Forum. It is extremely relevant to note that the Hon'ble High Court is the only authority under the provisions of Criminal Procedure Code, 1973 who can confer the power of Judicial Magistrate First Class upon the District Forum. It is submitted that no such power has been conferred by the Hon'ble Punjab & Haryana High Court upon the District Consumer Disputes Redressal Forum, Panchkula till date.

As far as the proviso clause is concerned i.e. “Notwithstanding anything contained in Code of Criminal Procedure, 1973 (2 of 1974)” is concerned, it is submitted that the same has been inserted in the Section on account of the fact that under the Criminal Procedure Code, the power of Judicial Magistrate can be conferred by the Hon'ble High Court only on any Member of the judicial service of the State functioning as a Judge in Civil Court. In view of the same to confer the powers of Judicial Magistrate to other persons also i.e. quasi judicial Courts, this proviso was added. However, from the plain reading of Section 27 (2) of the Act, it is clear that the powers of Judicial Magistrate 1st Class have to be conferred on the District Forum before the same are exercised by it and it is a settled proposition of law that it is only the High Court who has the authority to confer powers of Judicial Magistrate.

It is submitted that since, no power of Judicial Magistrate has been conferred on the District Consumer Disputes Redressal Forum, Panchkula, therefore, the action of the Ld. District Forum Panchkula of issuing notice under Section 27 and subsequently issuing bailable warrants against the Chief Administrator, HUDA, Panchkula is illegal and beyond its jurisdiction. Consequently, the proceedings undertaken by the Ld. District Consumer Forum in the execution are void ab initio and null & void and need to be dropped immediately.

13. That the execution filed by the complainant is badly time barred to the extent that Regulation 14 of the Consumer Protection Regulations, 2005 provides for the limitation within which the application is to be filed. Regulation 14 (iv) is being reproduced hereunder for the kind perusal of this Hon'ble Forum

“The period of limitation for filing any application, for which no period of limitation has been specified in the Act, the Rules of these Regulations, shall be 30 days from the date of the cause of action or the date of knowledge.”

In the present case, the complaint was decided by the Ld. District Consumer Forum, Panchkula on 23.02.2004 and the order was to be complied with within a period of one month. The certified copy of the order was issued on 25.02.2004. As per Regulation 14 (iv) the limitation to file the execution was till 25.04.2004. The complainant has preferred file execution application in the year 2008, i.e. beyond the period of limitation and the same is badly time barred. The Ld. District Forum has not condoned delay in filing the Execution Application as provided for under Regulation 14 (2) by giving valid and sufficient reasons to its satisfaction. Infact, the complainant has not sought any condonation of delay while filing the Execution Application & same should have been dismissed on the grounds of limitation alone as provided in the above Regulations.

In view of the same the execution is liable to be dismissed on this ground also. It is, therefore, most respectfully prayed that the present application be allowed and the execution application be dismissed outrightly and bailable warrants issued against the Chief Administrator, HUDA, Panchkula be recalled immediately, in the interest of justice.

Place: Panchkula, Applicant

Dated:-

Through Counsel
(ATUL AGGARWAL)
Advocate

-sd/-

(T.C. Gupta, I.A.S.)

Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator, (Legal Cell)
HUDA, Panchkula.

To

1. All the Zonal Administrator, HUDA
2. All the Estate Officers, HUDA.
3. L.R HUDA, Panchkula.
4. All Heads of Branches at HQ.
5. All DDAs & ADA at HQs and field.
6. All Panels Advocates (through e-mail only)

Memo No. DA-HUDA (HQ)-08/5653-5700

Dated: 29.05.2008

Subject: Minutes of the meeting held on 24.05.2008 under the Chairmanship of Sh. T. C. Gupta, IAS, Chief Administrator, HUDA. **Review of CCTNS and Court cases on proforma LI to L5.**

Please find enclosed herewith the copy of minutes of the meeting held on 24.05.2008 to review the status of legal cases, along with the copy of instructions issued vide memo LR- dated 29.05.2008 for information and necessary action at your end.

DA/ as above.

-sd/-

(A.K Kalra)

Disrict Attorney,

HUDA (HQs),Panchkula.

Subject: Minutes of the meeting held on 24.05.2008 under the Chairmanship of Sh. T.C Gupta, IAS, Chief Administrator, HUDA, Panchkula.

A meeting was held on 24.05.2008 at 11.00 A.M to review the status of legal cases pertaining to different Urban Estate under the Chairmanship of Sh. T.C Gupta, IAS, Chief Administrator, HUDA which was attended by the officers as per the list in Annexure-1. The meeting began with a note of caution from the C.A to all the officers, especially Estate Officers and Law Officers, to take the court cases seriously and sincerely. He pointed out that even after making much efforts, the list of court cases received from the filed offices is at variance with the list of the court cases compiled / entered in the CCTS at the Legal Cell at Headquarter. The chairman further directed that the Administrators/ Estate Officers must reconcile the list of court cases entered in the CCTS with the list of cases maintained in their offices and must resubmit the list properly reconciled in the same format latest by 30.06.2008 to the H.Q. Legal Cell. If any information is required from the Head Office for the same, the concerned Law Officer at the Headquarter may be contacted for any clarification.

The Chairman was also not satisfied with the working of Administrators in this regard. It was pointed out that as and when a notice/ summons is received from the court, it must be examined by the Administrators/ Estate Officers and if the grievance of the party is genuine and is within their competence, the grievance must be re-addressed before the 1st date of hearing or on the date fixed. A statement accordingly be made in the court in this regard and the case must be got disposed off. The Chairman also expressed his displeasure with regard to not sending the L-1 to L-5 returns by the Administrators in the prescribed Formats. The returns were never received in time. The Chairman desired that the returns must be submitted by the Administrators in the new formats within the time prescribed therein on regular basis.

It was further pointed out by the Chairman that owing to slackness on the part of officers, various Courts/ Fora are taking an adverse view of the working of HUDA and in some cases, these have gone to the extent of awarding imprisonment to some of the officers. This certainly is a very bleak scenario in respect of the handling of court cases by the concerned officers. The summons/ notices are not responded in time, replies are both not submitted or submitted very late, appeals are not filed within the limitation period and in execution applications the replies are not filed in proper manner. The Chairman, in particular, pointed out that while submitting reply in execution cases, a specific plea as regards “the finality of the order” is never taken which should have been taken as the very first and foremost ground.

The Chairman informed that in supersession of all earlier instructions, a set of new instructions has been drafted. A copy of the draft was supplied to all the officers and open house discussion was held on each and every clause of the new instructions. The officers, with an open mind contributed to the discussions and some to the suggestions were decided to be incorporated. All the officers were informed that the new set of instructions will be reaching them very shortly and thereafter all the officers, Estate Officers and Law Officers in particular, shall deal with the court cases as stipulated in the instructions. The Chairman further exhorted all the officers to ensure that actions regarding filing of replies, appeals etc. are taken in time and the reports required to be sent in prescribed formats are sent to the concerned quarters well in time.

The meeting ended with vote of thanks to the Chair.

LIST OF THE PARTICIPANTS

Annexure-I

Sr. No.	Name & Designation of the officers/ officials
1.	Sh. P.C.Singal, L.C.
2.	Maheshwari Sharma Secretary, HUDA
3.	Ashwani Bajaj, ADA
4.	A.K. Kalra, DA
5.	Dharmesh Sharma, ADA
6.	V.K.Singla, ADA
7.	Rajesh Makkar, ADA-6
8.	Kuldeep Singh, ADA-II
9.	Dinesh Kumar, ADA-IV
10.	Jaswant Singh, DDA-III
11.	A.K.Bakshi, DDA-I
12.	Gautam Nariala, ADA
13.	R.S. Sathi, DDA
14.	Dharam Pal, ADA
15.	Harkesh, ADA
16.	M.Kaushik, DDA
17.	Narinder Singh Yadav, Estate Officer,, Faridabad
18.	Ajay Malik, Estate Officer,-I, Gurgaon
19.	Siddharth Sethi, ADA
20.	B.R.Sheoran, ADA
21.	Ishwar Singh Estate Officer, Hisar
22.	S.P.Sharma, Estate Officer, Bhiwani
23.	A.S. Mann, Estate Officer, Sonipat
24.	Mahipal Singh AEO, Sonipat
25.	Surinder Singh Estate Officer, Panipat
26.	R.N.Nagwan, AEO, Panipat
27.	S.L.Sharma, AEO, Ambala
28.	Ashok Kumar Bansal, Estate Officer, Kurukshetra
29.	Dila Ram, AEO, Kurukshetra
30.	Jagtu Assistant O/o Estate Officer, Kaithal
31.	Yashandra Singh Estate Officer,-II, Gurgaon
32.	Sanjay Rai, Estate Officer, Rohtak
33.	R.K.Singh, Estate Officer, Jagadhari
34.	Satbir Singh Estate Officer, Jind
35.	Mahavir Kaushik Estate Officer, Panchkula
36.	Sushil Sarwan, Estate Officer,, Bahadurgarh
37.	Ashwani Kumar DDA, O/o Administrator, Rohtak
38.	Vinti, ADA O/o Administrator, HUDA, Rohtak
39.	Vir Singh Kaushik, ADA O/o Estate Officer, Rohtak
40.	B.S.Kundu AEO, Bahadurgarh
41.	Satbir Singh Assistant O/o Estate Officer, Bahadurgarh

Sub: - Preparation of replies /Written Statements

Dear HUDA Panel Advocate,

I solicit your cooperation in improving the defence of HUDA in court/complaint cases. It has been observed that some of the Counsels of HUDA are not preparing the replies to the complaints filed before the Courts/ Consumer Forum properly, Preliminary objections are not being properly drafted and the same are also not being pleaded in an emphatic manner.

The following are certain preliminary objections which need to be contested strongly by the counsels for HUDA:-

1. ISSUE OF LIMITATION:

It has been seen that in some cases complaints are being entertained and decided even after the expiry of prescribed period of limitation under the Consumer Protection Act. In the reply filed by the concerned E.O., Preliminary issue of complaint being time barred explaining clearly the whole facts and the relevant provision of Consumer Protection Act is not taken in an emphatic manner. Therefore, care should be taken in this regard and cases should be contested on the ground of limitation in view of the provision contained in Section 24-A of Consumer Protection-Act, 1986.

2. MAINTAINABILITY:

It has been observed that some complaints which are not even maintainable for one reason or the other are also being entertained and have been decided by the Consumer Courts. It is most relevant to note that when a person adopts one course of action, he cannot change it later on. It has been observed that a person files an appeal against an order of EO before the concerned Administrator and thereafter on his own approaches the Consumer Court by filing a complaint under section 12 of the consumer Protection Act and the consumer courts are entertaining and deciding such complaints without going into the issue of maintainability. This kind of "Forum hopping" is not allowed and has been dismissed by National Consumer Forum in a case titled as Surinder Mohan Vs. Municipal Corporation and another. Ill 2QQ6 (I) CPJ 136. We have recently won many cases pertaining to plot No. 2110-A, Sector-4, Gurgaon (RBT No.101/2007) in Complaint No.12 of 2000 from the Consumer Disputes Redressal Commission (UT), Chandigarh on this ground alone. (Copy enclosed at Annexure-I)- Therefore, wherever a complainant had earlier approached any Court or Forum under Section 17 of the HUDA Act, this law laid down by National Commission and upheld by the State Commission in numerous cases should be cited as a preliminary objection to get the case dismissed on this ground alone. Moreover, the Consumer Forum cannot sit as a court of appeal over the courts empowered under the HUDA Act In addition, whenever a complainant approaches the Consumer Courts without approaching the authorities for availing the alternative remedy available under Section 17 of the HUDA Act, a preliminary objection should be taken that the complaint is pre-mature because .the complainant has not taken recourse to a remedy, which is available under the Act itself. On this ground also, the complaint can be got dismissed by taking it as a preliminary objection.

3. TERRITORIAL JURISDICTION:

Sometimes the preliminary objection regarding territorial jurisdiction is not taken and pleaded in an emphatic manner in the reply filed by the concerned Estate Officer as also during the course of hearing. It is relevant to note that what is to be pleaded emphatically is that against whom a person is claiming relief. It has been observed that in cases of allotment,-resumption, interest on delayed payments etc. though the order of the EO is under challenge, the Chief Administrator is also made a party just to file a complaint before a specific Consumer Forum. This issue should be pleaded very strongly and an application should also be filed in such matters before the concerned Consumer Forum to treat this issue as preliminary issue and decide it initially before proceeding further in the matter, to enable HUDA to file revision if need be, against any adverse order of the Consumer Forum, Reference may be made of the case decided by the Haryana State Commission in Estate Officer, HUDA, Hissar Vs." Smt. Swatantra Bala Jain 1998 (2) CLT (copy enclosed at Annexure-II).

4. GENERAL POWER OF ATTORNEY:

It has been observed that the complaints are being filed through general power of attorney of the owner whereas in certain matter the plot had been purchased by executing the general power of attorney for saving stamp duty and thereby causing loss to the State Exchequer. The general power of attorney holder who has purchased the plot is not a consumer of HUDA and this point is to be emphatically pleaded before the Consumer Forum. The issue of deciding whether the plot has been purchased by executing the general power of attorney can be settled by going through the contents of the general power of attorney. If it is mentioned that the same is irrevocable it is a case of sale through general power of attorney. Hence in such matters the counsels should insist that the general power of attorney be placed on record, a statement obtained from the complainant/GPA that no consideration has been paid to the owner of the plot who has executed GPA in his favour and copy given to them before filing the reply to the complaint.

5. INTEREST ON DELAYED PAYMENTS:

It may be pointed out that the Hon'ble Apex Court has held in SLP No. 12084, 12085, 12087, 12167, 12169, 12170, 12168 of 2004 arising out of CWP No. 2099, 10422, 6280 of 2003, 19098, 18344, 19099 of 2002 that HUDA can charge compound interest @10% P.A. on delayed payment even if the allotment letter is silent on this point qua the period prior to 03-04-2000 since instructions have been issued to charge simple interest w.e.f 3.4.2000. This fact should be incorporated in the replies pertaining to the issue of interest on delayed payments. Substance of this decision has already been sent to all Advocates vide this office Memo No. 5903 dated 04.09.2007. Regarding charging of simple/compound interest, we have obtained advice from Shri Sanjiv Sharma, Senior Advocate and on that basis, a letter No. HUDA-Accts-Acctt-I-2007/653-75 dated 8.1.2008 has been sent to all the Administrators/Estate Officers. Copy of this circular is enclosed for information and necessary action at Annexure-III.

6. PECUNIARY JURISDICTION:

It has been observed that the cases in District Consumer Forum are not generally well contested on behalf of HUDA on the issue of pecuniary jurisdiction. The issue of pecuniary jurisdiction needs to be contested both at the time of filing of reply and also at the time of arguments. Attention in this regard may be drawn towards sections 11 (1) of the Consumer Protection Act.

7. SUBSEQUENT PURCHASER:

It has been held by the State Commission, Haryana on 10-06-2002 in FA No. 3367 of 2001 titled as HUDA vs. Shashi Sahni (copy enclosed at Annexure-IV) that the subsequent purchaser cannot plead non development of the area since at the time of purchasing the same he or she was well conversant with the development of the area.

8. COMPLETION OF DEVELOPMENT WORKS BEFORE OFFER OF POSSESSION:

Some DCDRFs have decided complaints against HUDA on the basis that some of the amenities like Shopping Centre, Schools, Post Office, Telephone Exchange etc. had not been provided in the Sector before making the Offer of Possession of plot to the complainant. These facilities can not be termed as a condition precedent in terms of the pronouncement of the Hon'ble Supreme Court of India in case Municipal Corporation, Chandigarh & Ors. Etc. v.s. M/s. Shantikunj Investment Pvt. Ltd. Etc. J.T. 2006 (3) SC 1. wherein it was observed as under:

“Therefore, the term mandate in the context of real estate is to mean facility as provided under Section 2 (b) of the Act, but it can never be treated to mean that it is a condition precedent. It is for the better use of allotted piece of land but does not mean that it should be provided first as a condition precedent in the matter of the present case.”

It was further laid down that once the allotment of the land has been made in favour of the allottee, he can take possession of the property and it does not mean that all facilities should be provided first for so called enjoyment of the property.

The ratio of this case has been relied upon by Hon'ble SCDRC, Haryana in many cases, one of which is HUDA Vs. Ramesh Lal (FA No. 29 of 2007) in respect of which decision dated 10.9.2007 is enclosed at Annexure-V.

It has also been observed that the replies are being filed in Consumer Courts/Courts without approval of the competent authority as laid down in para No. 6 of the instructions issued vide Memo No.3179 dated 28.5.2007, a copy of which has already been e-mailed to you. It is, therefore, requested that before filing the reply, it must be ensured that the reply is approved by the Competent Authority.

I am sure that if the replies are prepared properly, there will not be any occasion for HUDA to lose the cases. However, wherever we are at fault, same may also please be informed so that we can implement the decisions and take corrective action instead of engaging the allottees into needless litigations. In the year 2008, we hope to bring litigations to minimum possible extent with your cooperation.

Hoping for your cooperation in this endeavour and ail the best wishes for a New Year.

-sd/-

Yours sincerely,
(T.C. GUPTA, I.A.S.)

Encl: as above

All Advocates on the panel of HUDA

Copy is forwarded to all the Administrators/Estate Officers for information and necessary action,

**THE CONSUMER DISPUTES REDRESSAL COMMISSION;
UNION TERRITORY, CHANDIGARH
R.B.T.NO. 101 OF 2007**

IN

COMPLAINT NO. 12 OF 2000

Smt. Saroj Bala w/o Sh. Ved Parkash r/o H.NO.2110-A, Sector 4, Urban Estate, Gurgaon.

.... Complainant.

Versus

Estate Officer, HUDA, Gurgaon, Sector 14, Gurgaon.

....Respondent.

BEFORE: Hon'ble Mr. Justice K.G.Gupta, PRESIDENT.

Maj. Gen. S.P Kapoor (Retd), Member

Mrs. Devinderjit Dhatt, Member.

Present:- Sh. Harish Bhardwaj, Advocate for the complainant.

Sh. Raman Gaur, Advocate for the respondent.

Complaint Under Section 17 of the Consumer Protection Act, 1986.

Justice K.C. Gupta.

Briefly stated the facts are that she is owner-in-possession of house constructed on plot No. 2110-A, Sector 4, Gurgaon. The said plot was allotted to Sh. Kuldeep Singh Bakshi resident of Janak Puri, New Delhi by the Op vide allotment letter dated 23.02.89 by way of sale by auction. The price of the said plot was Rs. 4,81,603/- Rs. 54,000/- were deposited by Sh. Kuldeep Singh Bakshi at the time of bid and vide allotment letter Sh. Kuldeep Singh Bakshi was asked to remit an amount of Rs. 66,402/- within 30 days from the date of receipt of allotment letter so as to make 25% of the price of the plot. The balance amount was to be paid by installments as mentioned in the allotment letter (Annexure C-1). The amount of Rs.66,402/- was deposited by Sh. Kuldeep Singh Bakshi on 20.03.89.

It was next averred that Sh. Kuldeep Singh Bakshi executed a General Power of Attorney regarding the plot in favour of one Sh. Iqbal Singh resident of Raja Garden, New Delhi and through Sh. Iqbal Singh, GPA, the complainant purchased the house constructed on plot No. 2110- A, Sector-4, Gurgaon from the original allottee. It was represented to her at that time that all the installments had been paid uptodate.

It was further averred that subsequently, she came to know that resumption order had been passed by the OP regarding the house in question for default in making payment of the installments. Accordingly, her husband Sh. Ved Parkash filed appeal before the Administrator, HUDA against the order of resumption and also sent demand draft of Rs. 3 Lacs dated 10.05.95 drawn on Oriental bank of Commerce, Gurgaon payable to Estate Officer HUDA . The Administrator vide order dated 17.07.98 accepted the appeal and set aside the order of resumption of the plot and directed the complainant to make payment of the entire amount due within a period of three months of the demand being conveyed to her by the OP. The copy of the order is Annexure C-2. The OP vide memo dated 13.08.98 conveyed to her that an amount of Rs. 16,36,378/- towards balance price of the plot be paid and the draft sent by her of Rs. 3 Lacs was returned to her by memo dated 13.08.98 whose copy is Annexure C-3. It was further averred that action of the OP in raising a demand of Rs. 16,36,378/- was totally illegal, arbitrary and contrary to HUDA bye laws as the said demand was not raised earlier and further the amount of Rs. 3 Lacs sent to her was unnecessarily returned.

Alleging deficiency in service, the complaint was filed on 28.01.2000.

The OP contested the complaint and filed written reply. He denied the allegations of the complainant and stated that there was no deficiency in service on its part and as such, the complaint was not maintainable. He next stated that plot No. 2110-A, Sector 4, Gurgaon was allotted to Sh. Kuldeep Singh Bakshi vide allotment letter dated 23.02.89 who had purchased it in an open auction and he had deposited 25% of the amount but failed to pay the remaining balance of 75% in six half yearly installments and as such, show cause notices under section 17(1) and (2) dated 12.02.98 and memo No. 1627 dt. 27.03.92, memo No.2612 dt. 1.05.92 and memo No.406 dated 17.07.92 were issued to the allottee but the balance amount was not paid and as such, the plot in question was resumed by the office vide memo No. 869 dated 22.01.93. The allottee had filed an appeal under section 17(5) of HUDA Act before Administrator, which was decided on 17.07.98 and the plot was restored and as per decision of the appeal, the allottee was required to deposit Rs.16,36,378/- , which were not deposited and rather filed complaint before the District Forum, Gurgaon. He further stated that Smt. Saroj Bals had no locus-standi to file the complaint as there was no power of attorney executed in her favour by Sh. Kuldeep Singh Bakshi. He also stated that the complaint should be dismissed.

The parties adduced their evidence by way of their affidavit.

We have heard counsel for the complainant Sh. Harish Bhardwaj, Advocate, counsel for the OP Sh. Raman Gaur, Advocate and carefully gone through the file.

Annexure C-1 is the copy of allotment letter dated 23.02.89. It shows that plot No. 2110-A, Sector 4, Gurgaon was allotted to Sh. Kuldeep Singh Bakshi resident of Janak Puri, New Delhi vide memo No. 1260. Its area was 334.45 Sq. Mtr. and it was allotted @ Rs. 1440/- per Sq. Meter and the total tentative price was Rs. 4,82,603/-. Rs. 54,000/- were deposited as bid money at the time of bid and he was required to deposit Rs. 66,402/- within 30 days from the date of acceptance of the bid so as to make 25% of the price. There is no dispute about it that the said amount of Rs. 66,402/- has been deposited. However, according to Clause 5, the balance amount of Rs. 3,61,206/- was either to be paid in lumpsum without interest within 60 days from the allotment of letter or in six annual installments and the first installment was to be paid after one year of the date of the issue of allotment letter, Each installment was to be recovered together with interest on the balance price at 10% per annum on the remaining amount. The interest was to accrue from the issuance of allotment. It is further stated in Clause 24 that the allottee could take possession on any working Wednesday on payment of 25% price. It is further stated in Clause 25 that if installment is not made in due date then interest @18% will be charged for the delayed period. There is no evidence on file that the allottee Sh. Kuldeep Singh Bakshi or his successor-in-interest had deposited the amount of any installments. The copy of the order (Annexure C-2) dated 17.7.98 passed by Administrator, HUDA, Gurgaon shows that Sh. Ved Parkash husband of Smt. Saroj Bala and a General Power of Attorney had appeared and argued the case on behalf of Smt. Saroj Bala and Sh. Kuldeep Singh Bakshi was the appellant. This appeal was filed against the resumption order. The Administrator had accepted the appeal and restored the plot to Sh. Kuldeep Singh Bakshi and directed him to make the payment of the entire amount due along with interest. The Estate Officer was directed to convey the amount due along with interest to the General Power of Attorney within one week of the receipt of the order. He could not make the payment of the entire amount as conveyed to him within three months of conveying of the due amount to him by the Estate Officer. A perusal of copy of letter (Annexure C-3), which was addressed by the Estate Officer, HUDA, Gurgaon to Smt. Saroj Bala wife of Sh. Ved Parkash regarding plot NO. 2110-A, Sector 4, Gurgaon shows that he had requested the complainant to deposit Rs. 16,36,378/- immediately. He had further returned demand draft dated 10.5.95 of Rs. 3 Lacs sent by Smt. Saroj Bala. This demand draft was rightly returned because it was not of the full amount along with interest as ordered by the Administrator vide order dated 17.7.98. The Administrator had ordered Sh. Kuldeep Singh Bakshi to pay the entire balance amount within three months of conveying of the due amount by the Estate Officer along with interest. Copy of the letter (Annexure C-4) further shows that vide letter dated 10.7.99, Smt. Saroj Bala had sent demand draft of Rs. 6,34,648.90 Ps to the State Officer, which was returned vide letter (Annexure C-5) dated 17.4.99 as the matter had already been referred to Head Quarter for taking further necessary action. This amount was sent beyond a period of three months because vide letter dated 13.8.98, the Estate Officer had conveyed the amount due and it was to be paid till 13.11.98, which was not paid. Since the amount was not paid as per order of the Administrator, HUDA dated 17.7.98, so, in default the resumption of the plot and forfeiture of the 25% of the price of the plot made by the Estate Officer stands.

Counsel for the complainant contended that earlier the District Forum, Gurgaon had passed the order in favour of the complainant. May be that an order had been passed by the District Forum, Gurgaon but the same was set aside by the Haryana State Commission vide order dated 17.11.1999 in appeal filed by the Estate Officer, Gurgaon on the basis of pecuniary jurisdiction and the order of District Forum was quashed. The copy of the irrevocable / registered General Power of Attorney alleged to be executed by Sh. Kuldeep Singh Bakshi in favour of Smt. Saroj Bala, as mentioned in her affidavit, has not been produced on file. In the absence of General Power of Attorney, Smt. Saroj Bala has no locus standi to file the complaint. Otherwise also on merits, the complainant has got no case. Against the order of the Administrator, the complainant could have filed appeal to the Secretary, Urban Development & Planning and after rejection of the appeal by the Secretary the writ could have been filed in the Hon'ble High Court challenging the resumption order. The complaint filed under the provisions of Consumer Protection Act, 1986 after availing remedy of appeal before the Administrator, HUDA, Gurgaon is not maintainable in view of the law laid down by the Hon'ble National Consumer Dispute Redressal Commission, New Delhi in the case of Surinder Mohan Vs. Municipal Corporation and another, III 2006 fl) CPJ 136. In the said authority, it was observed that Section 3 of the C.P. Act provides additional remedy and it is not in derogation of any other law but where the appellant had availed his remedy before the Chief Administrator and then before the Advisor to Chief Administrator, then, he had to pursue his to the end from that agency and cannot file a complaint before the Forum as the Commission is not a revisional or appellate authority against the order passed by the Administrator or advisor to the Chief Administrator. To the same effect is the authority of Hon'ble National Commission in the case of Haryana Urban Development Authority Vs. Ashok Kumar, III 2006 C11) CP 3 436. In view of the said order, the complaint is not maintainable.

Hence, in view of the discussion above, we hold that the complaint is not maintainable and as such, it is dismissed with costs of Rs. 1,000/-. Copies of this judgment be sent to the parties free of charge.

Pronounced.

30th August 2007.

-sd/-
(K.C.Gupta)
President

(MAJ. GEN.S.P. KAPOOR (RETD.)
Member

(MRS. DEVINDERJIT DHATT)
Member

**HARYANA STATE CONSUMER DISPUTES REDRESSAL COMMISSION
CHANDIGARH**

M.R. Agnihotri, President Mrs. Sushil Paul and A.D. Malik, Members

FA No. 128 of 1998

Decided on 30th April, 1998.

Estate Officer Haryana Urban Development Authority, Hissar and another.

Appellants

Versus

Smt. Swatantra Bala Jain

Respondent

For the Appellants: - Mr. Prabodh Mittal, Advocate.

For the respondents: - Mr. Suman Jain, Advocate.

Consumer Protection Act, 1986 Section 11(2)- Territorial Jurisdiction . Plot situated outside the territorial jurisdiction of Panchkula District. Demand for some additional payment had been made at a place outside its territorial jurisdiction. The mere fact that the complainant had impleaded the Chief Administrator of HUDA as opposite party whose head office happen to be at Panchkula , was not enough to confer jurisdiction on the District Forum at Panchkula.

ORDER

1. M.R. Agnihotri, President- Haryana Urban Development Authority has come up in appeal against the order dated 3.12.1997 passed by the learned District Consumer Forum, Panchkula , whereby the complaint of an allottee Smt Swatantra Bala Jain, the owner of plot no. 1675-P in Urban Estate II, Hissar, alleging deficiency in service against HUDA , has been allowed.
2. According to the complainant, HUDA had issued a demand notice for a sum of Rs.27, 862.50 on 15.06.87 followed by another demand notice for Rs.19,352.30 on 18.02.88. Since the complainant had not deposited the said amounts, another demand notice for Rs. 1,61,310/- was received by the complainant but without any statement of accounts, which was arbitrary. In their reply, HUDA pleaded that demands were on account of enhanced compensation under the Land Acquisition Act, which the complainant was bound to pay. Thereafter, on 5.11.97 the complainant submitted an application before the learned Forum that she was ready to pay interest at the rate of 15% PA after the date of demand notices. She was also ready to forego all other prayers. Accordingly, the learned District Consumer Forum, Panchkula, disposed of the complaint by issuing the following directions:-

“Therefore, the present complaint is disposed of with the direction that if there is any discrepancies in the statement of accounts regarding interest of calculation then the same may be got corrected and fresh statement of accounts be prepared @ 15% simple interest under the head of enhancement within seven days from the receipt of this order and if complainant pays the amount, No objection Certificate be issued to the complainant within seven days from the receipt of the payment No order for the cost. Let order be complied. Copy of this order will be sent to the parties free of costs.”
3. In the appeal before us, the learned counsel of HUDA has vehemently contended that apart from the merits of the case, it was evident that the plot in question was situate at Hissar and the demands had also been made by the Estate Officer HUDA Hissar. In view of this factual position, the complaint was not maintainable before the learned District Consumer Forum, Panchkula, at all. It was further contended that this objection had prominently been taken as the very first preliminary objection in the followings words:-

“That the Hon’ble Forum has got no territorial jurisdiction to try and entertain the present complaint because the plot in question is situate in Hissar.”

Again, in the body of the written statement in para 10, the objection was repeated as under:-

“That the para No. 10 of the complaint is wrong and hence denied. The Hon’ble Forum had got no jurisdiction to try and entertain the present complaint because the plot in question is situated at Hissar and the office of the respondent No. 1 is also situated at Hissar and the record of the plot in question is also at Hissar.”

It is strange that despite this the learned District Consumer Forum Panchkula, assumed jurisdiction and proceeded to decide the complaint on merits without first appreciating the preliminary objection, much less to deal with the same.

4. After hearing the learned counsel and having gone through the record, we are of the considered view that the appeal deserves to be allowed and the impugned order is liable to be set aside on the short ground; that the District Consumer Forum at Panchkula lacked territorial jurisdiction to adjudicate upon a dispute arising out of a certain plot situated outside the territorial jurisdiction of Panchkula and regarding which demand the some additional payments had been made at a place outside its territorial jurisdiction. The mere fact that the complainant had impleaded the Chief Administrator of HUDA as one of the opposite parties, whose head office happens to be at Panchkula , was not enough to confer jurisdiction on the District Consumer Forum at Panchkula. Resultantly, the appeal is allowed and the order passed by the learned District Forum is set aside. The complaint is returned to the complainant - respondent to present the same, if so advised before the District Forum, Hissar. In the circumstances of the case, there shall be no order as to costs.

Announced in open court.

Appeal allowed

**HARYANA URBAN DEVELOPMENT AUTHORITY,
C-3 SECTOR-6 PANCHKULA**

No. HUDA-Acctts -Acctt-1-2007/ 653-75

Dated: 8.1.2008

To

1. All the Administrators
HUDA (in the State).
2. All the Estate Officers,
HUDA (in the State).

Subject: Guidelines for defending the court cases in respect levy of compound interest by HUDA on the delayed payment of installments.

1. This is in continuation to letter No. HUDA-Acctts- 2007/5903 dated 04.09.2007 vide which the orders of Hon'ble Supreme Court of India in SLP No. 12084, 12085,12167,12169,12170,12168 of 2004 arising out of CWP No,2099, 10422, 6280 of 2003, 19098, 18344, 19099 of 2002 to charge compound interest @10% p.a. was brought to your notice with the request to quote these orders in all the cases of similar nature pending in the Courts/Forums / Commission and invariably attach the copy of these orders alongwith the reply and specifically bring it to the notice of the Courts during arguments.
2. The increasing number of court cases in respect of levy of compound interest on the delayed payment of installments is causing great concern to the Authority. In this regard the advice of Senior Advocate Sh. Sanjiv Sharma was obtained in order to defend the cases properly in the courts to safeguard the interest of the Authority. Sh. Sanjiv Sharma has analyzed the various judgments announced by the various courts in respect of levy of compound interest and has given valuable suggestions to defend such cases in the court. The copy of the advice is enclosed for ready reference.
3. In nut shell, Ld. Advocate has advised that HUDA can charge the differential rate of interest i.e. normal rate of interest and penal rate of interest in respect of two kinds of allottee i.e. those who opt to pay in installments and those who are defaulters. Although on the question of compound interest, Ld. Advocate has advised that HUDA can not charge the compound interest but in this regard the instructions issued by. L,R., HUDA vide letter No. HUDA-Acctts-2007/5903 dated 04.09.2007 may be followed keeping in view the judgement of the Hon'ble Supreme Court of India in the above said cases.
4. The judgement in the case of Sh. Gian Inder Sharma vs. HUDA & others in CWP No. 16497 of 2001 was delivered on 11.11.2002 and judgement in the case of Smt. Kant a Devi Budhiraja v/s. HUDA was finalized on 02.04.2000. Accordingly HUDA Authority decided to charge simple rate of interest w.e.f. 03.04.2000 i.e. immediately after the announcement of the judgement by the various courts to charge simple rate of interest, The Ld. Advocate Sh. Sanjiv Sharma was also requested to advice on the question of charging interest keeping in view the following factors.
 1. Where limitation period has been expired.
 2. Where no due certificate has been issued.
 3. Where full payment has been made and conveyance deed/sale deed has been executed.
 4. The compound interest has been charged as per the orders of the competent Authority passed in the judicial/quasi judicial capacity.

On these issues, the Ld, Advocate has advised as under:-

1. Where limitation period has expired:

There are two cases under this category (i) where relief has been sought to levy simple interest and to recover the excess payment made by the allottee, (ii) Where restraint has been sought against HUDA from demanding the compound interest.

In both these cases the provision of limitation Act 1963 will apply. In both the cases the limitation period would be three years except for (ii) above where the limitation would commence from the date of demand of interest. However, any demand made for reconciliation of accounts beyond a period of 3 years after the last payment may not be tenable. Therefore, in all the court cases, the point of limitation may be examined and may be taken as preliminary objections invariably while filing the reply.

2 & 3. Where no due certificate has been issued. Where full payment has been made and conveyance deed/sale deed has been executed:

The same situation will prevail as described in para (1) above. In such cases where no due certificate has been issued and where full payment has been made and conveyance deed/sale deed has been executed, the limitation Act 1963 will apply. In such cases also, point of limitation may be examined and taken in the preliminary objections invariably while filing the reply.

4. The compound interest has been charged as per the orders of the competent Authority passed in the judicial/quasi judicial capacity.

In such cases where compound interest has been charged based upon the orders of the judicial/quasi judicial authorities, the compound interest may be charged as per the orders of the above said authority and no relief is required to be given in such cases.

You are, therefore, requested to examine the above said points while filing the reply in the courts in respect of case of levy of compound interest by HUDA and also take all these points in the preliminary objections as well as forcefully argue in the courts. In case replies have already been filed, amendment can be done on above lines. You are also requested to bring these points to the notice of the Advocates who are defending such cases in the various courts so that these comments are properly incorporated in the reply/argued in the Courts.

-sd/-

Chief Controller of Finance,
for Chief Administrator, HUDA.
Panchkula.

Copy to: All panel Advocates to take these pleas in the replies to be filed/amended as well as at the time of arguments.

Sanjeev Sharma Advocate

Former Additional Advocate General Punjab

28, Shiwalik Enclave

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**EX-PARTE OPTION ON LEVY OF COMPOUND INTEREST BY HUDA ON DELAYED PAYMENTS
OF INSTALLMENTS**

1. The Honorable High court disposed off CWP 3737 of 2007 on 8.5.2007 by passing a direction that:-“Haryana Urban Development Authority shall uniformly apply the guidelines issued in Gian Inder Sharma case (Supra) to all affected and also in the case of the petitioners. Respondents are further directed to decide each case of petitioners within a period of eight weeks from today.”
2. Gian Inder Sharma’s case was decided on 11.11.2002. The operative part of the judgement reads as:
“We are of the opinion that the respondents are not entitled to charge compound interest on the delayed payment of additional price of the plot in question. They can charge only simple interest at the rate of 15% per annum on the said amount. The case of the petitioner is squarely covered by division Bench decision of this Court in M/S Bhatia brothers’ case (supra). Learned counsel of the respondents could not point out to us any provision of law under the Act and the 1978 Regulations or any condition in the allotment letter, which authorized the respondents to charge compound interest on the delayed payment. As per clause 6 of the allotment letter, the respondents are entitled to charge 10% interest on the amount of instalment. The contention of the petitioner that he is liable to pay simple interest at the rate of 15% per annum on the delayed payment of additional price of the plot in the question is totally justified. The respondents, in spite of the decision of this Court, are illegally demanding the compound interest on the aforesaid delayed payment from the petitioner. We find that action of the respondents in demanding compound interest from the petitioner is totally unreasonable and arbitrary and without any authority of law. Therefore, we direct that the respondents can charge only simple interest at the rate of 15% per annum from the petitioner on the delayed payment of additional price of the plot in question. Since the petitioner has already deposited Rs. 2,10,000/- under protest with the respondents towards the additional price, the respondents are directed to calculate the additional price with 15% simple interest and adjust the same towards the above payment made by the petitioner. If there is any excess amount the same shall be refunded to the petitioner within a period of three months. It is however, made clear that no penalty can be charged from the petitioner on account of delayed payment of additional price. However, if there is any other amount due against the petitioner, the same shall also be adjusted against payment already made by him and after making adjustment, if any amount is found due towards him, the same can be recovered from him.”
3. The aforesaid case relates to allotment on 22.5.1987, of a residential plot bearing number 1615, sector-7, Karnal on freehold basis. The total cost of the plot, was Rs. 90,597/-. The petitioner deposited 25% of the amount of the cost i.e. Rs. 22,649.25 on 15.5.1987 after which an allotment letter dated 22.5.1987 was issued. The balance amount of Rs. 67,947.75 was to be paid either in lump sum within 60 days from the date of issue of allotment letter or in 6 annual instalments. Each instalment was to be recovered with interest on the balance amount at the rate of 10%. While payment towards the initial cost of the plot was made in full, two demands on account of additional price of the plot were made on the petitioner. The first was made on 19.4.1990 for

an amount of Rs. 31,448.65 and the second on 10.12.1991 for Rs. 17,650/-. These additional payments were to be recovered from the petitioner in the same manner as instalments were to be recovered. It appears, that the demand made by HUDA contained an element of compound interest and therefore, when the statement of account was issued on 17.6.2001, which is ten year later, a total amount of Rs. 2,13,306/- was demanded of which Rs. 1,76,350/- was on account of additional price with interest up till 6.6.2001 and Rs. 36,956/- on account of extension fees until 31.10.2000. Under threat of resumption, the petitioner deposited the money however he made a request on 29.8.2001 that only simple interest be charged and not compounded interest. According to the petitioner, only Rs. 85,065/- was payable in case simple interest was levied.

4. CWP 2278 of 1999 M/S Bhatia Brothers had already been decided on 14.2.2000 holding that HUDA cannot charge compound interest as there is no provision under the Haryana Urban Development Authority Act, 1977 or Haryana Urban Development (disposal of Land and Buildings) regulations, 1978 and the conditions of allotment to do so. The Special Leave petition filed by HUDA against the aforesaid judgement was dismissed on 11.9.2000. Thus, based on Bhatia Brothers case, the decision in Gian Inder Sharma's case came to be passed on 11.11.2002.
5. It is the aforesaid decision in Gian Inder Sharma's case that has been followed in the case of CWP 3737 of 2007.
6. In this background, I have been asked to render advice on the question of charging interest and compliance of the judgement dated 8.5.2007.
7. Before addressing the query, it would be appropriate to briefly recapitulate as to how compound interest came to be charged in the first place and whether there is any provision under the HUDA Act, 1977 that can be referred to as the source of such power.
8. The first provision that calls for notice is section 15 of the Act.

15. Disposal of land.

1. Subject to any directions given by the State Government under this Act and the provisions of sub-section (5), the Authority may dispose off:-
 - A) any land acquired by it or transferred to it by the State Government without undertaking or carrying out any development thereon; or
 - b) any such land after undertaking or carrying out such development as it thinks fit to such persons, in such manner and subject to such terms and conditions, as it considers expedient for securing development.
2. Nothing in this Act shall be construed as enabling the authority to dispose off land by way of gift, but subject to this condition, reference in this Act to the disposal of land shall be construed as reference to the disposal thereof in any manner, whether by way of sale, exchange or lease or by the creation of any easement right or privilege or otherwise.
3. Subject to the provisions hereinbefore contained, the Authority may sell, lease, or otherwise transfer whether by auction, allotment or otherwise any land or building belonging to it on such terms and conditions as it may, by regulations provide.
4. The consideration money for any transfer under sub-section shall be paid to the Authority in such manner as may be provided by regulations.
5. Notwithstanding anything contained in any other law, for the time being in force, any land or building or both, as the case may be, shall continue to belong to the authority until the entire consideration money together with interest and other amount, if any due to the Authority on account of the sale of such land or building or both is paid.
6. Until the conditions provided in the regulations are fulfilled, the transferee shall not transfer his right in the land or building except with the previous permission of the Authority, which may be granted on such terms and conditions as the authority may deem fit.
7. Thus, under Section 15 regulations may provide for the terms and conditions of sale/lease/transfer. The next provision to be examined is Section 17 which reads as:

Section 17

Resumption and forfeiture for breach of conditions of transfer:-

1. Where any transferee makes default in the payment of any consideration money, or any instalment, on account of the sale of any land or building, or both, under section 15, the Estate Officer may, by notice in writing, call upon the transferee to show cause within a period of 30 days, why a penalty which shall not exceed 10 percent of the amount due from the transferee, be not imposed upon him.
2. After considering the cause, if any, shown by the transferee and after giving him a reasonable opportunity of being heard in the matter, the Estate officer may, for reasons to be recorded in writing, make an order imposing the penalty and direct that the amount of money due along with the penalty shall be paid by the transferee within such period as may be specified in the order,
3. If the transferee fails to pay amount due together with the penalty in accordance with the order made under subsection (2) or commits a breach of any other condition of sale, the Estate Officer may, by notice in writing call upon the transferee to show cause within a period of 30 days, why an order of resumption of the land or building, or both, as the case may be and forfeiture of the whole or any part of the money, if any, paid in respect thereof which in no case shall exceed 10 percent of the total amount of the consideration money, interest and other dues payable in respect of the sale of land or building or both, should not be made.
4. after considering the cause, if any, shown by the transferee in pursuance of a notice under subsection (3) and any evidence that he may produce in support of the same and after giving him a reasonable opportunity of being heard in the matter, the Estate Officer may, for reasons to be recorded in writing make an order resuming the land or building or both, as the case may be, and direct the forfeiture as provided in subsection (3) of the whole or any part of the money paid in respect of such sale,
5. any person aggrieved by an order of the Estate Officer under section 16 or under this section may, within a period of 30 days of the date of the communication to him of such order, prefer an appeal to the Chief Administrator in such form and manner, as may be prescribed: Provided that the Chief Administrator may entertain the appeal after the expiry of the said period of 30 days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
6. The Chief Administrator may, after hearing the appeal confirm, vary or reverse the order appealed for and pass such order as he deems fit.
7. The Chief Administrator may , either on his own motion or on an application received in this behalf at any time within a period of six months from the date of the order, call for the records of any proceedings in which the Estate Officer has passed an order for the purpose of satisfying himself as to the legality or propriety of such order and may pass such order in relation thereto as he thinks fit. Provided that the Chief Administrator shall not pass any order under this section prejudicial to any person without giving him a reasonable opportunity of being heard.
8. From the words used in section 17 it shows that the Chief Administrator may pass such order as he deems fit while confirming, varying or reversing an order passed by the Estate Officer. Thus, he may in a given case require payment of interest at a rate higher than what has been stipulated in the terms of allotment since, the parties may no longer be bound by the same.
9. The power to make Regulations is contained in Section 54 which is:-

Section 54:- Power to make regulations. - The Authority may, with the previous approval of the State Government, make regulations consistent with this Act, and without prejudice to the generality of this power such regulations may provide for –

xxxx

(3)xxx

- (e) the terms and conditions in which transfer of any right, title and interest in any land or building may be Permitted.

10. Haryana Urban Development [Disposal of Land and Buildings] Regulation, 1978

Regulation 2 Definitions - [e] “price” means the amount paid or promised for the transfer of immovable property on freehold basis.

Regulation 3.

Mode of disposal. - Subject to any direction issued by the State Government under the Act and to the provisions of subsection [5] of section 15 of the Act: —

- (c) The Authority, may dispose of its land or building by way of sale or lease either by allotment or by auction, which may be by open bid or by inviting tenders.

Regulation - 4

- (1) the tentative price/ premium for the disposal of land or building by the authority shall be such as may be determined by the Authority taking into consideration the cost of land, estimated cost of development, cost of building and other direct and indirect charges, as may be determined by the Authority from time to time.
- (2) An extra 10% and 20% of the price/ premium shall be payable for ‘preferential’ and ‘special preferential’ plots respectively.

Regulation 5.

Procedure in case of sale or lease of land or building by allotment. -

Xxx

- (2) No application under sub regulation (1) shall be valid unless it is accompanied by such amount as may be determined by the Authority, which shall not be less than 10 percent of the price/ premium in the form of a demand draft payable to the Estate Officer, and drawn on any scheduled bank situated in the local place of the Estate officer concerned or any other such place as the Estate Officer may specify.

Xxxxx

- (6) The payment of balance of the price/ premium shall be made, in the manner as may be communicated, in lumpsum or in such number of annual, 1/2 yearly equal instalments not exceeding 10, as may be decided by the Authority from time to time. The amount of first instalment shall be payable within one year or six months from the date of allotment and subsequent installments shall similarly accrue every yearly/ half yearly on the due date, as the case may be:
- (7) each instalment would be recoverable together with interest on the balance price/ premium. at the rate as may be decided by the Authority at the time of allotment. The interest shall however accrue from the date of offer of possession of land/ building. No interest shall be payable if the whole of the balance price/ premium is paid in full, within 60 days of the offer of possession. If at any time the transferor opts to make the balance payment in full he shall be entitled to do so and interest shall be charged on the balance amount only for the period from the date the last instalment was due to the date he makes full payment.

Regulation 6.

Sale or lease of land or building by auction: -

- (1) In the case of sale or lease by auction, the price/ premium to be charged shall be such reserve price/premium as may be determined taking into consideration the various factors as indicated in sub regulation [1] of regulation 4 or any higher amount determined as a result of bidding in open auction.
- (2) 10 percent of the highest bid shall be paid on the spot by the highest bidder in cash or by means of a demand draft in the manner specified in sub regulation [2] of regulation 5. The successful bidder shall be issued allotment letter in form *CC’ or ‘CC-II’ by registered post and another 15 percent of the bid accepted shall be payable by the successful acceptance of the bid by the Chief administrator; failing which the 10 percent amount already deposited shall stand forfeited by the Authority and the successful bidder shall have no claim to the land or building auctioned.
- (3) **the payment of balance of the price/premium, payment of interest chargeable and the recovery of interest shall be in the same manner as provided in sub regulation [6J and f7/ of regulations 5.**

- (4) The general terms and conditions of auction shall be such as may be framed by the Chief Administrator from time to time and announced to the public for auction on the spot.

Regulation 13

Delivery of possession.- The possession of the land shall be delivered to the transferee or lessee as soon as development works in the area where the land is situated are completed:

Provided that in the case of sale/lease of undeveloped land/building possession thereof shall be delivered within 90 days of the date of allotment.

13. Clauses of the letter of allotment issued in Form C, CC and others

prescribed by the 1978 Regulations, reflect the statutory provisions and can be seen however for ease of appreciation their provisions are on the following lines:-

Your application /bid for plot No. _____ Sector _____ at _____ has been accepted and the plot/ building as detailed below has been allotted to you on free-hold basis as per the following terms and conditions and subject to the provisions of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the rules/regulations applicable there under and as amended from time to time including terms and conditions as already announced at the time of auction and accepted by you.

The plot is preferential...../OR

The sum of Rs. _____ deposited by you as bid money at the time of bid will be adjusted against the said plot/building.

In case you refuse to accept this allotment, you shall communicate your refusal.....OR.

You are requested to remit Rs. _____ in order to make the 25% price of the said plot within 30 days from the date of issue of this letter. The -payment shall be made by a bank draft payable to the Estate Officer, HUDA, _____, and drawn on any scheduled bank at _____. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the deposit of 10% bid money deposited at the time of bid shall stand forfeited to the Authority, against which you shall have no claim for damages.

The balance amount i.e. Rs. _____ of the above price of the plot/building can be paid in lump sum without interest within 60 days from the date of issue of the allotment letter or in 8 half yearly instalments. The first instalment will fall due after the expiry of six months of the date of issue of this letter. Each instalment would be recoverable together with interest on the balance price at % interest on the remaining amount. The interest shall however, accrue from the date of offer of possession.

You will have to complete the construction within two years of the date of offer of possession after getting the plans of the proposed building approved from the competent authority in accordance with the regulations governing the erection of buildings. This time limit is extendable by the Estate Officer if he is satisfied that non construction of the building was due to reasons beyond your control, otherwise this plot is liable to be resumed and the whole or part of the money paid, if any, in respect of it forfeited in accordance with the provisions of the said Act. You shall not erect any building or make any alteration/addition without prior permission of the Estate Officer. No fragmentation of any land or building shall be permitted.

Note. For the exact words used in the forms Kindly refer to the same.

14. A reading of the statutory provisions as noticed above, the substantive portions of which are incorporated in the letter of allotment, clearly shows that allottees are required to pay 25% of the price before the delivery of possession and the balance price in lump-sum without being required to pay interest or to pay the same in 8 instalments with interest. The failure of the allottees to deposit 25% of the price within 30 days could entail cancellation of allotment and forfeiture of 10% of the bid money. For paying the balance price representing 75% of the total price, the allottees are given two options. The first option was to pay total balance price in lump-sum within 60 days from the date of issue of allotment letter. In that case, they were not to pay interest. The other option available to them was to pay the balance price in 8 half yearly instalments with interest @ 10% payable from the date of offer of possession.

15 It is therefore safe to suggest that HUDA has power to demand interest on the balance price when instalments are opted for.

16. From a perusal at page 12 of the noting sheet it appears that the Authority decided to charge interest on late payment of instalments at a rate of 18% per annum and instructions in this regard were issued on 15.01.1987. Similarly, a decision to charge interest on delayed payment of enhancement at the rate of 15% per annum was also taken on 02.04.1987. The noting sheet does not however disclose as to whether the decision of the Authority was to charge compound or simple rate of interest. Be that as it may, the levy of compound interest became the subject matter of challenge in the number of cases and while it would be difficult to identify in exactly which case this levy was first struck down, suffice to notice that one of the cases was that of Aruna Luthra reported as 1998 (2) PLR 687 In which it is held that HUDA is entitled to charge interest in terms of the contract that is the allotment letter but not according to HUDA Policy, Thus, it stood settled that what could be recovered is interest as provided by the terms of the allotment as well as the regulations and the Act itself. Policy decisions would not be applicable unless it could be shown that they had sanctity of law. This judgement of Justice• N.K. Sodhi & Justice Iqbal Singh is reproduced below for easy appreciation.

“In an auction held on 30.10.1980 the petitioner purchased S.C.F No. Sector-7 in Faridabad and an allotment letter was issued to her on 5.12.1980. The price of the building was Rs. 2,83,100/- and 25% of this amount including the amount deposited at the time of auction was to be paid within 30 days from the date of issue of the letter and the balance amount was payable in half yearly instalments. Each instalments was to be paid together with interest on the balance price @ 10% on the remaining amount. Interest was, however, to accrue from the date of offer of possession. According to clause (22) of the allotment letter all disputes and differences between the parties arising out of or relating to the allotment were to be referred to the sole arbitration of the Chief Administrator, Haryana Urban Development Authority (for short HUDA) or any other officer appointed by him. After purchasing the building the petitioner wrote to the Estate Officer, HUDA, Faridabad to hand over vacant possession of the same. It appears that the building was occupied by some unauthorized occupants and, therefore, its possession could not be delivered to the petitioner. It was only on 4.5.1987 that the possession was delivered to her. At the time of delivering possession to the petitioner it was found that the building had been damaged and there were breakages. A statement about the details of damages and breakages as found in the building was prepared. The petitioner continued representing to the respondents that the damage caused to the building by the unauthorized occupants be repaired so that the same becomes habitable. It was also represented by the petitioner that interest on the balance amount payable to the respondents should be charged only from the date when the defects in the building were removed. Since the respondents did not pay any heed to the representations of the petitioner, she invoked the arbitration clause and filed a petition under Section 20 of the Arbitration Act in the Court of Senior Sub Judge, Faridabad. This application was allowed on 26.7.1989 and the Chief Administrator was appointed the arbitrator to settle the disputes between the parties and he was directed to pronounce his award within four months. The parties were also directed to file their claims and counter-claims before him within the time schedule fixed by the Court. The Administrator exercising the powers of the Chief Administrator decided the matter as per his order dated 21.5.1990 and directed the Revenue Officer, Faridabad to get the deficiencies removed which had been found at the time of delivering possession to the petitioner. In addition, the petitioner was directed to pay interest on the balance instalments from the date of delivery of possession. It is stated that the deficiencies have not been removed so far and the premises are lying unused. The petitioner applied to the respondents for transfer of the building in the name of one Surinder Nischal and in response to her application she was informed that a sum of Rs. 14,77,660/- was payable by her to HUDA. It is submitted that the petitioner then verified from the office of the respondents as to how this amount was due. She also submitted the details of the payments made by her. A copy of the letter dated addressed to the Estate Officer in this regard is Annexure P-12 with the petition. A perusal of the payment schedule as contained in this letter would show that the petitioner delayed the payment of instalments for which she is liable to pay interest. The petitioner also requested that a conveyance deed be executed in her favour. It was then that the present petition was filed under Article 226 of the Constitution for quashing the demand made by the respondents requiring the petitioner to deposit a sum of Rs. 14,77,660/-. It is also prayed that the respondents be directed to execute the conveyance deed in favour of the petitioner.

2. In the written statement filed on behalf of the respondents, it is pleaded that an amount of Rs. 14,77,660/- is due from the petitioner and that interest @ 18% per annum has been charged as per HUDA policy. It is

admitted that a sum of Rs. 2,30,490/- was deposited by the petitioner on 19.4.1996. It is denied that the petitioner is entitled to any damages as claimed.

3. We have heard counsel for the parties and from their pleadings it is clear that the possession of the S.C.F. was delivered to the petitioner on 4.5.1987. As per the decision of the Administrator, HUDA dated 21.5.1990 the petitioner is liable to pay interest only from the date of delivery of possession. This is also in accordance with clause (6) of the allotment letter. Even according to Regulation 5 (7) of the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978, interest on delayed payments has to accrue only from the date of offer of possession of the building. The question that, however, arises for consideration is at what rate is the interest payable. According to the respondents, HUDA had prepared some policy on the basis of which interest is being charged @ 18%. On the other hand, the learned counsel for the petitioner strenuously urged that in terms of Clause (6) of the allotment letter, the instalments were recoverable together with interest on the balance price @ 10%.
4. Having given our thoughtful consideration to the rival contentions of the parties, we are of the opinion that the petitioner is liable to pay interest at the agreed rate of 10% as stipulated in the letter of allotment. Allotment of S.C.F. through an open auction was the result of a contract between the parties whereby it was agreed between them that the unpaid instalments would be recoverable together with interest at the rate of 10% on the balance price. Clause (6) of the allotment letter contains this stipulation. In the light of this clause, it is not open to HUDA to claim and charge interest @ 18% as is being done in the instant case. All that is stated in Para 14 of written statement is that the petitioner is liable to pay interest @ 18% per annum as per HUDA policy. What is that policy, under which provision of law has it been framed and whether it can override the contractual stipulation contained in Clause (6) of the allotment letter has not been spelt out in the written statement. No provision of any law or the aforesaid regulations has been brought to our notice whereby HUDA could charge interest at a rate exceeding the agreed rate of interest.
5. In the result, it has to be held that the petitioner is liable to pay interest @ 10% as agreed between the parties and that too w.e.f. 4.5.1987 on which date the possession of the premises was delivered to her. Consequently, the communication dated (Annexure PII with the writ petition) insofar it requires the petitioner to deposit a sum of Rs. 14,77,660/- is quashed and respondents 2 to 4 are directed to work out afresh the total amount, if any, payable by the petitioner together with interest @ 10% per annum w.e.f. 4.5.1987 and intimate the same to the petitioner who shall have to pay the same. The amounts deposited by the petitioner will, of course, be taken into account and she shall be given credit for the same. The amount - as worked out is deposited by the petitioner, the respondents shall execute the deed of conveyance in her favour in accordance with law.
6. Another grievance of the petitioner is that in spite of a direction given by the Administrator on 21.5.1990 the damage caused to the premises by the unauthorized occupants which was subsisting at the time of delivery of possession has not been repaired so far and premises are lying unused as they are not capable of being inhabited. This averment of the petitioner has not been specifically denied in the written statement. We, therefore, direct that the petitioner should serve one last notice on the respondents pointing out all the deficiencies and damage in the building requiring them to repair the same. If such notice is received, respondents 2 to 4 may have the premises inspected through their staff and clause the repairs to be made within three months from the date of receipt of the notice failing which it will be open to the petitioner to have the premises repaired on her own at the cost of these respondents. This direction has become necessary because we find that the Administrator, HUDA itself while giving its decision on the disputed issues between the parties had given a direction to the Revenue Officer to get the deficiencies removed and damage repaired which were found at the time of delivery of possession of the premises.
7. This writ petition stands allowed in the above terms. No costs. Petition accepted. ”
17. What needs to be noticed is that in the aforesaid case the allotment was not cancelled and there was no resumption. Furthermore, the Court held that a lawful binding contract came into being, the terms of which could be changed unless law permitted it. The essential difference that I wish to draw attention to is that power under Section 17 was not exercised.
18. While in the aforesaid case it was held that the policy of HUDA would not be applicable on the question of

rate of interest, in another case a contrary view was taken. This is the case of Ram Kishan Gulati v. State of Haryana, (P&H)(D.B.) G.S. Singhvi and Mehtab Singh Gill, JJ. In C.W.P. No. 15746 of 1997 decided on 02.06.1999. This judgement took into consideration the following cases and its operative part reads as:

Cases referred:

- i. Aruna Luthra v. State of Haryana and others, 1997(2) PLJ 1.
- ii. Baij Nath Gargv. The Chief Administrator, HUDA and others, 1995 (2) RRR 27 (P&H).
- iii. Ajit Singh and others v. Chandigarh Administration through Administrator, Union Territory and others, C.W.P. No. 9503 of 1996, decided on 29.8.1996.
- iv. Sukhpal Singh Kang and others v. Chandigarh Administration and another, I.L.R., 1999(1) Punjab and Haryana 141.
- v. Haryana Urban Development Authority and another v. M/s Roochira Ceramics and another, 1997 (1) RCR (Civil) 696 (SC).
- vi. Manju Jain and another v. HUDA and others, C.W.P. No. 4405 of 1998 decided on April 2, 1998 Vii Ashwani Puri v. HUDA, C.W.P. No. 2363 of 1996, decided on 3.12.1996.

“The facts necessary for deciding this petition filed by Ram Kishan Gulati and three others for quashing of the notices and orders issued by the Estate Officer and the Chief Administrator, Haryana Urban Development Authority, Panchkula (hereinafter referred to as “HUDA”), are that on the basis of highest bid of Rs. 9,55,500/- given by them in the auction held by respondent No.3, Show- room Plot No. 7, Sector 11, Panchkula measuring 574.75 sq. metres was allotted to Sh. Agya Ram and others (predecessor-in- interest of the petitioners). They deposited 10% price of the plot at the fall of hammer but delayed the deposit of remaining 15% as required by clause 4 of the letter of allotment. A part of 15% of the price was deposited on 22.9.1986 and the balance was deposited on 11.10.1986. Notwithstanding this default, possession of the plot was delivered to the allottees on 21.6.1988. Thereafter, they constructed the building and occupied the same. Due to non-payment of instalments in accordance with clause 5 of the letter of allotment, proceedings under Section 17 of the Haryana Urban Development Authority Act/ 1977 (hereinafter referred to as *the Act*) were initiated against Sh. Agya Ram and others. Notices under Section 17(1) to 17(4) of the Act were issued to them but they did not deposit the instalments of the price. Instead, Sh. S.R. Suri, Advocate who appeared on their behalf before the Estate Officer, Panchkula (hereinafter described as ‘respondent No. 3’) pleaded that interest may not be charged because the development works were not complete at the site. This plea of Sh. Suri was rejected by respondent No. 3 who observed that the development work had, in fact, been completed. He further held that the allottees are evading the payment of outstanding dues. On that premises, he ordered resumption of the site and forfeiture of Rs. 2,30,143/- out of amount deposited by the allottees. The relevant portion of the order passed by respondent No. 3, which we have taken from the original file produced by Sh. R.S. Chahar is reproduced below:-

“As per condition No. 5 of the allotment letter, it was incumbent upon the allottee to pay the due instalments on due dates, but they did not deposit the due amount. Therefore, the following regd. Notice u/s 17 of HUDA Act for recovering a sum of Rs. 9,10,000/- on account of outstanding dues were served upon the allottees.

Notice U/s 17(1) vide memo No. 18819 dated 7.10.89 for Rs. 9,10,000/-.

In response to the above notice, reacting sharply the allottees have resorted to frivolous correspondence and contended the noncompletion of development works and charging the alleged interest on account thereof. While replying to the notice vide their reply dated 1.11.89. They have also supported their reply with the copy of undertaking given by the then Administrator, Miss Leena Nair dated 17.2.88 stating that no interest on the principal shall be charged if shops from the residential premises were not vacated. Since this undertaking was not held valid by the Chief Administrator, HUDA because she was not competent to give such undertaking. Therefore, both these representations were not considered satisfactory being not based on facts having any authenticity. Since the development works were complete at site at the time of allotment of this site, therefore, by rejecting their representations the further notices U/s 17 of HUDA Act as per detail given below were again served upon them.

Notice U/s 17(2) vide memo No. 22216 dated 13.12.89.

In response to the above notices neither the allottees have appeared for hearing nor have they deposited even a single penny against the outstanding dues. This negligence was viewed seriously and the Estate Officer had imposed a penalty of Rs. 91,000/- vide this office memo No. 462 dated 11.1.90 and further directed them to make the payment of outstanding dues within 30 days. But the allottees have filed an appeal before the Administrator, HUDA, Panchkula against these orders. The appeal has also been rejected by the appellate authority and the order issued by the Estate Officer, HUDA, Panchkula is upheld. However, a lenient view was again taken and to give them further opportunities the process of notices was again adopted and the notices u/s 17(3) were again served upon them.

Notice U/s 17(3) vide memo No. 546 dated 11-1-93 for Rs. 19,54,783/-

Notice U/s 17(4) vide memo No. 7922 dated 21.5.93 for Rs. 21,23,850/-

In response to the above mentioned notices the Advocate of the allottee Sh. S.R. Suri appeared for hearing on 8.6.92 and he has given a representation that the development works were not complete at the site. Therefore, the interest should not be charged against the outstanding dues. It is not out of place to point out here that the development works were complete at site when it was sold and the allottees are evading the payment of outstanding dues by resorting to these frivolous contentions. It is also pertinent to mention here that since the allotment of site the allottees remained grossly defaulter in making the upto date payment of instalments. Whereas, all 8 Nos. half yearly instalments had already been elapsed on 19.8.90 and the amount of outstanding due has accumulated to Rs. 20,62,680/- upto 8.6.93. Whereas the Show Room is constructed at site and the allottees are deriving all the benefits after occupying the same without obtaining occupation certificate from this office on the one hand, but evading payments of outstanding dues on the other. This clearly shows that non-seriousness of the allottees in clearing outstanding dues.

From the facts mentioned above it is clear that allottees are willfully defaulting in making the due payment in spite of various notices issued by this office from time to time. Whereas, repeated opportunities have been given to them. Hence, I am of the considered opinion that the allottees have violated the terms and conditions of the allotment letter by not making the due payments in time. Hence, I order the resumption of Show Room site No. 7, Sector-11, Panchkula under powers conferred upon me U/s 17 of the HUDA Act. I also order the forfeiture of Rs. 2,30,143/- out of the amount deposited by them.

-sd/-

Estate Officer,
HUDA, Panchkula,
Dated 9.6.1995

Endst. No. 8617

By an order dated 4.2.1997, the Administrator HUDA, Panchkula (exercising the powers of the Chief Administrator, HUDA) dismissed the appeal filed by the petitioners. The relevant extract of the appellate order is reproduced below:-

“Keeping in view the arguments of both the parties and facts on record, it is clear from the record that the appellants have retained the Show Room in question after paying almost 25% of the tentative price only. A number of notices has been issued to the appellants but they did not bother to pay any amount against the outstanding instalments which have become due. Moreover, the appellants had constructed the building over the Show Room in question and occupied illegally without obtaining Occupation certificate as required under the Erection of Building Regulations, 1979. Therefore, I find no illegality in the order of Estate Officer which is quite in accordance with terms & conditions of allotment and as per provisions of HUDA Act, 1977. Order of Estate Officer is upheld and the appeal is dismissed.

Announced in the open Court on 4.2.97.

-sd/-
Administrator,
HUDA, Panchkula
(Exercising the powers of C.A. HUDA)”

The revision petition filed by the petitioners was dismissed by the Commissioner and Secretary to Government, Town and Country Planning Department, Haryana, who expressed his concurrence with respondent No. 3 and the appellate authority in the following words:-

“I have heard both the parties, it is admitted fact that not a single instalment was deposited by the allottees till 24.4.95. If the instalments were paid on due times then the entire price of the plot would have been deposited by August, 1990. During the course of arguments the learned counsel of the petitioners admitted **that they were ready to deposit the outstanding dues alongwith interest** within three months if the site in question was restored to them. Keeping in view the facts and circumstances of the case, **I hereby order that HUDA would arrive at the outstanding dues afresh by levying 10% interest on the instalments till 19.8.90 and, thereafter, interest as per the policy of HUDA.** Calculation sheet so prepared will be supplied to the petitioners by 15.4.97 and they will deposit the amount within three months from 15.4.97. If they fail to deposit the amount within the stipulated date, the site shall stand resumed immediately after the expiry of the period.

Announced on 11.4.97

-sd/-
(Bhaskar Chatterjee, I.A.S)
Commissioner & Secretary to Govt.
Town & Country Planning Department,
Haryana, Chandigarh”

The application dated 9.5.1997 filed by the petitioner under Section 151 C.P.C. with the prayer that the revisional order may be modified by directing the respondents to charge interest from the date of completion of work was filed by the Chief Administrator with the observation that the said order was passed with the consent of the petitioners.

In the meanwhile, proceedings under Section 18(1)(b) of the Act were initiated against the petitioners and after issuing notice to them, respondent No. 3 passed order Annexure P.6 dated 18.03.1997 directing their ejection from the plot in question.

The petitioners have challenged the impugned notices/orders by contending that the respondents cannot charge interest from them because they failed to develop the site in accordance with the provisions of the Act and the Regulations framed thereunder. Another contention urged by them is that the demand of interest over and above the rate specified in clause 5 of letter of allotment is without jurisdiction. They have pleaded that after having agreed to charge interest @ 10% on the delayed payment of instalments, the respondents axe stopped from charging interest at higher rates.

The respondents have contested the writ petition by stating that the development works were completed before issuance of the letter of allotment and possession was given to them after providing all the amenities. They have defended the resumption of plot on the ground that the allottees willfully defaulted in the payment of instalments. They have averred that after having secured the restoration of allotment by making a statement before the revisional authority that they will pay the outstanding dues with interest, the petitioners cannot turn around and question the jurisdiction of the respondents to levy interest as per the policy of the HUDA. The respondents have further averred that the construction of the show room and occupation thereof by the petitioners even without obtaining required certificate under the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979 (hereinafter referred to as the 1979 Regulations) belies their claim that the development work has not been carried out.

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We are further of the view that the condition requiring the allottee to pay interest on the balance price, if he/she decides to pay the same in instalments, is based on simple but sound logic and is quite rational. If an allottee pays the balance price in lump-sum then the respondents can deposit the amount in a bank and earn interest. This is not possible if the balance price is paid otherwise than in lump-sum. In that event, money remains with the allottees who can utilize the same for his/her benefit and even earn interest on it by keeping the same deposited in the bank. Therefore, charging of interest @10% on the balance price cannot be termed as arbitrary, unreasonable, unconscionable or illegal. The condition incorporated in clause 5 of the letter of allotment that interest shall be payable from the date of offer of possession operates as a safeguard for the allottees against any possibility of exploitation. In view of this condition, the allottee is not put to the burden of interest before he gets an opportunity to take the possession. We, therefore, do not find anything inherently wrong in the levy of interest on the balance price in a case in which an allottee decides to pay the balance price in instalments.

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The issue which remains to be decided is whether the respondents can charge **18% interest from the petitioners as a condition for restoration of the plot**. The argument of Sh. Kapoor is that in view of the express provision contained in the letter of allotment, the respondents cannot charge interest at a rate higher than 10% per annum. According to him 10% is the outer limit of the rate at which the interest is to be charged for normal as well as delayed payments and, therefore, the decision of the respondents to charge interest @ 18% from the petitioners should be declared as without jurisdiction, arbitrary and illegal. He strongly relied on the observations made in Aruna Luthra's case in support of his submission that the respondents do not have the authority to charge interest @ 18% per annum. In our opinion, the contention of the learned counsel is wholly untenable and merits rejection. At the cost of repetition, we deem it appropriate to observe that 10% interest which the allottees were liable to pay is not an interest on delayed payment. Rather, it is an integral part of the price determined by the respondents. The allottees and their successors were required to pay balance price in lump-sum without interest or to pay the same price in 8 half yearly instalments with interest. They adopted the second course and in this manner, they incurred the liability to pay interest@ 10%. In our considered opinion, Regulations 5(6) & (7) and 6(3) of 1978 Regulations read with Clause 5 of the letter of allotment which deal with payment of balance price and interest in case the allottee opts to pay the balance price in instalments do not have any application to the cases in which the allottees commit default in the payment thereof on due dates. The cases of this category are to be dealt with under other provisions of the Act and the Regulations. Section 3 of the Act, which deals with the constitution of the HUDA, declares that it shall be a body Corporate with power to acquire, hold and dispose of property. In terms of Section 3(3) of the Act, the Authority consists of a Chairman, a Vice-Chairman, a Chief Administrator and maximum of 12 other members to be appointed by the government. Section 13 of the Act lays down that the objective of the Authority shall be to permit and secure development of all or any of the areas comprised in an urban area. For that purpose, the authority has been vested with the power to acquire by way of purchase, transfer, exchange or gift, hold manage, plan, develop and mortgage or otherwise dispose of land and other property and to carry out by itself or through any agency, building, engineering, mining and other operations, to execute works in connection with supply of water, disposal of sewerage, control of pollution etc. Section 15 deals with disposal of land. Section 30 lays down that the Authority shall carry out the directions, as may be issued, by the State Govt, for efficient administration of the Act. Section 53 empowers the State Govt, to make rules for carrying out the purpose of the Act and Section 54 empowers the Authority to make Regulations, which may provide for the various things enumerated in the said

section including the terms and conditions on which transfer of any right, title and interest in any land or building may be permitted. A cumulative reading of these provisions generally and Section 15 in particular shows that the transfer of property vesting in HUDA, by way of allotment, is governed by the Regulations framed under Section 54 and policy to be framed by the HUDA from time to time. The exercise of the various powers vested in HUDA is subject to the directions which the State Govt. may issue.

The issue whether penal interest should be charged from the allottees who default in the payment of price was considered in the 36th meeting of the Financial Committee of the HUDA held on 14.8.1987. the proposal put up before the Finance Committee was that in the case of default interest shall be charged @18% instead of the normal interest @10%. This proposal was approved by the Finance Committee vide agenda item No.. XXXVI(17) and on that basis circular No. HUDA-Accts-87/1398-1408 dated 15.1.1987 was issued by the Chief Administrator. That circular read as under:-

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The decision contained in the above reproduced circular was reiterated in the 37th meeting of the HUDA held on 29.3.1988 under the Chairmanship of the Chief Minister. The decision taken and the agenda item No. A-XXXVII(2) was that for the delayed payment interest @ 18% should be charged. The relevant extract of that decision is reproduced below:-

“It was further decided the payment schedule in respect of residential/industrial plots will be as under:-

- (i) 10% bid money at the fall of hammer;
- (ii) 15% within 30 days from the date of issue of allotment letter; and
- (iii) Balance 75% in six half yearly instalments.

However, for payment in instalments interest @10% per annum may be charged from the date of offer of possession with **provision to charge 18% interest on delayed payments.**”

In our opinion, these policy decisions govern the case of the petitioners and other cases of delayed payment of instalment/default in the payment of instalments and, therefore, no illegality has been committed by the respondents in charging 18% interest as a condition for restoration of the plot.

We are further of the opinion that the petitioners cannot question the levy of penal interest at a rate higher than 10% because theirs is not a case of simple delayed payment. Their plot was resumed by the competent authority because of the non-compliance of the conditions of allotment. That order was upheld by the appellate authority and when the revision came up for hearing before the Commissioner and Secretary, Town & Country Planning Department, the counsel appearing for the petitioners stated that his clients will pay the dues of instalments alongwith interest, which necessarily means that the interest payable in accordance with the policy of HUDA, In our opinion, after having given an unequivocal undertaking before the revisional authority to pay the dues of the instalments with interest, the petitioners cannot turn around and challenge the jurisdiction of the respondents to charge interest @18% in accordance with the policy. The plea of the petitioners that they cannot be asked to pay interest @18%, if accepted, will lead to anomalous results. In that situation, no allottee of the HUDA land would pay the price in accordance with the conditions of allotment and feel relief against the resumption of plot by stating that he/she/it is ready to pay the entire price with interest at the normal rate. Otherwise also, it sounds wholly incongruous that an allottee who has defaulted in the payment of instalments of the price is treated at par with the one who regularly pays the instalments with interest. [Important]

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A reading of the judgement of Aruna Luthra’s case (supra) shows that S.C.F. No. 33, Sector 7, Faridabad, was allotted to the petitioner on 5.12.1980. However, possession of the site was delivered to her some time in 1990. The Administrator, HUDA, exercising the powers of the Chief Administrator (acting as Arbitrator) issued direction in this respect. After some time, the petitioner applied for transfer. At that stage, the respondents demanded penal interest @18%. This Court held that the petitioner cannot be made to pay interest because the possession of premises was delivered to allottee on 4.5.1987. The relevant portion of that decision is extracted below:-

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Manju Jain's case (supra) was decided on the basis of the judgement rendered in Aruna Luthra's case (supra). In Ashwani Puri's case (supra), the following order was passed by the Court:-

"The petitioner has deposited Rs. 3.64 lacs and undertakes to deposit the balance amount, if any, intimated by the respondents through registered post AD as undertaken by them, with 10% interest within one month from the receipt of intimation.

In view of this stand taken by counsel for the parties, the writ petition is disposed of..

19. Soon after the aforesaid decision the case of Kanta Devi Budhiraja came to be decided on 16.11.1999., by relying upon the judgement in the case of Ram Krishan Gulathi the Honourable court was pleased to hold in paragraphs 16 to 19 as under:~
16. By applying the ratio of Ram Kishan Gulati's case (supra) of the case of the petitioners, we hold that the decision of the respondents to charge interest @18% from the allottees for the period of default does not suffer from any legal infirmity.
17. However, there is merit in the argument of Sh. Harbhagwan Singh that the respondents cannot charge compound interest from the petitioner, Neither the Act nor the 1978 regulations nor the resolutions passed by the HUDA empower respondents No. 2 and 3 to charge compound interest from the allottees in respect of the period of default. Therefore, to this extent, relief deserves to be given to the allottees.
18. In view of the our conclusion that the allottees are not entitled to get any relief except to the limited extent indicated hereinabove, we do not consider it proper to non-suit them on the ground of improper impleadment of the parties. The allottees would have been well advised by their counsel to change the description of the parties. However, this lapse cannot be made a ground to non-suit them.
19. For the reasons mentioned above, the writ petition is dismissed subject to the direction that the respondents shall not charge compound interest from the allottees in respect of the period of default. We also direct respondents No. 2 and 3 to communicate to the petitioner the amount due from the allottees (instalments of the price plus interest @ 18%) within a period of two months, the petitioner/allottees shall pay the amount specified in that communication failing which the order of resumption shall stand revived and the respondents shall be free to take possession thereof in accordance with law. If it is found that the petitioner has already paid excess amount, then the same shall be refunded to the allottees alongwith interest at the end of four months period in terms of the order of this Court dated 24.9.1998."
20. Admittedly, the appeal that was filed against this judgment in the Supreme Court came to be dismissed on 03.04.2000. Thus, the validity of levy of compound rate of interest was struck down for the first time by the Hon'ble Supreme Court on 03.04.2000.
21. In this background, the Authority in its meeting held on 29.08.2000 decided that simple interest may be charged and accordingly instructions were issued to do so with effect 01.09.2000.
22. Soon thereafter, the case of Roochira Ceramics was decided on 29.11.2000 holding that HUDA can charge 10% interest per annum as provided in the allotment letter and not 18% per annum.
23. It appears that notwithstanding the decision in the case of Kanti Devi Budhiraja as well as Roochira Ceramics clearly holding that compound interest could not be charged, HUDA continued to do so.
24. The case of Gian Inder Sharma that is CWP 16497 of 2001 is one such case which highlights this fact. It is specifically seen from the facts of this case that HUDA continued to charge compound interest. It is under the circumstances that the judgment dated 11.11.2002 as noticed above, came to be passed.
25. Apart from this petition, from Page 13 of the noting sheet it is disclosed that CWP 7172 of 2003 was also filed in which the levy of compound interest prior to 01.09.2000 was challenged. In this context, it was also questioned as to why HUDA was not refunding the excess amount that had been charged on account of compound interest which, was against legal provisions. In this context, advice of the Advocate General Haryana was obtained and he was of the view that the amount of compound interest at the 18% by HUDA deserves to be refunded upon representation by the original allottee in that regard. Moreover the original

allottee would be entitled to seek a refund of the amount of compound interest in the date of transfer of property by him in favour of a third party.

26. One last factor which is required to be noticed is that a decision was taken on 29.12.2005 which stands implemented, to charge simple interest with effect from 03.04.2000 that is, the date on which the appeal filed by HUDA against the judgment in the case of Kanti Devi was dismissed by the Hon'ble Supreme Court.
27. Having noticed the relevant facts and judicial pronouncements it is important to again refer to the decision in CWP 3737 of 2007 which was decided along with nine other petitions all of which laid challenge to the levy of compound interest. From these it is evident that despite numerous judicial pronouncements and the complete absence of any legal provision to levy compound interest, HUDA continued to do so leading to situation where the direction that has been passed in CWP 3737 of 2007 has had to be issued.
28. In the aforesaid background, I have been asked to render advice on (1) the question of charging interest, whether compound or simple and from what date and (2) compliance of the judgment dated 08.05.2007 keeping in view the following factors;

Cases where:

- a) imputation period has expired
 - b) due certificate has been issued
 - c) full payment has been made and conveyance deed/sale deed has been executed
 - d) Compound interest has been charged as the orders of the competent authority passed in judicial/quasi judicial capacity.
29. I however find that there is another aspect of the matter. There are two categories of cases which form two distinct classes of allottees. The first case is that of a person who has chosen to pay in instalments and the other that of one who is a defaulter and the plot stands resumed. Therefore, the question of levying interest has also to be seen in this context since both these situations have been dealt with distinctly by the Courts.
 30. The first aspect which is to be seen is whether compound interest can be levied. The answer stares one in the face in view of the catena of judgments only some of which have been referred to above. Thus, only simple rate of interest can be levied unless and till such time, the HUDA Act 1977, or its Regulations of 1978 allow for compounded rate of interest.
 31. Having settled the first aspect, the next question that arises is whether there can be a differential rate of interest? This is in context of the two kinds and class of the allottees those who opt to pay in installment and those who defaulters
 32. Keeping in view the decision in the case of Ram Kishan Gulati Vs State of Haryana, (P & H) (D.B.) G.S. Singhvi and Mehtab Singh Gill, jj. In CWP No. 15746 of 1997 decided on 02.06.1999, the answer is again in the affirmative. When a distinct class of allottee is identified, each will be governed by its own terms. The Allottee whose not in default will be bound by the terms of the allotment letter read along with the relevant provisions of the HUDA Act, 1977 and the Regulations of 1978, The other category is a defaulter in whose case the policy guidelines laid down by the Authority to deal with such category of persons would be applicable. With these observations, the question that I have posed in paragraph 29 above stands answered.
 33. To arrive at a date from which the interest at simple rate is to be charged, it would be safe to determine 03.04.2000 as the cut off date as this is date on which the Hon'ble Supreme Court finally decided the question. Therefore, levy of interest post this date has to be based on a simple rate of interest. There cannot be any difficulty in this because even the Authority had taken a decision on 29.12.2005 to levy simple interest with effect from 03.04.2000. In case there is a case of an allottee who has been charged compound rate of interest after 03.04.2000, this action by HUDA would be against its own decision and hence can be corrected by HUDA itself by revision the accounts.
 34. The Hon'ble High Court has directed Haryana Urban Development Authority to uniformly apply the guidelines issued in Gian Inder Sharma's case to all affected and also in the case of the petitioners. HUDA has been directed to decide each case of the petitioners within a period of eight weeks.

35. As already noticed, in Gian Inder Sharma's case a direction was issued to charge only simple interest at the rate of 15% per annum from the petitioner on the delayed payment of additional price of the plot in question and to calculate the additional price with 15% simple interest and adjust the same towards payment made by the petitioner, further to refund any excess amount to the petitioner within a period of three months. Additionally no penalty can be charged from the petitioner on account of delayed payment of additional price. Any other amount due can also be adjusted against the payment already made and after making such adjustment, if any amount is found due the same can be recovered.
36. From a perusal of the direction that has been issued in CWP 3737 of 2007 it is not clear as to what the facts of this case were however, it is more than obvious that the Hon'ble Court has made it crystal clear that compound interest cannot be charged. In case, it has been, in that event the amount due is to be recalculated by charging simple rate of interest and thereafter in case any other amount is due from the allottee, after adjusting the same, the balance amount if any, is to be refunded to the allottee,
37. The question of limitation as a defence to refuse to carryout this recalculation has not been decided. However, it would be useful to notice the words used while disposing of CWP 3737 of 2007. It speaks of granting the same relief to others who are similarly situated. This would obviously mean only such allottees who have raised a dispute with regard to levy of compound interest and the facts of whose case are *pari materia* to that of the petitioners.
38. In context of the other criteria that is to be addressed as stated in paragraph 28, essentially, the relief that is claimed while demanding levy of simple interest is one of recovery of excess payment or a restraint against HUDA from demanding an illegal amount. For both, the provisions of the Limitation Act 1963 will apply. The limitation would be 3 years for both, except that for the latter, it would depend upon when the demand to deposit the interest is made, it is from this date that limitation would commence. Thus, demands for reconciliation of accounts, made beyond a period of three years after the last payment has been made may not be tenable. I would, however qualify this by stating that since a levy of compound interest has been found to be illegal *per se* it would always be open to an allottee to come forward and state that he has only recently discovered that he had been made to pay an illegal amount. In such a case, the Hon'ble High Court may be approached under its extra ordinary writ jurisdiction to which the strict provisions of the Limitation Act 1963 do not apply and only delay and laches can taken as a defence. This risk will have to be considered as, it cannot be lost sight of that the very levy of compound interest is unlawful and therefore, there may be cases where limitation may not stand as a foolproof defence.
39. In view of that has been stated in paragraph 38 above, the same situation would cover cases where a "no due certificate" has been issued and also where full payment has been made and conveyance deed/sale deed has been executed.
40. In those cases where compound interest has been charged based on orders of judicial/quasi judicial authorities, it would not be possible for HUDA to grant any relief on its own. However, it would always be open to the aggrieved party to file a revision under Section 30 of the HUDA Act, 1977 or for the State Govt, to *Suo Moto* take notice of the illegality and grant relief. In such cases, where the matter is sub-judice, any decision taken now pursuant to the directions of the Hon'ble High Court order dated 08.05.2007, would be binding and hence all pending litigation on the question of compound rate of interest, wherever it may be pending, can be brought to an end by charging simple rate of interest.

Thursday, October 11, 2007

-sd/-
(Sanjeev Sharma)

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA

No. HUDA-Acctts-2007/5903

Dated:4.09.2007

To

1. All the Administrators,
HUDA (in the State).
2. All the Estate Officers,
HUDA (in the State).

Subject: Charging of compound interest on the delayed payment of instalment.

1. Please refer to the instructions issued by this office letter No. 2381-2401 dt. 23.1.06 wherein it was intimated that simple interest @ 18% p.a. on the delayed payment of instalment will be charged from 3.4.2000. These instructions were issued keeping in view the judgment passed by the Hon'ble High Court in the case of Kanta Devi Budhiraja Vs HUDA wherein the appeal filed by HUDA in the Hon'ble Supreme Court was dismissed on. Therefore, the instructions to charge simple interest were made applicable from 3.4.2000.
2. The issue regarding charging of compound interest prior to the period of 2.4.2000 has been causing attention of the Authority and in number of cases the Hon'ble Courts have decided to charge the simple interest on the basis of judgement passed in the case of Roochira Ceramics Vs HUDA & others. HUDA has been fighting the cases in the various Courts and has been pleading that prior to 3.4.2000 compound interest is chargeable on the delayed payment of instalments as per policy of the Authority.
3. Now in the SLP No. 12084, 12085, 12087, 12167, 12169, 12170, 12168 of 2004 arising out of CWP No. 2099, 10422, 6280, of 2003, 19098, 18344, 19099 of 2002, the Hon'ble Supreme Court of India has ordered to charge, the compound interest @ 10% p.a. The facts of these cases are given below:-

These cases relates to allotment of commercial sites which were auctioned during the year 1989 to 1991. Clause-5 of the allotment letter stipulates that "the balance 75% amount of the auction price can be paid in lump-sum- without interest within 60 days from the date of issue of allotment letter or 8 half yearly instalments. The first instalment will fall due after the expiry of six months of the issue of this letter. Each instalment would be recoverable together with interest on the balance price @10% interest on the remaining amount. The interest shall however, accrue from the date of offer of possession". No other clause of charging of interest was mentioned in the allotment letter. In these cases the Hon'ble High Court has ordered to charge interest on the delayed payment of instalments on the basis of orders passed by Hon'ble Supreme Court of India in the case of Roochira Ceramics Vs HUDA & others (2002) 9 SCC 599. The SLPs were filed in these cases. The copy of orders of the Hon'ble High Court which were challenged, question of law, grounds of appeal, grounds for interim relief etc. filed in one of these cases in Hon'ble Supreme Court of India is enclosed herewith for ready reference. From this it may be seen that under the questions of law, the question has been raised whether the ratio of Roochira Ceramics case is applicable in the facts of the present case? Similarly under the grounds of appeal grounds has been taken that the Roochira Ceramics case is totally different from the present case as in the case of Roochira Ceramics, interest @ 10% p.a. is chargeable if the installments are paid in time by the allottee. The allotment letter is silent with regard to the rate of interest being chargeable on the failure to pay the installments in time. It is only in case of the failure of the allottee to deposit the installments on the due date that interest @ 18% p.a. is chargeable in accordance with the policy of the Authority. Keeping in view the submissions made by HUDA in these cases, the Hon'ble Supreme Court of India has ordered as follows:-

"The question arising in these cases is as to what is the rate of interest to be paid by the respondents for delayed payment to the petitioner- HUDA. We make it clear that the respondents are liable to pay compound interest @ 10% p.a. in these cases. We further make it clear that this direction is only confined to these cases. In other cases, HUDA would be at liberty to charge interest on the defaulting parties in accordance with law. The special leave petitions are disposed of accordingly. No costs".

The copy of the order of Hon'ble Supreme Court of India is enclosed herewith.

You are, therefore, requested to quote these orders in all the cases of similar nature pending in the Courts / Forums / Commission and invariably attach the copy of these orders alongwith the reply filed in these cases and specifically bring it to the notice of the Courts during arguments. In cases where replies have already been filed, these facts may be brought to the notice of the Courts/Forums/Commissions by either filing amended replies or Civil Misc. Application. These instructions will be applicable in only those cases where specific rate of interest or policy regarding charging of interest on delayed payment is not mentioned in the allotment letter. These instructions may be followed in letter and spirit.

Acknowledgement of receipt of these instructions should be sent by each office.

-sd/-
(Chhattar Singh)
Legal Remembrance
for Chief Administrator,
HUDA, Panchkula
Dated 4.9.2007

Endst No 5904

A copy of the above is forwarded to All HUDA counsels for their kind information and with the request to defend the pending cases on the basis of above judgement.

-sd/-
(Chhattar Singh)
Legal Remembrance
for Chief Administrator,
HUDA, Panchkula

From

The Assistant Registrar (Civil & Judl.)
Punjab and Haryana High Court,
Chandigarh.

To

1. State of Haryana through the Commissioner and Secretary to “Govt, of Haryana, Town and Country Planning Deptt, Haryana.
2. The Administrator, HUDA Sector 6, Panchkula
3. The Chief Administrator HUDA Sector 6, Panchkula
4. The Estate Officer HUDA, Sector 6, Panchkula

Memo No.3477 S.Court Cell D.12 Dated 08.08.2007

Subject: - S.L.P No. 12085, 12084, 12087, 12167, 12170, 12169 & 12168 of 2004.

Arising Out of CWP No. 2099, 10422, 6280/03, 19098, 18344, 19099/02
HUDA

...Appellant(s)

Versus

Raj Kumar Goyal & others etc.

...Respondent(s)

Sir,

I am directed to forward herewith a copy of Record of proceedings dated 9.7.2007 passed by Hon’ble Supreme Court of India in the above noted case for information and necessary action.

-sd/-

Yours faithfully
Superintendent S.Court Cell
for Assistant Registrar (Civil & Judl.)

ITEM NO.43

COURT NO. 1

SECTION

IVB

SUPREME COURT OF INDIA

085789

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s). 12085/2004

(From the judgement and order dated 24,11.2003 in CWP No, 2099/2003 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

HUDA

Petitioner (s)

VERSUS

RAJ KUMAR GOYAL & ORS.

Respondent(s)

WITH SLP(C) NO. 12084 OF 2004

SLP (C) NO. 12087 OF 2004

SLP (CJ NO. 12167 OF 2004

SLP (C) NO. 12170 OF 2004

SLP (C) NO. 12169 OF 2004

SLP (C) NO. 12168 OF 2004

(With prayer for interim relief and office report)

Date: 09.07.2007

These Petitions were called on for hearing today.

CORAM;

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s)

Mr. D.P. Singh, Adv.

Mr. Sanjay Jain, Adv.

For Respondent (s)

Mr. Ravindra Sana, Adv.

Mr. Pardeep Gupta, Adv.

Mr. K.K. Mohan, Adv.

Mr. Sureh Bharati, Adv.

Mr. S.K. Sabharwal, Adv.

Mr. Sanjeev K. Pabbi, Adv.

Ms. Shikha Ray Pabbi, Adv.

Mr. Chander Shekhar Ashri, Adv.

Mr. Bimal Roy Jad, Adv.

Mr. Ajay Jain, Adv.

Mr. Jinendra Jain, Adv.

Mr. Kamendra Mishra, Adv.

UPON hearing counsel the Court made the following

ORDER

The question arising in these cases is as to what is the rate of interest to be paid by the respondents for delayed payment to the petitioner- HUDA. We make it clear that the respondents are liable to pay compound interest @ 10% p.a. in these cases. We further make it clear that this direction is only confined to these cases. In other cases, HUDA would be at liberty to charge interest on the defaulting parties in accordance with law. The special leave petitions are disposed of accordingly. No costs.

(G.V.RAMANA)
Court Master

(VEERA VERMA)
Court Master

TO,

THE HONBLE THE CHIEF JUSTICE OF INDIA AND HIS COMPANION JUSTICES OF
THE SUPREME COURT OF INDIA. THE HUMBLE PETITION OF THE PETITIONER
ABOVE NAMED. MOST RESPECTFULLY SHOWETH;

That the humble petitioner above named seeks Special Leave to Appeal arising from the final Judgement & Order dated 01.12.2003 passed by the High Court of Punjab and Haryana at Chandigarh in CWP No. 19098 of 2002, whereby the Hon'ble High Court has been pleased to allow the Writ Petition.

1. QUESTIONS OF LAW:

The following substantial questions of law arise for consideration by this Hon'ble Court.

I. Whether the ratio of Roochira Ceramics case is applicable in the facts of the present case?

2. DECLARATION IN TERMS OF RULE 4 (2):

The Petitioner states that no other petition seeking leave to appeal has been filed by them against Judgement & Order dated 01.12.2003 passed by the High Court of Punjab and Haryana at Chandigarh in CWP No. 19098 of 2002.

3. DECLARATION IN TERMS OF RULE 6:

The Annexure P-1 to Annexure P-6 produced alongwith the Special Leave Petition are the copies of the pleadings/documents which formed part of the records in the High Court and Courts below against whose order the leave to appeal is sought for in this Petition.

4. GROUNDS:

Leave to appeal is sought for on the following grounds:

The present case is totally different from the Roochira Ceramics case as in the case interest @10% is chargeable if the installments are paid in time by the allottee. The allotment letter is silent with regard to the

**STATE CONSUMER DISPUTES REDEESSAL COMMISSION,
HARYNA, CHANDIGARH**

FIRST APPEAL No. 3367 of 2001

Date of Decision : 10.06.2002

Haryana Urban Development Authority through its Estate Officer, HUDA, Gurgaon & another.

Appellant(s)

Vs.

Shashi Salmi son of Tilak Raj Sahni R/o Punjabi Bagh, New Delhi.

Respondent(s)

Present: Mr. Raman Gaur, Advocate for the appellant.

BEFORE :

Hon'ble Mr. Justice Amarjeet Chaudhary, President.

Mrs. Shakuntla Devi Sangwan, Member.

ORDER

Amarjeet Chaudhary J. (Oral)

Haryana Urban Development Authority has come up in appeal against the order of the District Forum, Gurgaon dated 06.08.2001 vide which the District Forum on a complaint filed by Sh. Shashi Sahni had issued direction to the opposite parties to allot original plot No.231-P of Sector-12A, Urban Estate Gurgaon to the complainant if lying vacant and unallotted or to allot any plot either in the same sector or in the adjoining sector or of the sector of the choice of the complainant at the same rate at which the original plot was allotted to him. The opposite parties were further directed to pay interest over the deposits made by the complainant at the rate as per HUDA policy which is to be calculated after two years from the date of deposit till the date of delivery of possession.

Notice of the appeal was issued Service is complete. However, there is no appearance on behalf of the respondent.

We have heard the counsel for the appellant and have also perused the impugned order. From the record, it is seen that the original plot No.231, Sector-12-A, Gurgaon was allotted to one Daulat Ram in the year 1986 but due to litigation, possession could not be delivered to the complainant and an alternative plot No. 1764, Sector-45, Gurgaon was offered to Sh. Daulat Ram, which was duly accepted by him. Subsequently, in the year 1997 the said plot was transferred by Sh. Daulat Ram to the complainant - Shashi sahni. Since the complainant had purchased the alternative plot No. 1764, Sec-45, Gurgaon from the original allottee, she should not have purchased the plot with closed eyes and should have seen the situation/location of the plot and should have verified whether area is fully developed and all the facilities are available or not. Once the complainant had repurchased the plot in the year 1997 from the original allottee, she can not make any grouse regarding price of the alternative plot. It was incumbent upon the District Forum to have gone through the entire record before issuing direction to allot the alternative plot. It is pertinent to note that the complainant had not filed any replication to the written statement and as such, the plea raised by the opposite parties is deemed to have been admitted by the complainant that possession of alternative plot No. 1764 was accepted by the original allottee- Daulat Ra, from whom the complainant had re-purchased the plot. In view of the above discussions, the appeal is allowed, impugned order is quashed and the complaint is dismissed.

June 10, 2002

(Justice Amaijeet Chaudhary)
President

(Shakuntala Sangwan)
Member

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION,
HARYANA, CHANDIGARH**

FIRST APPEAL No. 29 of 2007

Date of Institution : 04.01.2007

Date of Decision : 10.09.2007

1. Haryana Urban Development Authority through its Chief Administrator, Sec-6, Panchkula.
2. The Estate Officer, Haryana Urban Development Authority, Panipat.

Appellant(s)

Vs.

Ramesh Lal S/o Sh. Hem Raj, Resident of House No. 1033, New Housing Board Colony, Panipat through General Power of Attorney Sh. Pawan Kumar son of Sh. Nand Lai R/o House No. 1417, New Housing Board Colony, Panipat.

Respondent(s)

BEFORE :

Hon'ble Mr. Justice R.C, Kathuria, President.

Mr. Banarsi Dass, Member

Mrs. Shakuntla Yadav, Member.

For the Parties :

Mr: Ravinder Hooda, Advocate for appellants.

None for respondent.

ORDER

R.C. Kathuria. President

This appeal is directed against the order dated 22.8.2006 passed by the district consumer Disputes Redressal Forum, Panipat whereby while accepting the complaint of the respondent-complainant direction has been given to the appellants-opposite parties to allot the original allotted plot No. 1490, Sector-18, HUDA,. Panipat & if the same was still lying vacant and not to hand over the same" to other person. In the alternative if the said plot had been allotted to some other person, then the opposite parties shall allot an alternative plot to the complainant of same size and in same sector, in the same terms and conditions on which the original plot was allotted to the complainant. Further the direction was issued to the complainant to pay the remaining cost of the plot with interest and penalty as per the rules of the HUDA.

In order to focus to controversy involved in the present appeal, the facts as set out in the complaint need to be noticed briefly, Plot no. 1490 measuring 8 Marlas located in Sector-10, Urban Estate, Panipat was allotted to the complainant as per letter bearing memo No.9648 dated 30.7.1998 on a tentative price of Rs.4,99,187/-. Thereafter the opposite parties demanded the enhanced price of the plot on account of enhanced compensation from the complainant. The complainant was also informed as per separate letter for taking possession of the said plot. The complainant instead of making the payment of the enhanced price of the plot demanded from him submitted a letter of request dated 24.10.2002 surrendering the plot in question with request to refund the amount deposited by him with the opposite parties. The opposite parties after deducting 10% of the cost of the plot, refunded the amount of Rs.2,83,950/- through cheque bearing No. 1036558 dated 11.2.2003 drawn on Union Bank of India, Panipat. Thereafter the complainant instituted the present complaint on 26.5.2006 taking a stand in the complaint that at the time when the offer of possession of the plot was made to him, the development work in the sector was not complete whereas the opposite parties demanded an huge amount of enhanced price of the plot and started charging possession interest which caused mental agony to him and for that reason he had surrendered the plot to the opposite parties. The opposite parties were unjustified in making deduction of 10% of the price of the plot and for that reason

he had approached the opposite parties to refund the same including the deducted amount but no action was taken by the opposite parties, which forced him to file the present complaint. Accordingly, he claimed that direction be given to the opposite parties to make the allotment of the alternative plot of same size in Sector-18, HUDA, Panipat and to adjust the deducted amount alongwith interest towards the price of the alternative plot and to receive the balance sale consideration from the complainant as per HUDA policy. Further direction was sought against the opposite parties to pay interest @ 18% per annum on the deposited amount till the date it was refunded and also to pay Rs. 1,00,000/- on account of deficiency of service. In addition Rs. 20,000 was claimed as compensation on account of mental agony and harassment caused to him and Rs.5500/~ as litigation expenses. Claim was contested by the opposite parties. A preliminary objection was raised with regard to the complaint being barred by limitation as it has been filed after refunded amount of Rs.2,83,950/- was received by the compensation vide cheque No. 1036558 dated 11.2.2003. Further pleas of estoppel, locus standi and ant of jurisdiction of the District Forum to try the complaint and non-maintainability of the complaint were also raised. On merits, it was stated that the possession of the plot was offered to the complainant after completion of the development work in the area and the enhanced price of the land was claimed from the complainant as per the rules of the opposite parties and in terms of the allotment letter issued to the complainant. They justified the deduction of 10% of the cost of the plot as the complainant had voluntarily surrendered the same after accepting the refunded amount. He had relinquished all his claims against the said plot. Accordingly, it was prayed that the complaint merited dismissal. Talcng into account the respective stands of the parties and evidence adduced on record, the District Forum accepted the complaint and issued the directions as per order dated 22.8.2006 noticed above. It is against the said order the present appeal has been filed by the appellants-opposite parties.

Learned counsel representing the appellants-opposite parties had been heard at length. None has chosen to appear to argue the matter on behalf of the respondent.

The District Forum has primarily accepted the complaint on the ground that the offer of possession of the plot made to the complaint was illegal because all the basic amenities had not been provided at that point of time and for that reason offer of possession letter was termed as paper possession. With regard to the surrender of the plot made by the complainant, it was held to be involuntarily. Learned counsel representing the appellants- opposite parties while assailing the above finds of the District Forum contended the District Forum had totally overlooked the factual and legal position brought on record. He assailed the order on three counts. Firstly, that the complaint was barred by limitation and the district Forum had not dealt with the specific plea raised in this regard in the written statement filed. Secondly, that the complainant had voluntarily surrendered the plot and after accepting the refunded amount as per cheque bearing No. 1036558 dated 11.2.2003, as such the complainant had no locus standi to file the complaint. Thirdly, that the complainant himself had not deposited the enhanced price of the land and put up a concocted version of non- development of the land in area where the plot in question is located in order to overcome his default. The submission made, as such, cannot be faulted. It is admitted by the complainant himself that after the opposite parties had demanded the enhanced price of the land on account of land compensation, he had no financial position to pay the demanded price of the land along with interest and for that reason he had chosen to approach the opposite parties for the surrender of the plot. Except the assertion of the complainant in the complaint, no other evidence has been adduced on record as to what were the compelling reasons for him to surrender the plot. It is not his case that the opposite parties had any role to play in this regard. The opposite parties were justified in making the demand of the enhanced amount in terms of the Clause-19 of the allotment letter which clearly provide that the price written in the allotment letter was tentative to the extent that any enhancement of the cost of the land awarded by the competent authority under the Land Acquisition Act shall be payable proportionately so determined by that authority. So, this liability was bilateral liability which the complainant was duty bound to pay. Therefore, having decided not to pay the additional price of the land, he had chosen to for the plot in question by moving an application dated 24.10.2002 for surrender of the plot to the opposite parties. The opposite parties after making the deduction fo 10% of the cost of the plot had refunded the amount to the complainant. The action of the opposite parties cannot be termed as illegal and unjustified under the circumstances of the case, rather, the complainant has accepted the refunded amount. The deduction of 10% of the total cost of the plot was fully justified under the circumstances of the case, rather, the complainant has accepted, the refunded amount. The deduction of 10% of the. total cost of the plot was fully justified as per HUDA policy. The position of law in this regard has been well settled in civil **Writ Petition No.13951/2003 Naresh Kumar Solanld Vs. Haryana Urban Development Authority**, wherein the

facts were that the petitioner had expressed his inability to pay the enhanced price and for that reason had chosen to surrender it. The respondent refunded the amount paid by the petitioner after making deduction of Rs.50,069/- representing 10% of the total sale consideration. The action of the respondents was challenged on the ground that 10% deduction could not be made only on the tentative price of the amount of Rs.2,71,092/- and not on account of the enhanced price determined thereafter. The stand taken by the petitioner was rejected by coming to the conclusion that the deduction had been made in accordance with the policy of Haryana Urban Development Authority, which had come into force after allotment of the plot in the present case. The ratio of the above mentioned case would fully apply to the present case as well. Therefore, there is absolutely no merit in the claim made by the complainant that the plot in question was not surrendered voluntarily. The findings of the district Forum in this regard cannot be sustained.

As already noticed, the surrender of the plot was accepted and the amount of Rs.2,83,950/- was refunded to the complainant through cheque bearing No. 1036558 dated 11.2.2003 drawn on Union Bank of India, Panipat which was accepted by the complainant and while the present complaint came to be filed on 26.5.2006. Manifestly, the complaint on the date when it was filed was barred by limitation in terms of the provisions contained in Section-24-A of the Consumer Protection Act, 1986. The District Forum was duty bound to take into account the above stated provisions while deciding the complaint. It is not even the case of the complainant that he had moved an application seeking condonation of delay. Therefore, the complaint filed by the complainant was clearly barred by times and for that reason it was liable to be dismissed on that account as well.

Lastly, the basis of the stand taken in the complaint is that all the amenities had not been provided to the complainant when offer of possession of the plot was made to him as per letter bearing memo No.6707 dated 6.7.2001. The District Forum in its order has noticed that basic amenities of roads, electricity, water and sewerage had been provided but still decided to return a finding against the opposite parties mainly on the ground that shopping centre, schools, post office, telephone exchange had not been provided in the Sector before making the offer of possession of the plot to the complainant. These facilities cannot be termed as a condition precedent in terms of the pronouncement of the Hon'ble Supreme court of India in case **Municipal Corporation Chandigarh & Ors. Etc. Vs. M/s Shantikunj Investment Pvt. Ltd. Etc. J.T. 2006(3) SCI**, wherein it was observed as under:-

“Therefore, the term mandate in the context of real estate is to men facility as provided under Section 2(b) of the Act, but it can never be treated to mean that it is a condition precedent. It is for the better use of allotted price of land but does not mean that it should be provided first as a condition precedent in the matter of the present case.”

I was further laid down that once the allotment of the land has been made in favour of the allottee. He can take possession of the property and it does not mean that all facilities should be provided first for so called enjoyment of the property. The ratio of the above mentioned case would fully apply to the present case. The district Forum has totally overlooked the legal and factual position in this regard and for that reason this finding also cannot be sustained.

For the aforesaid reasons while accepting the appeal, the impugned order is set aside and the complaint is accordingly dismissed.

Announced: 10.09.2007.

Justice R.C. Kathuria
President

Mr. Banarsi Dass
Member

Mrs. Shakuntla Devi
Member

From

Chief Administrator,
HUDA, Panchkula (Legal Cell).

To

1. All the Administrators HUDA
2. Engineer-in-Chief, HDUA, PKL
3. Chief Controller of Finance, HUDA, PKL
4. Chief Town Planner, HUDA, PKL
5. All SEs, HUDA, PKL
6. The Secretary HUDA, PKL
7. CVO-cum-Enforcement Officer, HUDA, PKL
8. Administrative Officers, HUDA, PKL
9. All Estate Officers, HUDA (in Haryana State)

Memo No.3179

Dated 28.05.2007

Subject: Procedure for **defence of complaints/Court Cases** in HUDA.

Please find enclosed herewith copy of circular No.CA/2/2007 dt: 21-5-07 on Procedure for defence of complaints/ court cases in HUDA alongwith its enclosures for necessary action. You are hereby directed to send the details of cases for perusal of W/CA, HUDA.

DA/As above

-sd/-
Dy. District Attorney,
for Chief Administrator, HUDA
Panchkula.

Endst. No.3180

Dated : 28.05.2007

A copy is forwarded to all Dy. District Attorneys and Asstt. District Attorneys O/o Chief Administrator/ Administrators/ Estate Officers for information and necessary action.

-sd/-
Dy. District Attorney,
for Chief Administrator, HUDA
Panchkula.

Sub:- Submission of compliance report to the HQ in court cases.

In supersession of all instructions issued on the subject, following procedure is ordered to be followed in complaints/court cases with immediate effect:-

1. Whenever a notice/summon/complaint is received from DCF or Civil Court by the Estate Office, the Estate Officer shall get it examined whether the grievance mentioned in the complaint/plaint is genuine or not. In case the claim made is genuine, grievance shall be redressed and a statement to this effect shall be made in the DCF/Civil Court through the Law Officer (ADA/DDA). There is no need to engage advocates in such cases. However, this action must be taken immediately before the next date of hearing.
2. In case the Estate Officer decides to contest the same, a competent advocate shall be immediately appointed by him out of the panel approved by the Government. The reply shall be got prepared and submitted in the court either on first date or positively on the next date. Where-ever, Estate Officer is unable to file the reply during first two dates, report regarding this should be sent to CA in L-I Format.
3. Procedure mentioned at Sr.No.1 and 2 shall be adopted by LR (HQ) in cases of notices from State / National Commission, High Court, MRTP Commission, Supreme Court. Legal Cell of the HQ shall immediately obtain comments of the concerned Branch and fix deadline for sending the comments keeping in mind the next date in the case. In no case, filing of reply shall be delayed beyond two dates. L.R. (HQ) shall also submit report regarding filing of delayed replies in L-I Format.
4. In the Writ Petitions pertaining to Land Acquisition, the Zonal Administrators shall file written statements after approval of reply by C.A. on behalf of HUDA being Chairman of Joint Inspection Committee of Land Acquisition as he has access to the record of Land Acquisition and is fully conversant with the purpose for which the land is acquired.
5. Following officers/authorities will be competent to engage advocates:

(i) DCFs/Civil Courts (Lower Courts)	E.O.
(ii) Labour Courts / District Courts.	Administrator
(iii) Rest	C.A.
6. All replies in the above Courts will also be filed after the approval of the authorities mentioned above.
7. Whenever a decision is pronounced by DCF/Civil Court/Lab our Court/District Court, certified copy of the judgment alongwith following documents/files shall be sent to the HQs for taking a decision whether appeal has to be filed or not:-
 - a) Complete plot file, where-ever applicable
 - b) Court case file
 - c) Opinion of the conducting advocate regarding the grounds for filing/non-filing of the appeal
 - d) Recommendations of the EO and
 - e) Recommendations of the Administrator

However, the decision regarding filing of appeal against the decisions of lower Courts in District Courts shall be taken at the level of Administrator only who will be competent to engage the advocate.

8. Where-ever a decision has been taken to file an appeal, it will invariably be accompanied with a request for staying the operation of judgment of the lower Forum/Court. However, in case stay is not granted by the higher Court/Commission, the Administrator shall implement the orders of the lower Court/Consumer Forum subject to decision of the higher Court/Commission and endorse copy thereof to the C.A..
9. All Appeals/Revision Petitions shall be filed within the prescribed limit period and in case it is delayed, delay of each day shall be explained by the concerned EO/Administrator so that the same can be annexed alongwith application for condonation of delay in the Commission/ Court.

10. Where a case has been decided against HUDA and it has been decided by the HQs not to file appeal, compliance of the orders shall be done within 15 days and compliance report shall be sent to the Legal Cell of the HQs so that it is placed on File.
11. Copies of complaint/plaint/decision of the DCF or Court/appeal/comments etc. should be available not only in the court case file but also in the concerned plot file.
12. Authority competent to engage advocate shall ensure that fees of the advocate is released in time.
13. In case any execution/contempt application is filed against any official of HUDA, concerned Administrator shall fix responsibility for non-compliance of the orders so that person/authority can be charge-sheeted because if the judgments, where HUDA has been unable to procure stay orders, are implemented subject to the decision of higher Courts, there will be no occasion to file such cases except where approval of higher authorities is required for carving out/allotment of alternate plots etc.
14. Each Law Officer i.e. ADA & DDA will maintain case diaries showing the details of cases alongwith names of advocates, listed on each day. These case diaries shall be the property of HUDA and will be handed over to the successor/controlling officer at the time of leaving charge or going on leave. E.O. and Administrator shall inspect these diaries atleast once in a week/month respectively for next six months and thereafter, on monthly basis.
15. Following returns shall be sent to HQs through e.mail/by post before the time period mentioned against each:-
 - (i) Daily progress report in case of DCFs (D-1):

Name of Forum _____ Date of hearing _____.

Sr. No.	Case No.	Title	Name of Advocate	Whether Advocate was present or Munshi.	Purpose for which case was listed	Proceedings held	Whether advocate has sent the daily report to E.O
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This report should be sent by the end of next day through e.mail only.

- ii) Monthly report regarding delayed filing of replies **(L-1)**

Sr. No.	Name of Court/Commission	Name of Case	Date when notice was received in office	Initial two dates of hearing	Reason for non filing of reply
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- iii) Monthly report of court cases to be submitted by 7th of succeeding month: **(L-2)**

Sr. No.	Name of Court	Opening balance	Added During the month	Decided against HUDA	Decided In favour of HUDA	Dismissed as withdrawn	Total	Closing balance
1.	Lower Courts							
2.	Distt. Courts							
3.	Labour Courts							
4.	High Courts							
5.	Supreme Court							
6.	Distt. Forums							
7.	State Commission							
8.	National Commission							
9.	Executions							
10.	Contempt Petitions							

(iv) Monthly performance of Advocates (L-3):

Sr. N.	Name of Advocate	Opening Balance	Fresh cases entrusted	Cases decided against HUDA	Cases decided in favour of HUDA	Dismissed as withdrawn	Total	Closing balance
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(v) Monthly report of executions (L-4):

Sr. N.	Name of Court/ Commission	Name of Case	Date of decision regarding which execution has been filed	Date of filing of execution	Date when the case has been adjourned after initial hearing	Whether appeal filed	Whether stay obtained	Reason for non compliance of orders
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(vi) Monthly report of Contempt cases (L-5):

Sr. N.	Name of Case	Date of decision regarding which contempt has been filed	Date of filing of contempt application	Dates when the case has been adjourned after the initial hearing	Whether appeal filed	Whether stay obtained	Reason for non compliance of orders
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-sd/-
(T.C. Gupta, I.A.S.)
C.A., HUDA
Dated: 21.05.2007

L.R.
All Administrators
All Estate Officers
All Heads of Branches at HQ

1. A notice under Section-27 on Consumer Protection Act has been issued to Sh. S.S. Dhillon, IAS, the then Chief Administrator, HUDA for not complying with the orders of National Commission in Original Petition No. 470 of 2002 (Lt. Col. Mehar Chnad Soni Vs HUDA and others). On perusal of the file, I am shocked to see that even though Sh, S.S. Dhillon, IAS had ordered to implement the orders of the National Commission on 04.01.2006 and suitable instructions were issued to Estate officer, Gurgaon on 10.01,2006, appropriate and timely action was not taken by him. For this lapse, appropriate action is being taken against the delinquents.
2. To guard against such omissions in future, it is hereby ordered that if decision is taken by the competent authority to implement the orders of any Court/Forum, a compliance report stating that the orders of the Court/ Forum have been implemented shall be sent under the signatures of Estate Officer/Asstt. Estate officer to the Legal Cell (HQ) so that it is placed on the file. Monitoring of the compliance of these instructions shall be done by the Administrators on monthly basis.

These instructions may be complied with meticulously with immediate effect.

-sd/-
(T.C.Gupta, I.A.S.)
C.A., HUDA
Dated: 20.04.2007

L.R.
All Administrators
All Estate Officers
All Heads of Branches at HQ.

Form

The Chief Administrator,
HUDA, Panchkula.

To

All the Estate officers of HUDA.

Memo No.24329-45

Dated: 21.09.2000

Subject:-Filing of **revision petition** against the **orders** passed by the **Administrators** of HUDA in the appeals.

The appeals against the orders passed by the Estate officers are heard by the concerned Administrators of HUDA exercising the powers of CA, HUDA. However, it has been observed that whenever an appeal is accepted by the Administrator, the cases are not referred to head office for examining the matters legally and taking a final decision whether a revision petition should be filed before the State Government U/s 30(2) of the HUDA Act against the orders passed by Administrator, HUDA in appeal. It has, therefore been decided that cases in which appeal has been accepted by the Administrators exercising the powers of CA, HUDA and order passed by the E.O have been set aside should be referred to headed office in Urban Branch for taking decision whether a revision should be filed before the State Government or not. You are, therefore, requested to take further action in the matter accordingly and refer all such cases to Head Office. The list of all such cases alongwith details of decided cases during the last 6 months should also be sent to this office

Strict compliance of the above said directions may be ensured. In case of any default on the part of any officer/ official disciplinary action would be initiated against him.

-sd/-

Administrative Officer,
For Chief administrator, HUDA.

Dated:-21.09.2000

Endst. No:24346-54

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators of HUDA.
2. Joint Director(Legal), HUDA, Panchkula.
3. Chief Town Planner, HUDA, Panchkula
4. Chief Controller of Finance, HUDA, Panchkula.
5. Secretary, HUDA, Panchkula.
6. Asstt. Research Officer, HUDA, Panchkula.

-sd/-

Administrative Officer,
For Chief administrator, HUDA.

APPEALS & RP (REVISION PETITIONS)

APPEALS & RP (REVISION PETITIONS)

From

The Chief Administrator,
Haryana Shehri Vikas Pradhikaran,
Sector-6, Panchkula.

To

1. All the DDAs, Legal Cell, HSVP, H.Q., Panchkula.
2. All the ADAs, Legal Cell, HSVP, H.Q., Panchkula.

Memo. No. DA/2019-110290

Dated: 25.06.2019

Subject:-Order passed by **Revisional Authority u/s 17 (9) or u/s 30(2)** of HSVP, Act, 1977.

Reference on the subject cited above.

1. It has been observed that the orders passed by Revisional Authority u/s 17 (9) or u/s 30(2) of HSVP, Act, 1977 are neither implemented nor challenged expeditiously. The same position exists where the order itself sets a timeline for implementation of the same. In fact, the reply of the Estate Officers is already a part of the file of revision petition which is maintained in Legal Cell, HSVP, H.Q. Even the plot files are uploaded on PPM database and all the concerned DDAs/ADAs of Legal Cell, HSVP, H.Q. has been given ID and password to access the PPM database.
2. Therefore, it has been decided that the concerned DDAs/ADAs of Legal Cell, HSVP, H.Q. shall examine such orders immediately on receipt and if there occurs any delay in the implementation or challenging of time bound order, he shall be personally responsible.

These instructions must be complied with meticulously.

-sd/-

District Attorney,
for Chief Administrator,
HSVP Panchkula.

Dated: 25.06.2019

Endst No. 110292-294

A copy of the above is forwarded to the following for information and necessary action:-

1. PA/PSTCP for information of W/PSTCP please.
2. PA/C.A., for information of W/C.A., please.

-sd/-

District Attorney,
for Chief Administrator,
HSVP Panchkula..

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No. DA/2015/ 2164-2191

Dated: 22.07.2015

Subject: Review Petitions before the Revisional Authority

Refer to the subject cited above.

It has been noticed that the Estate Officers are filing Review Petitions before the Revisional Authority in some cases inspite of the fact that of the that the same are not maintainable as HUDA Act, 1977 does not confer power of review upon Revisional Authority. Therefore, in future Review Petitions be not filed before the Revisional Authority. The Reiew Petitions already filed have been withdrawn by legal Cell (HQ) separately.

This has the approval of W/ACS-TCP.

-sd/-

District Attorney
For Chief Administrator,
HUDA, Panchkula.

Endst No. 2164-2191

Dated: 22.07.2015

A copy is forwarded to the following for information and necessary action.

1. The Administrator (HQ), HUDA, Panchkula.
2. All the DDAs, ADAs in the Head Office and Field Offices.

-sd/-

District Attorney
For Chief Administrator,
HUDA, Panchkula.

**URGENT DIRECTION OF THE REGARDING REVISION PETITION CASES
PENDING BEFORE THE Ld.ACSTCP**

Subject: Urgent Direction regarding revision petition cases pending before the Ld. ACSTCP-Reg. Supply of comments.

----- Forwarded message -----

From: NAVNEET SHARMA <lawofficer.fbd@gmail.com>

Date: Tue, Jan 13, 2015 at 5:08 PM

Subject: URGENT DIRECTION OF THE REGARDING REVISION PETITION CASES PENDING BEFORE THE Ld.ACSTCP

To: Admn.PKL <admpklhuda@gmail.com>, Anita Yadav I.A.S. <admgnhuda@gmail.com>, Admin Faridabad <admfbdhuda@gmail.com>, HUDA Hisar <admhsrhuda1@gmail.com>, Admin Rohtak <admrtkhuda@gmail.com>, Eo Ambala <eoambalahuda@gmail.com>, Eo Bahadurgarh <eobgarhhuda@gmail.com>, EO Bhiwani <eobhiwanihuda@gmail.com>, EOHUDA Faridabad <eofbdhuda1@gmail.com>, Eo Faridabad <eofbdhuda@gmail.com>, Eo Gurgaon <eoggnhuda@gmail.com>, EO2 Ggn <eoggnhuda2@gmail.com>, Eo Hissar <eohisarhuda@gmail.com>, Estate Officer <eohisarhuda1@gmail.com>, Eo Jind <ejindhuda@gmail.com>, EO Jagadhari <ejagadharihuda@gmail.com>, Eo Kaithal <ekaithalhuda@gmail.com>, Eo Karnal <ekarnalhuda@gmail.com>, eokukhuda HUDA, Kurukshetra <eokukhuda@gmail.com>, Eo Panipat <eopnphuda@gmail.com>, Estate Officer Pkl <eopklhuda@gmail.com>, eorohtak huda <eorohtakhuda@gmail.com>, Estate Officer HUDA REWARI <eorewarihuda@gmail.com>, EO Sirsa <eosirsahuda@gmail.com>, Eo Sonapat <eosnphuda@gmail.com>

Cc: Anil Aggarwal <lrhuda123@gmail.com>, <cahuda@gmail.com>, P. Raghavendra Rao <pstcpfry@gmail.com>, Parmanand Verma <parmanand321@gmail.com>, Sonia Sharma <sonia.sharma.huda1@gmail.com>

MOST URGENT/

DIRECTION OF THE Ld. ACSTCP

PERSONAL ATTENTION OF ALL THE ADMINISTRATORS/E

Os

THE Ld. ADDITIONAL CHIEF SECRETARY HAS DIRECTED UNDERSIGNED TO ISSUE FOLLOWING DIRECTIONS:

(I) THAT ALL THE ESTATE OFFICERS SHALL SUPPLY COMPLETE COMMENTS IN EACH CASE AT LEAST 3 DAYS BEFORE THE DATE OF HEARING IN THE REVISION PETITION WITHOUT FAIL.

(II) THAT ALL THE ESTATE OFFICERS SHALL ALSO DEPUTE CONCERNED DEALING ASSISTANT ALONG-WITH ORIGINAL RECORD A DAY BEFORE THE DATE FIXED TO DISCUSS THE CASE WITH HUDA COUNSEL.

IN CASE OF FAILURE TO COMPLY WITH THE IBID DIRECTION THE CONCERNED ESTATE OFFICER SHALL APPEAR PERSONALLY BEFORE THE REVISIONAL AUTHORITY.

YOU ARE REQUESTED TO COMPLY THE IBID INSTRUCTIONS METICULOUSLY.

Office Order

Subject: Follow up action on the orders passed in the **Revision petition by the Revision Authority-Office order.**

A meeting was held under the Chairmanship of Ld. PSTCP to review the implementation of the order passed by the Revisional Authority w.e.f. 01.04.2013 to 30.04.2014. During the course of discussion, it was desired by the PSTCP that there are cases wherein the allottees who have failed to get relief from the Revisional Authority are approaching the Hon'ble High Court against the orders of the Revisional Authority. It was decided that in such cases names of five HUDA Counsels may be short listed and the Zone-wise distribution of such CWPs may be made to these counsels. The Zone-wise distribution of work to these counsels is as under:-

- | | |
|---------------------|------------------------------|
| 1. Faridabad Zone – | Sh Raman Gaur, Advocate. |
| 2. Gurgaon Zone - | Sh. Manish Bansal, Advocate. |
| 3. Hisar Zone – | Sh. R.S Madan, Advocate. |
| 4. Panchkula Zone – | Sh. Raman B. Garg, Advocate. |
| 5. Rohtak zone – | Sh Arvind Seth, Advocate. |

It is therefore directed that in event a CWP is filed against the orders passed by the Revisional Authority, the concerned Estate Officer shall depute the dealing officials to contact the counsel as per above work distribution and get the reply settled. In no case, the reply to such CWP shall be filed without approval of the Chief Administrator, HUDA.

(A.K singh)
Chief Administrator,
HUDA, Panchkula.
Dated 20.06.2014

Endst no 2631-2671

A copy of the above is forwarded to the following for information and necessary action please.

1. All the Administrators, HUDA, in State.
2. All the Estate Officers , HUDA in the State.
3. All ADA's/LA's in HUDA HQ and filed offices.
4. Sh Raman Gaur, Advocate.
5. Sh Arvind Seth, Advocate.
6. Sh Raman B. Garg, Advocate.
7. Sh Manish Bansal, Advocate.
8. Sh. R.S Madan, Advocate.

(District Attorney)

Form

The Chief Administrator
HUDA, Panchkula.

To

1. All the Administrators, HUDA (In the State)
2. All the Estate Officers, HUDA (In the State)

Memo no. 2384-2407

Dated: 04.06.2014

Subject: Instructions regarding having a **follow up action on the orders passed in the Revision Petitions.**

A review meeting was held on 28.05.2014 at 11.00 am under the chairmanship of Sh. T.C Gupta, IAS, Principal Secretary to Government Haryana, Town & Country Planning Department for reviewing the action taken by the respective Estate Officer/Administrator on the outcome of the various Revision Petitions filed either by the allotted or HUDA. It was observed that in many cases time bound action /follow up was lacking at the level of the concerned officers and a need was felt to monitor each and every case at the level of the Zonal Administrators.

In view of it, it is instructed that the Administrators, and Estate Officers shall identify the actionable points based upon the requirement of individual case, e.g. the actionable points in a case where the resumption orders passed by the Estate Officer have been up held by the Revisional Authority, may be as under:-

- i) Refund of the amount after deducting the 10% of the consideration amount,
- ii) reconciliation/ reflection of the amount so refunded through Cheque/Draft in the books of accounts by the accounts wing,
- iii) taking over of possession and having photographs & installation of sign board of HUDA as proof of having taken possession,
- iv) in case the site is having constructed structure upon it, what decision has been taken with respect to its disposal as per policy issued vide No.A-1 -2005/17809-29 dated 27.07.2005.

The above example is only indicative in nature and the actionable points shall be identified by the concerned Estate officer/Administrator depending upon the requirement in case to case basis. After taking appropriate action a perform as enclosed at annexure-A shall be filled in duplicate for each individual case and the original copy of the perform will be placed on the plot file and the other copy of the same shall be sent to the office of the Revisional Authority for placing it in the revision petition file.

Besides this, it is instructed that a schedule be prepared by which the action, as indicated above, shall be prepared by which the action, as indicated above, shall be taken on all the orders passed in the revision petitions which were decided w.e.f. 1.04.2013 and an intimation to this effect shall be given to the Chief Administrator (Legal Cell) and as well as to the Revisional Authority.

It be accorded priority and the compliance of the above is solicited.

DA/Annexure-A

-sd/-
Administrator (HQ),
For Chief Administrator,
HUDA, Panchkula.

CC.

1. PS/PSTCP for the Kind information of worthy Principal Secretary, Town & Country Planning Department, Haryana.
2. PS/CA, HUDA, for the kind Information of worthy Chief Administrator.
3. District Attorney, HUDA, Panchkula.

Annexure-A

**Follow up action on the orders passed in
the Revision Petition by the Revisional Authority**

- | | |
|---|-----------|
| 1) Petition Number & date of filing: | ----- |
| 2) Gist of order: | ----- |
| 3) Time given by the Revisional Authority for compliance: | ----- |
| 4) Action (s) required to be taken: | i)----- |
| | ii)----- |
| | iii)----- |
| | iv) ----- |
| 5) Action taken on the issues pointed
out in (4), above: | i)----- |
| | ii)----- |
| | iii)----- |
| | iv) ----- |
| 6) Documents enclosed as a proof of
action (s) having been taken (if any): | ----- |

(Signatures of the Estate Officer)

(Signatures of the Zonal Administrator)

Form

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo No A-7-2013/UB/ -I/33989 Dated 05.08.2013

Subject: SCO No.3, Sector-9 Ambala City-**Challenging the orders of Revisional Authority-Competence of Hon'ble CM .**

It has been observed that Principal Secretary to Government, Haryana Town & County Planning Department exercises the powers of Revisional Authority under Section 17 (8) & 17(9) of HUDA Act, 1977. Reasoned orders are passed by the PSTCP. However, in certain cases it is decided to challenge the orders of PSTCP (Revisional Authority) in the Hon'ble High Court.

It has now been decided that in case such orders are to be challenged, then cogent grounds must be recorded for doing so and approval of Hon'ble Chairman HUDA should be taken so that unnecessary litigation is avoided.

These instructions should be complied with in letter and spirit.

-sd/-
(B.B.Taneja)
Dy. Supdt., Urban Branch,
for Chief Administrator, HUDA.
Dated 05.08.2013

Memo No.A-7-2013/UB-I/33989

A copy of above is forwarded to DA, HUDA for information and strict compliance.

-sd/-
(B.B.Taneja)
Dy. Supdt., Urban Branch,
for Chief Administrator, HUDA.

Form

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

All the Zonal Administrators, HUDA in the State.

Memo No.213-217

Dated:10.01.2013

Subject:- Guidelines for the Appellate and Revisional Authorities to decide the **Appeals/ Revisions u/s 17** of the HUDA Act, 1977- CWP No. 19503 of 2010 titled as **Suresh Chand Vs State of Haryana** and others.

The Hon'ble High Court in the above mentioned case directed on 04.12.2012 that the Haryana Urban Development Authority (HUDA) should evolve guidelines for the Appellate and Revisional Authorities to decide the appeals/revisions. In compliance thereof, the matter has been considered in depth in the Review Meeting held on 15.12.2012 under the Chairmanship of Principal Secretary, Town & Country Planning Department and it has been decided that henceforth the Appellate and Revisional Authorities shall keep in mind the following guidelines while deciding the appeals/ revisions as per the provisions of HUDA Act, 1977:-

The Authorities shall not give relief to the allottees on arbitrary grounds by using expressions like financial hardship, unavoidable circumstances, routine health problems, illness of relatives, long period of absence from the Country/ place of residence, ignorance of payment schedule, technical infirmities in the letter of allotment like condition of payment of interest in hand written form instead of typed form etc. However, in the following circumstances, the Authorities may consider providing relief:-

- i) If, allottees goes in coma and remains under coma for the period when the payments were due and recovers subsequently.
- ii) If, allottee has to incur major financial expenditure on treatment of serious diseases like cancer, major surgeries, accident traumas rendering him unable to discharge the liabilities of such due payments. In such cases, the allottee will have to submit complete proof of his treatment duly authenticated.

The above parameters will also apply in case the allottee's spouse or children suffers from such kind of eventualities.

2. Non development of site/ area of the sector or providing other amenities will not constitute ground for non payment of due instalments and will not be considered as such while deciding the cases.
3. In case the appeal/ revision has been filed by the GPA/SPA purchaser then it should be ascertained whether the GPA/SPA was executed before or after the passing of resumption order. If the GPA/SPA has been executed after the passing of the resumption order, such GPA/SPA holder will be considered as one having no locus standi. In case the allottee is very old or infirm person and has executed General Power of Attorney (GPA) either before resumption or during the pendency of appeal, the same shall be considered if the same is executed in blood relation for carrying on day to day proceedings with respect to the plot on behalf of the allottee and does not amount to sale.
4. In cases where the allottee has failed to pay price of the plot after depositing 25% initial amount till the schedule of payment is over, the authorities shall not provide any relief in routine manner. Such cases will be considered only under extremely justifiable circumstances for which allottee needs to give documentary proof of failures in making due payment.

5. Maintainability:-

The Authorities shall give a definite finding in the order in this regard. For example, an appeal U/s 17 of the HUDA Act against eviction order passed by the Estate Officers u/s 18 of the HUDA Act, 1977 is not maintainable. Similarly, an appeal does not lie against an order of cancellation of offer of allotment of plot due to non deposit of 15% amount within the given 30 days from the date of offer of allotment. The Authorities also shall not entertain appeals/ revisions for restoration of sites in case of surrender of plot.

6. Question of delay:-

The Authorities shall not condone the delay in a routine manner. The appellant must explain the delay to the satisfaction of the Authorities, failing which the Authorities shall dismiss the appeal/ revision on the ground of delay.

7. The Authorities shall keep in mind the principles of res-judicata and res-subjudice while deciding the appeals/ revisions. It shall also be kept in mind that the appellant has not resorted to forum hopping.
8. The Authorities shall keep in mind the law laid down by the Hon'ble High Court and Hon'ble Apex Court while deciding the appeals/ revisions.
9. The order of restoration must be well reasoned explaining in detail the reasons of acceptance of appeal/ revision.

These instructions must be complied with meticulously with immediate effect.

-sd/-

Chief Administrator,
HUDA, Panchkula

Dated: 10.01.2013

Endst No. 218-241

A copy is forwarded to the following for information and necessary action.

- 1 Administrator, HUDA H.Q., Panchkula.
- 2 The Chief Controller of Finance, HUDA Panchkula.
- 3 The Secretary, HUDA Panchkula.
- 4 All the Estate Officers, HUDA in the State.
- 5 The General Manager, IT, HUDA Panchkula.
- 6 The Deputy ESA, HUDA Panchkula.
- 7 PS/PSTCP, New Haryana Civil Secretariat, Chandigarh for the information of PSTCP.

-sd/-

Chief Administrator,
HUDA, Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject:- Action to be taken after passing of the orders by the Zonal Administrators in the appeals. (OFFICE ORDER)

1. All the Zonal Administrators shall dispatch a copy of the Order passed U/S 17 (5) of HUDA Act, 1977 to the Legal Cell, HUDA (HQ) on the same date when the Orders are announced for examination regarding their fitness for filing Revision Petition before W/FCTCP.
2. The conducting DDA/ADA of HUDA shall examine the Orders and send his / her opinion within 15 days of the announcement of the Order to the Legal Cell, HUDA (HQ) along with relevant record and written arguments submitted by them during the hearing of the appeal as to whether the Orders are fit for filing Revision Petition or not.
3. The Legal Cell, HUDA (HQ) shall examine the case and submit it within 15 days of the receipt of the opinion of conducting DDA/ADA to the Chief Administrator, HUDA for decision.
4. The Estate Officers shall file the Revision Petition, if so directed by the HQ, within 15 days from the date of receipt of the directions along with stay application, if need be.
5. The Estate Officers shall not implement the Orders of Zonal Administrators for a period of 90 days from the date of receipt of the Orders as this is the limitation period prescribed U/S 17 (8) of HUDA Act, 1977 for filing the Revision Petition.
6. The Estate Officers shall also not take any action regarding the plot in question like sanction of building plan or payments or transfer or any other action, which changes the material facts and thereby weakens the Case of HUDA, during this period of 90 days and during the pendency of the Revision Petition, and shall try to obtain stay wherever the Orders of Zonal Administrators are against HUDA.
7. Where HUDA (HQ) has already taken a decision to file the Revision Petition and the same is yet to be filed, the Estate Officers shall ensure the filing of such Revision Petitions within 10 days from the date of receipt of this Order.
8. The Zonal Administrators and Estate Officers shall get these Order noted to all the Law Officers and Dealing Asstts./ Superintendents and shall send acknowledgement to this effect to LR, HUDA HQ by 20.04.2010.
9. A detailed statement in prescribed format (copy enclosed) in this behalf be sent by first week of every month without any lapse.
10. This Office Order is in continuation of Memo No. DDA-1-2007/5159 dated 7.08.2009, Memo No. 2519 dated 4.05.2007 and Endst No. LR/2007/6177 dated 11.09.2007.

-sd/-

(Anil Aggarwal)

Legal Remembrancer, HUDA

Panchkula

Endst.No. 2682-2785

Dated: 08.04.2010

A copy of the above is forwarded to the following for information and necessary action.

1. All the Administrators, HUDA (In the State). (Through Email).
2. All the Estate Officers, HUDA (In the State). (Through Email).
3. All Heads of Branches at Head Quarter. (Through Email).
4. All the ADAs/ LTs/ Superintendent, Legal Cell, HUDA (HQ). (Through Email).

-sd/-

(Anil Aggarwal)

Legal Remembrancer, HUDA, Panchkula.

**HARYANA URBAN DEVELOPMENT AUTHORITY,
PLOT NO. C-3, SECTOR-6, PANCHKULA-134109
ORDER**

Subject:- Office order for **deciding appeal u/s 17 (5)** of HUDA Act

1. During hearing of appeals before the Administrators (exercising the powers of the Chief Administrator) under Section – 17(5) of HUDA Act, Law Officers of concerned Estate Office are supposed to bring out the full facts before the Administrators. Though the Administrator are exercising quasi- judicial powers and are supposed to see the entire record of the case but at the same time, when wrong orders are passed, they take the plea that the relevant facts were not brought to their notice by the concerned Law Officer. It is, therefore, ordered that henceforth, all the Law Officers will submit their written submissions before the Administrators during hearing of such appeals.
2. After passing of the orders by the Administrators under Section 17 (5), these Law Officers also examine the orders whether these have to be complied with or a Revision should be filed. Vide Memo No. DDA-I-2007/5159 dated 07.08.2007, it has already been ordered by the undersigned that a decision in this regard shall be taken by the HQs and the orders shall not be implemented for three months from the date of dispatch of the orders. It has also been ordered vide Memo No. 2519 dated 04.05.2007 that the Administrator will dispatch copy of the orders on the same date when the orders are announced. It has also been ordered vide Note no. 36/2007 dated 09.07.2007 that while striking down the action of Estate Officer, they will quote relevant rules/ regulations/ provisions of the Act which have been violated by the E.O. it has been clarified that the Administrators while exercising these powers do not enjoy any discretionary powers as vested in Hon'ble High Courts/ Supreme Court under writ jurisdiction. Copies of above three orders are annexed as Annexure-I, II and III. Therefore, while examining the cases for filing Revision Petition and actually filing the Revision Petition, these points must be examined and mentioned in the Revision Petition.
3. Above orders should be got noted from all the Law Officers as well as dealing Assistants/ Superintendents / Deputy Superintendents under your jurisdiction and acknowledgement to this effect should be sent to L.R (HQs) by 10.10.2007.

Encl: as above

(T.C Gupta, IAS)
Chief Administrator
Dated: 11-9-2007

Endst No. LR/2007/6177

A copy is forwarded to the following for information and necessary action:-

1. All Zonal Administrators
2. All Estate Officers.
3. All Heads of Branches at HQs.

-sd/-
Legal Remembrancer

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Estate Officers.

Memo No. DDA-I-2007/5159

Dated: 07.08.2007

Subject: Instructions regarding **Revision Petition** against order of **Administrator**.

CA, HUDA have ordered and directed that the orders of Administrator issued under Section 17(5) of the HUDA act should not be implemented at your level, for a period of 3 months from the date of dispatch of these orders by the Zonal Administrator during which decision shall be taken whether to implement these orders or to file revision against these orders.

You are hereby directed to make compliance of the orders of the CA, HUDA in future.

-sd/-

Dy. District Attorney,
For Chief Administrator,
HUDA, Panchkula.

Dated: 07.08.2007

Endst. No DDA-1-2007/

A copy of the above is forwarded to all the Zonal Administrator HUDA for information and necessary action.

-sd/-

Dy. District Attorney,
For Chief Administrator,
HUDA, Panchkula.

COUNSEL FEE BILLS

COUNSEL FEE BILLS

From

The Chief Administrator,
HUDA, Panchkula.

To

All Zonal Administrator (s), HSVP in Haryana state
All Estate Officer (s), HSVP in Haryana state.

Memo No. DA/ADA (M)/2018/135422

Dated: 05.07.2018

Subject: CWP No. 8086 of 2013 titled as Indu Mehta vs Union of India and ors. (**fee bill matter**) –**HUDA instructions.**

Reference this office memo no. 98629/637 dated 16.05.2018 to the subject cited above.

Please find enclosed copy of letter dated 22.05.2018 and 29.05.2018 of the ACS to Government of Haryana, Administration of Justice Department for strict compliance with the interim order dated 06.03.2018 passed in aforesaid writ petition.

The Chief Administrator, HSVP has directed to circulate the ibid instructions to all concerned for compliance.

This is for your information and immediate necessary action.

-sd/-

Assistant District Attorney
For: Chief Administrator,
HUDA, Panchkula.

Endst No. DA/ADA-M/2018/135422

Dated: 05.07.2018

A copy of the above is forwarded to the following for information and necessary action:-

1. Chief Controller of Finance, HUDA, Panchkula.
2. General Manager, IT, HUDA, Panchkula. He is requested to host this instruction on the HSVP website.
3. All ADAs in office of the District Attorney, HUDA, Panchkula.
4. Deputy Supdt./All the Assistants/ record keepers in office of the District Attorney, HUDA, Panchkula.

-sd/-

Assistant District Attorney
For Chief Administrator,
HUDA, Panchkula.

From

The Additional Chief Secretary to Government,
Haryana, Administration of Justice Department.

To

1. All the Additional Chief Secretaries/Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries of the Government of Haryana.
2. All the Heads of the Departments, Haryana.
3. All the Deputy Commissioners in Haryana.
4. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar, Ch. Devi Lal University, Sirsa and Bhagat Phool Singh Mahila Vishav Vidhalya, Khanpur, Sonapat.
5. All the Managing Directors/Chief Administrators of Boards/Corporations/ State Public Sector Undertakings.

Memo No. 2/23/2017-5JJ(I)

Dated, Chandigarh the 29.05.2018

Subject: CWP No. 8086 of 2013 – Indu Mehta V/s Union of India and ors – Inordinate delay in the settlement of fee bills of counsels-Continuation instructions.

Kindly refer to the instructions dated 22.05.2018 issued on the subject noted above.

2. In the aforesaid case the Hon'ble Court vide order dated 02.05.2018 has directed to place on record the latest status whether Nodal Officers have been appointed or not and the status of the pending bills of the lawyers and what procedure has been adopted?
3. You are requested to send the status report about appointment of Nodal Officers, status of pending bills and procedure which has been adopted within 5 days positively, so that response on behalf of State may be filed in the Court well in time.

-sd/-

Superintendent, Jails & Judicial-I,
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.

From

The Additional Chief Secretary to Government,
Haryana, Administration of Justice Department

To

1. All the Administrative Secretaries in Haryana State.
2. All the Heads of the Departments in Haryana State.
3. The Commissioners, Ambala, Faridabad, Gurugram, Hisar, Rohtak and Karnal.
4. All the Deputy Commissioners in Haryana.
5. The Registrar, Punjab and Haryana High Court, Chandigarh.
6. The Managing Directors/Chief Executive/Member Secretaries of all Boards and Corporations in Haryana.
7. The Director General of Police, Haryana, Panchkula.
8. The Director General of Prison, Haryana, Panchkula.
9. The Director of Prosecution, Haryana, Panchkula.

Memo No.2/23/2017-5JJ(1)

Dated, 22.05.2018

Subject: CWP No. 8086 of 2013 – **Indu Mehta V/s Union of India and ors. -Govt. instructions.**

I am directed to invite your kind attention on the subject cited matter and to issue the following directions in terms of decision dated 06.03.2018 of Hon'ble Punjab and Haryana High Court in the above mentioned case:

- I All the Administrative Departments including the Boards/Corporations/Banks/ Insurance Companies etc shall appoint their Nodal Officers (Litigation) and shall display his particular on their website. The Nodal Officer can also be utilized for handling litigation as well as the bills of the lawyers.
- II The bills of a lawyer will be received against proper receipt and by giving proper number with an acknowledgement to the lawyer concerned, so that a proper record is maintained of the pending bills.
- III All the bills received by the concerned officer of the department or any other Government Department/Board/ Corporation etc shall be forwarded by the said officer to a Nodal Officer as well for record. It will be the duty of the Nodal Officer to ensure that the payment of the bill be made within the time prescribed.
- IV The Nodal Officer or the officer concerned, who is responsible for clearing the bill, shall communicate the material objections, if any, within a period of two weeks to the lawyer concerned, with a copy to the Nodal Officer. In case of frivolous objections, it shall be the responsibility of the Nodal Officer to point out immediately to the department concerned to be careful while raising frivolous objections.
- V The department concerned shall ensure the required budget by considering the overall litigation and the last budget along with future requirement and to make available at the appropriate time when the budgetary provisions are made as sometime due to lack of budget, bill are not cleared and are kept pending. It shall be the responsibility of the concerned officer dealing with the finance matters that appropriate budget be kept for the payment of fee bills.
- VI The Administrative Secretaries concerned shall also take appropriate steps to ensure that the pendency of the fee bills and its status may be put on some website/portal. The Central Government has already provide a portal in the name of LIMBS and module for the advocates which allows advocates to upload bills online and also to monitor the cases in more proactive manner. Since the area of Central Government is throughout India, States are at liberty to create any other portal or module of that form besides activating the Nodal Officers.
- VII In a situation, when a case is entrusted to an Advocate, who has specified his fee, the concerned authority is bound to pay as per his entitlement or policy applicable to the case. As per Rules and Orders of High Court Volume-I, Rules I and I-A of Chapter 16-B, even in a situation where case has been withdrawn from an Advocate and no misconduct or negligence is there on his/her part, the Advocate can not be denied fee.
- VIII In case there is delay in releasing the payments, the Advocates shall be entitled for interest as well.
2. The same may kindly be noted for future strict compliance.

-sd/-

Superintendent, Jails & Judicial-I,
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Assistant District Attorneys at HQ., HUDA, Panchkula.

Memo No. DA/ADA(M)/2018/10942

Dated:17.01.2018

Subject: Regarding **clearance of fee bills of HUDA Advocates.**

In continuation of this office memo dated 19.11.2015 to the subject cited above.

It is to inform you that the Chief Administrator, HUDA has decided and authorized the District Attorney, HUDA being the head of Legal Cell for sanctioning the amount of the fee bills as per instructions dated 02.09.2015 issued by Government of Haryana in all the cases irrespective of the amount involved as fixed amount is payable in the cases. However, it has also been decided that if in cases any confusion arises in the clearance of fee bill the same may be submitted to the Chief Administrator, HUDA for approval.

Therefore, the above instruction may be noted down and fee bills be submitted in future accordingly for sanction.

-sd/-

Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula.

Dated:17.01.2018

Endst. DA/ADA-M/2018/10942

A copy of the above is forwarded to the following for information and necessary action:-

1. Chief Controller of Finance, HUDA, Panchkula.
2. General Manager, I.T. HUDA, Panchkula. He is requested to host this instruction on HUDA website.
3. Deputy Suptd/all the Assistants/record keepers in office of the District Attorney, HUDA, Panchkula.
4. PA/DA for keeping the instruction in file.

-sd/-

Assistant District Attorney,
For Chief Administrator,
HUDA, Panchkula.

From

The Advocate General, Haryana,
Chandigarh.

To

The Chief Administrator,
HUDA, Panchkula.

Memo No. 21145

Dated Chandigarh, the 29.04.2016

Subject: Professional fee not to be paid to the Advocates, who have been disengaged and have not returned the briefs.

All those Counsels, who have been dis-engaged or who have refused to return the briefs to HUDA offices/ officials/newly engaged Counsels despite repeated requests, shall not be paid any fees in their cases till further orders.

-sd/-

(Baldev Raj Mahajan)
Advocate General, Haryana.
Haryana Urban Development Authority
Dated: 11.05.2016

Endst. No. Dy. Supdt./2118-30

A copy of the above is forwarded to all the ADA's, Assistant, SDC & RK's for information and necessary action.

-sd/-

Dy. Superintendent,
O/o D.A, HUDA
Panchkula.

From

The Chief Administrator
HUDA, Panchkula.

To

1. The Administrator, HUDA (HQ), Panchkula.
2. All the Administrators, HUDA.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Chief Town Planner, HUDA, Panchkula.
5. Chief Engineer-I & II, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. All the Superintending Engineers, HUDA, Panchkula.
8. All the Estate Officers, HUDA.

Memo No. DA/HUDA 1739-75

Dated: 25.04.2016

Subject: Rate of fees **payment to the Law Officers/Panel of Advocates** for conducting cases of Haryana Government/Boards/ Corporations/ Autonomous Bodies etc in the Supreme Court of India/Delhi High Court/Punjab & Haryana High Court/ CAT/Tribunals/Subordinate Courts etc in the State of Haryana/Delhi etc-**HUDA instructions.**

Reference: Government of Haryana circular no. 21/2/1991-5JJ(1) dated 02.09.2015 on the subject cited above

In compliance to the order of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA dated 31.03.2016, the copy of order dated 02.09.2015 issued by Additional Chief Secretary to Government, Haryana, Admn. of Justice Deptt. is hereby enclosed for taking necessary action and for implementation of rates of fees payable to the panel Advocates in HUDA for conducting court cases of Haryana Government/Boards/Corporations /Autonomous Bodies etc in the Supreme Court of India/Delhi High Court/Punjab & Haryana High Court/ CAT/Tribunals/Subordinate Courts etc in the State of Haryana/Delhi etc for meticulous compliance.

The receipt of letter may be acknowledged.

DA/As above.

-sd/-
(D.S. Bishnoi)
District Attorney
for Chief Administrator,
HUDA, Panchkula.

Dated: 25.04.2016

Endst. No. DA/HUDA

1. Copy of the above is forwarded to the GM (IT), HUDA, Panchkula for taking necessary action and hosting the instructions dated 02.09.2015 on the website of HUDA.
2. All the ADA's Legal Cell HUDA (HQ), Panchkula for taking necessary action.
3. Dy. Supdt., Assistants, SDC's, RK's, DEO's in Legal Cell, HUDA (HQ) for taking similar necessary action accordingly.

DA/As above.

-sd/-
(D.S. Bishnoi)
District Attorney
for Chief Administrator,
HUDA, Panchkula

From

The Additional Chief Secretary to Government,
Haryana, Admn. of Justice Department..

To

The Principal Resident Commissioner,
Haryana Government, Haryana Legal Cell,
Haryana Bhawan, New Delhi.

Memo No. 21/2/1991-5JJ(1)

Dated Chandigarh, the 02.09.2015

Subject: Rates of fees payment to the Law Officers/Panel of Advocates for conducting cases of Haryana Government /Boards/ Corporations/ Autonomous Bodies etc in the Supreme Court of India/Delhi High Court/Punjab & Haryana High Court/ CAT/Tribunals/Subordinate Courts etc in the State of Haryana/ Delhi etc-**Govt. instruction.**

Sir,

In supersession of Haryana Government, Administration of Justice Department letter no. 23/2/199-5JJ(1) dated 24.05.2002 and any other letters issued from time in this regard on the subject noted above, I am directed to intimate that with a view to adopt a uniform pattern in the matter of payment of Counsel fees to Law Officers/Panel Advocates in Supreme Court, High Courts, District Courts and other Courts/Forums/Tribunals situated in the State of Haryana, the Government has decided to revised the rates of payment of fees at different levels as per details given below:-

1	Before the Hon'ble Supreme Court of India at New Delhi:	
	I. Fee for designated Senior Advocates in Panel Grade A:	
	a) Per appearance: for effective dates	Rs. 2,50,000/- per hearing (effective date) including 10% clerkage.
	b) Bunch matters:	25% of the fee of main case (per case in the bunch) (subject to a cap of Rs. 10 lakhs).
	c) Conference fee:	Rs. 55,000/- including 10% clerkage (be it one case or bunch)
	d) Settling of petition/counter/ re-joinder/ opinion	Rs. 22,000/- including 10% clerkage. Be it one or bunch matter
2.	Fee for Advocate General, Haryana in case before the Supreme Court:	
	Will be the same as payable to Panel Grade 'A' Counsel. The Advocate General, Haryana shall also be allowed fee as payable to Panel Grade 'A' Counsel when appearing on behalf of Government Departments before the Supreme Court of India.	
3	Fee for Advocates in Panel 'Grade B':	
	a) Per appearance for effective dates including Conference fee.	Rs. 1,10,000/- per appearance (effective date) including 10% clerkage.
	b) Bunch matters:	25% of the fee of main case (per case in the bunch) (subject to a cap of Rs. 5.5 lakhs).
	c) Settling of petition/counter, re-joinder/ opinion:	Rs. 55,000/- including 10% clerkage. Be it one case or bunch matter.
4	Fee for Panel Counse:	
	a) Per case:	Rs. 22,000/- per case including 10% clerkage + actual expenses.
	b) Bunch matter:	25% of the fee of main case (per case in the bunch) + actual expenses. (Subject to a cap of Rs. 1.10 lakh).

5.	Fee for Advocates-on-Record/Standing Counsel/Additional Standing Counsel before Supreme Court of India at New Delhi:	
	<u>Particulars</u>	<u>Rates</u>
	i) Court appearance in Admission matters	Rs.2200/- per hearing or Rs.11,000/- for the whole case, whichever is lower.
	ii) Court appearance in Bunch matters at admission stage	Rs. 4400/- per hearing or Rs. 22000/- for the whole case whichever is lower.
	iii) Regular hearing	Rs. 3000/- per hearing or Rs. 15,000/- for the whole case whichever is lower.
	iv) Regular hearing in bunch matter	Rs. 6000/- per hearing or Rs. 30,000/- for the whole case whichever is lower.
	v) Drafting SLPs/WP	Rs. 2000/- per case
	vi) Drafting STPs/WPs (Bunch matters)	Rs. 4000/- per group/bunch
	vii) Drafting transfer petition	Rs. 1000/- per case
	viii) Drafting Transfer petition(Bunch matters)	Rs. 2000/- per bunch
	ix) Drafting suits	Rs. 10000/- per suit
	x) Drafting suits (Bunch)	Rs. 20000/- per bunch
	xi) Drafting counter-affidavit and rejoinder affidavits	Rs. 2000/- per case
	xii) Drafting counter-affidavit; and rejoinder affidavits (Bunch matters)	Rs. 2000/- per bunch
	xiii) Written submissions	Rs. 2000/- per case
	xiv) Written submissions (Bunch matters)	Rs. 4000/- per bunch
	xv) Miscellaneous applications	Rs. 600/- per case
	xvi) Miscellaneous applications (Bunch matters)	Rs. 1200/- per bunch
	xvii) Inspection of original record; preparation of list of documents and bill of costs.	Rs. 600/- per case
6.	Before the Hon'ble High Court at Chandigarh when engaged by Boards/Corporations/Autonomous Bodies etc:	
	When the Advocate General, Haryana is engaged by Boards/Corporations etc.	Rs. 1,10,000/- per case (additional amount @ 25% of the fee for the main case shall be paid for each additional case in bunch matter. (Subject to a cap of Rs. 5.50 Lakhs). The fee for opinions sought by the Boards/Corporations etc shall be Rs. 22,000/- per case.
7.	Fee for Senior Advocate/Additional Advocate General/Panel Counsel when engaged by Boards/ Corporations before the Hon'ble High Court at Chandigarh:	
	i) When Senior Advocate is engages by the Boards/Corporations/Autonomous Bodies etc.	Rs. 44,000/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter). (Subject to cap of Rs. 2.20 Laksh).
	ii) When Additional Advocate General is engaged by the Boards/Corporations, Autonomous Bodies etc.	Rs. 33,000/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) + actual expenses, (Subject to cap of Rs. 1.65 Laksh).
	iii) When an empanelled Advocate is engaged by any Boards/Corporations Autonomous Bodies etc.	Rs. 16,500/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) + actual expenses, (Subject to cap of Rs. 82,500/-).
8	Fee for empanelled Advocate before the District Court/Tribunals/Commissions/Forums/Lok Adalat etc at Chandigah or at District Head Quarters, Tehsil and Sub Tehsil level in the State of Haryana.	
	A fee of Rs. 11,000/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) + actual expenses, (Subject to cap of Rs. 50,000/-).	

9	Fee for Senior Advocate/Additional Advocate General/Panel Counsel when engaged by Boards/Corporations before the Hon'ble Supreme Court of India, Delhi High Court, NOT, National Consumer Commission or Competition Commission:	
	i) When Senior Advocate is engaged by the Boards/Corporations, Autonomous Bodies etc.	Rs. 44,000/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) (Subject to cap of Rs. 2.20 Lakhs).
	ii) When Additional Advocate General is engaged by the Boards/Corporations/ Autonomous Bodies etc.	Rs. 33,000/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) + actual expenses, (Subject to cap of Rs. 1.65 Laksh).
	iii) When an empanelled Advocate is engaged by any Boards/Corporations/Autonomous Bodies etc.	Rs. 16,500/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) + actual expenses, (Subject to cap of Rs. 82,500/-).
10.	Fee for empanelled Advocate before the District Court/Tribunals/Commissions/Forums/Lok Adalat etc at Chandigarh or at District Head Quarters, Tehsil and Sub Tehsil level in the State of Haryana.	A fee of Rs. 11,000/- per case including 10% clerkage (additional amount @ 25% of the fee for each additional case in bunch matter) + actual expenses, (Subject to cap of Rs. 50,000/-).
NOTE: The fee structure prescribed for Additional Advocate General, Haryana with respect to the Boards/Corporations etc as aforesaid shall however not be applicable with respect to Additional Advocate Generals, Haryana who have also been appointed as Standing Counsel by the respective Boards/Corporations etc. In such event, the terms and conditions as agreed upon between such Additional Advocate General, Haryana and respective Boards/Corporations etc shall be applicable		

Note: 1. In all other cases, not covered by the above, counsel fee shall be paid as settled in consultation with the Advocate General, Haryana. In cases having heavy stakes or special matters, higher Counsel Fee can be settled with the prior approval of the competent authority.

2. The revised rates shall be effective from the date of issue of this letter.

3. This issues subject to ex-post facto approval of Finance Department.

-sd/-

Superintendent, Jail & Judicial
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.
Dated, Chandigarh 02.09.2015

Enst. No. 21/2/1991-5JJ(1)

A copy is forwarded to the Principal Accountant General, Haryana (A&E), Chandigarh for information and necessary action.

-sd/-

Superintendent, Jail & Judicial
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.
Dated, Chandigarh 02.09.2015

Enst. No. /1991-5JJ(1)

A copy is forwarded to the Advocate General, Haryana, Chandigarh for information and necessary action.

-sd/-

Superintendent, Jail & Judicial
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.

A copy is forwarded to the following for information and necessary action:-

1. All Head of Departments in the State of Haryana.
2. All the Chairman/Managing Directors of Boards/Corporations/Autonomous Bodies in the State of Haryana.
3. All the Divisional Commissioners/Deputy Commissioners in the State of Haryana.

-sd/-

Superintendent, Jail & Judicial
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.

Dated, Chandigarh 02.09.2015

Enst. No. 21/2/1991-5JJ(1)

A copy is forwarded to the all the Additional Chief Secretaries/Principal Secretaries to the Government of Haryana for information and necessary action.

-sd/-

Superintendent, Jail & Judicial
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Deptt.

From

The Chief Administrator,
HUDA, Panchkula.

To

Chief Controller of Finance,
HUDA, Panchkula.

Memo No. 3294-98

Dated: 19.11.2015

Subject: Regarding **Clearance of fee Bills** of HUDA Advocates.

Reference on the Subject cited above.

It is informed that the Chief Administrator, HUDA, Panchkula has approved and directed as under:

- (a) For purpose of clearance fee bills, the verification by the Section Officer is not required as there is fixed amount payable as already decided before hand. Therefore, the fee bills will be processed only in Legal Cell, HQ as per procedure and fee bills instructions.
- (b) District Attorney, HUDA, Panchkula shall be competent being the head of the legal wing to sanction the amount in all cases irrespective of amount involved as fixed amount is payable in the cases.
- (c) Chief Controller of Finance may arrange to scan the list of Court cases in which fee bill has been cleared and send the list to the concerned advocates and a copy to legal Cell, HQ.
- (d) Chief Controller of Finance will acquire the password for CCTNS from G.M. I.T and details of all fee bills cleared will be fed into fee bill column in the CCTNS at the time of payment.

This is for your information and necessary action.

-sd/-
For Chief Administrator,
HUDA, Panchkula.

Endst No. 3294-98

Dated: 19.11.2015

A Copy of the above is forwarded to the following for information and necessary action and compliance:

1. All ADAs posted in the Legal Cell, HQ.
2. Section officer concerned posted in Estate Office, HUDA, Panchkula.
3. All Assistants/recorded kippers posted in the Legal Cell, HQ.

-sd/-
For Chief Administrator,
HUDA, Panchkula.

Endst No.

Dated:

A copy of the above is forwarded to the following for information and necessary action:

1. General Manager, I.T, HUDA, HQ. Panchkula. He is requested to upload the instruction on website of HUDA. He is further requested to provide password to CCF, HUDA for accessing the CCTNS

-sd/-
For Chief Administrator,
HUDA, Panchkula.

THROUGH E-MAIL

Form

The Chief Administrator
HUDA, Panchkula.

To

1. All the Administrators,
2. All the Estate Officers.
3. All the HUDA Counsels.
4. All the Branch Heads in the H.Q.
5. All DDAs/ADAs in the field and H.Q.

Memo No DA/2015/464-560

Dated: 18.02.2015

Subject: 1. Panel of Senior Advocates/Advocates for conducting cases of Haryana state in the Supreme Court of India Delhi High Court, Subordinate courts in Delhi, CAT and others tribunals located at Delhi.
2. Appointment of Standing Counsel/Legal Advisor/Autonomous Bodies and District Consumer Forums and Subordinate Courts etc-HUDA instructions-Reg. fee bills & engagement of counsels.

Reference letters issued by the Government of Haryana in Jail and Judicial Department dated 01.01.2015 in supersession of letter no. 21/02/2005-5JJ(1) dated 17.03.2005 and office order dated 10.02.2010 and letter no 14/06/2005-5JJ (1) dated 07.11.2005 and this office e-mail dated 14.01.2015 on the subject cited above.

1. Please see the attachment which is letter No 14/06/2005-5JJ(1) dated 09.02.2015 on the subject cited above.
2. As per the ibid letter, Government has decided that all the pending cases are to be conducted through newly appointed counsels. In most of the cases, 50% of counsel fee is paid at initial stage at the time of filing plaint/petition/appeal/written statement etc. and balance fee is paid at final stage of the case in all these cases, where earlier counsel has been paid 50% fee, newly engaged counsel will be-paid balance 50% of counsel fee payable in the case. In some cases, particularly cases pending in Supreme Court of India, counsel fee is paid separately for drafting/setting of pleadings etc. and separately for appearance on per appearance basis, in such cases, newly engaged counsel will be paid for hearings attended by them and/or subsequent pleading, if any, drafted/settled by them.
3. It has been with the approval of C.A, HUDA that all the counsels in pending cases of Supreme Court, High Court (s) other Tribunals at Delhi, Subordinate Courts in Delhi and SCDRC at Panchkula shall prepare the list of cases assigned to them with latest status and submit the same along with brief of the cases to the Legal Cell, HUDA, H.Q, within a week positively to initiate the process of engaging new counsels by Ld. A.G Haryana.
4. Secondly since the panel of advocates of subordinate courts has also been scrapped, all the Zonal Administrators and Estate Officers shall also implement the letter under reference dated 09.02.2015 immediately by way of directing the earlier engaged counsels in the cases of Subordinate Courts to prepare the list of cases assigned to them with latest status and submit the same along with brief of the cases to the concerned Estate Officers within a week positively to intimate the process of engaging new counsels by Ld. A.G, Haryana.
5. The earlier engaged counsels shall continue to appear to avoid non-prosecution of cases till the engagement of new counsels, the intimation of which will be given by way of issuing fresh engagement letter to the newly engaged counsel with a copy to the earlier engaged counsel.

For ADAs and Assistants

6. The dealing Assistants and ADAs in the field offices and Legal Cell, HUDA, HQ Shall put up the files of pending cases on the fortnightly basis highlighting the importance of the cases for sending to Ld A.G, Haryana for nominating new counsels/retaining earlier engaged counsel in the interest of the case the case.

7. The ibid instructions be complied with meticulously and non compliance shall be viewed seriously.

DA/ As above.

-sd/-
(Anil Aggarwal)
District Attorney
For Chief Administrator, HUDA
Panchkula.

Endst. No DA /2015/561

Dated: 18.02.2015

A copy of the above is forwarded to Ld. Advocate General, Haryana for or information and necessary action.

-sd/-
(Anil Aggarwal)
District Attorney
For Chief Administrator, HUDA
Panchkula

From

The Additional Chief Secretary to Government,
Haryana, Admn. of Justice Department.

To

1. All the Heads of Department in the Haryana State.
2. All Divisional Commissioners in the Haryana State.
3. All the Managing Director of Boards/Corporations in the Haryana State.
4. All the Deputy Commissioners in the State of Haryana State.
5. The Registrars of all the Universities in Haryana.

Memo No.14/6/2005-5JJ (I)

Dated, Chandigarh the 09.02.2015

Subject: 1. Panel of **Senior Advocates/Advocates for conducting cases of Haryana state** in the Supreme Court of India Delhi High Court, Subordinate courts in Delhi, CAT and others tribunals located at Delhi-**Govt. instruction.**
2. Appointment of **Standing Counsel/Legal Advisor/Autonomous** Bodies and District Consumer Forums and Subordinate Courts etc-**Payment of 50% of fee bills.**

Sir,

I am directed to invite your attention on the subject noted above and to intimate that Government has decided that all pending cases are to be conducted through newly appointed counsels. In most of the cases, 50% of counsel fee is paid at initial stage at the time of filing plaint/petition/appeal/written statement etc. and balance fee is paid at final stage of the case. In all these cases, where earlier counsel has been paid 50% fee, newly engaged counsel will be paid balance 50% of counsel fee payable in the case. In some cases, particularly cases pending in Supreme Court of India, counsel fee is paid separately for drafting/settling of pleadings etc. and separately for appearance on per appearance basis. In such cases, newly engaged counsel will be paid for hearings attended by them and/or subsequent pleadings, if any, drafted/settled by them.

You are, therefore, requested that above said decision may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

-sd/-

Under Secretary, Jail & Judicial,
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Department.

Dated Chandigarh 09.02.2015

Endst. No.14/6/2005-5JJ (I)

A copy is forwarded to the following for information and necessary action:-

1. The Advocate General, Haryana, Chandigarh w.r.t. their D.O. No. 179 dated 27.01.2015.
2. The Law Secretary-cum-Legal Remembrancer to Govt. Haryana, Law & Legislative Department.
3. The Director Prosecution, Haryana Panchkula.
4. The Additional Director Prosecution Haryana Legal Cell, Haryana Bhawan, New Delhi.

-sd/-

Under Secretary, Jail & Judicial,
for Additional Chief Secretary to Government,
Haryana, Admn. of Justice Department.

Form

The Chief Administrator
HUDA, Panchkula.

To

1. All the Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.
3. All Advocates on HUDA Panel.

Memo No.4175-4221

Dated: 04.11.2014

Subject: Regarding **pendency fee bills of HUDA Counsels** at the level of Estate officers, HUDA.

Refer on the subject cited above.

It has been a major grievance of the HUDA counsels that their fee bills are not being cleared despite of regular follow ups. The Chief Administrator, HUDA has also shown concern in this regard and the Estate Officers have been sensitized about this many a times. It has further been observed that neither the copy of reply being filed by the Estate Officers/Administrators are being supplied to Legal Cell, HUDA, HQ, which also is a matter of concern.

In order to sort out this issue and to monitor the expenditure being incurred on legal expenses, it has been decided that the Administrators, HUDA and Estate Officers, HUDA should send all the pending fee bills of Counsels engaged for defending cases in Hon'ble Supreme Court/High Court/ NCDRC etc. to Legal Cell HQ. The Estate Officer/Administrators, shall also send the copy of reply/RSA/RFA/ etc. filed by the respective office and certified copy of final order along-with the fee bills submitted by the Counsel.

The Advocates representing HUDA in various Courts are also requested to supply signed copy of reply and certified copy of the order along-with fee bills so that the same can be processed. It is further requested that the daily progress of the Court cases be also intimated through e-mail for effective monitoring of Court case failing which fee cut will be imposed as per instructions. It is also intimated that the marking of new cases to the counsels shall also depend upon the performance as well as the intimation of daily case progress by the Counsels.

This is for your information and further necessary action please.

-sd/-
District Attorney
For Chief Administrator,
HUDA Panchkula.

Dated: 04.11.2014

Endst. No DA/2014/4222 to 4228

1. A copy of the above is forwarded to all ADAs posted at Legal Cell, HUDA HQ and filed offices.
2. A Copy of the above is forwarded to the CCF, HUDA for information and necessary action please.

-sd/-
District Attorney
For Chief Administrator,
HUDA Panchkula.

Form

The Chief Administrator
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No DA/2014/ 3205-3227

Dated: 06.08.2014

Subject: Regarding **payment of fee bills** of advocates of HUDA.

Regarding on the subject cited above

A meeting on the above stated subject was held by the Principal Secretary to Govt. Haryana, Town and Country Planning, Department, Chandigarh. The Principal Secretary has taken a serious view of the non clearance of fee bills of advocates of HUDA. During the meeting, it also transpired that while issuing the cheque towards the payment of fee bills, the concerned offices are not giving description of the cases as well as of the dates for which fee bills have been cleared. Therefore, the following instructions are being issued for strict compliance:-

1. Fee bill shall be cleared within a period of 10days of its receipt.
2. Details of cases i.e. SLP No/CWP No. etc. title of case and dates for which payment of fee bills has been clear shall be clearly mentioned in the forwarding letter while sending the cheque or payment made through RTGS in their account and intimation either through e-mail or letter should invariably be sent in respect of the payment being made so as to facilitate easy referencing. The information regarding clearance of fee bills be also endorsed to the Legal Cell, HQ for record.
3. The status of progress of fee bills shall be sent through e-mail to the concerned counsel as well as to the legal cell, HQ., promptly.

Non-Compliance with the aforesaid instructions shall be viewed seriously.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula.

Dated:

Endst No

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. All Superintending Engineers in HUDA.
3. All SAO/A.O in the filed offices.
4. All ADA/LA of the Legal Cell, HQ.
5. PA/Principal Secretary, Town and Country Planning Department, Haryana.
6. Deputy Superintendent in Legal Cell, HQ.
7. All Assistanst/Record keepers of Legal Cell, HQ.

-sd/-
District Attorney
For Chief Administrator,
HUDA, Panchkula

From

Chief Administrator
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, I & II, HUDA.
4. All the Superintending Engineers, HUDA
5. All the Estate Officers, HUDA.

Memo No. LR-AEO-2013/7434-7470

Dated: 15.11.2013

Subject: Revision of **counsel fee** for the **advocates** on HUDA/State panel in the **NCDRC and MRTP**.

Reference: This office Memo No. LR-AEO-08/208 dated 07.01.2008 on the subject cited above.

The Chief Minister-cum-Chairman, HUDA has approved the increase in the counsel fee for the Advocates in HUDA/State Panel in the NCDRC & MRTP as follows:

Sr. no	Name of Court	Existing Fee	New Fee w.e.f 05.11.2013
1.	<u>NCDRC & MRTP</u>	Rs.4400 per Case + Rs. 500/- Misc. Expenses	Rs.7700/-per case+Rs1000/-Misc. Expenses

2. The other terms and conditions issued vide Memo No. LR-AEO- 08/208 dated 07.01.2008 shall remain the same.

The receipt of the letter may be acknowledged.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA
Panchkula.

Endst no. LR-AEO-2013/7471-7490

Dated: 15.11.2013

A copy of the above is forwarded to the following for necessary action:-

1. All ADAs /Law Associates, Legal Cell, HUDA (HQ), Panchkula
2. Dy.Supdt. /Asstt/ RKs/ DEOs, Legal Cell, HUDA (HQ), Panchkula,
3. S.O., O/o Estate Officer, HUDA, Panchkula.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA
Panchkula.

From

District Attorney
Legal Cell, HUDA (HQ),
Panchkula.

To

1. All ADA's and LA's
Legal Cell, HUDA (H.Q.)
Panchkula.
2. All Assistants and Clerks,
Legal Cell, HUDA(H.Q)
Panchkula.

Memo No DA/2012/2412-23

Dated: 22.05.2012

Subject: Clarification regarding counsel fee of **Sh D.V. Sharama, Senior Advocate.**

Reference on the subject cited above.

In the first case titled as Gurpreet Singh Vs Union of India regarding payment of enhanced compensation of Faridabad Zone, Sh. Dharmveer Sharma, Senior Advocate was engaged in the year 2009 at the rate of Rs.66000/- along with the fee of Junior counsel with the approval of the then Chief Administrator, HUDA.

However, the matter was negotiated who Sh. Dharmveer Sharma, Senior Advocate vide e-mail dated 06.04.2019 and he agreed to charge Rs. 44,000/- as counsel fee with Rs. 6,600/- for junior counsel of his own choice and actual expenses. The consent/conformation in this regard of Senior Advocate was received in writing on 16.04.2009.

In view of the above, the fees bills of Sh. Dharmveer Sharma, Senior Advocate are to be cleared at the above rate. General terms and conditions regarding the payment shall be governed by this office letter No. 208 dated 07.01.2008.

-sd/-
Anil Aggarwal
District Attorney
for Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, I & II, HUDA.
4. All the Superintending Engineers, HUDA
5. All the Estate Officer, HUDA
6. All the Advocates on HUDA panel.

Memo No. DA/2010/7281-7380

Dated 21.09.2010

Subject: Revision of fees of HUDA Counsels and new terms and conditions of engagement of HUDA counsels.

Reference Govt. of Haryana circular no. 21/2/91-5JJ(1) dated 24.05.2002 on the subject cited above.

The Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA on 17.09.2010 has approved the increase in the counsel fee the advocates on record/ standing counsels on HUDA in the Hon'ble Supreme Court of India as follows with immediate effect:

1.	Advocate on Record/standing Counsel in the Supreme Court		
	In admission matters	1100/- per hearing or Rs. 5500/- for the whole case whichever is lower.	Rs. 7500/- in admission matters
	Regular hearing	Rs. 1500/- per hearing Rs. 7500/- for whole case whichever is lower.	Rs. 10,000/- in regular hearing cases.

The other terms and conditions issued vide Memo No. LR-AEO-08/208 dated 07.01.2008 shall remain the same.

The receipt of the letter may be acknowledged.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA,
Panchkula
Dated 21.09.2010

Endst No. DA/HUDA/7381/7400

A copy of above is forwarded to the following for necessary action:-

1. All ADAs/ Law Trainees, Legal Cell, HUDA (H.Q), Panchkula
2. Dy. Supdt./ Asstt./ Rks/ DEOs, Legal Cell (H.Q), Panchkula.

-sd/-
(Anil Aggarwal)
District Attorney,
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, I & II, HUDA.
4. All the Superintending Engineer, HUDA.
5. All the Estate Officers, HUDA.
6. All the Advocate on HUDA penal.

Memo No.LR-AEO-08/208

Dated:07.01.2008

Subject: -Revision of fees of HUDA Counsels and new terms and conditions of engagement of HUDA counsels.

The Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA on 17.12.2007 has approved the revised rates of counsels fee for filing & defending the cases on behalf of HUDA in various courts.

Fees will be paid to the Counsel as per following scales:-

(i)	<u>Supreme Court</u>	As per scales fixed by Govt. of Haryana issued under letter No.21/2/91-5JJ(I) dated 24.05.2002 or to be amended by Govt. of Haryana from time to time.
(ii)	High Court including <u>Delhi High Court</u>	
(a)	All cases except contempt matters	Rs.6,600/- per case.
(b)	<u>Contempt cases</u>	
	(i) Cases where simple replies are filed after compliance with the orders & no arguments take place	Rs.3,300/- per case
	(ii) Other Contempt cases	Rs.6,600/- per case.
	<u>Note: -</u> Distinction in fees has been made because in most of the contempt cases, simple replies are required to be filed after complying with the orders. It has been observed that most of the contempt petitions are being disposed off after compliance of the orders are brought to the notice of Hon'ble Court without arguments.	
(iii)	All other Courts including National/State Commissions/District Courts/District Consumer Forums.	Rs.4,400/- per case

However, in bunch matters, full fees for one case and additional fees of 20% per case shall be paid. If the number of cases in a bunch exceeds 20 cases, additional fees will be paid only @ 10% for cases exceeding 20 cases.

1. In addition, out of pocket expenses shall be paid @ Rs.500/- per case which will be inclusive of all expenses including sending various reports, obtaining of certified copy of the orders etc. In case, Misc. actual expenses are more than Rs.500/- in each case same shall be paid as and when these are incurred and bill presented alongwith supporting vouchers.

2. The Counsel shall attend all hearings meticulously and keep track of various adjournments himself. He shall inform the progress of the case of each date in the enclosed proforma through email either the same day or at the best on next day to controlling authorities with copy of Legal Cell, HQs.
3. It shall be the responsibility of the Counsel to ensure that written statement/reply/objections in the case are filed well in time after approval from Competent Authority. HUDA shall not be responsible for cost, if any, imposed by any Court if comments and necessary papers have been supplied to the Counsel in time.
4. A signed copy of the written statement/reply/objections alongwith the date of filing shall be intimated to Admn. /E.O and LR, HUDA within 3 working days of such filing. An intimation through e-mail however, shall also be sent regarding such filing.
5. 50% of the fees shall be paid after a copy of written statement/reply/objections alongwith date of filing has been sent /intimated to the concerned Admn. /E.O and LR, HUDA as mentioned at Sr. No.4 and remaining 50% fee shall be paid after final disposal of the case. However, in case, the court case is withdrawn from the counsel or the case is rendered infructuous because of the implementation of the orders or Redressal of grievances of the petitioner/complainant, the balance fees shall not be paid. Wherever, cases are withdrawn from an advocate and given to the new advocate, only balance fees shall be paid to the new advocate.
6. As and when the case is finally disposed of, the counsel shall apply for obtaining certified copy of the order within two working days and supply the same to HUDA alongwith brief of the case, his detailed opinion for filing appeal against the order supported by the grounds of appeal (in case it has been decided against HUDA) within seven days of the receipt of certified copy so that decision and action can be taken to file appeal/revision within limitation period. The Counsel will also give intimation regarding applying for certified copy and sending the certified copy along with detailed opinion as well as grounds of appeal through email so that its receipt can be tracked and papers are not lost either in transit or in the office.
7. No undertaking on behalf of HUDA shall be given in any Court by the Counsel except after receiving written communication/authorization from or on behalf of C.A, HUDA.
8. In case there is a delay in supplying the certified copy, detailed opinion supported by the grounds of appeals in cases where the verdict of the court has gone against HUDA, a deduction of 10% of the fees will be made and if the copy is made available less than 15 days before the limitation period is to expire, no fees shall be paid. Atleast 15 days is required to process the case, take a decision regarding filing of appeal & for actual filing of the appeal/revision.
9. As per the procedure of Defence of Court Cases issued vide this office Memo NO.3179 dated 28.05.2007 (Annexure-II), the competence of various officers to engaged and approve the replies has been given. Therefore, in cases of land acquisition, all the correspondence shall be done with the concerned Administrator and in other cases with the concerned Estate Officer with a copy to LR, HUDA. The replies/appeals should be filed only after the approval of competent authority as prescribed in these instructions or as amended by HUDA from time to time.
10. Use of email shall be mandatory for sending the draft reply, its approval, intimating the progress of the case and all other related matters. However, final signed reply alongwith attested copies etc. shall be sent after its approval through courier/messenger. Any change in email ID by HUDA shall be intimated to the counsels immediately.
11. The Counsel shall send his email ID to lrhuda@gmail.com as well as concerned Administrator/Estate Officer within three days of acceptance of these terms and conditions and any change in the email ID shall also be intimated to the counsels immediately by them.
12. If the counsel violates any term and condition of this engagement letter, besides forfeiting the counsel fees, his name may also be removed from the penal of HUDA by the Chief Administrator.

The above fee structure will be applicable to all the new and pending cases for payment of balance fees in respect of all counsels of HUDA except Shri. Arun Walia and his juniors for whom separate fees structure has already been approved.

The fee structure shall be applicable only in respect of those advocates who send their acceptance of the terms and conditions mentioned in this communication in writing by 31.01.2008 to LR, HUDA (also to Chief Administrator, HUDA through E-mail at cahuda@gmail.com). Thereafter, we will circulate the names of those advocates whose acceptance has been received and who will be covered under these instructions. However, the revised fee structure shall be applicable for all cases which are allotted on or after 17.12.2007.

Please send the acknowledgement of this letter.

DA/Memo No.3179 dt. 28.05.07

-sd/-
(R.K. Bedi)
Legal Remembrancer,
for Chief Administrator, HUDA.

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

Subject: -Office order - Power of District Attorney to sanction the fee bill.

In exercise of powers conferred under Section-51 of the Haryana Urban Development Authority Act, 1977, in the interest of efficiency, speedy development and with a view to decentralize powers, L.R. HUDA is hereby authorized to sanction payment of fee to the advocate upto Rs. 25000/- (Rupees twenty thousand only) in each individual case subject to the condition that the terms and conditions of engagement have already been approved by the competent authority.

Dated, Panchkula, the
16th May, 2007

T.C. Gupta
Chief Administrator,
HUDA.

Dated: 21.05.2007

Endst. No.EA-3-2007/18377-80

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Legal Remembrancer, HUDA, Panchkula.
3. PS/Chief Administrator.
4. PA/Administrator (HQ).

-sd/-
Secretary,
for Chief Administrator, HUDA,
Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

Sh. Arun Walia, Advocate,
Kothi No. 1572, Sector-34,
Chandigarh.

Memo No. DA-2006/4662

Dated: 14.07.2006

Subject:- Regarding **payment of fee (Sh. Arun Walia).**

You have recorded in some counsel engagement files of HUDA that you will defend the case and Sh. Ajay Nara or some other Advocate will assist you in matter. This office has issued engagement letters in your name only. Hence, it is made clear that in such cases only you will be entitled to counsel fee. No. other Advocate will be paid any fee.

This is for your information.

-sd/-

District Attorney
For Chief Administrator, HUDA,
Panchkula.

From

The Financial Commissioner & Principal Secretary to
Government Haryana, Admn. of Justice Department.

To

The Resident commissioner,
Haryana Government, Haryana Legal Cell,
Haryana Bhawan, New Delhi.

Dated Chandigarh, the 24.05.2002

Subject:- Rates of fees to the panel of Advocates for conducting cases of Haryana Government in Supreme Courts of India, Delhi High Court, Subordinate Courts in Delhi, CAT and other Tribunals.

Sir,

In supersession of Haryana Government, Administration of Justice Department letter No 21/2/91-5JJ(I), dated 12.10.99 on the subject noted above. I am directed to intimate that with a view to adopt a uniform pattern in the matter of payment of Counsel fees to Advocates in Supreme Court and other courts, government has decided to revise the rates of payment of fees at different levels as per details given below:-

A Before the Hon'ble Supreme Court of India.

1. For Designated Senior Advocates in Panel "Grade-A"

a	Regular hearing	Rs. 33,000/-per hearing
b	Bunch matters in regular hearing	An additional 25% of the fee prescribed for regular hearing in main case be paid for each additional case
c	Admission matters	Rs.16,500/- per hearing
d	Bunch matters in admission matters	An additional 25% of the fee prescribed for admission matter in main case be paid for each additional case.
	Conference fee in cases Where conference is required apart from presenting the case	Rs 11,000/- (Be it one case of bunch matter)
e	Draft settlement fee/case	Rs.5500/- case.
f	Draft settlement in bunch matters	Rs. 11000/- total

2. For Designated Senior Advocates in Panel "Grade-B"

a	Court Appearance in admission matters	Rs. 11000/-per hearing + Rs. 5500/- as conferencing fee
b	Court appearances in bunch matters at admission stage	An additional 25% of the fee prescribed for admission matter in main case be paid for each additional case
c	Regular hearing	Rs.16,500/- per hearing + 5500/-as conferencing fee
d	Regular hearing in bunch matters	An additional 25% of the fee prescribed for admission matter in main case be paid for each additional case.
e	Draft settlement fee/case	Rs.5500/- case
f	Draft settlement fee in bunch matters	Rs. 11000/- total

3. For Advocate General, Haryana in cases before the supreme Court

i)	When the A.G Haryana appears in the Supreme Court for hearing/arguing state matters	Rs.22000/- (including conferencing) per day notwithstanding the member of cases handled.
ii)	A.G. Haryana when engaged by the Board/ Corporation in connection with their cases before the Supreme Court.	Rs 22000/- per day including conferencing.

4. For Advocate on record/standing counsel in the Supreme court

i)	Court appearance in Admission matters	Rs. 1100/- per hearing or Rs 5500/- for the whole case, whichever is lower.
ii)	Court appearance in bunch matters at admission stage.	Rs 2200/- per hearing or Rs 11000 for the whole case whichever is lower
iii)	Regular hearing	Rs 1500/- per hearing or Rs 7500/- for the whole case whichever is lower.
iv	Regular hearing in bunch matter	Rs.3000/- per hearing or Rs 15000/- for the whole case whichever is lower.
v	Drafting SLPs/WPs	Rs 1000/- per case
vi	Drafting SLPs/WPs(Bunch matters)	Rs 2000/- per group/bunch
vii	Drafting transfer petition	Rs 500/- per case.
viii	Drafting transfer petition (Bunch matters)	Rs 1000/- per bunch
ix	Drafting suits	Rs 5000/- per suit
x	Drafting suits (Bunch matters)	Rs 8000/- per bunch
xi	Drafting counter-affidavit and rejoinder affidavits	Rs 700/- per case
xii	Drafting counter affidavits and rejoinder Affidavits (Bunch matters)	Rs 1000/- per bunch
xiii	Written submission	Rs 1000/- per case
xiv	Written submissions (Bunch matters)	Rs 2000/- per bunch
xv	Miscellaneous applications	Rs 800/- per case
xvi	Miscellaneous applications (Bunch matters)	Rs 600/- per bunch
xvii	Inspection of original record preparation of list of documents and bill of costs.	Rs 300/- per case

5. Before Delhi High Court, CAT/Delhi and District Courts in Delhi

1. Court Appearances:-

i	a) Regular hearing	Rs. 1000/- per day
	b) Regular hearing (Bunch matters).	Rs 1500/- per day
ii	a) Miscellaneous matter	Rs 700/- per hearing
	b) Misc.matter (Bunch matters)	Rs 1000/-per hearing.

2. Drafting No separate payment.

6. Before the Punjab and Haryana High Court

When the A.G Haryana engaged by the Boards/Corps. In connection with cases before the Hon'ble Punjab and Haryana High Court at Chandigarh	Rs. 22000/- per case addl. amount @ 25% will be payable for each addition case in bunch matters
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Note: The Boards/Corporations are to strictly adhere to various instructions issued by the Government on the subject of engaging Counsels for litigation in various courts in Delhi/Chandigarh. However, in case the Boards/corporations decide to engage the Advocate General, then the rates admissible in his case will be as per the detail given under "A.3.ii) and 'c' above.

The revised rates shall be effective from the date of issue of this letter.

This issues with the concurrence of Finance Department conveyed vide their U.No.5/1/2000/2FG-I/328 dated 21.05.2002.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

No21/2/91-5JJ(1)

Dated 24.5.2002

A copy is forwarded to the Accountant General, Haryana (A & E), Chandigarh for information & necessary action.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

No21/2/91-5JJ(1)

Dated 24.5.2002

A copy is forwarded to the Advocate General, Haryana w.r.t. his D.O No 589 dated 25.7.2001, Chandigarh for information & necessary action.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

No21/2/91-5JJ(1)

Dated 24.5.2002

A copy is forwarded to the following for information & necessary action to :-

1. All Heads of the Department in Haryana.
2. All the Chairman/Managing Directors of Boards/Corporations/Companies in Haryana.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

No21/2/91-5JJ(1)

Dated 24.5.2002

A copy is forwarded to all the Financial Commissioner and principal Secretaries and Administrative Secretaries to Government of Haryana for information & necessary action.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

No.

To

All the Financial Commissioner and principal Secretaries and Administrative Secretaries to Government of Haryana.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

U.O.No. 21/2/91-5JJ(1)

Dated 24.5.2002

A copy is forwarded to the Financial Commissioner and principal Secretary to Govt. Haryana, Finance Department for information and necessary action w.r.t. U.O.No 6/1/2000-2FG-I/328 dated 21.5.2002.

Joint Secretary Home-II,
For Financial Commissioner & Principal Secy. to
Govt. Haryana, Admn. of Justice Deptt.

To

The Financial Commissioner and principal Secy. to Government of Haryana Finance Department (In F.G.I. Branch).

U.O.No. 21/2/91-5JJ(1)

Dated 24.5.2002

MISCELLANEOUS INSTRUCTIONS

From

The Chief Administrator
HSVP, Panchkula.

To

1. Secretary,
HSVP, Panchkula.
2. Superintendent,
Pradhikaran Branch,
HSVP, Panchkula.

Memo No. DA/ADA-M/2019/149070-71

Dated: 20.08.2019

Subject: Regarding **publication of notification in respect of Act for change of name of Haryana Urban Development Authority to Haryana Shehri Vikas Pradhikaran- Haryana Urban Development Authority (Amendment) Act, 2018** (Haryana Act 28 of 2019) in Haryana Government Gazette (Extraordinary), Legislative Supplement, Part-I, dated the 2nd August, 2019

Reference to the subject cited above.

It is intimated that the file relating to amendment in Section 17 of HSVP Act, 1977 was sent by the Chief Administrator to your office for preparation of memorandum for seeking approval of council of ministers for the proposed amendment.

The Chief Administrator, HSVP has ordered that “DA to pursue and ensure amendements are takenup”. The Chief Administrator, HSVP has decided that for the purpose of amendments of said nature, the officials of Pradhikaran Branch shall work at the disposal of the District Attorney and shall route files through him so that the required work can be got done in time bound manner.

This is for your information and necessary action.

-sd/-

District Attorney,
For: Chief Administrator,
HSVP, Panchkula.

Memo No. DA/ADA-M/2019-

Dated: 20.08.2019

A copy of the above is forwarded to the PA/Chief Administrator, HSVP, Panchkula for information of the Chief Administrator, HSVP, Panchkula

-sd/-

District Attorney,
For: Chief Administrator,
HSVP, Panchkula.

From

The Chief Administrator,
HSVP, Panchkula.

To

All the DDAs, Legal Cell, HSVP, H.Q., Panchkula.
All the ADAs Legal Cell, HSVP, H.Q., Panchkula.

Memo No. DA/DDA-R/2019/142612

Dated: 07.08.2019

Subject: Approval for the allotment price re-determined in case of CWP No. 7342 and 7986 of 2018, Satyawar Ramesh Chander Vs state of Haryana and another, COCP No. 446 and 447 of 2019 and SLP No. 15330 and 15333 of 2019-Rate of plot regarding defence category.

Refer to the subject cited above.

The above cited COCPs have been disposed of as the orders of High Court have been complied with keeping in view the full Bench decision in CWP no. 22252 of 2016, Rajiv Manchanda and ors. Vs. HUDA (now HSVP) and another decided on 22.11.2017.

Therefore, it has been decided that the concerned DDAs and ADAs of Legal Cell, HSVP (HQ) shall examine the other similarly situated cases keeping in view the judgment of the Rajiv Manchanda case.

These instructions must be complied with meticulously.

-sd/-
District Attorney,
For Chief Administrator,
HSVP, Panchkula.

Endst No.

Dated: 07.08.2019

A copy of the above is forwarded to the following for information and necessary action:-

1. PA/C.A., for information of W/CA., please.

-sd/-
District Attorney,
For: Chief Administrator,
HSVP, Panchkula.

From

The Chief Administrator,
HSVP, Panchkula.

To

All the Zonal Administrators, HSVP.
All the Estate Officers HSVP.

Memo No. DA/2019/131013

Dated: 23.07.2019

Subject:-Instructions to cooperate and be polite to all DDAs/ADAs posted at Legal Cell, HQ as they monitor Court Cases on behalf of Chief Administrator, HSVP and District Attorney, HSVP.

Refer to the subject as cited above.

The entire litigation of HSVP is looked after by the Legal Cell, HQ, HSVP headed by DA, HSVP under the supervision of Chief Administrator, HSVP.

One of the major functions of the Legal Cell, HSVP, HQ is to monitor Courts cases through DDAs/ADAs concerned.

For discharging their functions, they are supposed to interact with Administrators/Estate Officers. Though the Administrators and Estate Officers are duty bound as per instructions to aid Legal Cell, HSVP HQ, yet it has been observed that some of the Estate Officers are reluctant to speak to DDAs /ADAs concerned of Legal Cell, HQ which hinders its smooth and time bound functioning. Therefore, all Administrators and Estate Officers are advised to be cooperative and polite with all DDAs and ADAs posted at Legal Cell, HSVP, HQ.

-sd/-

District Attorney,
for Chief Administrator,
HSVP, Panchkul.

Dated: 23.07.2019

Endst. No. DA/ 2019/131013

A copy of the above is forwarded to all DDAs and ADAs posted at Legal Cell (HQ), HSVP, Panchkula for information and necessary action please.

-sd/-

District Attorney,
for Chief Administrator,
HSVP, Panchkula

From

Chief Administrator
HUDA, Panchkula.

To

The Administrator (HQ),
HUDA, Panchkula.

All Head of the Branches,
HUDA (HQ), Panchkula.

All Administrators (in the field),
HUDA.

All Estate Officers (in the field),
HUDA.

Memo No. 1883-1923

Dated: 02.05.2016

Subject: Issue regarding **Permanent Lok Adalat- HUDA instructions.**

In the meeting held on 29.03.2016 under the Chairmanship of CA, HUDA the Administrator, HUDA, Hisar pointed out that in Permanent Loak Adalat cases/applications is file against HUDA and where the department is not willing to settle the issue being not feasible or against policy, the Permanent Lok Adalat passes award which sometimes goes against HUDA.

The issue has been examined and in view of the provision it has been found that the Permanent Lok Adalat has jurisdiction to decided the issue even when the dispute cannot be settled by the parties and every award passed by the Permanent Lok Adalat either on merit or in terms of a settlement agreement shall be final and binding on all the parties thereto. Further every award of the Permanent Lok Adalat under this Act shall be deemed to be a decree of a Civil Court. You are therefore, directed to file written statements stating therein the facts and nature of dispute under the application, points or issues in such dispute and ground relied in support, or in opposition to and to supplement such statement with any document and other evidence which Estate Officers deems appropriate in proof of such facts and grounds.

This has the approval of W/CA, HUDA

-

sd/-

Assistant District Attorney,
for Chief Administrator,
HUDA, Panchkula.

Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA Complex, Panchkula
Phone: 0172-566381, e-mail: aduepkl@gmail.com

Most Urgent
High Court Matter
Time Bound Matter

To

Zonal Administrators, HUDA-cum
Additional Director, Urban Estate,
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.
Memo No. A-5-2015/11435-45

Dated: 02.12.2015

Subject : The **common deficiencies** observed in the **report of Zonal Committees on the representations filed by the landowners** seeking benefits of the provisions of **section 24 (2)** of new RFCTLARR act-2013 **-DUE instructions..**

As discussed during the meeting held on 16.11.2015 under the Chairmanship of ACSUE, the following common infirmities observed in the Zonal Committees report are hereby conveyed.

- (i) The representation given by the petitioner(s) land owner(s) is not discussed in the proceedings of the hearing along with analytical comments.
- (ii) The petitioner(s) were given an opportunity of hearing but the statement/submission made by them is not been recorded in the proceedings.
- (iii) The detail of the land claimed in the CWP like area of the land, Khasra No. and the details of land in actual ownership of the petitioners are not given in the proceedings.
- (iv) The details of the construction erected at site like whether erected before section 4 or after section 4 area under structure, use of buildings and time period since the land owner(s)/petitioner(s) is in physical possession of the building. The proof like electricity bills, house tax receipt etc. given by the petitioner company to establish its possession on the land/building may also be given.
- (v) In most of the cases it is mentioned that the petitioner(s) has not taken compensation of the land and it is lying in LAC account. However, it is not clarified in the proceedings whether the petitioner(s) had declined the offer of compensation in writing as required u/s 31(2) of the LA Act, 1894.
- (vi) The site is marked on not so legible part layout/sajra plan of the sectors concerned. It may be shown on the full legible and clear blue print of the sajra-cum-sectoral plan/layout plan of the sector.
- (vii) The photographs of the site of the petitioners are not enclosed with the report.

It is, therefore, requested that above observations may be taken care of while preparing report/recommendations of Zonal Communities.

-sd/-
(R.K singh)
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Chandigarh.
Dated: 02.12.2015

Endst No./ A-5-2015/ 11435-45

A copy is forwarded to the land Acquisiotn Officers, Faridabad, Gurgaon, Hisar, Panchkula. & Rohtak for information and necessary action.

-sd/-
(R.K singh)
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Chandigarh

Government of Haryana
General Administration Department
General Services-I Branch

To

1. All the Administrative Secretaries in Haryana State.
2. All the Heads of Departments in Haryana State.
3. The Divisional Commissioner, Ambala / Hisar / Rohtak / Gurgaon Division
4. The Register, Punjab and Haryana High Court, Chandigarh.
5. All the Deputy Commissioners in Haryana State.
6. All the Sub Divisional Officers (Civil) in Haryana State.
7. All the Managing Director of Boards/Corporations/ Public Undertakings of the State.
8. All the Registrars of the Universities of the State.

Memo No. 62/14/2014-6GS-I

Dated Chandigarh, the 27th November, 2015

Subject Regarding disposal of the notices received u/s 80 CPC-Govt. instructions.

Sir/Madam,

I am directed to invite your attention towards State Govt. instructions issued vide No. 62/14/2004-6GSI, dated 22.03.2004 and No. 62/26/2002-6GSI dated 08.03.2010. Vide these instructions the guidelines for disposal of notices u/s 80 CPC received in the departments were given. Moreover in this regard the point No.5.2 of the State litigation Policy 2010 also provides as under:-

5.2 Quick Action on Legal Notices/Representation.

- 5.2.1 As soon as Legal notice is served upon any department asking for a relief the same should be decided expeditiously in accordance with the relevant rules/instructions and by passing a detailed speaking order.
 - 5.2.2 Large number of cases comes before the Hon'ble High Court wherein grievances are that legal notice/representations are not being decided or are delayed by the Government. Generally Hon'ble High Court directs Govt to decide the representation within a specific time. If govt disposed of the notice at the first instance, it would reduce the burden of the Court .
2. You are requested to please follow the said instructions and State litigation Policy, 2010 while disposing the notices received under section 80 CPC. It is further requested that wherever a Section 80 CPC Legal Notice has been properly disposed off, this fact be clearly mentioned in the preliminary submissions in the subsequent Civil Suit/writ Petition, if any filed, so as to strengthen the defense/reply of the Government.

-sd/-

Under Secretary General Administration
for Chief Secretary to Government Haryana.

Endst. No 62/14/2014-6GS-I

Dated Chandigarh, the 27th November 2015

A copy is forwarded to the Director General, Information and Public Relations Department, Haryana for information and necessary action:

-sd/-

Under secretary General Administration
For Chief secretary to government Haryana.

Directorate of Urban Estates, Haryana
C-3, Sector-6, HUDA Complex, Panchkula
Phone: 0172-566381, e-mail: aduepk11@gmail.com

To

Zonal Administrator, HUDA-cum-
Additional Directors, Urban Estate,
Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.

Memo No-A3-2015/4521-4525

Dated: 04.06.2015

Subject: Constitution of Zonal Committee (zc) to decide Claim / representation of the petitioners/non petitioners seeking lapse of acquisition proceedings in terms of provision of section 24(2) of New RFCT LARR 2013-Govt. instructions.

It is to inform that a number of land owners, whose lands well acquired under the provisions of Land Acquisition Act, 1894, have recently filed a number of civil writ petitions in the Hon'ble High Court seeking lapse of acquisition proceedings in terms of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in land Acquisition Rehabilitation and Resettlement Act, 2013 (RFCT LARR Act, 2013). A number of such cases have been decided by the Hon'ble High Court with directions to the petitioners to file a representation before the appropriate Authority within a specified time period from the date of passing of the order and to the appropriate authority is grant an opportunity of hearing to the petitioner(s) and pass a speaking order, in accordance with the provisions of the law, within the time period specified in the order.

In order to expedite the process of passing of speaking orders, the Government has notified a Zonal Committee (ZC) for each of the five zones, i.e Faridabad, Gurgaon, Hisar, Panchkula & Rohtak. The ZC shall grant an opportunity of hearing to the petitioner(s) as well as of other land owner(s) who may not have approached the court, seeking lapse of acquisition proceedings in terms of provisions of section 24(2) of the RFCT LARR Act. 2013 in a time bound manner. A Copy of the Haryana Govt. Gazette notification no 4160 dated 22.05.2015 is enclosed herewith for ready reference. After hearing the petitioner(s) /and owners(s), it will send its recommendations to the Urban Estates Department. The Department will forward the same of the Government for decision along with its recommendations. The decision of the Government will be conveyed to the Zonal ADUE and he will pass a speaking order accordingly.

In view of the above, it is requested to take further necessary action in the matter as per the guidelines provided in the gazette notification. A list of orders (Zone wise) passed by Hon'ble High Court & representations received from the petitioners is enclosed along with their hardcopies for further necessary action. It is also requested to ensure that the recommendations of the Committee must be received in the Department within a period of one month from the date of receipt of representation by ZC, so that the same can be got approved from the Government and decision on it can be conveyed timely for enabling the Zonal ADUE to pass a speaking order within the time period specified in the order passed by the Hon'ble High Court.

DA/ As above.

-sd/-
(R.K Singh)
Additional Director,
O/o Director General Urban Estates Deptt.
Haryana, Panchkula.

Endst No. A-3-2015/ 4526

Dated: 04.06.2015

A copy is forwarded to Chief Administrator, HUDA, Panchkula for information and necessary action please.

-sd/-
(R.K Singh)
Additional Director,

Encl.: As above

O/o Director General Urban Estates Deptt.

Haryana, Panchkula.

Endst No./4527-76

Dated: 04.06.2015

A copy is forwarded to the following for information and necessary action please:

1. Senior Town Planner, Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.
2. All the Estate Officer of HUDA
Panchkula, Ambala, Karnal, Kurukshetra, Kaithal, Rohtak, Panipat, Sonipat, Bahadurgarh, Hisar, Sirsa, Jind, Bhiwani, Gurgaon-I, Gurgaon-II, Rewari, Faridabad, Jagadhari.
3. Land Acquisition Officer, Faridabad, Gurgaon, Hisar, Panchkula & Rohtak.
4. District Town Planner, Panchkula, Ambala, Yamunanagar, Karnal, Kurukshetra, Kaithal, Rohtak, Panipat, Sonipat, Jhajjar, Hisar, Sirsa, Fatehabad, Jind, Bhiwani, Gurgaon, Rewari, Narnaul, Faridabad, Palwal & Nuh at Mewat.

Encl.: As above

-sd/-

(R.K Singh)

Additional Director,

O/o Director General Urban Estates Deptt.

Haryana, Panchkula.

Regd. No. CHD/0093-2015-2017
HARYANA GOVERNMENT GAZETTE
EXTRA ORDINARY
Published by Authority

No. 89-2015/Ext. CHANDIGARH FRIDAY MAY 22, 2015

**HARYANA GOVERNMENT
URBAN ESTATES DEPARTMENT**

Notification

The 22nd May, 2015

Subject Notification of **Constitution of Zonal Committee** to decide the matter U/S **24(2) of right to fair compensation and transparency in the Land Acquisition and Rehabilitation and Resettlement and Act, 2013-Gazette notification.**

No. 4160.-- Whereas, a number of land owners, whose lands were acquired under the provisions of Land Acquisition Act, 1894, have recently filed, number of civil writ petitions in the Hon'ble High Court seeking declaration of the acquisition proceedings as lapsed in terms of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCT LARR Act, 2013). A number of such cases have been decided by the Hon'ble High Court with directions to the petitioners to file a representation before the Appropriate Authority within a specified time period from the date of passing of the order and the Appropriate Authority is to grant an opportunity of hearing to the petitioner(s) and pass a speaking order, in accordance with the provisions of the law, within the time period specified in the order.

The Governor of Haryana is pleased to notify the Zonal Committee (ZC) for each of the five zones, namely Faridabad, Gurgaon, Hisar, Panchkula and Rohtak to decide the representation of the petitioner(s) as well as of other land owner (s), who may not have approached the court, seeking lapse of acquisition proceedings, in terms of the provisions of Section 24(2) of the RFCT LARR Act, 2013, in a time bound manner. The constitution of the committee shall be as under:-

(i)	Zonal Administrator HUDA-cum-Additional Director, Urban Estate of the Concerned Zone .	Chairperson
(ii)	Concerned Senior Town Planner of the Circle.	Member
(iii)	Concerned District Town Planner.	Member
(iv)	Concerned Estate Officer, HUDA	Member
(v)	Concerned Land Acquisition Officer	Member secretary.

The functions of the committee shall be as under:

1. To receive representations from the petitioners as well as other land owners who seek benefit of pensions of section 24(2) of the RFCT LARR act, 2013 and afford them an opportunity of personal hearing.
2. To send its recommendations to the Department, particularly in respect of the physical possession of the land and payment of compensation to the petitioners/applicants covering the following points:-
 - (i) The area which was notified under section 4 & under Section 6 of the land Acquisition Act, 1894 and the area for which award was announced under section 11 of the Act *ibid*.
 - (ii) The specific public purpose for which the land was acquired.
 - (iii) The particulars of payment/tendering of the compensation to the land owners qua the claimed land as well as the entire acquired land or depositing of it in the Reference Court or in any bank account etc.

- (iv) Derailed status of physical possession of the claimed land as well as the entire acquired land covered under the notification.
 - (v) The status of planning on the acquired land, duly depicted on the layout plan.
 - (vi) The status of latest development works undertaken on the claimed land as well as the acquired land.
 - (vii) The status of allotment of plots or creating of nay 3rd party rights in the entire acquired area as well as on the land of the petitioners/applicants.
3. The recommendations sent by the committee will be examined in the Urban Estates Department after which the department will submit its proposal to the Government for approval/orders. The approval/orders received from the Government will be conveyed to the Zonal Administrator-cum-Additional Director, Urban Estates of the concerned zone who will pass appropriate speaking order accordingly.

-sd/-

P. RAGHAVENDRA RAO,
Additional Chief Secretary to
Government Haryana,
Urban Estates Department

OFFICE ORDER

Subject Office order regarding **entrusting** the work of **Additional Directors of Urban Estates** to **Zonal Administrators** of their respective zones-**Govt. instructions.**

The Zonal Administrators of HUDA have been entrusted with the additional responsibilities to function as the Additional Directors of Urban Estates in their respective zones by the Government of Haryana vide order no 1/44/2015-ISII dated 07.04.2015. Henceforth, the Zonal Administrators-cum-Additional Directors of Urban Estates Department will perform the following functions in their respective zones:-

- (i) To supervise and closely monitor the working of Land Acquisition Officers posted in their respective zones.
- (ii) To approve the replies prepared by LAOs in SLPs CWP, RFAs and CMAs and get them vetted by the Advocate General, Haryana.
- (iii) To file replies to SLPs and CWPs on behalf of the State, wherever required.
- (iv) To ensure that references received u/s 18 of the old LA Act of 1894 are sent well in time to the reference Court as well as to ensure timely filing of RFAs against the orders of ADJ, wherever required.
- (v) To ensure that all pending oust cases are entered into the Court Cases Monitoring System (CCMS) of the Urban Estates Department at the earliest and get them updated regularly.
- (vi) To monitor the compliance of interim orders as well as the final orders passed by various courts.
- (vii) To hold regular meetings to review implementation of the decisions taken in the Departmental meetings held at the level of ACSUE/DGUE and submit action taken reports in respect thereof.
- (viii) To forward reports prepared by LAOs in respect of land acquisition matters, departmental meetings, court cases etc. to the Directorate along with their specific recommendations, after proper examination.
- (ix) To function as First Appellate Authority in Urban Estate matter under the RTI Act, 2005 for cases falling in their respective Zone.
- (x) To initiate annual confidential reports of the LAOs and review the ACRs of their staff.
- (xi) To recommend disciplinary action against the LAOs and their staff, as per requirements.
- (xii) To approve the casual leave of LAOs and to recommend their earned leave to the Directorate.

The order shall come into force with immediate effect.

Dated: 10.04.2015

(P.Raghavendra Rao)

Additional Chief Secretary to Govt. Haryana,
Town & Country Planning and
Urban Estates Departments, Haryana,
Chandigarh.

Endst. No. 2779-2871

Dated: 10.04.2015

A Copy each is forwarded for information and action where necessary to the following:

1. Chief Secretary, Haryana.
2. Director General, Urban Estates Department, Haryana.
3. Director General, Town & Country Planning and Urban Estates Department, Haryana.
4. Chief Administrators, HUDA, Panchkula.
5. Administrator, HUDA(HQ), Panchkula.

6. All the zonal Administrators-cum-Additional Director, Urban Estates Department, Haryana (Faridabd, Gurgon, Hisar, Panchkula & Rohtak)
7. All Deputy Commissioners (Ambla, Panchkula, Yamunangar, Kaithal, Kurukshetra, Karanl, Panipat, Sonipat, Rohtak, Jhajjar, Sirsa, Hisar, Fatehabad, Jind, Bhiwani, Narnaul, Rewari, Gurgaon, Faridabad, Mewat, Palwal).
8. All the Land Acquisition Officer of Urban Estates Depatment, Haryana (Faridabad, Gurgaon, Hisar, Panchkula, & Rohtak).
9. All the senior Town Planners in Haryana (Faridabad, Gurgaon, Hisar, Panchkula.& Rohtak).
10. All the District Town Planners in Haryana (Ambla, Panchkula, Yamunangar, Kaithal, Kurukshetra, Karanl, Panipat, Sonipat, Rohtak, Jhajjar, Sirsa, Hisar, Fatehabad, Jind, Bhiwani, Narnaul, Rewari, Gurgaon, Faridabad, Mewat at Nuh, Palwal).
11. All the Estate Officers of HUDA (Ambala, Bahdurgarh, Bhiwani, Faridabad, Gurgoan-I Gurgon-II , Hisar, Jind, Kaithal, Karnal, Kurukshetra, Panchkula, Panipat, Rewari, Rohtak, Sirsa, Sonipat, Jagadhari).
12. District Attorney, HUDA, Panchkula.
13. GM, IT HUDA Panchkula with request to host the order on the HUDA's website.

-sd/-
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Chandigarh.

Endst. no. 2779-2871

Dated: 10.04.2015

A Copy, each is forwarded for to the following for information:

- (i) Advocate Genera, Haryana.
- (ii) Secretary, State Information Commission, Haryana , Chandigarh.

-sd/-
Additional Director,
For Director General Urban Estates Deptt.
Haryana, Chandigarh

Subject: D.O. CWP No. 2212 of 2014 titled as **Hukum Singh** vs. State of Haryana-Re-inviting of oustees claims.

The petitioner filed the ibid CWP seeking a direction to HUDA to allot a plot to petitioner under Ousteas policy and prayed for quashing of the impugned order dated 02.02.2014 (whereby auction of commercial sites in sector 29, 31 Part, 31-32A, 46 and 55 shopping center was fixed) and 28.09.2013 whereby advertisement was issued for inciting claims from Ousteas whose land was acquired for development of Sector road 21 to 34, 39, 43, 46 to 67, 71A Gurgaon and Badshahpur Nala Phase-I, by pass, Mehrauli road, 90 meter NPR, DMRC since 05.03.2005.

The Hon'ble High Court vide order dated 20.08.2014 while allowing the writ petition has been pleased to observe that the action of the HUDA in putting a cut-off date in the advertisement runs counter to the Division Bench judgment of this Court in Sandeep's case. The Hon'ble High Court has set aside the cut off date in the advertisement inviting claims only from the land owners whose land was acquired after 5.3.2005. HUDA has been directed to issue a fresh advertisement inviting applications from all land owners, whose land was acquired in the area in question. It was decided by the Chief Administrator, HUDA not to file SLP and to invite the claims from the land owners whose land was acquired for development of HUDA Sectors before 05.03.2005 separately.

The above observations of the Hon'ble High Court were conveyed to your vide email dated 25.11.2014 by Legal Cell HUDA (HQ) for necessary action. But in one of the matters listed in the Hon'ble High Court on 02.03.2015, it has been pointed out by the Hon'ble High Court that despite of the directions in Sandeep's case and Hukam Singhs case, the speaking orders are being passed by the Officers of HUDA which are contrary to the judgments passed by the Court in above mentioned cases. For instance, still speaking orders are being passed by the Estate Officers whereby the claims of the land owners are being rejected on the ground that the land of the petitioner was acquired before 05.03.2005 and all Ousteas policies except the R & R policy dated 05.03.2005 and 09.11.2010 have been withdrawn.

You are therefore, directed to decide the appeals/representations/ applications/Legal notices etc. keeping in view the judgments of the Hon'ble High Court in above mentioned cases.

Yours sincerely,
-sd/-
(Brijendera Singh)

Administrator, HUDA,
Gurgaon, Faridabad, Hisar,
Panchkula, Rohtak.

CWP NO. 2212 OF 2014 HUKAM SINGH VS STATE OF HARYANA

Subject: CWP No. 2212 of 2014 titled as Hukum Singh Vs State of Haryana.

----- Forwarded message -----

From: Navneet Sodhi <lawofficer.ggn@gmail.com>

Date: Thu, Feb 26, 2015 at 6:52 PM

Subject: Fwd: CWP NO. 2212 OF 2014 HUKAM SINGH VS STATE OF HARYANA

To: Anita Yadav I.A.S. <admgnhuda@gmail.com>, <admpklhuda@gmail.com>, HUDA Hisar <admhsrhuda1@gmail.com>, Admin Rohtak <admrtkhuda@gmail.com>, <admfbdhuda@gmail.com>

Cc: Eo Ambala <eoambalahuda@gmail.com>, <eobhiwanihuda@gmail.com>, Eo Bahadurgarh <eobgarhhuda1@gmail.com>, EO2 Ggn <eoggnhuda2@gmail.com>, Eo Gurgaon <eoggnhuda@gmail.com>, EOHUDA Faridabad <eofbdhuda1@gmail.com>, Eo Hissar <eohisarhuda@gmail.com>, eojagadharhuda <eoagadharhuda@gmail.com>, Eo Jind <eoindhuda@gmail.com>, Eo Kaithal <eokaithalhuda@gmail.com>, Eo Karnal <eokarnalhuda@gmail.com>, eokukhuda HUDA, Kurukshetra <eokukhuda@gmail.com>, Estate Officer Pkl <eopklhuda@gmail.com>, Eo Panipat <eopnphuda@gmail.com>, Estate Officer HUDA REWARI <eorewarhuda@gmail.com>, eorohtak huda <eorohtakhuda@gmail.com>, Eo Sonapat <eosnphuda@gmail.com>, <eosirsahuda@gmail.com>, Sonia Sharma <sonia.sharma.huda1@gmail.com>, dharmesh sharma <dharmeshada4@gmail.com>, br sheoran <adaeo2hudaggn@gmail.com>, <anika.ada@gmail.com>, Yashita Mahendru <ada.yashita.huda@gmail.com>, <ada.mukesh.huda@gmail.com>, NAVNEET SHARMA <lawofficer.fbd@gmail.com>

Pls find attached herewith the copy of order passed by Hon'ble High Court in the case mentioned in the subject.

It has been approved by CA HUDA that in regard to the above observations of the Hon'ble Court in judgment dated 23.04.2012 passed in LPA No 2096 of 2011 has observed that the failure to apply in response to an advertisement will not dis-entitle an Oustee from submitting application at a subsequent stage as and when advertisement is again issued inviting applications for allotment of plots. The above said judgment has been upheld by the Hon'ble Apex Court vide order dated 06.03.2014. It is relevant to mention here that HUDA had issued the impugned advertisement on 28.09.2013 i.e. during the pendency of the SLP before Hon'ble Apex Court. Therefore, as of now, the said advertisement is contrary to the observations of the Hon'ble High Court order in Sandeep's case. Therefore, the case is not fit for filling SLP. However, as far as the issue of applicability of policy for considering the claim of a land owner is concerned, the opinion of Sh D.V Sharma Sr Advocate was obtained. He has opined that *the eligibility of an Oustees is to be seen as on the date of issuance of notification under Section 4 of the Land Acquisition Act. He has further stated that the Hon'ble Division Bench has specifically quashed any other date for the purpose of eligibility.* It has been further opined by the Senior Advocate that the Hon'ble High Court has rightly set aside the conditions in the advertisement in Hukum Singh case in view of the Question No 5 (of sandeep judgment) and therefore, an Oustee can apply in response to any advertisement but his case has to be considered by treating his eligibility as per policy applicable when Section 4 of notification was issued.

While deciding the question No 1 in judgment dated 23.04.2012 passed in LPA No 2096 of 2011 has inter-alia observed that in the first policy dated 10.09.1987, a land owner, who was owner of the land for a period of one year before issue of notification under Section 4 of the Act in the circular dated 09.05.1990. However, in the policy circulated on 18.03.1992, it was again stipulated that the land owner should be owner of the land on the date of notification under section 4 of the Act. But again, in the policy notified on 07.10.20007, the date of award has been made the basis to determine the eligibility. It has been further observed that the date of notification under Section 4 of the Act is just and reasonable in view of the fact that such date is relevant for the purpose of determination of the market value in respect of compensation payable to the land owners for the land acquired. The period of one year or five years prior to the date of publication of notification is without any reasonable basis and has no nexus with the objective to be achieved i.e. resettlement of the land owner, who are rendered homeless on account of acquisition of land. The policies referred to above and/or so framed are ostensibly in furtherance of the said objective. The fixation of different dates in different policies lead to conflicting rights and interests and, therefore, to have uniformity in respect of applicability of the policies for allotment of plots to the Oustees, the date of notification under Section 4 of the Act is a reasonable date. Any other date in the R&R policy is, therefore, quashed and set aside.

The Hon'ble Court has also given clear finding on the issue. Thus, as opined by the HUDA counsel, an Oustee can apply in response to any advertisement but his case has to be considered by treating his eligibility as per policy applicable when Section 4 of notification was issued.

It is therefore, intimated that SLP may not be filed and the claims of the landowners whose land has been acquired prior to 05.03.2005 by State of Haryana for development of sectors of HUDA may be invited separately.

Pls take necessary action.

Form

The Chief Administrator
HUDA, Panchkula.

To

All Administrators, HUDA, in the State.
All the Estate Officesr, HUDA, in the State.

Memo no 4660-4677

Dated: 30.12.2014

Subject: Implementation of judgment passed in **CWP No.17032 of 2010** decided on 17.01.2012 in view of judgment passed in **CWP No 15065 of 2010** dated 13.12.2011 after dismissal of **SLP No. 28722-26** (Total 5 Nos. SLP)-**Fate of appeals.**

It has been observed many a time that appeals etc. filed by HUDA have gone against the department. Therefore, to sensitize the Legal Officers to examine the cases analytically and further to stop filing of frivolous appeals etc. and to reduce the expenditure on litigation, all the Law Officers posted in the O/o Administrators and Estate Officers are directed to maintain a list regarding the fate of the appeals etc vis-a-vis the legal opinion and submit the list to the Legal Cell, HUDA, HQ on the first of every month. They should submit the first list on 1st January, 2015 with respect to the cases which have been decided by various courts from 1 October, 2014 onwards.

-sd/-

Assistant District Attorney
For Chief Administrator,
HUDA, Panchkula.

Dated: 30.12.2014

Endst 4660-4677

A copy of the above is forwarded to the Following for information and necessary action please.

1. Sh. Dharmesh Sharma (ADA)
2. Sh. Mukesh (ADA)
3. Sh. Navneet Sodhi (ADA)
4. Sh. Navneet Sharma (ADA)
5. Ms. Sonia (ADA)

-sd/-

Assistant District Attorney
For Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

Estate Officer
HUDA, Panchkula.

Memo No. 3965

Dated: 14.10.2014

Subject: CWP No 11280/2014 Bhup singh vs State of Haryana & Others (2868 Sector-21, Panchkula.)- Family transfer.

Refer on the subject cited above.

It is informed that the Chief Administrator, HUDA has directed to take action as per notification dated 16.06.2014 of the Government, a copy of which is attached in furtherance of the implementation of the order dated 12.08.2014 passed by the Hon'ble High Court. A copy of order dated 12.08.2014 passed by the Hon'ble High Court in ibid petition has already been sent through e-mail dated 26.09.2014.

DA/Copy of notification dated 16.06.2014

-sd/-

For Chief Administrator,
HUDA, Panchkula.

Dated: 14.10.2014

Endst No 3966-3967

A copy of the above is forwarded for information and necessary action.

1. Administrator, HUDA, HQ, Panchkula.
2. Administrator, HUDA, Panchkula.

DA/ Copy of notification dated 16.06.2014

-sd/-

For Chief Administrator,
HUDA, Panchkula.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 11280 of 2014
Date of Decision : 12.8.2014
..... Petitioner

Bhup Singh

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Deepak Balyan, Advocate, for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

HEMANT GUPTA, J. (ORAL)

Learned counsel for the petitioner states that the present writ petition is rendered infructuous as the policy has been amended during the pendency of the writ petition on 16.6.2014, permitting transfer of the property to grandchildren as well.

Learned counsel for the petitioner points out that petitioner has applied for transfer of property and that respondents be directed to decide the claim of the petitioner expeditiously.

The writ petition is disposed of infructuous. We have no doubt that the respondents will not consider the claim of the petitioner for transfer of property expeditiously keeping in view the fact that the petitioner is a senior citizen.

(HEMANT GUPTA)
JUDGE

(KULDIP SINGH)
JUDGE

12.8.2014
sjks

From

Additional Chief Secretary & Financial Commissioner to
Government Haryana, Revenue & Disaster Management Department.

To

1. All Divisional Commissioners in the State.
2. All Deputy Commissioners in the State.

Memo No.1785-STR-2014/9073

Chandigarh, Dated the 10th July, 2014

Subject: Exemption of stamp duty on transfer of immovable property within family among blood relations and between spouses.

I am forwarding herewith Notification No. S.O. 62/C.A.2/1899/S.9/2014 dated 16th June, 2014 pertaining to remission of the stamp duty in whole chargeable under the Indian Stamp Act, 1899 (Central Act 2 of 1899) on the instruments pertaining to transfer of immovable property within the family by an owner during his life time to any of the blood relations namely parents, children, grand-children, brother(s), sister(s) and between spouses. Government has taken this decision with the objective of reducing litigation among siblings and for empowering women.

2. You are directed to give due publicity to this decision of the Government. You may arrange to place copies of the notification outside your office, and office of the Registrar, Sub-Registrar & Joint-Registrar by prominently displaying in the notice board.

-sd/-

Special Secretary Revenue
for Additional Chief Secretary & Financial
Commissioner to Govt Haryana,
Revenue & Disaster Management Deptt.

Endst. No. 1785-STR-I-2014/9074

Dated: 10th July, 2014

A copy is forwarded to:

1. All Additional Chief Secretaries & Principal Secretaries to Govt. Haryana
2. Principal Accountant General (A&E)/Audit, Haryana, Chandigarh.
3. DG, Information, Public Relations & Cultural Affairs for adequate publicity.

-sd/-

Special Secretary Revenue
for Additional Chief Secretary & Financial
Commissioner to Govt Haryana,
Revenue & Disaster Management Deptt.

HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Order

The 16th June, 2014

No. S.O. 62/C.A. 2/1899/S.9/2014. – In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899), the Governor of Haryana hereby remits the Stamp Duty in whole chargeable under the said Act on the instruments pertaining to transfer of immovable property within the family by an owner during the lifetime to any of the blood relations namely partents, children, grand children, brother(s), sister(s) and between spouse.

SHAKUNTLA JAKHU

Additional Chief Secretary & Financial Commissioner to
Government Haryana, Revenue and Disaster Management
Department.

Form

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

1. All the Zonal Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.

Memo No. DA/2012/1420-42

Dated:20/3/2012

Subject :- Scope of Power of Attorney-SLP (C) No. 13917 of 2009 titled **Suraj Lamp and Industries Pvt. Ltd. Vs State of Haryana and another and SLP (C) No. 31841 of 2011 titled as **Ved Parkash Kathuria Vs Haryana Urban Development Authority and Another****

1. The Hon'ble Supreme Court in the case of Suraj Lamp and Industries Pvt. Ltd. vide order dated 11.10.2011 has reiterated the law that a transfer of immovable property by way of sale can only be made by a deed of conveyance (sale deed) and in the absence of such a deed (duly stamped and registered as required by law), no right, title or interest in an immoveable property can be transferred. A power of attorney is not an instrument of transfer in regard to any right, title or interest in an immovable property. The power of attorney is creation of an agency whereby the grantor authorizes the grantee to do the acts specified therein, on behalf of the grantor, which when executed will be binding on the grantor as if done by him (See Section 1A and Section 2 of the Powers of Attorney Act, 1882). It is revocable or terminable at any time unless it is made irrevocable in a manner known to law. Even an irrevocable attorney does not have the effect of transferring title to the grantee.
2. Transactions of the nature of '**GPA sales**' or '**SA/GPA/WILL transfers**', which were evolved to avoid prohibitions/ conditions regarding certain transfers, to avoid payment of stamp duty, registration charges, income tax and wealth tax, do not convey title and do not amount to transfer, nor can they be recognized as valid mode of transfer of immovable property. The courts will not treat such transactions as completed or concluded transfers or as conveyances as they neither convey title nor create any interest in an immoveable property. Such transactions cannot be relied upon or made the basis for mutations in Municipal or Revenue Records. What is stated above applies not only to deeds of conveyance in regard to freehold property but also to transfer of leasehold property. The Hon'ble Court observed in the ibid judgment that it is time to put an end to the pernicious practice of SA/GPA/WILL transactions known as GPA sales. However, if the documents relating to SA/GPA/WILL transactions have already been accepted/ acted upon by Development Authority etc., they need not be disturbed, merely on account of this decision. The Hon'ble Court has also clarified that the observations are not intended to in any way affect the validity of power of attorney executed in genuine transactions, e.g., a person may give a power of attorney to spouse, son, daughter, brother, sister or a relative to manage his affairs or to execute a deed of conveyance.
3. The Hon'ble Supreme Court in Ved Parkash Kathuria's case decided on 14.11.2011 has observed that it is most upsetting that the appellate authority did not even bother to take note of the fact that in majority of cases, the appeals have been filed by the allottees through their General Power of Attorney. The Hon'ble Court took Judicial notice of the fact that in large number of such cases the property dealers pay certain amount to the allottees, get the power of attorney executed in their names and then involve HUDA and other similar authorities with the hope that they may succeed in persuading the higher administrative authorities to give relief to them. Such appellate orders cannot be made basis for recording a finding that the petitioner has been subjected to discrimination.
4. The matter has been considered in the light of the ibid legal position and it has been decided that the Zonal Administrators, while hearing appeals u/s 17 (5) of the HUDA Act, 1977 (exercising the powers of Chief Administrator, HUDA), shall first decide the issue of locus standi if an appeal has been filed by the allottee through General Power of Attorney. The concerned Zonal Administrator may direct the allottee as well as GPA

holder to submit affidavits that the plot/property in question has not been sold/ purchased and consideration money has not passed from the GPA holder to the allottee, to ensure that the case is not of GPA sale. If the case is found to be of GPA sale, the concerned Zonal Administrator shall reject the appeal in limine.

5. Further, the Estate Officers, HUDA, in the State shall also follow the ibid procedure while granting the transfer permissions.
6. These instructions be brought into the notice of all concerned for strict compliance.

-sd/-
(Anil Aggarwal)
District Attorney,
for Chief Administrator
HUDA, Panchkula

Endst No. DA/2012/1443-51

Dated:-20/03/2012

A copy is forwarded to the following for information and necessary action.

1. The Administrator, HUDA (HQ).
2. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. Sr. Architect, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The General Manager, IT, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.
9. PS/FCTCP, New Haryana Civil Secretariat, Chandigarh for the information of FCTCP.

-sd/-
(Anil Aggarwal)
District Attorney,
for Chief Administrator
HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator, HUDA.
2. All the Estate Officer/Asstt. Estate Officer, HUDA.

Memo No.A-MK-2009/UB-I/5339-62

Dated: 27.02.2009

Subject: -Instructions relating to transfer of plots on the basis of court decree passed on the basis of an oral exchange.

Ref:-In partial modification of earlier instructions bearing memo no.A-5-99/8852 dated 12.03.1999.

Reference representation made by Sh. Aman Pal dated 20.07.2007 on the subject as cited above.

The matter has been legally examined and the advice of LR, Haryana has also been taken. It has been decided on the basis of law laid down by Hon'ble Supreme Court of India in Bhoop Singh Vs. Ram Singh Major & others reported in AIR 1996 SC 196, Hon'ble High Court in Kishori Lal Vs. Babu Ram and others reported in 2003 (2) PLR 54 and Sh. Sona Ram and others Vs. Sh. Mulkh Raj and another reported in 1999 (1) PLI 165 that a decree of order of a Court (except decree or order expressed to be made on a compromise and compromising immovable property other than that which is the subject matter of the suit or proceeding) passed by dint of an oral exchange with delivery of possession of immovable property of any value does not required registration.

The permission to transfer of such plot/built up property on the basis of such decrees passed by the courts should be effected without execution of deed of conveyance. However, the collusive decree which is violative of HUDA policies should be challenged through a different suit and efforts be made to get the earlier order reversed.

It is, therefore, requested, that all such similar cases may be dealt with and disposed off accordingly.

-sd/-

(R.P. Gupta, IAS)
Administrator, HUDA, HQ
for Chief Administrator, HUDA

MONITORING WING

From

The Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator, HUDA, Faridabad, Gurgaon, Hisar, Panchkula, Rohtak

Memo No.Dy.ESA(HUDA)/A.R.O-II/2013/22409-14

Dated:-6/5/2013

Subject: Monitoring of **progress/ATR** of public **complaints** hosted at new website of Haryana Government www.harsmadhan.gov.in relating to HUDA.

The issue of redressal of complaints registered on Harsamadhan website came up for discussion during DCs/SPs conference. It was observed by Director Grievances during the meeting that the complaints/grievances lodged on this website have not been accessed by you. PSTCP has directed all the concerned officers to access the site and take expeditious action for redressal of grievances/complaints as posted on Harsamadhan website. It has further been desired by PSTCP that action taken report may be submitted to him by 10th May 2013.

In view of this you are directed to take necessary action and post it on the website on or before 9th May 2013 and send a certificate by e-mail on dyesahuda@gmail.com that all the grievances have been disposed off in their account so that the complete status is put up to the PSTCP by 10th May positively. Any lapse in this regard shall be viewed seriously.

-sd/-

(Surjeet Singh, I.A.S)
Administrator (HQ)
for Chief Administrator, HUDA,
Panchkula

Memo No. Dy.ESA//ARO-II/2013/22409-14

Dated: 6-5-2013

A copy of the above is forwarded to all the Estate Officer, HUDA in the State with the directions to host the action taken report on the website by 8th May positively. So, that these grievances may be disposed off in the account of worthy FCTCP & C.A. Concerned Administrators and from your account also.

-sd/-

(Surjeet Singh, I.A.S)
Administrator(HQ)
for Chief Administrator, HUDA,
Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator,
HUDA, Faridabad/Gurgaon/Hisar/Panchkula/Rohtak.
2. All the Estate Officer, HUDA in the State.

Memo.No.Dy.ESA(HUDA)/2011/17012-34

Dated:17/5/2011

Subject:To bring efficiency in Public Service Delivery Mechanism-Amendment in **Citizen's Charter of HUDA**.

On the subject cited above, I am directed to inform you that a meeting under the chairpersonship of Chief Secretary to Government of Haryana was held on 13-05-2011, wherein it has been decided to reduce time-frame fixed for providing water/sewerage connection 15 working days to 12 working days.

You are, therefore, requested to direct the concerned under your control for implementation of the aforesaid decision accordingly.

-sd/-
(R.R.Kapoor)
Deputy Economic & Statistical Advisor
for Chief Administrator, HUDA,
Panchkula

Endst.No. Dy.ESA(HUDA)/2011

Dated:17/5/2011

A copy of the above is forwarded to the following:-

1. The GM (IT), HUDA, Panchkula for making necessary amendment in software and updating on HUDA website.
2. PS/CA, HUDA for information of worthy CA, HUDA.
3. PA/Admn.(HQ), HUDA for information of worthy Admn.(HQ), HUDA

-sd/-
(R.R.Kapoor)
Deputy Economic & Statistical Advisor
for Chief Administrator, HUDA,
Panchkula

CITIZEN'S CHARTER

PREAMBLE

This is a commitment of the Haryana Urban Development Authority to provide every allottee/purchaser of its properties:-

- Efficient, prompt and courteous service with dedication, integrity and fairness.
- Qualitative development at reasonable costs.
- Time bound and transparent service in all transactions.

QUALITY OF SERVICE

- By issue of acknowledgement expeditiously and time bound settlement of all correspondence and in case of any delay an intimation regarding the reasons for such delay and when a reply can be expected.
- By organizing “Open Darbars” periodically at notified timings, with adequate publicity to ensure speedy disposal of pending cases.
- By prescribing specific time limits for various transactions .

ACCESS TO INFORMATION

- HUDA has initiated the process of computerization of allottees account in a phased manner. The web enabled application comprising of two modules viz., Plot and Property Management (PPM) and Financial Accounting System (FAS) have been implemented in all the Offices. In User ID and passwords have been issued to the allottees to enable them to see the detail of their property anywhere, anytime and even the status of their application can be tracked on the net. Single window counters have been established for resolving all queries of the allottees. Three banks have been identified wherein the allottees can deposit their dues.
- Financial Accounting System is working satisfactorily in all the Offices. Currently parallel run is going on and all type of vouchers are entered in the system based on which various reports relating to accounts, engineering wing are generated on day to day basis.
- All Estate Offices are interconnected through Wide Area Network
- Allottees accounts statement is online.
- Dynamic web portal with payment gateway.
- Allottees can pay online for outstanding dues.
- Applicant can apply online for HUDA schemes.
- Online Plot status enquiry: Applicant can see various parameters of a plot like payment status, court case, resumed, surrendered, cancellation, mortgage etc. before making transaction for purchase of property.
- 1800 180 3030 Toll free HUDA Helpline from 8 am to 8 pm for plot status enquires and registration of complaints relating to services provided by Engineering Wing.
- Implementation of application for online approval of building plans. Master data is created for the building bylaws of residential and commercial properties.
- Implementation of SMS based alert system for the allottees on the updation of payment and completion of various processes like acceptance of application and rejection of application with comments.
- All instructions, Acts, Rules, Manuals, general instructions/circulars, formats of documents for various transactions, lists are being listed on the website from time to time.
- All officers up to level of Executive Engineers have been provided broadband facility. Inter office communications are being made through e-mails. All tenders are being hosted on the website.
- For the information of general public all the major policies/decisions/ floatation of sectors (Residential/ Commercial/ Institutional/Industrial etc.) are hosted on the website and also published in the various newspapers.

GRIEVANCE REDRESSAL

Through a right to approach concerned officers at various levels, if grievances are not settled at lower levels. For the work relating to Estate Offices, public can contact the Estate Officer/Administrator concerned and for work relating to Engineering Wing concerned SDE/XEN/SE.

CONSUMER'S OBLIGATIONS

The Haryana Urban Development Authority expects from all those who avails its various services:-

- Not to approach touts or middlemen.
- To ensure timely deposit of all dues/installments/ground rent and other payments demanded from time to time.
- To adhere strictly to the terms and conditions of allotment and proper up keep and maintenance of the property.

The time schedule for various activities/services will be as follows.

Sr. No	Activities/Services	Time Schedule
1	Enquiries regarding installments/dues	5 working days
2	Mortgage permission	18 working days
3	No Dues Certificate	18 working days
4	Conveyance Deed	18 working days
5	Transfer permission	18 working days
6	Re-allotment letter	5 working days
7	DPC Certificate	8 working days
8	Possession Certificate	7 working days
9	Demarcation plan	3 working days
10	Sanction of Building Plan	25 working days
11	Completion Certificate	12 working days
12	Refund	10 working days
13	Water/Sewerage connection	12 working days

From

The Chief Administrator,
HUDA, Panchkula.

To

1. The Administrator (H.Q), HUDA., Faridabad, Gurgaon, Hisar, Panchkula, Rohtak
Memo No.Dy.ESA(HUDA)/A.R.O-II/2010/43128-34 Dated:-8/11/2010

Subject:Monitoring of **progress/ATR** of public **complaints** hosted at new website of Haryana Government www.harsmadhan.gov.in relating to HUDA.

On the subject cited above, I am directed to inform you that a new website namely www.harsmadhan.gov.in has been launched by the Haryana Govt. to monitor the progress/ATR of public complaints received by government wherein target dates have been mentioned for redressal of the same.

In this regard it is also informed you that it is totally on-line system. For this all the usernames and I.D Password are enclosed herewith for all the officers working under your jurisdiction with the request to go through the website and direct to concerned officers for taking action immediately for each grievance and host the ATR on the website directly.

-sd/-
(R.R.Kapoor)
Dy. Economic and Statistical Advisor,
for Chef Administrator, HUDA,
Panchkula

Endst No.Dy.ESA(HUDA)/A.R.O-II/2010/43135-36 Dated:-8/11/2010

A copy of the above is forwarded to the following:-

1. PS/FCTCP, for the kind information of W/FCTCP
2. PS/CA for the kind information of Chief Administrator, HUDA.

-sd/-
(R.R.Kapoor)
Dy. Economic and Statistical Advisor,
for Chief Administrator, HUDA,
Panchkula

PLANNING WING

(A) INSTRUCTIONS REGARDING GROUP HOUSING SOCIETIES

Being circulated through e-mail only

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators of HUDA.
2. All the Senior Town Planners of T&CP Department.
3. All the Superintending Engineers of HUDA.
4. All the District Town Planners of T&CP Department.
5. All the Executive Engineers of HUDA.
6. All the Estate Officers of HUDA.

Memo No: CTP/SB/F.No.101/43486

Dated:09.08.2016

Subject: - Policy for extension in time limit for completion of projects on the sites allotted under **Group Housing norms.**

1. In case of Group Housing societies, initial period allowed for raising construction on allotted sites is 5 years from the date of offer of possession. With the approval of the Authority in its 80th meeting held on 27.11.2000, a policy for granting additional 5 years period (total 5+5 = 10 years) for completing the construction on Group Housing sites on payment of prescribed fee was circulated by HUDA vide memo. no. 148-151 dated 09.01.2001.
2. Subsequently, vide memo. no. 6835-62 dated 19.05.2010, policy of extension for completing project on Group Housing sites was amended and an additional period of 2 years (i.e. 5+5+2 = 12 years) was allowed to such societies which could not complete construction within 10 years. The extension fee prescribed was double the rate of extension fee chargeable for the preceding year i.e. for the 11th year double the fee prescribed for 10th year was chargeable and for the 12th year double the extension fee of 11th year was chargeable.
3. A proposal was placed before the Authority in its 111th meeting held on 27.07.2016 to further extend maximum period allowed for completing construction on Group Housing Sites. The Authority has approved the proposal and has decided as under:-

i) The revised rates of extension fee for Group Housing sites shall be as follows:-

Extension Period to be allowed to societies	Proposed rates (in ₹ per sq. mtr.)			
No. of years	Hyper potential Zone	High potential Zone	Medium potential Zone	Low potential Zone
Ist year	70.00	56.00	42.00	28.00
2 nd year	122.00	98.00	70.00	42.00
3 rd year	175.00	140.00	90.00	56.00
4 th year	262.00	210.00	140.00	84.00
5 th year	280.00	224.00	154.00	98.00

Note :- a) The above rates shall be chargeable from 6th year onwards from the date of offer of possession.

b) The Hyper, High, Medium and Low Potential Zones and Urban Estates falling under these Zones shall be as notified by Town & Country Planning Department under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965

ii) In the case of Group Housing sites, there shall be no upper limit of the time within which the allottee Group Housing Society/Welfare Housing Organisation/Govt. Department (to whom land has been allotted for construction of staff quarters under group housing norms) for completing construction. However, the extension in time limit shall be subject to payment of prescribed extension fee as mentioned above.

iii) After the expiry of 5th year (i.e. after 10th year from the date of offer of possession), further extension in period of construction shall be allowed on payment of double the extension fee prescribed for the preceding year.

These instructions shall come into force from the date of issue of this letter.

-sd-

(N. Mehtani, CTP)
for Chief Administrator, HUDA
Dated: 09.08.2016

Endst. No. CTP/SB/F. No.101/43490

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer-I, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Architect, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula with the request to host the instruction on HUDA website.
7. The District Attorney, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.
9. The Superintendent (Urban Branch), HUDA Panchkula.

-sd-

(N. Mehtani, CTP)
for Chief Administrator HUDA

From,

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To,

1. All the Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. CTP/STP-M/8854 to 8876 Dated: 26.7.2012

Subject:- Charging of stamp duty from Group Housing Societies as well as between colonisers /HUDA.

Reference:- In continuation to this office memo no. CTP/STP(M)/4551-4579 dated 30.05.2011.

The instructions regarding charging of Stamp Duty in case of Group Housing plots issued earlier vide memo no. 118-STR-1-2011/969 dated 25.1.2011 have been withdrawn by the State Government.

A photocopy of latest instructions on the subject issued vide memo no. 2404-STR-1-2012/7827 dated 13.07.2012 by the Additional Chief Secretary and Financial Commissioner to Govt. of Haryana, Revenue and Disaster Management Department are enclosed for information and necessary action / compliance.

DA/As above

-sd/-

(R. Jain, ATP)

For Chief Administrator, HUDA, Panchkula.

Endst.No. CTP/STP-M/8877-8882

Dated: 26.07.2012

A copy, alongwith a photocopy of memo no. 2404-STR-1-2012/7827 dated 13.07.2012 from Additional Chief Secretary and Financial Commissioner to Govt. of Haryana, Revenue and Disaster Management, Department is forwarded to the following for information and necessary action:-

1. The Administrator, HUDA (HQ), Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer/ Chief Engineer-I, HUDA, Panchkula.
4. The General Manager (IT), HUDA, Haryana, Panchkula.
5. The District Attorney, HUDA, Panchkula.

-sd/-

(R. Jain, ATP)

For Chief Administrator, HUDA, Panchkula..

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators of HUDA (in the State)
2. All the Estate Officer of HUDA (in the State)

Memo No. CTP/STP-M/4551-4573

Dated: 30.05.2011

Subject: - Regarding Operationalization of the provision of the Haryana Apartment Ownership Act, 1983 on Group Housing Societies.

Reference:- In continuation to this office memo no. CTP/STP(M)/6745-6767 dated 17.05.2010 and CTP/STP(M)/7507-7535 dated 04.06.2010.

Please find enclosed herewith a photocopy of memo no. 118-STP-1-2011/969 dated 25.01.2011 from Financial Commissioner and Principal Secretary to Govt. Haryana, Revenue & Disaster Management Department for information and necessary action. The instructions issued earlier vide memo no. 5268-STR-1-2009/3356 dated 07.04.2010 has been withdrawn by the Govt. w.e.f. date of its issue.

DA/As above

-sd-

(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA

Endst. No. CTP/STP-(M)/4574-7579

Dated:30.05.2011

A copy, alongwith a photocopy of memo no. 118-STP-1-2011/969 dated 25.01.2011 from FCR, Haryana is forwarded to the following for information and necessary action:-

1. The Administrator(HQs), HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer / Chief Engineer-I, HUDA, Panchkula.
4. The District Attorney, HUDA (HQ), Panchkula.

-sd-

(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA

From

The Chief Administrator
HUDA (Town Planning Wing)
Panchkula.

To

1. The Administrator, HUDA
2. The Estate Office, HUDA

Memo no. CTP-STP (N)/SB/6835-62 Dated 19.05.2010

Subject:-Framing of **revised extension policy** for completing construction on **Group Housing sites** allotted by HUDA.

Reference:- In continuation to this office memo no. CTP-HUDA- DTP(N)/148-169 dated 9-01-2001

The policy regarding extension for completing construction on Group Housing sites allotted by HUDA was circulated vide letter under reference. Initially 5 years period is allowed to societies for completing the construction which was extended to another 5 years (total 10 years) vide letter under reference, on payment of prescribed charges. Representations have been received from societies to further extend the time limit for completing construction beyond 10 years. The matter has been examined and it has been decided by the Govt. to grant extension for 2 more years, beyond 10 years, to such societies which could not complete construction within 10 years. However, for any period exceeding 10th year from the date of offer of possession, the leviable extension fee shall be charged at double the rate of the extension fee chargeable for the 10th year. Similarly, for any period exceeding 11th year (i.e. for 12th year) the rate of extension fee shall be charged at double the rate of the extension fee chargeable for the 11th year. After 12th years no more extension for completion of projects shall be allowed and concerned E.O.HUDA shall resume the group housing plot allotted to such society.

You are requested to take further necessary action in the matter as per the above policy. This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA please.

-sd/-
(K.K. Yadav)
Chief Town Planner,
for Chief Administrator, HUDA.
Dated. 19.05.2010

Endst. CTP-STP (N)/SB/6835-62

A copy of the above is forwarded to the following for information and further necessary action please :-

1. The Chief Controller of Finance, HUDA, Panchkula
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.

-sd/-
(K.K. Yadav)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator, HUDA
(Town Planning Wing), Panchkula.

To

1. All the Administrators, HUDA
2. All the Senior Town Planners
3. All the District Town Planner
4. All the Estate Officers HUDA

Memo. No. CTP/DTP (N)/JS/54- 101,54-112

Dated; 02.01.09

Subject: Comprehensive instructions regarding permission for **changing the number and sizes of dwelling units/transfer of membership and increase in FAR** in case of allotment made to **societies under Group Housing Schemes of HUDA.**

Reference: In supersession of this office memo. no. 3676-97 dated 20.05.1998, 56-77 dated 07.01.2000, 567-82 dated 04.02.2000, 8143-68 dated 18.09.2001, 7449-93 dated 11.12.2002, 7217-59 dated 16.10.2003, 3868-90 dated 15.06.2004.

It is intimated that as per earlier decision of the Authority, increase in FAR from 150% to 175% is being allowed by HUDA to the societies without charging any infrastructure up-gradation charges. The matter has been re-examined and it has now been decided that the following policy may be adopted in cases where changes in the number and sizes of dwelling units/ transfer of memberships and increase in FAR of Cooperative Group Housing Societies are being allowed by HUDA:-

1. HUDA may allow requests for increasing the number and size of dwelling units within the FAR and other prescribed parameters which were permissible in the particular scheme under which the society was allotted land.
2. As regards replacement of members, the same may be allowed as per the provisions of the scheme under which land was allotted.

Grant of permission as mentioned at sr.no.1 & 2 above shall be with payment of fees and charges as approved by the Authority from time to time.

The new rates shall be as under:-

Change in size of dwelling units

- * For the 1st time : Rs. 20,000/-
- * For the 2nd time : Rs. 40,000/-
- * For the 3rd time : Rs. 60,000/-

Change in membership of the society

Size of dwelling units (i.e. DU) in sq. mts.	Amount to be charged for change in membership
Up to 75	Rs.10, 000/- per member
76-200	Rs.30, 000/- per member
201 to 350	Rs.40, 000/- per member

Any change in ownership after grant of occupation certificate to the society shall be only under provisions of Haryana Apartment Ownership Act, 1983 and no permission shall be granted by HUDA in this regard after grant of Occupation Certificate.

- 3 **Old Group Housing Schemes: -The rates of old GHS floated during 1998 & 2001 were related to density.**
① Where the number & size of the dwelling units are increased within the permissible FAR:- In case the density is increased due to increase in the number and size of dwelling unit within the permissible FAR and other parameters, in such cases the updated rate of difference of the rate of increased and permissible density will be charged.

This facility may be allowed to only EWS Societies as it was provided in the scheme that in respect of EWS Societies, maximum permissible density can be considered.

① **Where FAR is increased from 150% to 175%.**

- (a) In case density is increased due to increase in FAR, in such cases the updated rate of difference of the rate of increased and permissible density will be charged provided there is change in the slab of allotted density. It is clarified that the density permissible was under a slab system, i.e., up to 250 PPA or 400 PPA and hence no charge shall be leviable if there is density increase but within the allotted slab and there is no jumping of the slab.
- (b) Proportionate EDC for additional FAR shall also have to be paid. Rates of EDC shall be those prevailing for the year in which permission is granted.

4 **New Schemes**

The Group Housing schemes floated in the year 2003 & 2005 had FAR of 175%. Therefore, the existing provision may be continued, i.e., “if any society/Organization intends to construct mixed type of dwelling units which include dwelling units of higher category falling in higher price slab, then construction of 10% of higher category of flats shall be allowed at the nodal price applicable for the lower category. Beyond this limit, higher rate applicable for dwelling units of higher category shall be applicable”. But this facility may not be allowed to EWS Societies as the same are being allotted at the subsidized rate.

- 5 The transfer of membership of Group Housing Society shall be dealt with at the Estate Office level after charging the prescribed fee. However, the cases relating to change in number and size of dwelling unit shall continue to be dealt at the level of Chief Administrator, HUDA.
- 6 The societies allotted land under the reserved categories of Haryana Govt. Employees, Central Govt. Employees and Welfare Organisation shall be allowed to substitute/incorporate new members from General Category. However, the societies must ensure that majority of their members are Govt. employees as per the policy decision already conveyed vide memo. no. 7449-73 dated 11.12.2002.

This policy shall be applicable from the date of issue of this letter and supercede all previous instructions on the issue. All such matters referred to above shall henceforth be dealt with as per above policy.

-sd/-
(P.K. Sharma)
Chief Town Planner,
For Chief Administrator, HUDA.
Dated: 02.01.09

Endst. no. CTP/DTP (N)/JS/102-112

A copy is forwarded to the following for information and further necessary action please:-

1. PS/ FCTCP for kind attention of Financial Commissioner & Principal Secretary to Government Haryana, Town and Country Planning Department.
2. PS/ DTCP for kind information of Director, Town & Country Planning Department, Haryana, Chandigarh.
3. The Chief Controller of Finance HUDA Panchkula.
4. The Chief Engineer, HUDA Panchkula.
5. The Chief Engineer-I, HUDA Panchkula.
6. The Senior Architect, HUDA Panchkula.
7. The Incharges (Urban Branch-I & II), Panchkula.
8. The Enforcement Officer HUDA Panchkula.
9. The Dy. ESA HUDA Panchkula.

-sd/-
(P.K. Sharma),
Chief Town Planner,
For Chief Administrator, HUDA.

CC: DTP(M)

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

The Administrator,
HUDA, Faridabad / Gurgaon / Hisar / Panchkula / Rohtak.
Memo No. CTP/DTP-M/10940-44 Dated: 19.11.2008

Subject: Regarding carving out of **regular shaped Group Housing plots.**

A number of requests keep coming from the allottees of irregular shaped Group Housing sites for regularization of their plots. In order to avoid unnecessary dispute or even litigation on this account, the Hon'ble CM Haryana has directed that in future, HUDA must ensure that plots of irregular shape are not carved out, and if they continue to be carved out, the officer concerned be made responsible for the lapse.

It is, therefore, requested that the above said instructions must be followed meticulously in future layout plans. Also, if any unallotted GH sites of irregular shape are available in the already approved layout plans, feasibility of regularization of their shape may be examined and proposals sent for approval accordingly.

Action taken report may be sent at the earliest.

-sd/-
(R. Jain)
Asstt. Town Planner,
For Chief Administrator, HUDA, Panchkula.
Dated: 19.11.2008

Endst.No. CTP/DTP-M/10945-68

A copy is forwarded to the following for information and meticulously compliance:-

1. All the Senior Town Planners in Haryana.
2. All the District Town Planner in Haryana.

-sd/-
(R. Jain)
Asstt. Town Planner,
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA
2. All the Senior Town Planners
3. All the District Town Planners
4. All the Estate Officers, HUDA

Memo. No. CTP/DTP (N)/SB/ 10581-630

Dated:11.11.2008

Subject:Regarding earmarking of land for Group Housing sites in HUDA sectors.

The matter has been examined. It has been decided that in High potential areas like Gurgaon, Faridabad and Panchkula, HUDA may also earmark 20% of the sector area for Group Housing as this will be one step towards promoting affordable housing. Further, for the remaining Urban Estates, 10% to 20% area under Group Housing in each sector be earmarked depending upon its potential.

Therefore, the above provisions may be followed accordingly while preparing layout plan of any HUDA sector.

This issues with the approval of Hon'ble C.M Haryana.

-sd/-

(S.Sehrawat)

Assistant Town Planner,

For Chief Administrator, HUDA, Panchkula.

Dated:11/11/2008

Endst. no. CTP/DTP (N)/SB/ 10631-38

A copy is forwarded to the following for information and necessary action please:

1. The Administrator, HUDA, (HQs), Urban Branch I & II, Panchkula.
2. The Chief Town Planner, Haryana, Chandigarh.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Engineer-I, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula.
7. The Dy. ESA HUDA, Panchkula.

-sd/-

(S.Sehrawat)

Assistant Town Planner,

For Chief Administrator, HUDA, Panchkula.

From,

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To,

1. Administrator, HUDA, Gurgaon/Panchkula/Faridabad/Rohtak/Hisar.
2. All the Estate Officers of HUDA.

Memo. No. CTP-HUDA/DTP-M/16146-16168

Dated: 05.12.2007

Subject: Policy regarding permission for **changing the number and size of Dwelling units/transfer of members** in case of allotments made under **Group Housing Norms**.

1. A policy for allowing change in the number and size of dwelling units/transfer of members in case of allotments made under Group Housing norms was approved by the Authority in its 73rd meeting held on 31.03.1998, which was circulated to all the concerned offices vide memo. no. 3676 dated 20.05.98.
2. Further, the Authority in its 91st meeting held on 01.06.2004 decided that as in the case of transfer of plots, the transfer of membership of the group housing societies may also be dealt with at the Estate office level after charging the prescribed fee as per policy of HUDA. These cases should not be referred to Administrators and Chief Administrator, HUDA in order to avoid un-necessary delay. However, the cases relating to change in number and size of dwelling unit should be dealt at the level of C.A HUDA as per existing policy. This decision of the Authority was circulated to all the concerned offices vide memo. No.3868-3890 dated 15.06.04.
3. Although the policy clearly uses the term transfer of membership, still, it is clarified that the above said policy is applicable only till the stage a society obtains the occupation certificate. Once the occupation certificate is obtained by a society, transfer of built-up property/flat would be only through a registered deed of apartment as provided in the Haryana Apartment Ownership Act, 1983, and the rules framed there under. No request for transfer of membership should be entertained after occupation certificate is granted to the society without it being accompanied by deed of apartment.
4. A list containing details of all transfer permissions granted without deed of apartment after occupation certificate has been issued to the society may be sent in enclosed format(annexure-I) by 31.12.2007.

-sd/-

District Town Planner (M),
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
HUDA, (Town Planning Wing) Panchkula

To

1. The Engineer-in-Chief HUDA, Panchkula
 2. The Administrator, HUDA, PKL. GGN, Faridabad, Hisar
 3. The Senior Town Planner, Panchkula, Gurgaon, Hisar.
 4. The District Town Planner Panchkula, Ambala, Kurukshetra, Yamuna Nagar, Karnal, Panipat, Sonapat, Faridabad, Rohtak, Gurgaon, Bhiwani, Hisar, Jind, Narnaul, Rewari, Jhajjar
 5. The Estate Officer, HUDA, Panchkula, Karnal, Hisar, Rohtak, Fatehabad, Gurgaon, Ambala, Yamuna Nagar, Kurukshetra, Panipat, Kaithal, Jind, Sirsa, Sonapat, Bhiwani, Rewari Fatehabad.
- Memo No. CTP-HUDA-DTP (N) 7603 to 7646

Dated: 14.12.2004

Subject: Regarding increasing the **maximum height** to 40 meters in place of 30 meters for **Group Housing Societies** in urban Estates, HUDA.

The matter cited as subject has been examined. The permission has been granted by the Chairman, HUDA for increasing the maximum permissible height in Group Housing Societies of HUDA from 30 meters to 40 meters. In case where societies intend to take benefit of increased height, clearance from Airport Authority of India/Civil Aviation Department, Govt. of India by the concerned societies will have to be obtained. The zoning set backs of plots of such societies will also have to be changed for providing proper inter-se distance please.

-sd/-
District Town Planner
For Chief Town Planner, HUDA, Panchkula

Endst. No. CTP-HUDA-DTP/(N) 7647 to 7650

Dated 14.12.2004

A copy is forwarded to the following for information and necessary action please.

1. The Managing Director HEWO, Panchkula.
2. The President Association of Group Housing Societies, Gurgaon flat No. 305 Arravali Apartment Plot no. GH-74, Sector 56, Gurgaon.

-sd/-
District Town Planner
For Chief Town Planner, HUDA, Panchkula

From

The Chief Administrator,
HUDA, (Town Planning Wing) Panchkula

To

1. All the Administrators in HUDA.
2. All the Senior Town Planners.
3. All the District Town Planners.
4. All the Estate Officer, HUDA

Memo No. CTP/HUDA/DTP (N) 4988-5033

Dated: 22.7.2003

Subject: Provision for 0.5% **commercial area** in **Group Housing Pockets/Colonies** and **three tier basements** in Commercial areas.

The matter cited as subject was placed before the Authority in its 89th meeting held on 11.07.2003. The Authority has decided that the area for essential convenient shopping in respect of sites allotted under group housing norms may be kept as 0.5% of the site area in the form of shops, kiosks and departmental stores subject to the following parameters:

1. This area will be used only to cater the essential convenient shopping.
2. This will be a part of the permissible ground coverage and included in FAR of the group housing site.
3. The size of Kiosks /shops shall not be less than 2.75 x 2.75 mts and 2.75 x 8.75 mts.
4. The height of shops/kiosks/departmental store shall not exceed 4 mts.
5. The fee and other charges will be charged @ Rs. 1000/- per sq. mts of commercial area in case of high potential towns, Rs. 750/- per sq mts in case of medium potential towns and Rs. 500/- per sq. mts in case of low potential towns.
6. This benefit could also be permitted in the existing group housing scheme as part of permissible ground coverage and FAR of the scheme on the payment of the fee and other charges.
7. The convenient shops in group housing sites may be leased out by the respective group housing societies.

Further, it has been decided that to provide three tier basement in independent commercial site like hotel sites, commercial towers, Cinema/multiples sites, departmental stores etc with the condition that the basement will be used for parking and other appurtenant uses of the building other than storage subject to clearance from Public Health and fire safety point of view. The other conditions mentioned in the zoning plans of such sites shall continue to operate.

-sd/-

District Town Planner

For Chief Town Planner, HUDA, Panchkula

Dated 22/7/03

Endst. No. CTP-HUDA-DTP/5034

A copy is forwarded to the Chief Administrator, HUDA (Authority Branch) for information and further necessary action.

-sd/-

District Town Planner

For Chief Town Planner, HUDA, Panchkula

From

The Chief Administrator,
HUDA, (Town Planning Wing) Panchkula

To

- 1 All the Administrators in HUDA,
- 2 All the Estate Officers/ Asstt. Estate Officer, HUDA,

Memo No. CTP-HUDA-DTP (N) 4064-4084

Dated: 20-6-2003

Subject: Approval of allowing members of **Group Housing societies of Haryana Government Central Govt. Welfare Organization and EWS society to acquire more than one flat.**

Reference: In continuation of Memo No. (P) 2002/16825-63 A dt. 10.07.02

As per the terms and conditions of Group Housing Schemes floated earlier by HUDA no member of Societies of Haryana Government, Central Govt. Welfare Organization and EWS Societies as well as general category societies should own any plot/flat in that particular urban Estate where he/she intends to become member of group housing scheme. This condition was relaxed by the Authority, for general category societies, in its 85th meeting held on 26.04.2002. However, this relaxation was not extended to societies of Haryana Government/Central Govt., Welfare Organizations and EWS societies.

The Haryana Group Housing Promoters and Builders Federation (Regd) has requested HUDA for removing this anomaly. The request of the Federation has been examined and the matter was placed before the Authority vide Agenda item no. A-88 (1) Suppl. in its 88th meeting held on 22.5.2003. The Authority has decided that the following condition may be removed in case of societies of Haryana Government, Central Govt., Welfare Organization and EWS societies.

“A person can apply for membership of one society only including a welfare housing organization in the whole state of Haryana except in case of members of general category societies, members of all other categories of societies should not own any house, flat, plot in his/her own name or in the name of his/her spouse or depended children in any urban Estate or colony developed by HUDA, Improvement Trust, Municipal Committee, Haryana Housing Board or any other colony established by colonizer, any colony approved/regularized by the state Govt. in the Urban Area/Controlled area of that particular town for which he/she is applying for membership of the society.

These instructions shall applicable from the date of issue of this letter.

DA/ As above

-sd/-

District Town Planner

For Chief Town Planner, HUDA, Panchkula

Dated 20. 6.2003

Endst. No. CTP-HUDA-DTP (N) 4085-4088

A copy of the above along with copy of agenda and extract of decision of the Authority is forwarded to the following for information and necessary action please.

1. The Chief Administrator, HUDA, (Urban Branch/Authority Branch), Panchkula
2. The Joint Director (Legal) HUDA, Panchkula
3. The Chief Collector of Finance, HUDA, Panchkula
4. The Chief Engineer HUDA, Panchkula

DA/As above

-sd/-

District Town Planner

For Chief Town Planner, HUDA, Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

The Administrator, HUDA, Panchkula, Faridabad
Gurgaon and Hissar
Memo No. CTP-HUDA-DTP (N)/148-151

Dated: 9.1.2001

Subject: Framing of policy for **extension** in time period for completion of projects by **Group Housing societies**.

It is intimated that the matter regarding framing policy of extension in time period for completion of project by societies was placed before the Authority in its 80th meeting held on 27.11.2000 vide Agenda item No A=80 (18). The Authority has approved the above matter and it has been decided to charge the extension fee at following rates, in cases of allotments made under group housing norms for the next five years, after the expiry of stipulated period of five years for completion of project:

Extension Period to be allowed to societies	Proposed rates (in Rs. As per sq. mts.)
---	--

No. of years	High potential Zone	Medium potential Zone	Low potential zone
Ist year	20.00	15.00	10.00
2nd year	35.00	25.00	15.00
3rd year	50.00	35.00	20.00
4th year	75.00	50.00	30.00
5th year	80.00	55.00	35.00

After five years no more extension for completion of projects shall be allowed and concerned Estate Officer shall resume the plot.

It is requested to take necessary action in the matter as per the decision of the Authority.

-sd/-
District Town Planner,
For Chief Administrator, HUDA, Panchkula
Dated: 9/1/2001

Endst. No. CTP/HUDA-DTP (N)/152

A copy is forwarded to the Chief Administrator, HUDA (Authority Branch) Panchkula for information and necessary action please.

-sd/-
District Town Planner,
For Chief Administrator, HUDA, Panchkula

Endst. No. CTP/HUDA-DTP (N)/153-169

Dated: 9/1/2001

A copy is forwarded to all the Estate Officer, HUDA for information and necessary action please.

-sd/-
District Town Planner,
For Chief Administrator, HUDA, Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators in HUDA, Panchkula, Gurgaon, Hisar, Faridabad.
2. All the Senior Town Planners of the Town and Country Planning Department, Haryana, Panchkula, Gurgaon, Hisar.
3. All the District Town Planners in the Town and Country Planning Department, Haryana. PKL, Ambala, Kurukshetra, Yamuna Nagar, Karnal, Panipat, Sonapat, Faridabad, Rohtak, Gurgaon, Bhiwani, Hisar, Jind, Narnaul, Rewari

Memo No. 269-313

Dated: 25.01.1999

Subject: Provision of basement in Group Housing and Institutional sites.

The matter regarding provision of basement in Group Housing and Institutional sites has been engaging the attention of HUDA for the quite some time. Many representations have been received for allowing basement up to envelope zone (zoned area) on the pattern of permissions given to colonizers by the Town and Country Planning Department, Haryana.

The matter has been examined and it has been decided that the zoned area in case of Group Housing and Institutional sites should be about 66% of the plot area in which basement shall be allowed. Out of this about 15% zoned area may be reserved for generator set for the captive power generation and electrical sub station. This basement area is to be segregated from the main block of the building through an earthen partition in between the facilities in the power system and the main block of the building itself so, as to have adequate safeguards against any fire hazards.

Rest about 50% of the area may be allowed for basement parking and if need be twin level basement, only for parking purposes, may be allowed in this portion. This decision may be kept in view while finalizing zoning plan of Group Housing and Institutional sites. Already approved zoning plans of such sites may be amended to this extent.

-

-sd/-
Senior Town Planner,
For Chief Administrator,
HUDA, Panchkula

Endst no: 314

Dated: 25.1.1999

A copy is forwarded to the Estate Officer, HUDA, Panchkula for information and necessary action please.

-sd/-
Senior Town Planner,
For Chief Administrator, HUDA, Panchkula

(B) INSTRUCTIONS REGARDING ZONING PLANS

THROUGH E-MAIL

To

1. All the Administrators, HSVP, (In the State)
2. All the Estate Officers, HSVP, (In the State)
3. All the District Town Planners, T&CP Department, Haryana.

Memo No.CTP(N)/SB/143656

Dated 17.07.2018

Subject: Clarification regarding **development norms/zoning parameters** of **clinic/nursing home/hospital sites** provided in HSVP Urban Estates.

1. The matter cited as subject was referred to the Committee looking after finalization/amendment in Haryana Building Code-2017, under the Chairmanship of Director, Town & Country Planning, Haryana. The Committee deliberated on the issue in its meetings held on 24.04.2018 and 11.05.2018. After due deliberations, the Committee decided “there was no requirement for amendment/change in the Haryana Building Code, 2017 at this stage to create a separate category for Nursing Homes/Clinic Sites and to finalize its design parameters. This use is being considered by all Departments under the institutional category for which the prescribed provisions are sufficient. Moreover, the members of the committee were of the view that the HSVP shall allow FAR upto 1.5 from existing 1.2 to allottees of designated Nursing Homes/clinic sites. Regarding Nursing Homes/Clinic sites over residential plots the committee was of the view that HSVP may allow this conversion as per its policy but the design parameters prescribed in the Code should be followed”.
2. In view of the above decision and the fact that Haryana Building Code-2017 is uniformly applicable in Haryana, it has been decided that construction and zoning parameters of the clinic and nursing home sites provided in HSVP should be as per the following provisions of Code-3(iii) of Haryana Building Code-2017, treating it to be an institutional building:-

(iii) Institutional

Plot area slabs	Maximum permissible Ground Coverage	Permissible Basement	Maximum permissible Floor Area Ratio (FAR)	Maximum permissible Height
Upto 10000 Square meters	35%	Up to four levels	150%	Unrestricted
above 10000 Square meters	25% of such portion of site	Upto four levels	150%	Unrestricted

1. In the case of already auctioned/allotted clinic/nursing home/hospital sites with earlier norms of 1.2 FAR, the additional FAR upto 1.50 shall be purchasable as per the prescribed rates.
2. You are requested that the above provisions of the Haryana Building Code-2017 should be followed meticulously and the zoning plans of all the un-allotted clinic/nursing homes/hospital sites may be finalized as per above norms. Also in the case of conversion of residential plots into clinic/nursing home sites, the zoning parameters shall be as per above norms treating the use of that site as institutional.

-sd-

(D. Pal, DTP)

for Chief Administrator, HSVP

A copy of above is forwarded to the following for information and further necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Administrator (HQ), HSVP, Panchkula.
3. The Chief Engineer-I, HSVP, Panchkula.
4. The Chief Engineer-II, HSVP, Panchkula.
5. The General Manger (IT), HSVP, Panchkula with the request to host these instructions on the website of HSVP.
6. The District Attorney, HSVP, Panchkula.

-sd-

(D. Pal, DTP)

for Chief Administrator, HSVP

From,

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To,

1. All the Administrators of HUDA
2. All the Senior Town Planner, (in the State).
3. All the District town Planner, (in the State).

Memo No. CTP/STP-M/4262-4293 Dated: 20.04.2012

Subject: Regarding **approval of layout plan** of HUDA sectors.

It has been observed that while sending the cases of layout plans of acquired land for the approval of Chief Administrator, the guidelines that were circulated in this regard vide memo no. 7885-7997 dated 22.06.2010 are not being adhered. Only a few copies of the proposed layout plan are sent without any supporting documents (i.e. without enclosing a copy of sajra showing the boundary of acquired land and also a copy of survey plans of the area). In the absence of which, a proper scrutiny of the cases is not possible.

It is, therefore, requested that cases of approval of layout plans of HUDA sectors should be sent along with an authenticated copy of sajra plans showing the acquisition boundary, (including pockets of released land, the areas under litigation if any) and a copy of survey plans of the area (if survey was done). A copy of Development Plan of the town depicting the location of area should also be attached.

This be treated urgent please.

-sd/-
(K. Anirudh Sharma)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

The Administrator,
HUDA, Gurgaon.

Memo No. CTP/STP-N/JS/10477

Dated:07.09.2010

Subject: Approval of **Double** Basement for General Industries in **Industrial Area** of HUDA- Policy thereof.

Reference: - Your office memo no. 6360 dated 20.05.2010.

The representation of Association of Small & Medium Industries forwarded vide letter under reference has been examined. It has been decided to allow twin level basement in industrial plots of general category subject to structural safety and fire fighting arrangements as per the provisions of the National Building Code-2005 (or as amended from time to time). The twin level basement may be used for parking and air conditioning plant but it should not be used for electric sub-station which includes transformer. Such permissions can be granted at the level of Administrator and this policy shall be applicable on already allotted plots also. However, while granting such permissions the prescribed safety norms of National Building Code should be strictly adhered to.

-sd/-

(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

Endst. No. CTP/STP-N/NS/10478-10534

Dated:07.09.2010

A copy is forwarded to the following for information and necessary action please.

- 1) All the Administrators of HUDA.
- 2) The Chief Engineer, HUDA, Panchkula.
- 3) The Chief Controller of Finance, HUDA, Panchkula.
- 4) The Senior Architect, HUDA, Panchkula.
- 5) All the Senior Town Planners.
- 6) All the Superintending Engineers, HUDA.
- 7) All the Estate Officers, HUDA.
- 8) All the District Town Planners.
- 9) The Dy. ESA, HUDA, Panchkula.

-sd/-

(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

HARYANA URBAN DEVELOPMENT AUTHORITY NOTIFICATION

Date: The 19th November, 2009

No. Auth-39686 -- In exercise of the powers conferred by clause (d) of section 54 of the Haryana Urban Development Authority Act, 1977 (Act 13 of 1977) and with the prior approval of State Government conveyed vide memo. no. 7/5/2006-2TCP dated the 8TH October, 2009, the Haryana Urban Development Authority hereby makes the following regulations further to amend the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979, namely:-

1. These regulations may be called the Haryana Urban Development Authority (Erection of Buildings) Amendment Regulations, 2009.
2. In the Haryana Urban Development Authority (Erection of Buildings) Regulations 1979, (hereinafter called the said Regulations), in regulation -3, in clause(4),----
 - (i) for the sign “.” existing at the end the sign “:” shall be submitted; and
 - (ii) the following proviso shall be added, namely:---

“Provided that in case of multi-storeyed building (more than four storeyed or fifteen meters in height, as the case may be), scrutiny fee shall be calculated at the rate of Rs. 15/- per square meter of the floor area or as may be specified by the Authority from time to time.”
3. In the said regulations, in regulation 9,---
 - (i) For the sign “.” existing at the end, the sign “:” shall be submitted; and
 - (ii) The following proviso shall be added at the end, namely:---

“Provided that multi-storeyed buildings (more than four storeyed or fifteen meters in height, as the case may be), shall be completed within five years of the date of permission or as may be specified by the Chief Administrator which ever is less.”
4. In the said regulation, in Regulation-13, under heading “(iv) Institutions and Other Public Buildings” in clause (a), in the proviso,---
 - (i) for the sign “.” existing at the end, the sign “:” shall be submitted; and
 - (ii) the following proviso shall be added, namely:---

“ Provided further that :-

 - (i) Maximum Floor Area Ratio (F.A.R) upto 150% shall be allowed in institutional plots for Corporate Offices, Research and Development Centres, Corporate Towers and Staff Training Institutes in all the sectors which are to be floated;
 - (ii) in case of un-allotted institutional sites as specified in clause (i) above in existing sectors, maximum Floor Area Ration (F.A.R) upto 150% shall be allowed provided the site is situated on a 30 meters wide road.
 - (iii) in case of purely institutional sectors like sector 32 & sector 44, Gurgaon and 20A and 20B, Faridabad, increase in Floor Area Ratio (F.A.R) from 100% to 150% shall be allowed subject to payment of fee fixed by the Haryana Urban Development Authority from time to time”.

T. C. Gupta, I.A.S.
Chief Administrator
Haryana Urban Development Authority,

From

The Chief Administrator
HUDA, (Town planning wing)
Panchkula.

To

1. All the Administrators, HUDA
2. All the Senior Town Planners
3. All the District Town Planners
4. All the Estate Officers, HUDA

Memo. no. CTP-STP (N)/JS/9602-50 Dated:09.08.2010

Subject: Policy regarding **removal of height restriction**, permission for **four level basement** and **increase in FAR of institutional plot** in HUDA sector.

Reference: - In supersession of this office memo no. 7370-7418 dated 03.06.2010.

It has been decided to amend the instructions on the subjects cited above, issued vide letter under reference as under:

In view of the fact that the National Building Code (Part-IV) has de-restricted the height of the buildings and the fact that the latest technologies are available for structural design and fire fighting, it has been decided to remove the limit of the maximum height of the building in case of Group Housing sites, Commercial Complexes and institutional sites. In the case of commercial complexes, this provision shall be applicable only on those sites which are governed by the zoning plans and not by the architectural controls. Similarly, in case of institutional sites, the policy shall be applicable on institutional plots having an area of one acre and above. Further, in case of above mentioned buildings having height 30 meters and above, clearance from the National Airport Authority of India will be required. For buildings more than 60 meters in height, regarding structural stability, the clearance from the recognized institutions like IITs, Punjab Engineering College (PEC), Regional Engineering College/National Institute of Technology etc. and for the fire safety clearance from National Fire Service College Engineers (Ministry of Home Affairs, Govt. of India) Nagpur will be required.

In view of increasing demand for parking and the latest technologies available for structural design, it has also been decided to allow four level basements for parking, to facilitate the general public, in the high rise buildings of Cyber City, Cyber Park/ IT Park/ IT units, Group Housing sites, Commercial Complexes and institutional plots. The provision of parking in various types of buildings shall have to be made as follows:-

1. Group Housing Sites: - 1.5 Equivalent Car Space (ECS) for each dwelling unit will have to be provided instead of present one equivalent car parking space (ECS) for each dwelling unit. Also minimum 75% of total car parking is to be provided in the form of covered parking.
2. Integrated/Multi-storey Commercial Buildings: - One ECS for every 50 square meters of the covered area will have to be provided instead of 75 square meters. Further, 15% of the total parking requirement has to be at the surface level and remaining 85% shall be in the form of covered parking.
3. Cyber Park/ IT Park, Cyber Cities, IT Units: - One ECS for every 50 square meters of the covered area will have to be provided.
4. Institutional Sites: - One ECS for every 75 square meters of the covered area will have to be provided. Atleast 20% of the parking shall be at the surface level and remaining 80% shall be in the form of covered parking.
5. The area for parking per car unit (Equivalent Car Space) shall be as under;

a) Basement	=	35 square meters.
b) Stilts	=	30 square meters.
c) Open	=	25 square meters.

Parking for special areas like auditoriums/convention centre etc shall be in addition as per BIS code.

6. The covered parking in the basement or in the form of multi-level parking above ground level will not be counted towards Floor Area Ratio (FAR). However, the footprint of separate parking building blocks shall be counted towards ground coverage.
7. In case of provision of mechanical parking in the basement floor/upper storeys, the maximum floor to ceiling height of the basement/floor may be of 4.5 meters.
8. The misuse of the covered parking space will immediately attract levy of three times the penalty of the composition fee prescribed for the excess covered area in the respective category. The basement can be used for Air Conditioning Handling Unit (AHU), utilities and services connected with the building, parking spaces. No storage and commercial activity shall be permitted in the designated parking areas.
9. In case a part of the basement is used for generator room, electric substation, transformer room etc, the same shall be segregated from the rest of the basement through a masonry wall, at least 4 ½” thick.
10. The above provisions shall also be applicable on group housing sites, institutional sites and Cyber Park/ Cyber Cities/IT Park/IT units retrospectively. However, these relaxations shall not be allowed on commercial sites already disposed off by way of auction. Such commercial sites shall be governed by the term and conditions of auction as well as provisions of approved zoning plans.

-sd/-
(B.B.L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

Endst.no. CTP-STP (N)/JS/9651-58

Dated: 09.08.2010

A copy is forwarded to the following for information and further necessary action please.

1. The Chief Administrator, HUDA (Urban Branch-I &II), Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Engineer-I, HUDA, Panchkula.
5. The Senior Architect, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula.
7. The Dy. ESA, HUDA, Panchkula.

-sd/-
(B.B.L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA.
2. All the Senior Town Planners.
3. All the Superintending Engineers.
4. All the District Town Planners.
5. All the Estate Officers, HUDA.
6. All the Executive Engineers. HUDA.

Memo. No. CTP/DTP (N)/SB/ 11544-624

Dated; 09.12.2009

Subject: Amendment in HUDA (Erection of Buildings) Regulations-1979.

Find enclosed a copy of Haryana Government Gazette dated 01.12.09 in which notification dated 19.11.09 pertaining to amendment in HUDA (Erection of Buildings) Regulations, has been published. The provisions of the notification shall come into force from the date of notification i.e. 19.11.09. It is also clarified that as per decision of the Government, clause 2 & 3 of the notification shall be applicable to all such multi-storeyed buildings where Occupation Certificate is yet to be granted by HUDA. Further, the validity of the building plans of multi-storeyed buildings shall also be five years or the period of construction allowed, whichever is earlier.

You are requested to follow the provisions of notification and recover the differential of scrutiny fee from those allottees whose building plans of multi-storeyed buildings have been approved after 19.11.09 and also from those allottees who intend to take the benefit as per revised notification relating to validity of building plans please.

DA/As above

-sd/-
(J.S.Redhu)
Chief Town Planner,
For Chief Administrator, HUDA.

Endst. no. CTP/STP (N)/SB/11625-34

Dated: 09.12.2009.

A copy is forwarded to the following for information and necessary action please:-

1. PS/ FCTCP for kind attention of Financial Commissioner & Principal Secretary to Government Haryana, Town and Country Planning Department.
2. PS/ DTCP for kind information of Director, Town & Country Planning Department, Haryana, Chandigarh.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Engineer-I, HUDA, Panchkula.
6. The Senior Architect, HUDA, Panchkula.
7. The Incharges (Urban Branch-I & II), Panchkula.
8. The Enforcement Officer, HUDA, Panchkula.
9. The Dy. ESA, HUDA, Panchkula.

-sd/-
(J.S.Redhu)
Chief Town Planner,
For Chief Administrator, HUDA.

From,

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula

To,

1. All the Administrators of HUDA in the State .
2. All the Estate Officers of HUDA in the State .

Memo No. CTP/STP-M/ 10992-11014 Dated: 20.11.2009

Subject: Regarding **structural drawings** to be submitted with **building plans**.

A few architects have represented that the structural drawings are rendered useless if some changes are required to be made in the building plans in accordance with HUDA regulations/zoning plan at the stage of scrutiny/ approval of the building plans. In case of bigger institutional, industrial, commercial or Group Housing buildings, considerable expenditure is involved in reformulation/vetting of the structural drawings. Therefore, the structural drawings may be allowed to be submitted only after the building plans have been approved by the competent authority.

In this regard, it is apprised that regulation 3 of the Haryana Urban Development Authority (Erections of Buildings) Regulations, 1979 stipulates that any person intending to erect or re erect any building shall also submit the structural drawings (for record) alongwith the proposed building plans. A certificate of conformity to regulations and structural safety for the relevant building (depending on type and height) in form BR VI A or BR VI B is also required to be submitted with the building plans. The request has been examined and found to be genuine. Therefore, it has been decided that in case of all plots of half acre (2000 sq.mtrs) and above, may be residential (Group housing), Industrial, Institutional or commercial, the condition to submit structural drawings alongwith the building plans is relaxed. In such cases, a provisional clearance of building plans shall be communicated to the allottee by the Estate Officer as per the time schedules already prescribed for approval of building plans. This provisional approval shall be subject to the conditions that the structural drawings will be submitted by the allottee within 30 days of the date of provisional approval, and the formal sanction letter for approval of building plans shall be issued by the Estate officer only after the structural drawings are submitted by the allottee. The provisional clearance will be valid for 30 days only and will automatically lapse, in case structural drawings are not submitted by the allottee within 30 days of the provisional approval. The above said provisional approval shall only be granted for the purpose of finalization of structural drawings and shall not entitle the allottee to start construction of the building. These instructions shall come into force with immediate effect.

-sd/-

(J.S. Redhu, CTP)
for Chief Administrator, HUDA.

Dated: 20.11.2009

Endst.No. CTP/STP-M/ 11015-11026

A copy is forwarded to the following for information and necessary action:

- 1 Chief Engineer/ Chief Engineer-I, HUDA, Panchkula.
2. All Senior Town Planners in the State .
3. Senior Architect, HUDA, Panchkula.
4. LR/DA HUDA HQs, Panchkula.
5. Administrative officer, Urban Branch-I & II, HUDA HQs.

-sd/-

(J.S. Redhu, CTP)
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

All the Administrator, HUDA
All the District Town Planners

Memo. no. CTP/STP-N/AM/6337-61 Dated: 16.07.2009

Subject: Provision of stilt parking in Industrial plots.

Reference: In continuation to this office memo no. 7176-7232 dated 24.07.2008.

In view of increasing demand for parking, changing character of construction of industrial plots and the latest technologies available for structural design, it has been decided to amend the provisions of parking in basement and under stilts to make them inconsonance with conditions contained in the Notification dated 09.07.2008 issued by the Town & Country Planning Department. The following provisions shall govern the provision of parking in basement and under stilts in case of industrial plots:-

- (i) The basement not exceeding the maximum permissible zone on ground floor and intended to be used for parking, services and storage shall be allowed, if it satisfies the public health and structural requirements and shall not be considered in floor area ratio. Ramps shall be permitted within the zoned area (building line) to keep the setback area uninterrupted.
- (ii) Parking in the stilted floor at ground floor level shall be permissible free from floor area ratio, if the height from the finished ground floor to the bottom of the hanging beam is not lower than 2.5 meters and not more than 2.8 meters.
- (iii) The built area required for labour welfare, within the premises, under the provisions of the Factories Act, 1948 such as dispensary, dining area, canteen, laboratories, crèche etc. shall not be counted for parking requirement.

This is issued with the approval of Chief Administrator, HUDA please.

-sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.CTP-2009/2847-69

Dated: 21.4.2009

Subject:- Instructions regarding finalization of **Zoning Plans** before **offer of possession** and **auction of sites**.

Reference: In continuation of Memo no. CTPHUDA/DTP(N) 12436-83 dated 13.11.2007.

It has been noted that the zoning plans of various categories of plots have not been prepared and got approved from the competent authority in time because of which various complications are arising. It is also leading to numerous court cases as well as huge financial loss to HUDA because in some cases it has been ordered that interest should be charged from the date of supply of zoning plan. Though we are contesting all such cases but there is a need to prepare and supply the zoning plans in time. Your kind attention is invited to Headquarter instructions issued vide letter No.Policy/77/540-52 dated 11.01.1978 (copy enclosed) according to which it was decided that whenever possession of a plot is offered, the zoning of the plot should be mentioned in the possession letter itself. Instructions in this regard were consolidated and issued vide Memo no. CTP HUDA/DTP (N)/ 12436-83 dated 13.11.2007 to all Administrators / Senior Town Planners/ District Town Planners and Estate Officers. However, it has been noticed that these instructions are not being complied with in letter and spirit. Following is, therefore,ordered for strict compliance:-

- (i) No possession of plot should be given without a copy of the zoning plan which should be incorporated in the possession letter itself. If architectural drawings are applicable then number of architectural drawings should be mentioned clearly.
- (ii) As has already been ordered separately vide letter No.12436- 83 dated 13.11.2007, no plot other than residential plot should be put to auction unless its zoning has been approved and properly displayed at the time of auction otherwise Estate Officer shall be personally held responsible for lapse.
- (iii) A copy of the zoning plan in respect of the plots which have not been constructed so far should be obtained from the concerned DTPs and placed on the individual plot files for which concerned Asstt. shall be responsible.

Action on above points should be ensured forthwith and a compliance report in following format should be sent by 31.05.2009 :-

Sr. No	No. of sector	Total No. of plots carved out	Possession offered	Already constructed plots	Balance plots	No. of plots for which zoning plans have been obtained and placed on plot files	Balance	Reasons for not preparation of zoning plans for Col. No.8
1	2	3	4	5	6	7	8	9

A meeting to review the progress in this case shall be held at 11.00 AM on 3.6.2009. All the Administrators are requested to attend the meeting.

--sd/--
(T.C. GUPTA, IAS)
Chief Administrator
HUDA, Panchkula.

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

The Administrator HUDA,
Gurgaon, Faridabad, Panchkula
Rohtak, Hisar

Memo no. CTP HUDA/DTP (N)/12407-411

Dated: 14.11.2007

Subject: Regarding finalization of **zoning plans of various sectors.**

It has been observed that part zoning plans of various sectors area being forwarded to this office for approval of the Chief Administrator HUDA. Some times zoning plans of only few plots are forwarded for approval. In view of the above, you are requested to review the zoning plan of each and every sector of all the urban estates falling under your jurisdiction and get the zoning plans of all balance plots, zoning of which are yet to be finalized, in one go. This exercise must be completed in a month's time positively please.

-sd/-

District Town Planner

For Chief Administrator HUDA, Panchkula

Dated: 14-11-2007

Endst. No. CTP-H/DTP (N)/12412-435

A copy is forwarded to the following for information and necessary action please.

1. All the Senior Town Planners
2. All the District Town Planners

-sd/-

District Town Planner

For Chief Administrator HUDA, Panchkula

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

1. All the Administrators, HUDA.
2. All the Senior Town Planners.
3. All the District Town Planners.
4. All the Estate Officers, HUDA.

Memo no. CTP HUDA/DTP(N)/12436-83

Dated: 13.11.2007

Subject: Instructions regarding finalization of zoning plans.

Timely finalization of zoning plans is an important area of concern having financial implications also, since possession of allotted sites is linked with the zoning plan. However, it has been observed that clear cut procedure/ time lines have not been defined for preparation/finalization of zoning plans, due to which adequate attention is not being given to the zoning plans resulting into un-necessary complications and litigations. In order to streamline the procedure of preparation/finalization of zoning plans and in supersession of all instructions on the subject, it has been decided that:

1. The process of preparation of zoning plans will commence in a time bound manner immediately after the approval of the Demarcation plan of a sector in which unique property numbers to each and every plot and site would be assigned.
2. The concerned District Town Planner will prepare and submit the zoning plan of all residential plots in a sector to the concerned Senior Town Planner within 30 days of the approval of demarcation plan.
3. The zoning plans of all other sites in a sector e.g. nursery schools, primary schools, Senior Secondary Schools, community centres, dispensaries, hospitals, nursing homes/clinics, religious building sites, institutional sites etc shall be prepared by the concerned District Town Planner and submitted to the concerned Senior Town Planner within 60 days of the approval of demarcation plan.
4. Similarly, the zoning plans of all commercial sites which are not governed by the architectural controls e.g. hotels, multiplexes, shopping malls, departmental stores etc shall be prepared by the concerned District Town Planner and submitted to the concerned Senior Town Planner within 30 days of the approval of layout plan of a commercial scheme/area.
5. The concerned Senior Town Planner will technically examine and forward the above said zoning plans received from the concerned DTPs to the concerned Zonal Administrator within 15 days for placing the same before the Zoning Plan Committee. Administrator HUDA will get the same approved from ZPC within 10 days and forward it to CTP HUDA within 7 days of the approval of Zoning Plan Committee. CTP HUDA will get the plan approved from CA HUDA within 10 days of receipt of the plan in his office.
6. Once the main zoning plan is approved from CA HUDA, minor amendments required, if any, due to site conditions/variations in dimensions, clubbing of plots etc as well as of some left out individual plots within the sector, if any, will be approved by the zonal Administrators at their own level and a copy of such approved zoning plan will be sent by the Administrators to CTP HUDA for record.

7. No plot other than residential shall be floated/advertised for sale without approval of zoning plan in advance, which should be displayed/published at the time of advertisement/auction etc. Otherwise the Estate Officer (not any lower rank officer) shall be personally held responsible for this lapse and shall be accountable for all consequential losses.
8. No possession of residential plot shall be given unless the zoning plan is depicted in the possession letter.

Above instructions will come into force with immediate effect and should be followed meticulously. Any delay in the prescribed time lines at any level shall be viewed seriously and appropriate disciplinary action shall be taken against the defaulting official/officer.

-sd/-

District Town Planner

For Chief Administrator HUDA, Panchkula

From:

The Chief Administrator,
HUDA Panchkula

To

1. All the Administrators
2. All the Senior Town Planners
3. All the District Town Planners.

Memo No. 8733-64

Dated: 18.10.2001

Subject: Finalization of **zoning plan** of **multiple cinema complexes** framing of policy

The matter regarding finalization of zoning plan of multiple cinema complexes has been examined and following policy decisions have been taken:-

1. The proposed FAR in multiplexes may be restricted to 1.50 in cases where the sites are part of City Centre. However in case of independent sites where individual plots have been earmarked for Cinema or the Multiplexes, FAR of 1.25 may be allowed.
2. Multiplexes may be allowed only in City Centers and District Shopping Centres. The allottees will have to construct minimum two separate Theatres within the same Cinema Complex. Minimum total number of seats for would be 450 all the Theatres.
3. The percentage of commercial component in a Cinema may be allowed to the tune of 50% of FAR. The commercial component of the Cinema hall can be used for Convention Center, Exhibition Hall, Cultural Centers, Departmental Store, Shopping Center, Restaurant and similar other uses for entertainment.
4. In case of existing cinema buildings and cinema sites which have already been auctioned but buildings have not yet been constructed, the FAR already approved be retained.
5. In case, owner of existing Cinema building, want to convert their buildings into Multiplexes and use some portion of their site for commercial use (within the prescribed FAR), HUDA would levy charges as per policy already approved by the cabinet/authority.

The zoning plan amended as per the above decisions shall be forwarded for approval of Chief Administrator, HUDA.

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula

From:

The Chief Administrator,
HUDA Panchkula

To

- 1) The Administrator, HUDA,
Panchkula, Gurgaon, Faridabad & Hissar
- 2) The Senior Town Planner,
Panchkula, Gurgaon, Hissar.
- 3) All the District Town Planners

Memo No. 6865-90

Dated: 26-7-2001

Subject: Provision of **barrier free environment** in **zoning plan** of all new **Govt. Buildings** and **public utilities** for persons with disability.

Ref: In continuation of Director, Town & Country Planning Haryana office memo No. 766-781 dated 22.1.1998

Please incorporate the provision of IS Code 4963 1987 relating to recommendations for buildings and facilities for the physically handicapped in the zoning plans being approved for all public buildings falling in HUDA areas within your jurisdiction as directed by Director, Town and Country Planning, Haryana vide letter under reference.

DA/As above

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula
Dated: 26/7/2001

Endst. No. 6891

A copy is forwarded to the Director, Social Defence and Securities Govt. of Haryana, Chandigarh with reference to his office memo No. 11082-90 dated 21-5-2001 for information please.

-sd/-

District Town Planner
For Chief Administrator, HUDA, Panchkula

From:

The Chief Administrator,
HUDA Panchkula

To

The Administrator
HUDA, Gurgaon, Faridabad, Panchkula, Hissar

Memo no. CTP-DTP (M) 4588-4591 Dated: 1/9/2000

Subject: Zoning plans of Religious/Para-religious building Sites- Provision of residence for Priest/Care Taker.

With reference to the above cited subject, it has been decided that in the zoning plans of sites for religious/para-religious buildings allotted by HUDA, following provisions may be made:

“Ten percent of the permissible FAR could be allowed to be used for buildings ancillary to the main-use including Priest/Care-Taker residence. Shops will however, not be allowed”.

Necessary action may please be taken accordingly.

-sd/-
District Town Planner
For Chief Administrator, HUDA, Panchkula
Dated 1/9/2000

Endst. no. 4592-4613

A copy is forwarded to the following for information and necessary action:-

1. Senior Town Planner, Gurgaon, Panchkula, Hissar
2. District Town Planner, Gurgaon, Rewari, Narnaul, Panchkula, Ambala, Kurukshetra, Karnal, Panipat, Yamuna Nagar, Kaithal, Hissar, Fatehabad, Sirsa, Bhiwani, Faridabad, Sonapat, Jhajjar, Rohtak.

-sd/-
District Town Planner
For Chief Administrator, HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

The Chief Architect, Haryana
Department of Architecture,
Chandigarh

Memo No. 5816

Dated: 26.6.1998

Subject: Relaxation in the **zoning regulation** in HUDA with respect to allowing the **machine room** for the **lifts** over and above the permissible **height of the building** (Construction of office and Lab for HPCB on Plot No. C-14, Sec-6, Panchkula.)

Reference: Your D.O. letter no. Arch-98/3646 dated 25.3.98

The matter cited as subject has been examined and it has been decided that height of the machine room for lift along with service stair case shall be allowed over and above the height of the building as per provisions contained in clause No. 4.11.11, part VIII, Section 5 of B.I.S. code (N.B.C.) which is reproduced as under:

“The height of the machine room shall be sufficient to allow any portion of equipment to be accessible and removable for repair and replacement and shall be not less than 2 M clear from the floor or the platform of machine whichever is higher”.

-sd/-

District Town Planner

For Chief Administrator, HUDA, Panchkula

Dated: 26-6-1998

Endst. No. 5817-42

A copy is forwarded to the following for information and necessary action please.

1. Administrator, HUDA, Panchkula/Gurgaon/Faridabad/Hisar
2. The Senior Town Planner, Gurgaon/Panchkula/Hisar
3. All the District Town Planners

-sd/-

District Town Planner

For Chief Administrator, HUDA, Panchkula

(C) INSTRUCTIONS REGARDING LAND ACQUISITION

From

The Chief Administrator,
HUDA (Town Planning Wing), Panchkula.

To

1. All the Zonal Administrators of HUDA in the state
2. All the Estate Officers of HUDA in the State

Memo No.CTP/STP-M/11386-11408 Dated 21.09.2012

Subject: Land Pooling Scheme for acquisition and development of Residential sectors.

With reference to the subject cited above, it is intimated that a Land Pooling Scheme has been notified by the Urban Estates Department in the State Gazette (extra.) dated September 10, 2012 vide notification no. 10431. A photocopy of the said notification is enclosed for information and necessary action. Copy of the notification can also be viewed on HUDA web site www.huda.gov.in

This scheme is applicable on all the new land acquisition notifications to be issued for development of Residential sectors. Also a one time opportunity of exercise of option under this scheme shall also be available to landowners in respect of the current acquisition proceedings where the notifications under section 4 or section 6 of the Land Acquisition Act have been issued and the period available for announcement of the award is four months or more.

Accordingly, you are requested to identify the already existing notifications which shall be covered under the scheme and send their details to this office within one week's time, clearly indicating the date of section 4 and /or section 6 notification.

DA/As above.

-sd/-

(R. Jain, ATP)

For Chief Administrator, HUDA
Panchkula

Endst.No.CTP/STP- (M)/ 11409-13

Dated 21.09.2012

A copy, along with a photocopy of the above said notification, is forwarded to the following for information and necessary action:-

1. The Director General, Urban Estates Department, Haryana, Panchkula
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Engineer - I, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The District Attorney, Legal Cell (H.Q), HUDA, Panchkula.

-sd/-

(R. Jain, ATP)

For Chief Administrator, HUDA
Panchkula

HARYANA GOVERNMENT

Urban Estates Department

Notification

The 10th September, 2012.

1. No.10431- The Department of Urban Estates, Haryana acquires land for development of urban areas in planned manner by Haryana Urban Development Authority. The land for the purpose is acquired under the provisions of the Land Acquisition Act-1894. The Government has also formulated its land acquisition and R & R Policy dated 09.11.2010 in this behalf, whereby, the interests of land owners are duly protected with provisions for (i) minimum floor rates so as to ensure payment of market linked compensation, and (ii) a number of benefits under the Rehabilitation and Resettlement (R&R) Policy, including payment of Annuity for a period of 33 years which has been hailed as a model throughout the country.
2. The Governor of Haryana is pleased to notify a 'Land Pooling Scheme' for development of residential sectors by Haryana Urban Development Authority, in furtherance of the above, whereby the land owners are also given an option to become partners in the development process. The details of the 'Land Pooling Scheme' are given in Annexure 'A' to this notification.
3. This Scheme is applicable with immediate effect.

(S.S. Dhillon)

Financial Commissioner and Principal Secretary
to Govt. Haryana, Urban Estates Department.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

The Administrator, HUDA,
Gurgaon / Faridabad / Rohtak/ Hisar/ Panchkula.

Memo. no. CTP/STP (N)/JS/10012-16

Dated: 23.08.2010

Subject: Regarding **acquisition of land** for various projects of HUDA-**videography** of land proposed to be acquired.

Reference: In continuation to this office memo. no. 6119-30 dated 03.07.2008 and memo no. 6865-67 dated 19.05.2010.

This office vide letter under reference had directed to ensure that in future the Satellite Imagery of the land with resolution of 0.6 meters is placed on the file while issuing notification under section-4 of the Land Acquisition Act. It has now been decided that if Satellite Imagery is not readily available, a CD containing the video recording of the area proposed to be acquired, clearly evidencing the date on which video recording has been done, must be placed on the file while sending proposals for notification of land under section-4 of the Land Acquisition Act. Similar instructions have already been issued by the Director Urban Estates, Haryana vide his office memo no. A-5-2010/6433-70 dated 13.08.2010.

You are requested to ensure that henceforth the above instructions must be complied meticulously please.

-sd/-

(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

Dated: 23.08.2010

Endst. no. CTP/STP (N)/JS/10017-22

A copy of the above is forwarded to the following for information and necessary action please:

1. The Director, Urban Estates Department Haryana, Panchkula.
2. The Land Acquisition Officer, Gurgaon / Faridabad/Rohtak/ Hisar/ Panchkula.

-sd/-

(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning wing)
Panchkula.

To,

1. The Chief Controller of Finance, HUDA Panchkula.
2. All the Administrator of HUDA.
3. All Estate Officers of HUDA.
4. All Land Acquisition Officers.
5. All District Town Planners.
6. All the Executive Engineers of HUDA.

Memo No: CTP/STP-N/JS/6338-6419 Dated: 05.05.2010.

Subject: -Regarding re-conciliation of land acquired for HUDA.

Reference: - In continuation to this office memo no. CTP/STP (N)/JS-8975-9011 dated 25.09.2009.

It is intimated that comprehensive instructions regarding handing over of possession of acquired land, preparation of plans and floatation of sectors were circulated vide letter under reference. It has been observed that these instructions are not being followed meticulously and there are cases where possession of acquired land has not been offered to the concerned Estate Officer, HUDA by the LAO, leading to encroachments and litigations.

In view of the above, it has been decided that henceforth an exercise for reconciliation of land acquired for HUDA should be carried out by respective Administrators by 15th April of each financial year. The following procedure should be followed for reconciliation of acquired land:

1. The Chief Controller of Finance, HUDA shall forward the details of amount disbursed in a financial year to various Land Acquisition Officers for acquisition of land for HUDA, to the respective Administrators by 7th April of each financial year.
2. The Administrators will ascertain that the possession of acquired HUDA land has been taken over by the concerned Estate Officer/Executive Engineer, HUDA as per the instructions circulated vide letter under reference.
3. The Administrators will also examine and monitor finalization of layout plan of acquired land.
4. Thereafter, a consolidated report, giving details of total acquired, planned and un-planned land, will be forwarded by the Administrators to Chief Administrator, HUDA.

Chief Administrator, HUDA has directed that for the current financial year, this position may be reconciled by the respective Administrators by 30.05.2010 positively. Chief Controller of Finance HUDA is requested to send details to all Administrators as per para -1 above by 14.05.2010 please.

-sd/-
(K.K. Yadav)
Chief Town Planner,
for Chief Administrator, HUDA.
Dated. 05.05.10

Endst no. CTP/STP (N)/JS/6421-22

A copy is forwarded to the following for information and necessary action please.

1. The Director, Urban Estates Department, Haryana Panchkula.
2. The Director, Town and Country Planning Department, Haryana, Chandigarh.

-sd/-
(K.K. Yadav)
Chief Town Planner,
for Chief Administrator, HUDA.
Dated. 05.05.10

Endst no. CTP/STP (N)/JS/6423

A copy is forwarded to the Dy. ESA HUDA Panchkula for information and necessary action please.

-sd/-
(K.K. Yadav)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator
HUDA (Town Planning wing) Panchkula.

To

1. All the Administrators
2. The Chief Engineer HUDA Panchkula.
3. The Chief Engineer-I, HUDA Panchkula.
4. All the Superintending Engineers, HUDA,
5. All the Estate Officers
6. All the Land Acquisition Officers

Memo No: CTP/DTP (N)/JS/11275-11313

Dated: 2.12.2008

Subject: Procedure to be followed for **acquisition of land** under **Urgency Clause** for HUDA.

It has been observed that proposals for the acquisition of land under Urgency Clauses are forwarded for approval of the Government without any background note/ justification of acquisition of land under Urgency Clause. Also work on the land pockets acquired under urgency clause is not started in time leading to legal complications. Due to delay in starting work at site, it becomes difficult for HUDA to justify acquisition of such land pockets under Urgency Clause. It has, therefore, been decided that:

- (i) All proposals for the acquisition of land under Urgency Clauses, forwarded for approval of the Government, must be accompanied by a detailed background note giving the justification of acquisition of land under Urgency Clause. Specific details of services to be laid/ infrastructure facilities to be provided on the land must be mentioned in the background note.
- (ii) The other technical details, including preparation of estimates, finalization of alignment, finalization of specification of the implemented on the land acquired under Urgency Clause must be finalized in advance to avoid delays in start of work at site.
- (iii) The actual work on the site must be started immediately on acquisition of land under Urgency Clause and in no case the date of start of work should be later than two months from the date of announcement of award.

These instructions will come into force with immediate effect and serious view will be taken for delays in start of work.

-sd/-
(P.K.Sharma)
Chief Town Planner,
For Chief Administrator, HUDA
Dated: 2.12.2008

Endst. no. CTP/DTP (N)/JS/11314-316

A copy is forwarded to the following for information and further necessary action please:

1. PS/FCTCP for kind information of Financial Commissioner and Principal Secretary to Government, Haryana, Town & Country Planning and Urban Estate Departments.
2. PS/DTCP-cum-DUE for kind information of Director Town & Country Planning and Director, Urban Estates Departments, Haryana.
3. PS/C.A HUDA for kind information of Chief Administrator, HUDA.

-sd/-
(P.K.Sharma)
Chief Town Planner,
For Chief Administrator, HUDA

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

All the Administrator, HUDA

Memo. no. CTP/DTP (N)/JS/6119-23 Dated: 03.07.2008

Subject: Regarding **acquisition of land** for various projects of HUDA.

Reference: In continuation to this office memo.no.3249-54 dated 11.04.08.

Chief Administrator, HUDA has directed to ensure that in future the imagery of the land with regulation of 0.6 mtrs. is placed on the file while issuing notification under section 4 of the Land Acquisition Act . The Chief Scientist Haryana State Remote Sensing Application Centre Hisar has informed that the high resolution Satellite data (0.6mts.) is procured through MRSA Hyderabad on requirement basis. Minimum time period required for such imagery is one month or more depending upon the position of the satellite. Minimum area of 8 x 8 KM (64 sq. KM) is supplied . The acquisition of high resolution satellite data for one site at the current rates would cost a minimum of Rs.85,000/- plus processing charges.

You are requested to place orders for required satellite imageries just before the land proposed to be acquired is notified under section 4 of the Land Acquisition Act. The above instructions must be complied with in case of all the land pockets to be acquired henceforth please.

-sd/-

(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA, Panchkula.
Dated: 03.07.2008

Endst. no. CTP-HUDA-DTP (N)/JS/6124-30

copy of the above is forwarded to the following for information and necessary action please:

1. The Director, Urban Estates Department Haryana, Panchkula.
2. All the Land Acquisition Officers
3. Sh. R.S.Hooda, Chief Scientist, Haryana State Remote Sensing Application Centre, Department of Science & Technology, Haryana , CCS HAU Campus, Hisar

-sd/-

(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA, Panchkula.

From:

The Chief Town Planner,
HUDA, Panchkula

To

District Town Planner,
Panchkula, Gurgaon, Faridabad, Hissar, Rohtak, Bahadurgarh, Karnal, Ambala, Kurukshetra,
Sonapat, Panipat, Bhiwani, Jind, Sirsa, Rewari, Narnaul, Yamuna Nagar, Kaithal, Jhajjar, Fatehabad
Memo no. CTP-HUDA/738-56 Dated: 25/1/2006

Sub: Site Report on Applications for Release of Land from Acquisition

Director, Urban Estate has observed that the site report as given by District Town Planner on the cases relating to release of land from acquisition is not clearly depicted on the plans attached with report and no categorical description is given about the effect of land, if released from acquisition. Therefore, the following points may be specifically covered while giving the site report.

1. Every site should be indicated on the Development Plan of the town.
2. The site/land in question should be clearly depicted on the layout plan and the structures falling in the site should also be shown on the plan. Similarly, the site should also indicate the khasra Nos with boundaries falling in the site. However, if the above information is difficult to be shown distinctly on the layout plan then demarcation plan can be used for the same.
3. It is not enough to say that the land requested to be released effects plots, roads, green belt etc. Each and every affected proposal should be qualified to indicate the No. of plots/roads etc with areas.
4. When there is no layout plan prepared the site should be indicated on a Shajra plan showing the sector roads and other major roads proposed in the sector and it should be clearly stated if the site can be adjusted in the layout plan or not.
5. The constructions on the site should also be shown on a site plan clearly depicting the set backs from outer boundaries, covered area and category of construction.

Along with and keeping in view the above, clear cut recommendations should be given if the site in question is recommended to be released or not.

-sd/-
Chief Town Planner,
HUDA, Panchkula
Dated: 25/1/2006

Endst. No. CTP (H)/757-64

A copy is forwarded to the following:

1. Director, Urban Estates, Haryana, Chandigarh with reference to the discussion held on 23.1.2006 for kind information please.
2. Administrator, HUDA, Panchkula, Gurgaon, Faridabad, Hisar with the request to kindly ensure that these instructions are duly complied with and the cases are examined and forwarded to Director, Urban Estates with specific recommendations regarding release/non release of the land.
3. Senior Town Planner, Panchkula, Gurgaon, Faridabad & Hissar with a request for similar action.

-sd/-
Chief Town Planner
HUDA, Panchkula

(D) INSTRUCTIONS REGARDING PLANNING OF SECTORS AND PROVISION OF INFRASTRUCTURAL FACILITIES

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. All the Senior Town Planner in the State
2. All the District Town Planners in the State

Memo no. CTP/STP-M/1526-51

Dated: 06.02.2012

Subject: Guidelines for preparation of **demarcation plans**.

It has been observed by the authorities that deficiencies left in the demarcation plans of HUDA sectors result in disputes with allottees and the land owners; at times result in litigation also. Hence, it has been decided that henceforth following guidelines should be adhered meticulously in demarcation plans, part demarcation plans and revised demarcation plans:-

1. The exact number of available plots/sites gets established at the finalization of demarcation plans. Therefore, the numbering of plots/sites should invariably be incorporated in the demarcation plans, rather than preparing separate Numbering plans for sectors.
2. The Area Schedule (i.e. details of area under various uses/activities) is being depicted in the layout plan, but it is often found missing in the index of the demarcation plans, although the details of plots is being given. Since the area under various uses e.g. Roads, Schools, Shopping Centre, Public and Semi-Public Buildings etc. may be at variance from the approved layout plans, vis-à-vis site conditions, therefore, the demarcation plan must indicate the improved final Area Schedule, alongwith the details of plots.

Demarcation plan should clearly indicate the exact number of all the plots that have been omitted or added, at the stage of finalization of demarcation plan.

3. Each demarcation plan must indicate the Drawing Number & Date of the approved layout plan in the Notes given in the index and also the reference of the letter (i.e. memo no. & Date) vide which the verified dimensions have been supplied by the concerned XEN office.
4. The revised demarcation plan should clearly indicate the exact number of plots/sites, as well as details of individual plot-number/site-number of each omitted or added plot/site.

While sending cases for revision of demarcation plans, reasons of necessity of the proposed revision must be clearly highlighted and a comparative table should be sent clearly indicating therein the proposed revised dimension/size of each affected plot/site vis-à-vis earlier approved dimensions/size of these plots and difference in the area thereof.

5. The timelines already prescribed in guidelines issued vide memo no. 7885-88 dated 22.06.2010 must be adhered to.

-sd/-
(K. Anirudh Sharma)
Chief Town Planner,
for Chief Administrator, HUDA.

Endst. No. CTP/STP (M)/1552-59

Dated: 06.02.2012

A copy is forwarded to the following for information and with a request to bring it to the notice of all concerned:-

1. All the Zonal Administrators of HUDA in the State,
2. The Chief Controller of Finance, HUDA Panchkula.
3. The Chief Engineer/Chief Engineer-I, HUDA Panchkula.

-sd/-
(K. Anirudh Sharma)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. The Administrator, HUDA, (HQ), Panchkula
2. All the Administrators of HUDA
3. The Additional Director, Urban Estate Department, Haryana
4. The Chief Town Planner, Haryana, Chandigarh.
5. All the Senior Town Planners
6. All the Superintending Engineer, HUDA
7. All Estate Officers of HUDA
8. All Land Acquisition Officers
9. All the District Town Planners
10. All the Executive Engineers of HUDA

Memo no. CTP /STP (N)/JS/7885-7997 Dated: 22.06.2010

Subject: Comprehensive policy regarding handing over of possession of acquired land, preparation of **plans** and **flotation** of sectors- **Amendments** made therein.

Reference: In supercession of this office memo no. 10013-97 dated 06.11.07.

It is intimated that vide letter under reference, a detailed procedure for taking proper physical possession of acquired HUDA land was prescribed. The action taken in respect of all major acquisitions since 01.01.06 to 31.03.09 as per above instructions was reviewed in the review meeting held under the chairmanship of Chief Administrator HUDA on 29.07.09. It was decided to amend these instructions and clear time limits may be prescribed where ever such limits have not been prescribed in the instructions. Accordingly, it has been decided that:

1. The concerned LAO shall intimate the DTP concerned within 7 days of the notification under section-6, of the Land Acquisition Act, the Khasra nos of the land under acquisition with areas and the same should also be marked on shajra plan. The land falling within the boundary of the land under acquisition which has not been acquired/ released should also be indicated with outer dimensions on the shajra plan. On the basis of this shajra plan, DTP shall prepare a tentative layout plan of the area within 6 weeks from the date of intimation of this notification by the concerned Land Acquisition Officer. Thereafter, the tentative layout plan of the notified land shall be forwarded by DTP to STP/ Administrator HUDA for further transmission to CTP/CA HUDA for approval.
2. The LAO shall intimate the tentative date of announcement of award at least 15 days in advance to the concerned Estate Officer and concerned XEN HUDA for making necessary arrangements in advance for taking over of physical possession of the acquired land.
3. DUE office shall obtain administrative approval to announce the award, only after receipt of copy of approved tentative layout plan of the sector.
4. The LAO staff shall demarcate the boundaries of the land under acquisition on the day of making the award and the EO shall through his staff take possession after the land boundary is demarcated. Besides Estate Officer, HUDA, the concerned Executive Engineer of HUDA shall also remain present at the time of award. The possession of the land shall be taken over by the Estate Officer and handed over to Xen concerned immediately for watch and ward and protection of land and to start development as required. Details of awarded land free from litigation, possession of which has been handed over, as well as details (CWP no. / khasra no. and area)

of the land under litigations, possession of which has not been handed over should be clearly mention in the possession report. The possession report shall be signed by concerned LAO, Estate Officer, HUDA and Executive Engineer, HUDA on the date of award. Thereafter, for all purposes the land would be in possession of EO HUDA. The LAO staff shall also get the land boundaries demarcated for released/un-acquired pockets, within the acquired land. The physical possession at site should also be supported by a shajra plan of the acquired land duly signed by LAO and indicating the outer dimensions of the land, dimensions of release land/ unacquired land / structures which have not been acquired, falling within the boundary of the acquired land.

5. A tractor should plough the land in question on the date of taking over of physical possession of land. Tractor number (s) and the name of the driver(s) along with the date mentioned and photographs of action taken shall form part of the report to be prepared by the Estate Officer, HUDA on that day regarding taking over possession.
6. Concerned Executive Engineer shall ensure the installation of permanent RCC pillars with barbed wiring on the boundary of the land acquired within 7 days from the date when physical possession of the land is delivered to the concerned Estate Office. If need be a boundary wall shall be erected in the areas assessed to be highly encroachment prone. Concerned Executive Engineer shall arrange pillars and barbed wire well in advance so that acquired HUDA land is protected from encroachments. In case of any subsequent encroachments, besides Estate Officer, the concerned Xen, shall also be made responsible.
7. An advertisement in abridged form in two leading dailies of the area, of which one must be in vernacular language, should be issued by concerned Estate Officer on the next day of taking over of physical possession of the land. A public proclamation by beat of drum should also be ensured at the time of taking possession and an entry of the same be made in the Roznamcha of the revenue are installed Patwari.
8. Copies of advertisement, taking over physical possession report, shajra plan showing boundaries of acquired land, copy of Roznamcha of the revenue Patwari and details mentioned in para 4 above should form part of the report regarding taking over of possession to be prepared by the Estate Officer, HUDA. A copy of detailed report shall be sent by the Estate Officer to the concerned Zonal Administrator as well as Enforcement Officer (HQ) and CTP (HUDA) within 10 days of action taken in the matter as specified above.
9. The entries in the revenue record must be made and mutation in the name of HUDA should be got entered by the concerned Estate Officer and Administrator (HQ). Application in this regard must be filed within 30 working days of taking possession.
10. In cases where the Hon'ble Courts have granted stayed dispossession, it shall be the responsibility of the concerned LAO to inform the concerned Estate Officer, HUDA about the clearance of litigations in favour of HUDA. The LAO shall do so within a week of the receipt of the court orders and hand over possession also during the same period. Same procedure as laid down in para 4-9 above shall be followed for such handing / taking over of possession.
11. An exercise for reconciliation of land acquired by HUDA should be carried out by the respective Administrators by 15th April of each financial year, as per procedure prescribed in the instructions issued vide memo no. CTP/STP(N)/JS/6338-6419 dated 05.05.2010.
12. Estate Officer concerned shall hand over a copy of shajra plan mentioned in para 4 above to concerned XEN and DTP, on taking over of possession from the LAO staff.
13. Thereafter, concerned XEN shall supply a survey plan to the DTP, under intimation to concerned Administrator and CTP HUDA, within 30 days of the date of award for the preparation of layout plan. Simultaneously, development cost shall also be worked out by XEN and communicated to C.E. HUDA through SE HUDA for working out the flotation rates.
14. DTP will finalize the layout plan within 15 days of receipt of survey plan. In any case the layout plan should reach CTP HUDA through concerned Administrator within 30 days from the date of receipt of survey plan.
15. After approval of layout plans, CCF HUDA shall intimate the rates of plots to CTP and concerned Estate Officer HUDA within 15 days. Concerned Estate Officer shall invite oustee's claims within next 15 days.

16. DTP shall prepare within 10 days of approval of layout plan, a dimension plan of the approved layout plan and forward to the concerned XEN for confirmation of dimensions after demarcation at site. XEN shall demarcate the proposal of the plans on the ground and confirm the dimensions given on the Dimension Plan or indicate the actual dimensions available at site to DTP within 30 days of the receipt of Dimension plan, for the preparation of the Demarcation Plan.
17. DTP shall finalize the demarcation plan within 15 days of receipt of certified dimensions from concerned XEN. In any case the demarcation plan should reach CTP HUDA through concerned Administrator within 30 days from the date of receipt of certified dimension plan;
18. Administrator, HUDA concerned shall settle the claims of oustees and intimate the actual number of plots available for floatation as per the decision of meeting of Authority dated 12.12.06 conveyed vide CA HUDA endst. No. 2912-47 dated 25.01.07, within 30 days of the closing date of submitting claims under oustees policy, for floatation of the sector; and
19. CTP HUDA shall thereafter give press release of the floatation of the sector and float the same within 15 days of the receipt of number of clear plots available at site from Administrator.

These instructions are issued with the approval of CA HUDA-cum-DTCP-cum-DGUE, Haryana.

-sd/-
(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.
Dated: 22.06.2010

Endst. No. CTP /STP (N)/

A copy is forwarded to the following for information and necessary action please.

1. The Chief Engineer, HUDA, Panchkula
2. The Chief Engineer-I, HUDA, Panchkula.
3. The Senior Architect HUDA, Panchkula.
4. The Legal Remembrancer, HUDA Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The Dy. ESA HUDA Panchkula.

-sd/-
(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.
Dated: 22.06.2010

Endst. No. CTP /STP (N)/7995-97

A copy is forwarded to the following for information and necessary action please.

1. The PS/FCTCP Haryana for kind information of Financial Commissioner and Principal Secretary Govt of Haryana, Town and Country Planning Department, Chandigarh.
2. The PS/DTCP Haryana for kind information of Director Town and Country Planning Department, Haryana, Chandigarh.
3. The PS/CA HUDA for kind information of Chief Administrator, HUDA, Panchkula.

-sd/-
(B. B. L. Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA in the State
2. All the Senior Town Planners in the State
3. All the Estate Officers of HUDA in the State
4. All the District Town Planners in the State

Memo. No. CTP/STP(M)/11176-11226

Dated: 25.11.2009

Subject: Broad basing the definition of 'P' or 'SP' category of **Plots** in HUDA sectors-**partial modification** of the policy.

Reference: In continuation of instructions issued vide this office memo no. CTP-DTP (N)/ SB/1623-1681 dated 10.03.2009.

The policy instructions issued vide letter under reference for broad basing the definition of 'P' or 'SP' category of plots in HUDA sectors provide for charging of differential rates for preferential plots. While all the plots facing 24 mtrs road or a park having an area between 2000 sq.mtrs to 8000 sq.mtrs are to be charged 5% additional cost of the plot on account of preferential status, all the plots facing roads more than 24 mtrs wide, all corner plots abutting two or more roads, all plots abutting on one side by an open space atleast 40' in width and all plots facing a park having an area of more than 8000 sq.mtrs are also to be designated as Preferential plots and 10% of the cost of the plot is to be charged extra from their allottees.

Since plots falling under both the categories (5% extra and 10% extra) are to be designated as 'P' plots, it has been felt that the numbering of such plots (with 'P' suffix) will not make it clear as to whether the allottee is to be charged 5% extra or 10% extra unless the layout plan is referred to for confirming the location of the plot.

Thus in order to further simplify the policy and in order to avoid any confusion / ambiguity, it has been decided, in partial modification of the policy instructions dated 10.03.2009, that in those cases where 5% of the cost of plot is to be charged extra from the allottee on account of the location of the plot, such plots shall henceforth be designated as 'General Preferential' plots and the suffix 'GP' shall be attached with the numbering of such plots.

In nutshell the categorization of 'GP', 'P' and 'SP' plots shall be as under:-

Sr. No.	Description of location of plot	Status	Premium to be charged
1	i) All the plots facing 24 mtrs road, or ii) A park having an area between 2000 sq.mtr to 8000 sq.mtrs.	General Preferential 'GP'	5% (of the cost of plot)
2.	i) All the plots facing more than 24 meters wide roads, ii) All corner plots abutting two or more roads, iii) All plots abutting on one side by an open space at least 40' in width, iv) All plots facing a park having an area of more than 8000 sq.mtrs.	Preferential 'P'	10% (of the cost of plot)
3.	The corner plots facing 30 meters and above width of roads with side road/40' wide open space.	Special Preferential 'SP'	20% (of the cost of plot)

These modified instructions shall be applicable with immediate effect. It is also requested that the numbering plans of various sectors which have already been approved on the basis of instructions dated 10.03.2009 may also be accordingly got amended in case allotment of plots in those sectors has not yet been made.

-sd/-

(N. Mehtani, STP)

for Chief Administrator, HUDA.

Dated: 25.11.2009

Endst. No. CTP/STP(M)/11227-11233

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA Panchkula.
2. The Chief Engineer, HUDA Panchkula.
3. The Chief Engineer –I, HUDA Panchkula.
4. Administrative officer, Urban Branch-I, HUDA HQs, Panchkula.
5. The Legal Remembrancer, HUDA Panchkula.
6. The Enforcement Officer, HUDA Panchkula.
7. The Dy. ESA HUDA Panchkula.

-sd/-

(N. Mehtani, STP)

for Chief Administrator, HUDA

From:

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. All the Administrators of HUDA
2. All the District Town Planners

Memo no. 6790-6816

Dated: 28.07.2009

Subject: Instructions regarding **finalization of layout plans after notification under section-6** of the Land Acquisition Act.

Reference: In continuation to this office memo no. CTP HUDA/DTP (N) 10013-10101 dated 6.11.07.

1. Your attention is again invited to the guidelines pertaining to Comprehensive Policy regarding handing over of possession of acquired land, preparation of plan, floatation of sectors issued vide letter under reference, a tentative layout plan of the land has to be prepared immediately after notification under section 6 of the Land Acquisition Act. Further, as para no.9 of the ibid guidelines, DTP has to finalize the layout plan within 15 days of the receipt of Survey Plan.
2. It has been observed in many cases that the Tentative and Final Layout Plans are not being prepared even after expiry of considerable period after announcement of the award because of which the land not only remains unutilized but also susceptible to encroachment. In addition, some of the land owners move the court of law and take a plea that since this land has not been planned by HUDA till date, this may be released as apparently it is not required by HUDA.
3. It has, therefore, been decided that before announcement of any award in future, the tentative layout plan of the land under acquisition should be got approved from the Chief Administrator HUDA by this office. Thereafter, a copy of the approved plan is to sent to the office of Director, Urban Estates and the Administrative approval for announcement of award should be obtained by DUE office only upon receiving a copy of tentative layout plan of the sector. This will ensure proper utilization of the land after announcement of the award.
4. You are requested to follow the above directions meticulously and send the tentative layout plans of all the land pockets which have already been notified u/s-6 of the Land Acquisition Act. It is also requested to get the layout plans of all the pockets, award of which has already been announced.

This issues with the approval of CA HUDA cum DTCP cum DUE Haryana.

-sd/-

(P.K.Sharma)

Chief Town Planner

For Chief Administrator, HUDA.

Endst. No. CTP HUDA/STP (N)/JS/6817

Dated: 28.07.2009

A copy is forwarded to PS/FCTCP Haryana for kind information of Financial Commissioner and Principal Secretary Govt. of Haryana, Town and Country Planning Department, Chandigarh.

-sd/-
(P.K.Sharma)
Chief Town Planner,
For Chief Administrator, HUDA.

Endst. No. CTP/STP (N)/JS/6818-

Dated:28.07.2009

A copy is forwarded to the following for information and necessary action please.

1. The Director, Urban Estate Department, Haryana
2. The Director, Town & Country Planning Department, Haryana, Chandigarh.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula
5. The Chief Engineer-I, HUDA, Panchkula.
6. The Senior Architect HUDA, Panchkula.
7. All the Superintending Engineer, HUDA
8. All the Senior Town Planners
9. All Land Acquisition Officers
10. The Enforcement Officer, HUDA, Panchkula.
11. All Estate Officers of HUDA
12. All the Executive Engineers of HUDA

-sd/-
(P.K.Sharma)
Chief Town Planner,
For Chief Administrator, HUDA.

POLICY REGARDING RE-NUMBERING OF PLOTS IN CASE OF DELETED/OMITTED PLOTS.

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. All the Administrators of HUDA
2. All the District Town Planners

Memo no. CTP/STP (N)/SB/6149-6173 Dated: 10.07.2009

Subject:Formulation of policy regarding re-numbering of plots in case of deleted/omitted plots.

1. The matter regarding formulation of policy for re-numbering of plots in case of deleted/omitted plots has been engaging the attention of the Authority for quite some time. As per past practice, the corner plots with 'P' or 'SP' status are kept intact in a row of plots while re-numbering the same. Thereafter, middle plots are demarcated in an ascending order of their numbering and the last plots (except corner plot) are deleted. This practice is being followed since long without formulizing it in the shape of a policy document. In the absence of any documented policy, the allottees of deleted plots are approaching various courts for locating their plots at their original location.
2. It has, therefore, been decided that henceforth the following policy guidelines shall be followed while re-numbering of deleted/omitted plots in case of shortage of land found on ground due to any reason:-
 - I. First of all any un-allotted plot available in the block shall be deleted.
 - II. If no un-allotted plot is there in the block, then the procedure to be followed shall be as explained in the example given below:

Example: Suppose there are 20 plots in a block (two back to back rows of 10 plots each) as shown below, and 4 plots are required to be deleted (two from each row) due to inadequate availability of required dimensions at site.

1-P	2	3	4	5	6	7	8	9	10-P
20-P	19	18	17	16	15	14	13	12	11-P

- a. Plot numbers of corner plots, i.e., 1-P, 10-P, 11-P & 20-P shall be kept unchanged.
 - b. Middle plots may be provided/demarcated in an ascending order of their numbering (plot no.2-7) and the last two numbers of middle plots in the row (8 & 9) shall get deleted. Similarly, in the row of plot nos. 12-19, after demarcating plot nos. 12-17 in an ascending order, plot nos. 18 & 19 shall get deleted.
 - c. In case plot nos. 10 & 11 are also not preferential/special preferential plots, then in that case, plot nos. 2-8 would get demarcated and plot nos. 9 & 10 would get deleted.
3. You are requested to follow the above policy meticulously and finalize the re-numbering of plots in case of deleted/omitted plots accordingly.

This issues with the approval of CA HUDA please.

-sd/-
(Nadim Akhtar)
Senior Town Planner,
For Chief Administrator, HUDA.

Endst. No. CTP/STP (N)/SB/6174

Dated: 10.07.2009

A copy is forwarded to PS/FCTCP Haryana for kind information of Financial Commissioner and Principal Secretary Govt. of Haryana, Town and Country Planning Department, Chandigarh please.

-sd/-

(Nadim Akhtar)

Senior Town Planner,

For Chief Administrator, HUDA.

Endst. No. CTP/STP (N)/SB/6175-6203

Dated: 10.07.2009

A copy is forwarded to the following for information and necessary action please.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Senior Architect HUDA, Panchkula.
5. All the Senior Town Planners
6. The Legal Remembrancer, HUDA Panchkula.
7. The Enforcement Officer, HUDA, Panchkula.
8. All Estate Officers of HUDA

-sd/-

(Nadim Akhtar)

Senior Town Planner,

For Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

The Administrator, HUDA,
Gurgaon, Faridabad, Hisar, Panchkula, Rohtak.

Memo. No. CTP/DTP (N)/JS/365-69 Dated:12.01.2009

Subject: Regarding construction of **Police Station & Police Post** building by HUDA- **Revision** of norms.

The following policy decision has been taken by Hon'ble C.M Haryana-cum-Chairman HUDA:

1. That provision of one police station for every 70,000 population shall be made by HUDA instead of 1 lakh population as being provided presently. This practically amounts that HUDA shall require to provide one police station site for every 4 no.s sectors instead of for every 6 no.s sectors as approved by Hon'ble TCPM & circulated vide letter dated 23.04.2004.
2. 18 no.s houses for police personnel in police stations and 4 houses in all police post are to be constructed by HUDA in future. As far as extra cost to be incurred on providing additional Police Station/Posts and houses therein are concerned, same shall be provided for wherever EDC rate of a particular Urban Estate have not been finalized or the new sectors are to be floated. Otherwise, same shall be met out of interest income of EDC or HUDA, as the case may be.

Accordingly, you are requested to identify suitable sites for making provision of Police Station & Police Posts in HUDA sectors as per above revised norms.

This issues with the approval of Hon'ble C.M Haryana-cum-Chairman HUDA.

-Sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA.

Endst. no. CTP/DTP (N)/JS/ 370-99

Dated: 12.01.2009

A copy is forwarded to the following for information and further necessary action please:

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Senior Architect, HUDA, Panchkula.
4. All the Senior Town Planners
5. All the District Town Planners

-Sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

The Administrator, HUDA, Gurgaon,
Panchkula, Faridabad, Hisar, Rohtak.

Memo no. CTP/DTP-M/11833-37 Dated: 23.12.2008

Subject: Identification of sites for **Garbage Collection point, Milk Booths** and installation of **Guide Maps, Direction Board**.

In order to avoid delays and inconvenience due to referring of even small matters to Headquarters, it has been decided by Chief Administrator HUDA to delegate the powers of approval of following sites to the Zonal Administrators.

1. Garbage collection points/sites.
2. Milk booth sites to be allotted to Govt. undertakings.
3. Installation of Guide Maps by HUDA.
4. Installation of Direction Boards of size upto 3'x3' of any Govt. Deptt/ Board/ Corporations/ Govt. Undertakings without any advertisement signage.
5. Installation of temporary Police Booths for traffic guidance.
6. P.C.Os.

All the above structures should be without any advertisement signage. These instructions may please be meticulously followed

-sd/-
(V.K. Goyal, STP)
for Chief Administrator, HUDA.
Dated: 23.12.2008

Endst. No. CTP/DTP (M)/11838-64

A copy of the above is forwarded to the following for information and necessary action:

1. Administrator, HQs, HUDA Panchkula.
2. Senior Town Planner, Panchkula/Rohtak/Gurgaon/Faridabad/Hisar.
3. All the District Town Planners

-sd/-
(V.K. Goyal, STP)
for Chief Administrator, HUDA.

From

The Chief Administrator
HUDA (Town Planning Wing)
Panchkula.

To

The Administrator, HUDA ,Gurgaon, Faridabad,
Panchkula, Rohtak, Hisar.

Memo no. CTP / DTP (N)/JS/ 9309-13 Dated:22.09.2008

Subject: Provisions of **Poly-clinic** in Urban Estate in HUDA.

Reference: In continuation to this office memo.no.CTP/DTP(N)8687- 91/dated 02.09.08.

A meeting was held under the chairmanship of Hon'ble C.M Haryana on 07.08.08 wherein it was decided that HUDA will henceforth construct Poly Clinics in a cluster of 3-4 sectors in all Urban Estates of HUDA instead of providing Dispensary sites in each sector. Each Poly- Clinics would have facilities for multi-specialist on the pattern of CHCS. The area of Poly clinic site shall remain only 1.25 acres.

The matter has been reviewed by C.A HUDA on 16.09.08 and he desired that sites for Poly-clinics may be identified on Top Priority, so that the above decision could be implemented. You are, therefore, requested to send the details of sites alongwith areas and dimensions of the sites where Poly-Clinics can be constructed pls.

-sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA

Endst. no. CTP-HUDA-DTP (N)/NS/ 9314-44

Dated: 22.09.2008

A copy of the above is forwarded to the following for information and necessary action please:

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. All the Senior Town Planners
6. All the District Town Planners

-sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA,

From

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula.

To

1. Administrator,
HUDA, Gurgaon/Panchkula/Hisar/Rohtak/Faridabad.
2. All the Estate Officers of HUDA in Haryana.

Memo. No. CTP/DTP-M/4985-5035,

Dated: 30.05.2008

Subject: Policy regarding construction of 'Day Care Centers'.

Reference: In continuation of this office memo. No. CTP/DTP-M/ 4985-5035, Dated 30.05.08.

The subject cited matter was placed before the Authority in its 101st meeting held on 11.06.08 for its approval, vide Agenda item no. A-101(23). The Authority has approved the following proposal:

- i. Day Care Centers may be made a part of Old Age Home and one site each may be constructed in all the Urban Estates.
- ii. Day Care Centre should comprise of a hall or a couple of rooms for indoor games, one reading room, one meditation hall, a small room for some charitable dispensary and a small pantry for light refreshments
- iii. Where suitable land is not presently available, accommodation for Day Care Centre may be provided in the existing Community Centre. Land for Day Care Centre in such Urban Estates may be earmarked in new sectors as & when they are acquired / planned.
- iv. The ideal size should be around 2000 sq. yards i.e. the norm followed for Social/Charitable buildings.
- v. The cost of construction alongwith cost of land will form part of EDC & wherever same cannot be recovered because all the plot have already been sold, the expenditure will be met either from sale of balance commercial sites or interest income.

A photocopy of the Agenda item no. A-101(23) alongwith relevant extract of proceedings is enclosed herewith. It is requested that necessary action for implementation of the decision of the Authority may be taken expeditiously. A report on the follow-up action taken may please be sent to this office within a fortnight.

DA/ as above.

-sd-

(N. Mehtani)

District Town Planner,

For Chief Administrator, HUDA

Panchkula

From

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

1. All the Administrators HUDA
2. All the Senior Town Planners
3. All the District Town Planner
4. All the Estate Officers, HUDA,

Memo no. CTP-DTP-N/JS/3263-3317 Dated: 15.04.2008

Subject:Instructions regarding finalization of **layout and demarcation plans of shopping centres.**

Reference: In supersession to this office memo. no. 814-866 dated 31.01.08.

It has been observed that proper monitoring is not being done for finalization of layout and demarcation plans of sites earmarked for shopping centres in HUDA sectors. Due to non-finalization of these plans, the areas earmarked for shopping centres are not developed in time and these sites gives shabby look in a developed sector. Also these sites are prone to encroachment by squatters. In order to streamline the procedure of preparation/finalization of layout and demarcation plans of shopping centres, it has been decided that:

1. The process of preparation of layout-cum- demarcation plans of shopping centres will commence in a time bound manner immediately after the approval of the Demarcation plan of a Sector in which the dimension of site earmarked for shopping centre will be available.
2. The concerned District Town Planner will prepare and submit at least six copies of the layout-cum-demarcation plan of all the sites earmarked for shopping centre in a Sector to the concerned Senior Town Planner within 60 days of the approval of demarcation plan.
3. The concerned Senior Town Planner will technically examine and forward five copies of the above said plans received from the concerned DTPs to the concerned Zonal Administrator within 30 days. Administrator HUDA will forward it to CTP HUDA within 15 days. CTP HUDA will send the same simultaneously to S.A HUDA for seeking comments within 10 days so that layout plan is complete in all respects for preparing new controls . After that CTP will get the plan approved from CA HUDA within 15 days of receipt of the plan in his office.
4. CTP HUDA office will circulate a copy each of the approved plan of shopping centre to concerned Administrator, Senior Architect and concerned District Town Planner. On receipt of approved plan, concerned District Town Planner will circulate copies of the approved plan to CE, CCF, STP, SE, S.A, EO, XEN and a copy to CTP HUDA.
5. The zoning plans of all commercial sites which are not governed by the architectural controls e.g. hotels, multiplexes, shopping malls, departmental stores etc shall be prepared by the concerned District Town Planner and submitted to the concerned Senior Town Planner within 30 days of the approval of layout-cum demarcation plan of a shopping centre. STP and Administrators will follow the time limits prescribed in point number 3 above for forwarding zoning plans.
6. On receipt of approved layout plan, Senior Architect HUDA will convey the job numbers of architectural controls already prepared and applicable to various commercial sites and supply their copies to the concerned Administrator, Estate Officer and District Town Planner for incorporating the same in the layout-cum-demarcation plan of the shopping centre.

In case of non-availability of architectural controls, Architecture wing shall give a time schedule for the preparation of new controls to Administrator and Estate Office to enable them to finalise their auction schedule accordingly.

7. Once a layout-cum-demarcation plan of shopping centre is approved by CA HUDA, minor amendments required, if any, due to sites conditions/variations in dimensions, if any, will be approved by the Zonal Administrators at their own level and a copy of such approved plan will be sent by the Administrators to CTP HUDA for record.
8. No commercial site shall be put to auction/advertised for sale without approval of the architectural control/zoning plan in advance, which should be displayed/published at the time of advertisement/auction etc. otherwise the concerned Zonal Administrator as well as Estate Officer (not any lower rank officer) shall be personally held responsible for this lapse and shall be accountable for all consequential losses.
9. No possession of commercial site shall be given unless the job number of applicable architectural control/drawing number of applicable zoning plan is depicted in the possession letter. Otherwise concerned Estate Officer and the Junior Engineer giving the possession shall be personally held responsible as it has huge financial implications.

Above instructions will come into force with immediate effect and should be followed meticulously. Any delay in the prescribed time lines at any level shall be viewed seriously and appropriate disciplinary action shall be taken against the defaulting official/officer. These instructions supercede all previous instructions on the subject and should be got noted by all concerned officials working under your jurisdiction.

These instructions are being issued with the approval of Chief Administrator HUDA.

-sd/-
(Nadim Akhtar)
District Town Planner
For Chief Administrator HUDA, Panchkula
Dated: 15.04.2008

Endst. no. CTP-DTP (N)/JS/3263-3317

A copy is forwarded to the following for information and further necessary action:

1. The Administrator HUDA (Hq) Panchkula.
2. The Chief Engineer HUDA, Panchkula.
3. The Chief Engineer HUDA-I, Panchkula.
4. The Senior Architect HUDA Panchkula.
5. The Deputy ESA for incorporating it in the instruction booklet.

-sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
HUDA (Town and Planning Wing)
Panchkula.

To

The Administrator, HUDA,
Faridabad/Gurgaon/Hisar/ Panchkula/Rohtak.

Memo. no. CTP-DTP-N/ 3249-53 Dated: 11.4. 2008

Subject: EOI for topographical survey overlay of **cadastre** and preparation of **detailed layout** of different towns Haryana:

Reference: In the supersession of this office memo no. 1326-30 dated 12.02.2008.

HUDA invited Expression of Interest for outsourcing of town planning work through Advertisement in various newspapers on 25.05.07. The scope of work included:

- a. Conducting Topographical Survey of the land identified for acquisition.
- b. Super imposing Sazra/Khasra/Revenue plans on the topographical survey for the purpose of land acquisition, giving details of khasra nos. Revenue particulars of the land to be acquired.
- c. Preparation of detailed layout/demarcation/detailed zoning plan of the land showing sub-division of plots, open spaces, streets, position of protected trees and other features in respect of each plot, permitted land use, building lying and restriction with regard to use and development of each plot.

During the process of selection of the firm for outsourcing of the above jobs, a representation was received from Haryana State Remote Sensing Application Centre HARSAC, CCS HAU Campus Hisar (Tel. 01662-232632, Fax 01662-225958) vide letter dated 4.7.2007 regarding their capabilities, facilities and expertise for topographical survey, overlay of cadastre and preparation of detailed layout plan of HUDA sectors of different Urban Estates in Haryana. The matter was examined and it has been decided to engage HARSAC as one of the consultant for out sourcing the jobs mentioned at a, b & c above. The rates quoted by HARSAC for the above jobs are given at sr. no. 1. in the table below. Further, HARSAC has also quoted rates for Identification of structures at the time of acquisition of land under section-4 and proposal for third party quality surveillance services which are given at sr.no.2 & 3:

Sr. No.	Proposal	Scope of work	Revised rates
1	For Survey overlay Of cadastre and preparation of detailed layout of different towns of Haryana	<p>1. Conducting topographical survey of the land identified for acquisition using DGPS/ Electronic Total Station (ETS) with 1.0 mt contour interval.</p> <p>2. Digitization & superimposing of sajra/ khasra/ revenue maps on the topographical survey for the purpose of land acquisition, giving details of khasra no. revenue particulars of land to be acquired.</p> <p>3. Preparation of detailed layout/ demarcation, detailed zoning plan of the land showing subdivision of plots, open spaces, streets, position of protected trees and other features in respect to each plot, permitted land use, building lines and restriction with regard to use and development of each plot.</p> <p>Total cost</p> <p>Without satellite data</p> <p>(Rs. 350+210+ 2385)</p> <p>With satellite data</p> <p>(Rs. 350+150+210+2385)</p>	<p>Rs. 350/- per acre, if the satellite data under proposal 2 is used. If additional satellite data is required than Rs. 150/ acre for each acquisition of satellite data.</p> <p>Rs. 210/- acres</p> <p>Rs. 2385/- acres</p> <p>Rs. 2945/- acre</p> <p>Rs. 3095/- acre</p>
2	Identification of structures at the time of acquisition of land under section-4	-	Rs. 150/- per acre
3	Proposal for third party quality surveillance services.	To checking and verification of the quantity and quality of the work and authentication of the deliverable to be supplied by the vendor, particularly related to geo spatial application.	10% of the total cost of work

The other terms and conditions are as under:

1. For Survey overlay of cadastre and preparation of detailed layout of different towns of Haryana
 - I. Scale of mapping layout plan would be 1:2000 and Demarcation / Zoning Plan would be 1:1000
 - II. Minimums contiguous area of 150 acres is required. If the area is less than 150 acres, minimum charges for 150 acres would be applicable.

2. Identification of structures at the time of acquisition of land under section-4
 - I. Scale of mapping would be 1:2000
 - II. Satellite data would be acquired and processed for a minimum contiguous area of 500 acres. For area less than this minimum cost for 500 acres (i.e. Rs. 75000/-) would be charged.
3. Proposal for third party quality surveillance services.
 - I. HARSAC would charge 10% of the total cost of the work to be authenticated by HARSAC as the consultancy charges.
 - II. All the digital and other data prepared by the vendor as per the scope of work of the project would be provided by the vendor to HARSAC through HUDA for checking and authentication.
4. General conditions applicable in all the above proposals
 - I. One coloured print would be provided along with the digital data in JPEG format in the CD. Additional prints would be cost Rs. 125 per sq.foot/ per print.
 - II. HUDA will furnish necessary data, information, documents and other materials related to the work.
 - III. HUDA shall provide all support and required authorization for procurement of the spatial and non –Spatial data from its various divisions, related departments of Haryana Government and Government of India.
 - IV. HUDA will nominate counterpart officials at appropriate levels to co-ordinate the project including monitoring the progress between different departments of the user agency.
 - V. 50% of the charges may be paid in advance in the name of Chief Scientist HARSAC for procurement of satellite data etc.

You are requested to take the services of HARSAC for the above jobs please.

-sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA,
Panchkula
Dated: 11.4.2008

Endst.no.CTP-DTP(N)/SB/ 3254

A copy is forwarded to Sh. R.S. Hooda, Chief Scientist, HARSAC, CCS HAU Campus, Hisar w.r.t. his e-mail dated 27.2.2008 for information please.

-sd/-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA,
Panchkula

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

1. All the Administrators HUDA
2. All the Senior Town Planners
3. All the District Town Planner
4. All the Estate Officers, HUDA,

Memo no. CTP-DTP-N/SB/985-1032 Dated: 05.02.2008

Subject: Definition of “**Preferential**” and “**Special Preferential**” plots.

The matter pertaining to definition of “Preferential” and “Special Preferential” plots was placed before the Authority vide agenda item no.20 in its 100th meeting held on 18.12.07. The Authority has approved the following definition of “Preferential” and “Special Preferential” residential, Industrial and Institutional plots.

Preferential Plots

All plots facing sector dividing roads, all corner plots abutting two or more roads and all plots abutting on one side by an open space at least 40’ in width shall be preferential plots.

Special Preferential plots

The corner plots facing sector dividing roads with side road/40’ wide open space shall be Special Preferential plots.

Above instructions will come into force with immediate effect and should be followed meticulously. These instructions supercede all previous instructions on the subject and should be got noted from all concerned officials working under your jurisdiction.

- sd-
(Nadim Akhtar)
District Town Planner
For Chief Administrator HUDA, Panchkula
Dated: 05.02.2008

Endst. no. CTP-DTP (N)/SB/ 1033-41

A copy is forwarded to the following for information and further necessary action:

1. The Administrator HUDA (Hq) Panchkula.
2. The Chief Engineer HUDA-I, Panchkula.
3. The Chief Engineer HUDA-II, Panchkula.
4. The Legal Remembrance HUDA, Panchkula.
5. The Senior Architect HUDA Panchkula.
6. The Deputy ESA for incorporating it in the instruction booklet.
7. Dy. Superintendent (Authority Branch) HUDA, Panchkula.

Sd-
(Nadim Akhtar)
District Town Planner,
For Chief Administrator, HUDA, Panchkula

From:

The Chief Town Planner,
HUDA, Panchkula

To

1. The Senior Town Planner,
Hissar, Gurgaon, Faridabad, Panchkula and Rohtak
2. The District Town Planner, Panchkula, Gurgaon, Faridabad, Hissar,
Rohtak, Bahadurgarh, Karnal, Ambala, Kurukshetra, Sonapat, Panipat,
Bhiwani, Jind, Sirsa, Rewari, Narnaul, Yamuna Nagar, Kaithal, Jhajjar, Fatehabad

Memo no. CTP/DTP/N)/1800-1824 Dated: 15.3.2007

Sub: Technical Instructions- preparation of layout plans etc.

Ref: In continuation of this office memo N o. 4484-4503 dated 22-6-06.

Technical instructions regarding layout plans, road width, plot size, area, zoning parking etc have been issued to the field offices from time to time. These instructions have not been strictly followed and they are reiterated/clarified/modified and added to as follows:

1. Residential Layout Plans:

- (a) The composition of residential plots and the percentage of total plots should be as follows:

Category	Dimensions (in mts)	Percentage to total plots
4 Marla	6 x 15	16
6 Marla	7.5 x 18	23
8 Marla	9.0 x 18	23
10 Marla	10.5 x 21	15
14 Marla	13.5 x 24	15
1 Kanal	15.0 x 30	8
Total		100

Note: 35% reservation for 2 and 3 Marla (EWS) category of plots has been converted into reservation for “EWS Housing Site” and henceforth there shall be no 2 and 3 Marla categories of plots.

- (b) Every layout plan must contain an index map showing the location of the sector vis-à-vis the development plan proposals and the existing features for identification of sector.
- (c) As far as possible the shopping centre and other more residential land uses such as school, dispensary, nursing home clinics etc should be located towards the centre of the sector and residential areas located on the outer side of the sector.
- (d) Large open spaces/parks should also be located in such a way that they provide buffer and pedestrian approach to the land uses listed in para 1 (c).
- (e) Pedestrian way/path of 5-10 mts width should be planned connecting the land use listed in para 1 (c). If approach through parks/open spaces is not available then such pedestrian path should not be provided along the roads but independent of them.
- (f) Small convenient shopping areas be reserved in places suitable located away from residential plots.
- (g) Tentative layout plans based on shajra plan should be prepared within one month after notification of the land under section 6 of the LA Act and approved by respective Senior Town Planners under intimation to this office. The final layout plan should be prepared immediately after the announcement of award in coordination with the Engineering Wing and LAO.

- (h) All the layout plans should be neatly drawn keeping the above planning considerations and attempt should be made for a better plan without restricting to 55% saleable area norms only.

2. Road width and cross sections:

- (a) Hence forth the width of the road shall be as follows:

Major Arterial Roads	= 75 mts
Arterial Road	= 60 mts
Sub Arterial/Sector Road	= 45 mts
Collector Road	= 24 mts
Local Road	= 12 mts

- (b) The standard cross section of the roads has been sent vide this office memo No. 2240-2274 dated 17.3.2006.

3. Zoning Plans:

- (a) The standardized zoned area intimated vide this office memo No. 1621-23/1624-43) dated 22.2.2006 should be strictly followed.
- (b) It is clarified that in case of variation of residential plots size the front and rear side zoning set backs intimated should be followed category wise and any increase/decrease in the zoned area if required should be met out from the rear courtyard.
- (c) In all the other cases excluding commercial and Group Housing Sites the zoned area shall also include all permissible projections and shall be treated as per the details given in above memo dated 22-2-2006. The Zoned area shall be kept 20% to 25% more than the permissible coverage on ground floor. However, in exceptional cases where the requirement of plot/site so demands this zoned area can be varied and justification for the same should be given while sending the zoning plan for approval.

4. Parking in Commercial areas and Taxi Stands

- (a) At least one taxi stand measuring approximately 1 acre should be provided for every two sectors.
- (b) At least 75% of the total FAR achieved in any commercial centre should be reserved for parking.
- (c) In all commercial centres which are yet to be planned, HUDA should develop one parking lot with basement parking and they should be planned accordingly.
- (d) The planning of all commercial centres should be reviewed and where ever possible half acre site should be incorporated for multilevel parking.
- (e) In all the commercial centres yet to be planned adequate provisions of multilevel parking should be made in view of the increasing land cost and vehicular traffic.

5. Circulation Plan

- (a) For better integration of HUDA sectors with licensed colonies, the internal circulation plan of all the residential sectors indicated in the Development Plan be prepared and STP will ensure that no case for grant of license is forwarded to DTCP without its locations on a circulation plan.

6. Others

- (a) Banquet Hall measuring approximately 3-5 acres be provided in alternate sectors.
- (b) Solid waste collection and segregation site measuring approximately 1 acre be provided in every sector keeping in view the wind direction and preferably away from residential/commercial buildings.

The above instructions may kindly be followed meticulously.

-sd/-
Chief Town Planner
HUDA, Panchkula

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

District Town Planner,
Panchkula, Gurgaon, Faridabad, Hisar, Rohtak, Karnal, Ambala, Kurukshetra, Sonapat,
Panipat, Bhiwani, Jind, Sirsa, Rewari, Narnaul, Bahadurgarh/Yamuna Nagar, Kaithal, Jhajjar,
Fatehabad

Memo No CTP/DTP(N)/1743-1763 Dated: 14.3.2007

Sub: Provision of sites for EWS Housing

In the review meeting held under the chairpersonship of FCTCP dated 6.3.07 at Chandigarh, it was clarified that henceforth there shall not be any 2 Marla and 4 Marla residential plots of EWS category in the layout plans and they are to be provided in Group Housing form. Therefore, you are requested to reserve 20% of the gross area of residential sector for “EWS Housing” in the layout plans to be prepared.

Wherever the demarcation plan of residential sector has not been approved so far you are requested to suitably amend it by deleting 2 and 3 Marla categories of plots and earmarking the area occupied by these plots for EWS Housing. The area should be suitably located keeping in view the approach etc and they need not be in same area. The demarcation plans should then be sent as revised layout cum Demarcation plan for approval.

-sd/-

Chief Town Planner,
For Chief Administrator, HUDA, Panchkula
Dated 14-3-2007

Endst. No. CTP/DTP(N)/1764 -1768

A copy is forwarded to the Senior Town Planner, Panchkula, Gurgaon, Hisar, Faridabad and Rohtak for information and necessary action.

-sd/-

Chief Town Planner
For Chief Administrator HUDA Panchkula

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula.

To

The Administrator, HUDA,
Gurgaon, Faridabad, Panchkula, Hisar, Rohtak
Memo no. CTP (H)/DTP (N)/1461-65 Dated: 28.2.2007

Subject: Instruction regarding approval of **revised part demarcation plans** at local level.

The matter regarding the delay and unnecessary harassment to plot allottees due to wrong demarcation has been examined. The following policy has been approved by the Chief Administrator HUDA.

1. As and when any proposal for revised demarcation (necessitated only on account of negligence and wrongful act of the concerned official) is sent to the District Town Planner then Estate Officer will invariably send the action taken report against the erring official along with that proposal. No proposal will be accepted by the DTP without action taken report by the Estate Officer and DTP will send revised proposal of demarcation plan within 3 days for approval.
2. Only up to 5 percent variation in individual plot area from the approved demarcation plan can be allowed to be revised at Administrator's level for which he can approve the revised demarcation plan subject to the condition no plot is added/deleted.
3. Copy of demarcation plan approved by Administrator HUDA be sent to Chief Administrator office for examination and record.

These instructions will come into force from the date of issue of the letter.

-sd/-

District Town Planner
For the Chief Administrator HUDA, Panchkula
Dated: 28.2.2007

Endst. No. CTP /DTP (N) 1466

A copy is forwarded to the following for information and further necessary action please.

1. The Senior Town Planner, Panchkula, Faridabad, Rohtak, Hissar, Gurgaon.
2. The District Town Planner

- -sd/-

District Town Planner
For Chief Administrator HUDA, Panchkula

From:

The Chief Town Planner,
HUDA, Panchkula

To

The District Town Planner,
Panchkula, Gurgaon, Faridabad, Hissar, Rohtak, Bahadurgarh, Karnal, Ambala, Kurukshetra,
Sonapat, Panipat, Bhiwani, Jind, Sirsa, Rewari, Narnaul, Yamuna Nagar, Kaithal, Jhajjar,
Fatehabad

Memo no. CTP-HUDA/171-190

Dated: 7-2-2006

Sub: General Instructions regarding preparation of **Residential Layout Plans.**

This office is receiving many residential layout plans of sectors from field offices which are examined in this office. There is lack of uniformity and several improvements which can also be done. Therefore, you are requested to keep the following facts/observations of this office in mind while preparing the residential layout plans in future.

1. Every layout plan must contain an index map showing the location of the sector vis-à-vis the development plans proposals and the existing features for identification of sector.
2. As far as possible the shopping centre and other more residential land uses such as school, dispensary, nursing home clinics etc should be located towards the centre of the sector and residential areas located on the outer side of the sector.
3. Large open spaces/parks should also be located in such a way that they provide buffer and pedestrian approach to the land uses listed in para 2 above.
4. Pedestrian way/path of 5-10 mts width should be planned connecting the land use listed in para 2 above. If approach through parks/open spaces is not available then such pedestrian path should not be provided along the roads but independent of them.
5. Small convenient shopping areas be reserved in places suitably located away from residential plots.
6. The action for finalization of layout plan should start immediately after the Award under L.A. Act is announced.
7. All the layout plans should be neatly drawn keeping the above planning considerations and attempt should be made for a better plan without restricting to 55% saleable area norms only.

These instructions/observations may be meticulously followed.

-sd/-
Chief Town Planner
HUDA, Panchkula
Dated: 7.2.2006

Endst. No. CTP(H)/191-93

A copy of above is forwarded to the following for immediate necessary action please.

The Senior Town Planner, Panchkula, Gurgaon & Hisar.

- sd/-
Chief Town Planner,
HUDA, Panchkula.

From:

The Chief Town Planner,
HUDA, Panchkula

To

The Senior Town Planner,
Panchkula, Gurgaon and Hissar

Memo no. CTP (H)/510-12

Dated 20-1-2006

Subject: Revision of **Standard Road width** in sectors.

In the meeting held under the chairmanship of Financial Commissioner, Principal Secretary to Govt. Haryana, Town and Country Planning Department dated 17.10.2005, it has been decided that the existing pattern of road circulation should be upgraded. Therefore, the new width of roads shall be as follows:

Major Arterial Road	-	75 mts
Arterial Road	-	60 mts
Sub Arterial /Sector Road	-	45 mts
Collector Road	-	24 mts
Local Road	-	12 mts

You are requested to follow these standards while planning sectors.

-sd/-

Chief Town Planner
HUDA, Panchkula

Dated: 20-1-2006

Endst CTP (H) 513-533

A copy is forwarded to the following for information and further necessary action please.

1. Chief Coordinator Planner (NCR) Haryana, Panchkula
2. District Town Planner, Panchkula, Gurgaon, Faridabad, Hissar , Bahadurgarh, Karnal, Ambala, Kurukshetra, Sonapat, Jind Sirsa, Rewari, Narnaul, Yamuna Nagar, Kaithal, Jhajjar.

-sd/-

Chief Town Planner
HUDA, Panchkula

From:

The Chief Administrator,
HUDA, C-3, Sector 6,
Panchkula

To

1. The Administrator, HUDA, Panchkula, Gurgaon, Faridabad & Hissar.
2. The Senior Town Planner, Panchkula, Gurgaon & Hissar
3. The District Town Planner, Panchkula, Gurgaon, Hissar, Faridabad, Rohtak, Bahadurgarh, Karnal, Ambala, Kurukshetra, Sonapat, Panipat, Bhiwani, Jind, Sirsa, Rewari, Narnaul, Yamuna Nagar, Kaithal, Jhajjar & Fatehabad.

Memo no. CTP (H) 4953- 4979

Dated: 28/9/2005

Sub: Provision of Land for **Taxi Stand.**

It has been decided that henceforth at least 1.0 acre site may be provided for every two sectors developed by HUDA for taxi stand.

You are requested to explore the possibilities of marking the above provision in the existing sectors already developed. Special care should be taken regarding accessibility of the site which should not be less than 18 mts. Definite proposal in this regard may be sent within 15 days. If no suitable site can be made available in planned sectors then the office be informed accordingly.

-sd/-

Chief Town Planner,
For Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. The Administrator, HUDA, Gurgaon, Panchkula, Faridabad, Hisar.
2. The Senior Town Planner, Gurgaon, Hisar, Panchkula.
3. All the District Town Planners

Memo no. CTP-HUDA-2005/4451-75 Dated: 31.08.2005

Subject:Earmarking site for **Milk Booths** in various Urban Estates of HUDA.

It is intimated that Managing Director, Haryana Dairy Development Cooperative Federation Ltd. has pointed out that local Welfare Committees have some reservation about allotment of Milk Booth sites in the parks of HUDA. It has, therefore, been decided that henceforth milk booth sites measuring 4m x 4m may be provided in shopping centres of HUDA.

-sd/-
District Town Planner,
for Chief Administrator, HUDA.

Endst. No. CTP-HUDA-2005/4476

Dated: 31.08.2005

A copy, alongwith a copy of D.O. letter of MD, HDDCF dated 30.06.05 is forwarded to the Chief Administrator, HUDA (Urban Branch) for apprising the status of allotment of milk booth sites to MD HDDCF please.

-sd/-
District Town Planner,
for Chief Administrator, HUDA.

Endst. No. CTP-HUDA-2005/4477

Dated: 31.08.2005

A copy is forwarded to the Managing Director, Haryana Dairy Development Cooperative Federation Ltd., SCO no. 127-128, Sector-17C Chandigarh w.r.t. his DO no. 2891 dated 30.06.05 for information please.

-sd/-
District Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

1. All Administrators, HUDA
2. All Senior Town Planners
3. All District Town Planners
4. All Estate Officers, HUDA

Memo No. CTP-HUDA-DTP (N) 2841-2885

Dated: 6.5.2003

Subject: Policy for **regularization of shape of residential plot** in Urban Estate of HUDA.

The matter pertaining to regularization of boundaries of irregular shaped plots was placed before the Authority in its 87th meeting held on 27.03.2003 and the same has been considered and approved by the Authority. Regularizing the shape of residential plot shall be governed by the following conditions:

- (a) The proposal for regularization of plot boundaries shall be examined on merit after receipt of written request from the allottee and such request will be considered only in those cases where regularization of plots is possible.
- (b) The regularization of residential plot shall be done by making rectangular size of the plot as far as possible.
- (c) The left out area shall be earmarked as HUDA land which can be utilized by HUDA at any stage as per its requirement.
- (d) The allottee of the adjoining residential plot holder shall have no claim what so ever on the balance irregular shaped plot.

The above instructions shall be applicable from the date of issue of this letter and may be followed strictly for regularizing the boundaries of irregular shaped residential plots please.

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula

Endst. No CTP/HUDA-DTP (N) 2886

Dated: 6.5.2003

A copy is forwarded to the Chief Administrator, HUDA, Panchkula (Authority Branch) for information please.

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

1. All the Senior Town Planners,
2. All the District Town planners

Memo No. C.T.P. HUDA/ 5274-96

Dated: 11.9.2002

Subject: Regarding **Sanctioning of Building Plans** of **residential plots** up to **100 sq. mts.** Size falling in HUDA Urban Estates.

The matter cited as subject has been examined and it has been observed that HUDA (Erection of Building) Regulations-1979 are silent for raising construction on plots measuring up to 100 sq. mts. It has been decided by Chief Administrator, HUDA that where ever HUDA building By Laws as well as provisions of zoning plans are silent, building plans may be scrutinized as per BIS code (NBC). Also in plots measuring up to 100 sq. mts building plans may be scrutinized as per the provisions of BIS code (NBC). These instructions shall come into force from the date of issue of this letter.

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula
Dated: 11.9.2002

Endst. No CTP/HUDA/5297/5301

A copy if forwarded to the following for information and further necessary action please.

1. Chief Administrator, Housing Board, Haryana
2. All the Administrators of HUDA

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula

From:

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula

To

1. The Senior Town Planner,
Gurgaon/Panchkula/Hisar.
2. All the DTPs

Memo No. CTP/DTP (N) 2275-97 Dated: 1/4/2002

Subject: Norms of internal and external community buildings for review of **external development charges** for the calendar year 1997 of urban estate.

Please find enclosed a copy of norms of Internal and external community building. The provision of facilities in the layout plan may be made as per these norms.

DA/As above

-sd/-
District Town Planner
For Chief Administrator, HUDA

INTERNAL BUILDING NORMS.

Sr. No.	Name of facility	Norms	Land required	Covered Area
1.	Creche/Nursery School	Land for one no. crèche/ nursery school in each sector and one built up crèche/ nursery school in each EWS colony after every 4 sectors	0.50 acres	300 sq. mts.
2.	Primary School	Land for four number schools in each sector and every 4th built up school.	1.00 acre	600 sq. mts covered area.
3.	High/Higher Secondary School	Land for two number schools in each sector and every 4th built up school.	5.00 acre	3000 sq. mts covered area
4.	Dispensary	Land for each sector and one built up dispensary for every two sectors.	1.25 acres	500 sq. mts. built up area.
5.	Community Centre/ Club/Janj Ghar	Land for each sector and every 4th built up school	2.00 acres	Only 600 sq. mts to be constructed by HUDA
6.	Police Post	One in each sector	0.50 acres	260 sq. mts.
7.	Milk Booth	two no. built up in each sector	-	12 sq. mts.
8.	Bus Queue Shelter	Two no. built up in each sector	-	20 sq. mtrs.
9.	Children Park	Two nos. to be provided in each sector	@ 0.50 acre each	Construction cost @ Rs. 5.00 lacs each.

EXTERNAL BUILDING NORMS

Sr. No.	Name of facility	Norms	Land required	Covered Area
1.	College	Land for every 1 lacs population and one built up college for 4.00 lacs	10 acres	Only phase-I consisting of 3500 Sq. mts to be constructed by HUDA
2.	Hospital	(i) 50 bedded Hospital for 1 lacs population (ii) One no. 500 bedded Hospital for towns having populations more than 10 lacs	5.00 acres 35.00 acres	Only phase-I consisting of 6000 Sq. mts to be constructed by HUDA Only phase-I consisting of 50000 Sq. mts to be constructed by HUDA
3.	Public Library	Only one for towns having populations more than 10.00 lacs	2.00 acres	Only 1200 Sq. mts to be constructed by HUDA
4.	Cremation / burial ground	One for every 5.00 lakhs population +one no. burial ground site for town.	6.00 acres	Provision of 100 lacs for construction. (for cremation ground)
5.	Stadium/sport complex	(i) One site for 2.50 to 5.0 lakh population. (ii) For every additional population of 5 lakh	10.00 acres 10.00 acres	Construction cost @ 6.00 crore. Construction cost @ 6.00 crore for every additional 10.00 acre of land.
6.	Cattle pound	One in each town	1.00 acre	Rs. 20.00 lacs each for construction.
7.	Slaughter House	One for each town	1.00 acre	Construction cost Rs. 20.00 lacs.
8.	Working Women Hostel	One for each town (only land)	1.00 acre	-
9.	Old age Home	One for each town (only land)	1.00 acre	-
10.	Grid Sub-Station	Land for every 2.5 lakh population	2.00 acre	
11.	Fire Station	(i) For population upto 2.5 lacs (only land) (ii) For population 2.5 to 5.00 lacs (ii) For population more than 5.00 lacs, one fire Station for every additional 5.00 lacs population	2.00 acre 2.50 acre 2.50 acre	- (ii) Only 1000 sq. mts covered area to be constructed by HUDA. (iii) –do- Note: In case of town having 10 lacs population or more, one no. fire station shall have a covered area of 3000 sq. mts. to be constructed by HUDA.

12.	Police Station	One for every 4 sectors	2.00 acre	1350 sq. mts.
13.	Veterinary Hospital	One for each town	0.50 acre	200 sq. mts.
14.	Auditorium	One for each town	5.00 acre	Construction cost Rs. 10.00 crore.

OTHER FACILITIES TO BE PROVIDED IN SECTORS*

1.	Two Nursing Home measuring 500 sq. yards each in every sector
2.	Three-four Clinic Site measuring 250 sq. yards per sector.
3.	Two religious sites measuring 1000 sq. yards each in one sector
4.	Dharamshala measuring 2000 sq. yards for every 5 sectors.
5.	One Taxi stand measuring 1.0 acre for every two sectors.
6.	One site for Sub-Post Office in Shopping Centre per sector on demand
7.	One site for Multi Purpose Booth measuring 5.5 x 5.0 mts in shopping centre.
8.	Telephone Exchange on demand.
9.	Banquet Hall- One measuring 2.00 acres for every alternate sector.
10.	Dhobi Ghat : One measuring 2.00 acres for 3.00 lacs population
11.	School for Handicapped: One for every 5 lacs population.
12.	Orphanage: Measuring 3.0 acres, one site of 2 acres on every 5 lacs of population.
13.	Solid Waste dumping ground- 1.0 acres in every sector

* Not part of norms of internal & external community buildings circulated vide letter dated 1.4.02.

From:

The Director,
Town and Country Planning,
Haryana, Chandigarh

To

- 1) The Senior Town Planner, Panchkula/Hissar.
- 2) The Regional Town Planner, Rohtak.
- 3) The District Town Planner, Panchkula, Ambala, Kurukshetra, Karnal, Sonapat, Gurgaon, Faridabad, Jind, Hissar, Sirsa, Bhiwani & Rewari
- 4) The Assistant Town Planner, Yamuna Nagar, Panipat, Bahadurgarh & Kaithal .

Memo No. 10357-75



Dated: 3.7.1989

Subject: Combination of two or more plots for construction of one residential building.

Ref: Senior Town Planner, Panchkula D.O. NO. 148 dated 1.2.1988

You are requested to incorporate the following zoning clause wherein it is not included:-

Clause-Division of Plots.

- (a) No site shall be sub-divided; however, two or more sites may be combined for construction of one building.
- (b) In case two or more sites are combined, the calculation of permissible site coverage shall be worked out considering it as one site.
- (c) Residential and ancillary building shall be built within the portions of a site marked as Residential in this plan and no where else.
- (d) If two or more sites are combined for the purpose of constructing one building, the area, if any, lying in between the area marked as  in the sites concerned shall be considered as if it were marked as .

-sd/-

For Director, Town and Country Planning
Haryana, Chandigarh

(E) INSTRUCTIONS FOR COMPOUNDING.

To

1. The Zonal Administrator, HUDA, Faridabad, Gurugram, Hisar, Rohtak, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer-I & II, HUDA, Panchkula.
4. All the Estate Officers, HUDA (in the state).
5. All the District Town Planners, Town and Country Planning Department (in the state).

Memo no. CTP/STP(S)/PT/8816

Dated:12.01.2018

Subject:- Norms of **internal** and **external Community Buildings**.

1. Matter pertains to revision of norms for provision of internal and external community Buildings facilities within HUDA sectors. The norms which are presently being followed were circulated vide memo. no. CTP/DTP(N)2275-97 dated 01.04.2002.
2. Keeping in view the revised norms for site of school, college, hospital sites etc. by Education Department Haryana / CBSE, AICTE, Health Department etc. and also in view of increased land cost and development cost, the need for revision of the norms for provision of internal and external community buildings/ infrastructure in HUDA sectors was felt, so that saleable area may optimally be increased and reasonable nodal rate of residential plots of HUDA sectors (yet to be floated) can be worked out.
3. The issue of need of revision in norms was deliberated at various levels and it has been decided with the approval of Hon'ble Chief Minister Haryana-cum-Chairman HUDA to revise internal and external community Buildings norms as under:-

INTERNAL COMMUNITY BUILDING NORMS

Sr.No.	EXISTING NORMS			PROPOSED REVISED NORMS		
	Name of facility	Norms	Land required	Name of facility	Land required	Norms
1.	Crèche/ Nursery School	Land for one no. crèche/nursery school in each sector and one built up crèche/nursery school in each EWS colony after every 4 sectors	0.50 acres	Crèche	1000 sq mtrs (0.25 acre)	<ul style="list-style-type: none">• One site in each sector.
2.	Primary School	Land for four number schools in each sector and every 4 th built up school.	1.00 acre	School site (A)	0.50 acre to 1.00 acre	<ul style="list-style-type: none">• One site per 5,000 population.• For setting up of School upto the class/standard permissible as per the norms of Education Department, Haryana.

3.	<i>High/Higher Secondary School</i>	<i>Land for two number schools in each sector and every 4th built up school.</i>	<i>5.00 acre</i>	School site (B)	2.00 acre	<ul style="list-style-type: none"> One site per 15,000 population. For setting up of School upto the class/standard permissible as per the norms of Education Department, Haryana.
4.	<i>Dispensary</i>	<i>Land for each sector and one built up dispensary for every two sectors.</i>	<i>1.25 acre</i>	Dispensary	1000 sq mtrs. (0.25 acre)	<ul style="list-style-type: none"> Land for each sector.
5.	<i>Community Centre/ Club/Janj Ghar</i>	<i>Land for each sector and every 4th built up school.</i>	<i>2.00 acres</i>	Community Centre	2.00 acres	<ul style="list-style-type: none"> Land/building for one Community Centre in each sector.

6.	<i>Police Post</i>	<i>One in each sector</i>	<i>0.50 acres</i>	Police Post	1000 sq mts. (0.25 acre)	<ul style="list-style-type: none"> One in each sector
7.	<i>Milk Booth</i>	<i>two no. built up in each sector</i>	-	Milk Booth	-	<ul style="list-style-type: none"> Two sites per sector To be provided in commercial area.
8.	<i>Bus Queue Shelter</i>	<i>Two no. built up in each sector</i>	<i>20 sq mtrs</i>	Bus Queue Shelter	<i>20 sq mtrs</i>	<ul style="list-style-type: none"> <i>Two no. built up in each sector</i>
9.	Children Park	Two nos. to be provided in each sector	@ 0.50 acre each	Children Park	0.50 acre	<ul style="list-style-type: none"> One Play Ground per 10,000 population.
10				Solid Waste Transfer site	0.50 acre	<ul style="list-style-type: none"> One site per sector.

EXTERNAL COMMUNITY BUILDINGS NORMS

Sr.No.	EXISTING NORMS			PROPOSED REVISED NORMS		
	Name of facility	Norms	Land required	Name of facility	Land required	Norms
1.	College	Land for every 1 lacs population and one built up college for 4.00 lacs	10.00 acres	College	5.00 acres	<ul style="list-style-type: none"> One site per 1.00 lacs population.
2.	Hospital	(i) 50 bedded Hospital for 1 lacs Population (ii) One no. 500 bedded Hospital for towns having populations more than 10 lacs.	5.00 acres 35.00 acres	Hospital	1.00 acres 10.00 acres	<ul style="list-style-type: none"> 50 bedded Hospital for 1.00 lacs population One no. 500 bedded Hospital for towns having population more than 5.00 lacs.
3.	Public Library	Only one for towns having populations more than 10.00 lacs	2.00 acres	Auditorium-cum- Public Library	3.00 acres	<ul style="list-style-type: none"> One for towns having population more than 5.00 lacs
4.	Cremation /burial ground	One for every 5.00 lakhs population + one no. burial ground site for town.	6.00 acres	Cremation / burial ground	2.00 acres	<ul style="list-style-type: none"> One Cremation Ground for every 2.00 lac population. One no. burial ground site at town level.
5.	Stadium/ Sports complex	(i) One site for 2.50 to 5.0 lakh population. (ii) For every additional population of 5 lakh	10.00 acres 10.00 acres	Stadium/ Sports complex	10.00 acres 10.00 acres	<ul style="list-style-type: none"> One site for 2.50 to 5.0 lakh population. For every additional 5 lakh population.
6.	Cattle pound	One in each town	1.00 acre	Cattle pound	1.00 acre	<ul style="list-style-type: none"> One in each town
7.	Slaughter House	One for each town	1.00 acre	Slaughter House	2.00 acre	<ul style="list-style-type: none"> One for each town (to be provided in agriculture zone).
8.	Working Women Hostel	One for each town (only land)	1.00 acre	Working Women Hostel	1.00 acre	<ul style="list-style-type: none"> One for each town upto 5 lacs population. One additional site per every additional 5 lacs population.

9.	Old age Home	One for each town (only land)	1.00 acre	a) Old age Home b) Senior Citizen Club	1.00 acre 0.20 acre	<ul style="list-style-type: none"> One for each town. One site for every 2 sectors (non-residential clubs for Day Care only).
10.	Grid Sub-Station	Land for every 2.5 lakh population	2.00 acre	Grid Sub-Station	2.00 acre	<ul style="list-style-type: none"> Land for every 2.5 lakh population.
11.	Fire Station	(i) For population upto 2.5 lacs (only land) (ii) For population 2.5 to 5.00 lacs (iii) For population more than 5.00 lacs, one fire Station for every additional 5.00 lacs population	2.00 acre 2.50 acre 2.50 acre	Fire Station	2.00 acre 2.50 acre	<ul style="list-style-type: none"> For population upto 2.5 lacs. For population 2.5 to 5.00 lacs. For population more than 5.00 lacs, one additional Fire Station for every additional 5.00 lacs population.
12.	Police Station	One for every 4 sectors	2.00 acre	Police Station	1.00 acre	<ul style="list-style-type: none"> One for every 4 sectors

13.	Veterinary Hospital	One for each town	0.50 acre	Veterinary Hospital	1.00 acre	<ul style="list-style-type: none"> One for each town
14.	Auditorium	One for each town	5.00 acre			<ul style="list-style-type: none"> Merged with Public Library (sr. no. 3)
15.				Water works/ Boosting Station	-	<ul style="list-style-type: none"> As per requirement of the Urban Estate.
16.				Sewerage Treatment Plant	-	<ul style="list-style-type: none"> As per requirement of the Urban Estate.
17.				Club/ Janjghar	2.00 to 3.00 acre	<ul style="list-style-type: none"> One site per 5.00 lacs population.

4. In addition to above, the following decisions have also taken with the approval of Hon'ble Chief Minister Haryana-cum-Chairman HUDA :-

- a. The already approved plans of non-floated sectors, where saleable area is on a lower side, will be revised in accordance with the amended norms so as to suitably increase the saleable area.

- b. Construction of educational and health facility buildings (like schools, dispensary etc.) will be discontinued, especially in sectors where price fixation is not yet done and sector not yet floated. It was decided that instead of transferring free of cost, HUDA may allot such sites to the concerned department at the approved allotment rate.
 - c. HUDA will not construct any community building, and transfer the sites wherever available to the concerned Department.
 - d. It was also decided that in case of sectors where large chunks of land for EWS Group Housing (Ashiana schemes) have been earmarked, part of such chunks may be utilized as per norms of Deen Dayal Jan Awas Yojna.
 - e. In those cases, where inspite of above measures, the saleable area cannot be sufficiently increased so as to have a reasonable rate of allotment of residential plots, HUDA shall increase the saleable area by appropriately restricting the provision of Community facility sites, for example by curtailing the number of sites of any particular amenity to be provided.
5. This issues with the approval of Hon'ble Chief Minister Haryana-cum-Chairman HUDA. Approval of the Authority shall be taken in the next meeting.

-sd-
(Devender Pal, DTP)
for Chief Town Planner, HUDA

Endst. No. CTP/STP(S)/PT/8816

Dated: 22.01.2018

A copy of above is forwarded to the following for information and necessary action please:-

- 1. The Chief Administrator, HUDA, (Urban Branch), Panchkula.
- 2. General Manager (IT) HUDA, Panchkula.
- 3. All the Senior Town Planners, Town and Country Planning Department Haryana / HUDA.

Sd-
(Devender Pal, DTP)
for Chief Town Planner, HUDA

Through email only

Policy Matter

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.
3. All the Executive Engineers, HUDA.
4. All the District Town Planners.

Memo no. CTP/SB/11222

Dated:18.01.2017

Subject:- Regarding **Building Regulations** of HUDA:-

- (a) **Clarification regarding Regulation-11 of HUDA (Erection of Buildings) Regulations, 1979.**
- (b) **Request for amendment in Haryana Building Code 2016 – With reference to amount to be deposited for Purchasable FAR for Residential Plots.**

1. Issue mentioned at Sr. no. (a) above was raised by Administrator, HUDA, Gurugram vide his office memo no. Spl.1 dated 21.09.2016. The following clarifications were sought:-
 - (i) Occupation certificate be issued to a plot owner who has sanctioned drawings for 25% of the permissible area and constructed that?
 - (ii) Occupation certificate be issued to a person who has sanctioned drawings for full permissible covered area but constructed only 25% of the same?
 - (iii) Provisional/part occupation certificate be issued in above mentioned cases and if yes, is it valid for ever or for six months only?
2. Issue mentioned at Sr. No. (b) above was raised by the Panchkula Architects Forum vide representation dated 14.10.2016. The Forum represented against the following provision (clause no. 2) of the instructions dated 15.07.2016 issued regarding additional FAR purchasable on payment of prescribed charges:-

“Wherever, the building on a plot has already been constructed/under construction, in such cases, the owner will have the option to purchase additional FAR to the extent, it is required by him/her. In such cases, HUDA will not insist on purchase of maximum allowed purchasable FAR. However, in case of fresh sanction of plans & in cases where construction is being raised after demolishing the existing structure, the option of partial purchasable FAR will not be available.”

3. Both the above matters were placed before the Authority vide agenda item no. 21 in its 112th meeting held on 10.01.2017. The Authority has decided as under:-

Issue at sr. no. (a)

- (i) Completion Certificate may be issued to allottees of residential plots upon completion of construction to the extent of 50% of the permissible ground coverage. Matter may be taken up for amendment in the relevant provisions of the Haryana Building Code 2016 accordingly.
- (ii) In the old cases, where the allottees of residential plots who have taken only the Provisional Occupation Certificate, such allottees may take full completion within two years of the date of issue of revised policy, after fulfilling the condition of construction of minimum 50% of permissible ground coverage. In such cases, no extension fee shall be chargeable till the date of two years from the date of issue of policy in this regard.
- (iii) Those allottees of residential plots who have taken only the Provisional Occupation Certificate but

shall fail to obtain full completion by the due date specified under (ii) above, such allottees shall be liable to pay the extension fee as per rates prescribed in the extension policy of HUDA. In such cases, extension fee chargeable shall be at the rates applicable for the first year of extension.

- (iv) The above proposal shall be applicable only on the residential plots.

Issue at Sr. No. (b):

The Authority has decided that in partial modification of condition no. 2 of instructions issued vide memo. no. CTP/SB/25022 dated 15.07.2016, the benefit of partial purchase of additional FAR may also be allowed in case of fresh sanction of plans as well as in cases where construction is being raised after demolition of the existing structure.

4. A copy of the Agenda note and an extract of the proceedings are enclosed. The above instructions may be followed meticulously.

DA/As above.

sd-

(Nadim Akhtar, STP)

for Chief Administrator, HUDA

Endst. No.: CTP/SB/11226

Dated :18.1.2017

A copy alongwith a copy of agenda and an extract of the proceedings of the meeting are forwarded to the following for information and further necessary action please:-

- 1) The Chief Controller of Finance, HUDA, Panchkula.
- 2) The Administrator, HUDA(HQ), Panchkula.
- 3) The Chief Engineer-I, HUDA, Panchkula.
- 4) The Chief Engineer-II, HUDA, Panchkula.
- 5) The Chief Architect, HUDA, Panchkula.
- 6) The District Attorney, HUDA, Panchkula.
- 7) The General Manager(IT), HUDA, Panchkula with the request to upload these instructions on HUDA website.

DA/As above.

-sd-

(Nadim Akhtar, STP)

for Chief Administrator, HUDA

Being Circulated through Email only

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators of HUDA.
2. All the Superintending Engineers, HUDA.
3. All the Senior Town Planners of T&CP Department, Haryana.
4. All the District Town Planners of T&CP Department, Haryana.
5. All the Estate Officers of HUDA.
6. All the Executive Engineers of HUDA.

Memo No: CTP/SB/Policy File-1/25022

Dated:15.07.2016

Subject:- Adoption of Haryana Building Code 2016 – Increase in **purchasable FAR** for **residential plots**.

This is to inform that the State Government has approved the Haryana Building Code, 2016 and its copy is available on HUDA website w.e.f 01.07.2016.

As per instructions issued vide memo no. Misc. 138-A/7/5/2006-2TCP dated 30.06.2016 by the office of ACSTCP Haryana, the Haryana Building Code, 2016 will now supercede the building rules in the HUDA (Erection of Buildings) Regulations, 1979 with all other subsequent amendments and instructions issued there under. Henceforth, all cases/applications for seeking approval of building plans and occupation certificates shall be governed by the Haryana Building Code, 2016.

However, in case of building plans and occupation certificate applications which are in pipeline and received before 1st July, 2016, the allottee shall be free to opt either under the since repealed Building Rules in the HUDA (Erection of Buildings) Regulations, 1979 or the 'Haryana Building Code, 2016'.

Further, instructions were issued earlier vide memo no. Misc.-2266/2016/ 8969-8972 dated 06.05.2016 by the office of ACSTCP Haryana regarding increase in FAR for residential plots. The 'Haryana Building Code 2016' provides that the additional FAR is allowed on payment of charges as approved by Government from time to time [Code no. 28(3)(a)(i)-Note-I]. Accordingly, the category wise purchasable additional FAR shall be as under:-

Plot size	Maximum permissible Coverage on each floor	FAR			Zone Potential/Rate of purchasable FAR					
		Existing	Additional purchasable	Total	(Rs. per Sq.mtr.)					
Upto 3-marla	66	1.65	0.33	1.98	Nil	Nil	Nil	Nil	Nil	Nil
4-marla	66	1.65	0.33	1.98	1615	1295	970	810	650	485
6-marla	66	1.45	0.53	1.98	2155	1725	1295	1080	865	650

8-marla	66	1.45	0.53	1.98	2425	1885	1455	1240	970	755
10-marla	66	1.45	0.53	1.98	2690	2155	1615	1345	1080	810
14-marla	60	1.30	0.50	1.80	3770	3015	2260	1885	1510	1130
1-Kanal	60	1.20	0.60	1.80	5380	4305	3230	2690	2155	1615
2-Kanal	60	1.00	0.80	1.80	8070	6460	4845	4035	3230	2425

Notes:- (i) The Hyper, High-I, High-II, Medium, Low-I & Low-II Zones and Urban Estates falling under these Zones shall be as notified by Town & Country Planning Department under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965.

(ii) In case, the difference in the size of plot from the standard size is more than $\pm 20\%$, the charges of the category in which the plot falls, as per actual size of the plot, shall be applicable.

It is also clarified that :-

1. The number of dwelling units allowed on residential plots shall remain the same and there will be no increase in the same due to increase in FAR.
2. Wherever, the building on a plot has already been constructed/under construction, in such cases, the owner will have the option to purchase additional FAR to the extent, it is required by him/her. In such cases, HUDA will not insist on purchase of maximum allowed purchasable FAR. However, in case of fresh sanction of plans & in cases where construction is being raised after demolishing the existing structure, the option of partial purchasable FAR will not be available.
3. Since, additional FAR is being permitted, the zoning plans / Architectural controls will be suitably amended as per requirement. A copy each of suggestive standard zonings of various categories of residential plots are enclosed for reference. Depending upon the standard sizes of residential plots being followed in various Urban Estates, standard zoning sheets of each category of plot shall be prepared by respective District Town Planner and the same shall be got approved from competent authority. As far as possible, the setbacks of residential plots may be kept the same as given in the enclosed suggestive standard zoning plans.
4. No further composition of zoning violation beyond the maximum permissible covered area and FAR shall be allowed in the case the allottee purchase additional FAR. However, in cases where additional FAR is not being purchased, the existing composition policy shall continue. Further, in case of existing building on a plot where extra area has already been compounded as per policy, the same will be counted in the maximum permissible ground coverage & FAR being allowed as purchasable FAR. However, no cost will be charged for the already compounded area.
5. The construction of front boundary wall may be optional in case the allottee constructs stilt floor in a residential plot.

DA/As above.

-sd-

(Nadim Akhtar, STP)
for Chief Administrator HUDA

A copy is forwarded to the following for information and necessary action:-

1. PS to ACSTCP, Haryana for kind information of Additional Chief Secretary, Town & Country Planning, Haryana.
2. PA to DGTCP, Haryana for kind information of Director General, Town & Country Planning, Haryana.
3. PA to DULB, Haryana for kind information of Director, Urban Local Bodies, Haryana, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Engineer-I, HUDA, Panchkula.
6. The Chief Engineer, HUDA, Panchkula.
7. The Chief Architect, HUDA, Panchkula.
8. The Enforcement Officer, HUDA, Panchkula.
9. The Secretary, HUDA, Panchkula.
10. The General Manager(IT), HUDA, Panchkula with the request to host these instructions on HUDA website alongwith Haryana Building Code 2016.
11. The District Attorney, HUDA, Panchkula.
12. The Deputy ESA, HUDA, Panchkula.

-sd-

(Nadim Akhtar, STP)
for Chief Administrator HUDA

(Through Email Only)

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA (In the State)
2. All the Sr. Town Planners (In the State)
3. All the Superintending Engineers, HUDA (In the State)
4. All the Estate Officers, HUDA (In the State)
5. All the District Town Planners (In the State)
6. All the Executive Engineers, HUDA (In the State)

Memo No. CTP/SB/15907-15985

Dated: 13.11.2013

Subject: - Clarification of **height** in **stilt** and **staircase area** in stilt portion for **residential plot**.

Reference:- In continuation to this office memo no.11720-810 dated 27.08.2013.

It is clarified that the clear height of the stilt below roof beam should not be more than 2.4 mts. Further, the area under staircase shall be counted towards ground coverage and FAR.

Sd/-

(Manjit Kaur, CTP)

For Chief Administrator,HUDA.

Endst. No. CTP/SB/15986-95

Dated: 13.11.2013

A copy is forwarded to the following for information & necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Chief Architect, Department of Architecture, Haryana, Chandigarh.
5. The Chief Architect, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The Enforcement Officer, HUDA, Panchkula.
8. The General Manager, IT Wing, HUDA, Panchkula.
9. The District Attorney, HUDA, Panchkula.
10. The Dy. ESA, HUDA, Panchkula.

Sd/-

(Manjit Kaur, CTP)

For Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. All the Administrators, HUDA (In the State)
2. All the Sr. Town Planners (In the State).
3. All the Superintending Engineers, HUDA (In the State)
4. All the Estate Officers, HUDA (In the State)
5. All the District Town Planners (In the State)
6. All the Executive Engineers, HUDA (In the State)

Memo No. CTP/SB/11720-800

Dated: 27-8-2013

Subject: - Notification regarding increasing the maximum **permissible height** in **residential plots** and allowing **stilt floor** – Amendment in HUDA (Erection of Buildings) Regulations, 1979.

Amendment in HUDA (Erection of Buildings) Regulations, 1979 regarding increasing the maximum permissible height in residential plots and allowing stilt floor has been got notified in the Haryana Govt. Gazette on 19th August, 2013. A copy each of said notification in English & Hindi are enclosed herewith for your information & necessary action. The said notification is already hosted on website of HUDA namely www.huda.gov.in. It is further clarified that :-

1. Basement shall be allowed below the stilt as per requirement of the owner in case of residential plots. The roof slab of the basement should be designed for taking load of vehicles proposed to be parked on the slab under the stilt of the parking. The basement not exceeding maximum permissible coverage on ground floor and intended to be used for parking, services and storage shall be allowed, if it satisfies the public health and structural requirements and shall not be considered in Floor Area Ratio.
2. The ramps in the plots shall be permitted within the zoned area depending upon the feasibility. The ramps shall not be allowed for going into basement of plots having an area of less than one Kanal.
3. The stilt shall be allowed on vacant plot. If the buildings on adjoining plots are constructed, the owner shall ensure structural safety of adjoining buildings.
4. The stilt shall also be allowed on such houses where the owner intends to demolish the existing structure, provided that the owner ensures to take care of the safety measures of existing adjoining buildings and submits a Structural Stability Certificate from a Structural Engineer (M.Tech in Structures), specifically to this effect and also submits an indemnity bond in this regard indemnifying HUDA and its officials in this regard. Contd.....P/2
5. In case a residential plot owner opt to construct stilt floor, only stilt shall be allowed on ground floor, residential use shall be allowed on subsequent floors.
6. The provision of stilt parking shall also be allowed in residential plots of 6-marla and above categories governed by architectural frame controls.

D.A./As above

-sd/-
(Manjit Kaur)
Chief Town Planner,

Endst. No. CTP/SB/11801-810

For Chief Administrator,HUDA,
Panchkula.

Dated: 27-8-2013

A copy alongwith a copy of the above referred notification in English & Hindi each is forwarded to the following for information and necessary action please:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Chief Architect, Department of Architecture, Haryana, Chandigarh.
5. The Chief Architect, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The Enforcement Officer, HUDA, Panchkula.
8. The General Manager, IT Wing, HUDA, Panchkula.
9. The District Attorney, HUDA, Panchkula.
10. The Dy. ESA, HUDA, Panchkula.

D.A./As above

-sd/-

(Manjit Kaur)

Chief Town Planner,

For Chief Administrator,HUDA,
Panchkula.

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. All the Administrators of HUDA in the State
2. All Estate Officers of HUDA in the State

Memo no. CTP/STP (M)/2044-66

Dated: 09.03.2011

Subject: Composition rates for compoundable **violations** in **plotted residential development** applicable to Town & Country Planning Department and HUDA.

The composition rates for compoundable violations in plotted residential development applicable to Town & Country Planning Department and HUDA, circulated vide memo no. CTP(H)/DTP(N)/17370-414 dated 28.09.2006, provide that the excess covered area beyond permissible limit within zoned area is compoundable up to 10% of total permissible FAR (up to 5% @ RS.3300/- per sq.mts. and beyond 5% @ Rs. 6500/- per sq.mts)- item 2(b). Presently, no floor wise limits are prescribed and this excess covered area (up to 10%) can be compounded at any floor subject further to the stipulations of item no. 2(a) and 2 (c).

With the introduction of registration of independent floors, it has now been decided that the provisions regarding excess covered area in clause 2 (b) of the uniform compounding policy dated 28.09.2006 may be made applicable floor wise, i.e., up to a maximum of 10% (Ten percent) of permissible coverage at each floor. The policy instruction dated 28.09.2006 shall stand modified to this extent.

The amended instructions shall, however, be applicable on those cases only where the building plan has been sanctioned after the date of issuance of this letter. Therefore, only in case of those allottees who have already got their building plans sanctioned, the excess covered area shall be compounded at any floor in accordance with the previous provisions and the floor wise ceiling shall not apply. However, in all other cases where the building plans will be approved after the date of issuance of this letters, violation of excess covered area shall be compounded floor wise.

It has also been decided to constitute a committee under the Chairmanship of Administrator HUDA (HQs) comprising CTP HUDA, Senior Architect HUDA and S.E. HUDA HQs which will review the various compoundable items and their rates after obtaining suggestions / feedbacks from all the Zonal Administrators. It is, therefore, requested that your suggestion/feedback in the matter may be sent to chief Town Planner, HUDA within one month's time

-sd/-

(B.B.L.Kaushik)

Chief Town Planner,

for Chief Administrator, HUDA

.Endst. No. CTP/DTP (M)/2067-2098 Dated: 09.03.2011

A copy of the above is forwarded to the following for information and necessary action:

1. Administrator, HQs, HUDA Panchkula.
2. The Senior Architect, HUDA, Panchkula.
3. The Superintending Engineer, HUDA (HQs), Panchkula.
4. The Senior Town Planner
5. The Executive Engineer, HUDA

-sd/-

(B.B.L.Kaushik)

Chief Town Planner,

for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

The Estate Officer,
HUDA, Panchkula.

Memo. no. CTP/STP (N)/SB/9427

Dated: 05.10.2009

Subject: Composition Rates for compoundable **violations** in **Industrial, Institutional and Group Housing Sites** applicable to Town & Country Planning Department and HUDA.

Reference: Your office memo.no.10843 dated 15.07.09.

The matter cited as subject has been examined. It has been decided that a particular kind of violation should not be charged at different rates in different kind of plots. You are, therefore, requested to follow the compounding rates applicable for residential plots in case of group housing, Industrial and institutional plots. In case if there are different kinds of violations in industrial and institutional plots which are not covered in the uniform Compounding Policy, the same may be intimated to this office, so that a view could be taken for compounding rates to be fixed for such violations please.

-sd/-
(J.S.Redhu)
Chief Town Planner,
for Chief Administrator, HUDA.

Endst. no. CTP/STP (N)/SB/9428-9510

Dated: 05.10.2009

A copy is forwarded to the following for information and necessary action please:-

1. All the Zonal Administrators of HUDA.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
4. All the Superintending Engineers.
5. All the Senior Town Planners.
6. All the Estate officers HUDA.
7. All the Executive Engineers, HUDA.
8. All the District Town Planners
9. The Legal Remembrancer, HUDA.
10. The Enforcement Officer, HUDA HQ.
11. The Dy. ESA, HUDA, Panchkula.

-sd/-
(J.S.Redhu)
Chief Town Planner,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing), Panchkula.

To

1. All the Administrators HUDA
2. All the Superintending Engineer's
3. All the Senior Town Planners
4. All the Estate Officers, HUDA
5. All the District Town Planners
6. All the Executive Engineer's

Memo. No. CTP/ STP (N)/ JS/ 5306-85

Dated: 22.06.2009

Subject: Regarding **projections in residential plots** of HUDA.

The matter cited as subject has been examined, keeping in view the requirements of natural light and ventilation of Habitable Rooms especially in the rear side of the plots, following uniform guidelines have been got approved from Hon'ble C.M Haryana-cum-Chairman HUDA.

1. To allow rear projections at roof level to the extent that a minimum 3.0 meters clear open space remains always available by considering clubbed set backs of back to back plots.
2. Similarly, the projection in front set back can be allowed upto 1.8 mtrs. width provided at least 1/3rd of front set back area remains open to sky.
3. The side projection shall not exceed 1.0 mtrs. width.
4. Further sun shades of 0.46 mtrs. width to protect doors/windows can be taken within plot boundary wherever projections are not possible.
5. The provisions in para 1 to 4 above shall not be applicable to the plots governed by Architectural frame controls.
6. In case of buildings where projections have already been constructed but now falls within above norms, the same may be compounded by considering as a sanctionable construction raised in variation of approved plans.
7. It is clarified that projection of 1.8 mtrs. in front and rear with 1.0 mts. in side set back can be provided as per HUDA Building Regulations within zoned area i.e., by way of increasing setbacks in such a way that above minimum clear open area is always available.
8. Further that these changes will apply to all the cases whether past, present or future.

You are requested to get the above provisions incorporated in the individual zoning plans of concerned sectors.

- sd/-

(Nadim Akhtar)
Senior Town Planner
for Chief Administrator, HUDA.

Dated: 22.06.2009

Endst. no. CTP/STP (N)/JS/ 5386-93

A copy is forwarded to the following for information and necessary action please:

1. The Chief Engineer, & Chief Engineer-1, CCF, Sr. Architect, Legal Remembrancer, HUDA, Panchkula.
2. The Enforcement Officer, Dy. ESA, STP (Mehtani) HUDA, Panchkula.

- sd/-

(Nadim Akhtar)
Senior Town Planner

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.

Memo No: CTP/HUDA/3726-3748

Dated: 13.05.2009

Subject: New guidelines for **approval of building plans** in respect of **residential plots** (excluding Group Housing Plots).

It has been observed that delay in the approval of Building Plans of Residential Plots continues to be a sore area inspite of numerous steps initiated in the past of streamline it. This is adversely affecting the credibility of the organization. It has, therefore, been decided to eliminate various un-necessary channels and overhaul the existing system by introducing the following measures with the view to ensure the speedy approval of the Building Plans submitted by the allottees:-

1. That the Building Plan Approval Committee shall henceforth consist only of the Estate Officer as its Chairman and concerned Executive Engineer of the area as its sole Technical Member.
2. That in those Urban Estates where no Executive Engineer is stationed for posted, the format (F-1) as mentioned in para-5 below will be completed by the Sub Divisional Engineer of the concerned Urban Estate.
3. That the Technical Scrutiny of the Building Plans of residential plots shall be carried out in-house instead of referring the plans to the District Town Planner's office. Consequently, the Building Plans shall not be referred to the District Town Planner any more for scrutiny.
4. That the Estate Officers will be obliged to obtain a copy of the Zoning Plan in respect of the plots which have not been constructed so far from the concerned District Town Planners and place the same on the individual plot file in compliance of the guidelines circulated vide memo no. CTP-2009/2847-69 dated 21.04.2009. Hence, the Estate Officer will forward one set of the Building Plan to the concerned Executive Engineer or Sub Divisional Engineer, as the case may be, alongwith a copy of the approved Zoning Plan of the site whenever any Building Plan is received in the Estate Office.
5. That a comprehensive Format (F-1) has been devised in the form of a check list which covers all the provisions of the HUDA (Erection of Buildings) Regulations, 1979 as well as the Zoning Plan approved for a particular area. This format is required to be adhered to and filled up in the office of the Technical Member i.e. the concerned Executive Engineer or Sub Divisional Engineer, as the case may be, and passed onto the concerned Estate Officer for further appropriate action.
6. That similarly one separate Format (F-2) has been devised for the office of the Estate Officer as well. All the columns of this format also will be filled up so that an appropriate decision for the approval or rejection of the building plan is taken objectively.
7. That the Site Report is to be submitted by the concerned Junior Engineer and attached with the Format (F-2) in the Estate Office.
8. That with a view to cut the delay in the sanctioning of the Building Plan, the number of signatories have been reduced in format (F-1) and Format (F-2). For instance, Assistant Draftsman or Draftsman will

technically scrutinize the Building Plan with his signatures in Format F-1 and it will be duly counter-checked by any technical person superior to him, like Head Draftsman or a Sub Divisional Engineer to be nominated by the concerned Executive Engineer in this behalf if there is no superior person posted in the Division. Similarly, the Sub Divisional Clerk and Record Keeper will scrutinize the details of the property and affix their signatures in Format (F-2) after making all entries therein.

9. That all the copies of the building plan shall be duly signed by the concerned Estate Officer and Executive Engineer after all the three format F-1, F-2 & F-3 have been completed in all respect.
10. That the following Time Schedule has been fixed for taking an appropriate decision i.e. approval or rejection of Building Plan as under. The time schedule so fixed shall be meticulously adhered to by all the concerned Field Offices.
 - a) Hyper & High Potential Zones 21 Working Days (Urban Estates of Gurgaon-I & II, Faridabad, Sonapat, Panipat & Panchkula)
 - b) Medium Potential Zones 15 Working Days (Urban Estates of Bahadurgarh, Hisar, Rewari & Dharuhera)
 - c) Low Potential Zones 10 Working Days (All remaining Urban Estates in the State)
11. That the officials in the Estate Officer and Xen office who are to process and handle the building plans have been designated as mentioned in the following Table. These Designated Officials shall be required to process the Building Plans as per the following Time Schedule.

Designated officials Hyper & High Potential Zone Medium Potential Zone Low Potential Zone.

	Days	Days	Days
SDC/(EO)	3	2	1
RK/(EO)	3	2	1
Asstt. Draftsman or Draftsman (Xen)	3	2	1
HD/SDE(Xen)	3	2	1
Xen	2	2	2
SDC(EO)	2	1	1
JE/SDE(S) (EO)	3	2	1
EO	2	2	2
Total Days	21	15	10

12. That an innovative system of Reward & Penalty is being worked out and its procedure details and mechanism would be communicated separately after these are finalized. Under the proposed Scheme, Reward will be given to the HUDA officials for deciding Building Plans within the prescribed time limit as mentioned herein and Penalty will be paid to the allottees wherever the time schedule so fixed is breached by HUDA.
13. That it is proposed to appoint an Ombudsman in each Urban Estate to oversee the proposed system of Reward & Penalty and to settle any dispute arising there-form. Hence, the Zonal Administrators are requested to suggest a panel of two persons from each Urban Estate who are persons of repute & high integrity and are

settled there and are willing to voluntarily work for this cause without any monetary remuneration. Such persons can be retired judges, civil servants or Defence Officers etc.

14. That all the Administrators are directed to hold a training session at the Zonal Level for all the officers and officials involved in the process latest before 25th of May, 2009 so that the new Guidelines are implemented smoothly from 1st June, 2009.
15. Copies of Format F-1 and F-2 are being e-mailed separately. However, hard copies thereof are also enclosed for ready reference and necessary action.
16. All the Zonal Administrators, Estate Officers and Executive Engineers (including the Sub divisional Engineers where the Executive Engineers are not stationed) are directed to
 - Acknowledge the receipt of this letter immediately after it is received.
 - Confirm the dates of the training session for the respective Zones.

This may please be accorded TOP PRIORITY.

-sd/-
(T. C. Gupta, IAS)
Chief Administrator,
HUDA Panchkula.
Dated:- 13.05.2009

Endst. No. CTP/HUDA/3749-3833

A copy is forwarded to the following for information and strict compliance of the above instructions:-

1. All the Executive Engineers of HUDA in the State (including Sub-divisional Engineers wherever Executive Engineers are not stationed in any Urban Estate).
2. All the District Town Planners in the State.
3. The Chief Engineer/ Chief Engineer-I, HUDA, Panchkula.
4. All the Superintending Engineers of HUDA in the State.

-sd/-
(T. C. Gupta, IAS)
Chief Administrator,
HUDA Panchkula.
Dated:- 13.05.2009

Endst. No. CTP/HUDA/3834-3836

A copy is forwarded to the following for information:-

1. The Senior Secretary to Chief Minister, Haryana for kind information of Chief Minister-cum-Chairman, HUDA.
2. The Financial Commissioner & Principal Secretary to Govt. Haryana, Urban Estate and Town & Country Planning Department, Haryana, Chandigarh.
3. The Director Town & Country Planning and Urban Estate Department, Haryana, Chandigarh.

-sd/-
(T. C. Gupta, IAS)
Chief Administrator,
HUDA Panchkula.

CHECK LIST FOR APPROVAL OF BUILDING PLAN (RESIDENTIAL PLOTTED)

Urban Estate		Plot no.	
Name of owner		sector	

Sr. no.	Category	Status	Remarks / deficiency, if any.

GENERAL

1	Submission of Application [Rule-3(1)] a) Site Plan in duplicate mounted on Cloth b) Building Plan in triplicate, 2 mounted on cloth c) BR-I & BR-II (signed) d) Structural Drawing (for record)	Yes / No Yes / No Yes / No Yes / No	
2	Signature of owner, Architect & Engineer. [Rule-3(3)]	Yes / No	
3	Scrutiny Fees <div style="text-align: right;">[Rule-3(4)]</div>	____ Sq. Mts. Rs. 10/- =Rs. _____	
4	Malba Fee <div style="text-align: right;">[Rule-3(5)]</div>	Rs. ____/-	
5	Size of plot a) As per Allotment b) As per Possession Letter c) As per Building Plan Refer to the Approved Demarcation and Zoning	_____ _____ _____	

SITE PLAN.

1.	Site plan		
	a) Scale	Ok/No	
	b) Boundaries of Site	Ok/No	
	c) North Marking	Ok/No	
	d) Surrounding Buildings / Plots	Ok/No	
	e) Area Details	Ok/No	
	f) Dimensions	Ok/No	
	g) Levels	Ok/No	
	h) Public Health Lines	Ok/No	
	i) Gate Position	Ok/No	

ZONING

1.	Zoning set-backs	Required	Provided	
	Refer to the approved zoning.			
	Front			
	Side			
	Rear			

CHECK LIST FOR APPROVAL OF BUILDING PLAN (RESIDENTIAL PLOTTED)

Urban Estate		Plot no.	
Name of owner		sector	

Sr. no.	Category	Status	Remarks / deficiency, if any.

B) ACTION BY RECORD KEEPER

1	Title	OK/NO	
2	Date of Offer of Possession		
3	Zoning Approved or Not	YES /NO	
4	Court Case	YES /NO	
5	Ownership Verified	YES /NO	
6	Dues , if any		
7	Date by which Minimum Construction to be completed.		

Signature of Record Keeper

B) ACTION BY SUB DIVISIONAL CLERK

1	Date by which Building plan was required to be submitted (at least 6 months prior to A(7))		
2	Delay if any		
3	Reasons for Returning Building Plan to owner, if any.		
4	Building Plan sent to Xen on (date)		
5	Building plan Received Back on (Date)		
6	Status of Building Plan	OK/NOT OK	
7	Building plan put up for approval on (Date)		

Signature of Sub Divisional Clerk

Sub Divisional Engineer(S)

Estate Officer

SITE REPORT PROFORMA (RESIDENTIAL PLOTTED)

Sr. no.	Subject	Remarks
1	Plot no.	
2	Sector no.	
3	Name of Urban Estate	
4	Status of Plot (if the plot is under construction or has been constructed, give details)	<ul style="list-style-type: none"> • Vacant • Under Construction • Constructed
5	Area /Size of Plot as per site.	
6	Status of Basement in Adjoining Plots.	Left Side_____ _____ Right Side_____ Rear Side_____
7	Other Remarks, if any.	

Name & Signature of JE

1	Height of Boundary wall & Type of Gate [Rule 20]	Ok/No	
2	Number of <u>Dwelling Units</u> .	Ok/No	

BUILDING PLAN

1	Building plans		
	a) Scale	Ok/No	
	b) Cloth Mounting	Ok/No	
	c) Plans of all Floors, Elevations, Sections showing Levels through Floors, Stair-case, WC Bath, Kitchen and Garage.	Ok/No	
	d) Plinth Level of the Building wr.t Centre Road.	Ok/No	
	e) Schedule indicating Size of Doors & Windows	Ok/No	
	f) Means of Access & Escape	Ok/No	
	g) North Point	Ok/No	
	[Rule-5]		
2	Maximum Height		
	[Rule-13 (b)]		
3	Light and Ventilation	Ok/No	
	[Rule-17]		

4	Minimum Size of Habitable Rooms /Kitchen		
	a) GF-HR*, HR-2, HR-3	Ok/No	
	b) FF-HR-1, HR-2, HR-3	Ok/No	
	c) SF-HR-1, HR-2, HR-3	Ok/No	
	[Rule-18]		
	*HR=Habitable Room		
5	Minimum Size of Bath Rooms & WC	Ok/No	
	[Rule-19]		
6	Elevations & Sections Co-relates with the plan	Yes /No	

7	Staircase Risers & Treads [Rule-32 to 40]	Ok/No	
8	Projections / Sun-Shade/ Canopy [Rule-13 (explanation 1)]	Ok/No	
9	Minimum Provision with regard to Residential Building [Rule-16]	Yes /No	
10	Structure Materials and Control –Form BR-II signed by Architect / Engineer [Rule-21 to 31]	Yes /No	

e) COVERED AREA

Permissible Provided

1	FAR [Rule-13(b)]			
2	Basement [Ensure margin from side plot, if constructed and max, height 1.20 mts]			
3	Ground Floor Coverage [Rule-13(i)]			
4	First Floor Coverage [Rule-13(i)]			
5	Second Floor Coverage [Rule-13(i)]			

F) PUBLIC HEALTH AMENITIES

1	Public Health Amenities	Ok/No	
	[Rule 53 to 81)	Ok/No	
	a) PH & Sanitary Work to be executed under the supervision of regd. Plumber		
	[Rule 54)	Ok/No	
	b) All Sanitary Fitting and Execution of Works as per PWD Specifications.	Ok/No	
	[Rule 56)	Ok/No	
	c) Minimum Sanitary Facilities	Ok/No	
	[Rule 60)		
	d) Water Closet	Ok/No	
	[Rule 61)	Ok/No	
	e) Laying & Ventilation of Drains		
	[Rule 63 & 64)		
	f) Sewer Connection		
	[Rule 76 to 78)		
	g) Drainage of Rain Water Harvesting.		
	[Rule 79 to 81 A)		

MISCELLANEOUS

1	Solar Water Heating Provided	Yes / No/ NA	
2	Site Report	Ok / No	
3	Other Observations , if any		
4	Time Taken	____Name of Days	
	a) Date of Receipt	____/____	
	b) Date of Disposal		
5	Recommendations for Approval.	Yes / No	

Checked and Found Correct

Counter Checked and Found Correct

Checking Official

(Name & Designation)

Counter Checking Official

(Name & Designation)

DELEGATION OF POWERS REGARDING COMPOUNDING OF VIOLATIONS

From,

Chief Administrator,
HUDA (Town Planning Wing), Panchkula.

To,

1. Administrator,
HUDA, Faridabad /Gurgaon/Hisar/Panchkula/Rohtak.
2. All Estate Officer, HUDA, .

Memo. No. CTP/DTP-M/ 10156-10178

Dated: 22.10.2008

Subject: Delegations of powers to compound the violations made by the allottees during the construction of building on the **allotted plots.**

The authority exercisable by the Chief Administrator, HUDA under the second proviso to section 55 of the Haryana Urban Development Authority Act, 1977 were delegated to the Zonal Administrators of HUDA, for the urban estates under their respective jurisdiction, vide notifications no. 1293-18(50)-3 TCP-79 published in the Haryana Government Gazette Extraordinary and no.16/243/86-3 TCP dated the 12th February 1987 published in the Haryana Government Gazette Extraordinary dated the 27th February 1987. However, with the passage of time and the increase in the number of sectors/urban estates and a consequent increase in the number of allottees, it has been felt that these powers may be delegated to the concerned Estate officers at those stations where the office of Administrator, HUDA is not located so that the allottees are not inconvenienced, and the to and fro movement of the compounding files between the Estate Office and Administrator, office can be avoided.

Therefore, it has been decided that the powers exercisable by the Chief Administrator under the second proviso to section 55 of the said Act shall, henceforth be exercisable by the Estate Officers of Haryana Urban Development Authority in respect of those urban estates under their respective jurisdiction at those stations where the office of Administrator, Haryana Urban Development Authority is not located. However, in those urban estates where the office of Administrator, Haryana Urban Development Authority is located at the same station, this power shall continue to be exercised by the concerned Administrator of Haryana Urban Development Authority.

A copy of the Notification published in the Haryana Government Gazette Extraordinary vide no. Auth.-2008/34707, dated the 7th October, 2008 is enclosed herewith for information and necessary action.

-sd/-
(N. Mehtani, DTP)
For Chief Administrator, HUDA

Endst. No. CTP/DTP (M)/10179-88

Dated:22.10.2008

A copy along with a copy of the above said Notification no is Auth.-2008/34707, dated the 7thOctober, and is forwarded to the following for information and necessary action:

- | | |
|--|--|
| 1. Administrator, HUDAHQs, Panchkula. | 2. Legal Remembrancer, HUDA, Panchkula. |
| 3. Chief Controller of Finance, HUDA, Panchkula. | 4. Chief Engineer, HUDA, Panchkula. |
| 5. Chief Engineer-I, HUDA, Panchkula. | 6. Secretary, HUDA, Panchkula. |
| 7. Senior Architect, HUDA, Panchkula. | 8. Senior Manager (IT), HUDA, Panchkula. |
| 9. Enforcement Officer, HUDA, Panchkula. | 10. Dy. ESA, HUDA, Panchkula. |

-sd/-
(N. Mehtani, DTP)
For Chief Administrator, HUDA,

From

The Chief Administrator ,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrator, HUDA
2. All the Senior Town Planners
3. All the Estate Officers, HUDA
4. All the District Town Planners .

Memo. no. CTP/DTP (N)/JS/ 6638-86

Dated: 17.7.2008

Subject: Regarding amendments in **compounding policy** of **residential areas**.

Reference: In continuation to this office memo no. 17370-414 dated 28.9.06.

The matter regarding amendments in compounding policy of HUDA has been examined. The following amendments have been made in the uniform compounding policy to overcome the day to day problems being faced by the plot holders.

A amendments in uniform Compounding policy.

1. Building without Plan: - Presently the allottee has two options available with them regarding sanction of building plan. The allottee can either get the building plan sanctioned prior to starting construction or they can follow the self certification procedure. Therefore, the allottee should start construction only after sanction of plans as per the procedure prescribed in one of the above options. This will facilitate HUDA to know the exact date of starting construction. Therefore, it has been decided to amend clause 1 (a) of compounding policy mentioned under reference and the earlier provisions of the policy to compound the constructions raised with out sanction of building plan has been discontinued.
2. Projections: - Before formulation of uniform compounding policy in the year 2000, projections in frame control houses were allowed/compounded up to full width of the plot. In the uniform compounding policy of the year 2000, 1.0 mts projection was allowed in rear & front up to 2/3rd width of the plot @ Rs. 50/- per sq. ft. in frame control houses of 6 Marla and 10 Marla. The policy further stipulated that beyond 2/3rd width, it should not be compounded. In the revised policy effective from 28.09.06, there is no mentioned of projection within frame control houses. Allottees have constructed projections in 2/3rd portion as well as in the balance 1/3rd portion on the basis of projection constructed in the houses adjoining their plots and now such cases are stuck up for completion. Allowing some projection in the 1/3rd portion is a necessity for the purpose of protection of door/windows from sun/rain. Therefore, it has been decided to allow the projection up to the frame line by compounding them @ Rs. 500/- per sq. mts. Further, increase in the projection beyond 1.0 mts due to cladding etc be compounded @ Rs. 11,000 per sq. mts up to a maximum of 2% of the plot width treating it as zoning violation.

The above instructions shall come into force with immediate effect. This issues with the approval of Chairman HUDA please.

-sd/-
(Nadim Ahtar)
District Town Planner,
For Chief Administrator, HUDA

Endst. no. CTP-HUDA-DTP (N)/JS/

Dated: 17.7.2008

A copy of the above is forwarded to the following for information and necessary action please:

1. The Director, Town and Country Planning Department Haryana Chandigarh along with a photocopy of noting page no. 1-10 of this office file containing orders of Hon'ble Chief Minister Haryana for information and further necessary action.
2. The Chief Engineer HUDA Panchkula.
3. The Chief Engineer-1, HUDA Panchkula.
4. The Additional Chief Engineer, HUDA Panchkula.
5. The Senior Architect HUDA Panchkula.
6. The Enforcement Officer, HUDA Panchkula.
7. The Administrative Officer, HUDA Panchkula.
8. The Dy. ESA HUDA Panchkula.

-sd/-
(Nadim Ahtar)
District Town Planner,
For Chief Administrator, HUDA

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. The Director, Town & Country Planning, Haryana, Chandigarh.
2. The Administrators, HUDA, Panchkula, Gurgaon, Hisar, Faridabad, Rohtak.
3. The Senior Town Planners, Gurgaon, Panchkula, Hisar.
4. All the Estate Officers, HUDA.
5. All the District Town Planners.

Memo no. CTP (H) / DTP (N) – 17370-414

Dated: 28-09-2006

Subject: Composition Rates for **compoundable violations** in **Plotted residential** development applicable to Town & Country Planning Department and HUDA.

The following composition rates for compoundable violations in plotted residential development applicable to Town & Country Planning Department and HUDA have been approved by the Govt. These rates shall come into force with immediate effect.

Sr.No.	Description of violation	Composition rates
1.	BUILDING WITHOUT PLAN:	
a.	Construction raised without getting plan sanctioned and the construction so made conform to the building bye laws / zoning	Compounding @ Rs. 400/- per sq. mts.
b.	Construction without building plan re-validated.	Compoundable @ Rs. 100/- per sq. mts. on constructed area.
2.	COVERED AREA:	
a.	Covered area beyond zoning line but within permissible limits.	Compoundable up to maximum limit of 10% of the set back to be compounded @ Rs. 10800/- per sq. mts.
b.	Excess covered area beyond permissible limit within zoned area.	Compoundable up to 10% of the total permissible FAR. Up to 5% @ Rs. 3300/- per sq. mts. and beyond 5% @ 6500/- per sq. mts .
c.	Excess covered area beyond zoning line	Compoundable up to maximum limit of 10% of the set back to be compounded @ Rs. 10800/- per sq. mts. (This will be over and above the composition fee of excess covered area).
3.	HEIGHT OF THE BUILDING:	
a.	Increase in height up to (including parapet and mumty) beyond permissible limit where no frame control is applicable. (i) Up to 50 cm (ii) Above 50cm to 1.00 meter.	Compoundable Nil Rs.2000/- per sq. mts. of covered area subject to the maximum of 12 sq. mts.

Sr.No.	Description of violation	Composition rates
4.	LIGHT AND VENTILATION:	
a.	Non provision of exhaust fan / flue in the Kitchen.	Compoundable @ Rs. 200/- each.
b.	General light and ventilation including toilets.	Variation up to 10% is compoundable @ Rs.1100/- per sq. mts.
5.	HEIGHT AND SIZE OF HABIT-ABLE AND OTHER ROOMS.	
a.	Variation in Height and size of habitable rooms, kitchen and toilets.	Reduction in height up to 10cm and reduction in area up to 5% of the minimum required is compoundable @ Rs. 500/- each.
6.	HEIGHT OF BOUNDARY WALL AND TYPE OF GATE.	
a.	Change of design, height, size and location of the gate / wicket gate and boundary wall.	Compoundable @ Rs. 1000/- each per violation up to the maximum of 10% in size and height of gate /wicket gate and boundary wall.
7.	DAMP PROOF COURSE (DPC)	
a.	Construction without obtaining DPC certificate but according to approved building plan.	Compoundable @ Rs.5/- per sq. mts of the permissible ground coverage.
b.	Changing DPC after obtaining DPC certificate but confirming to building bye-laws / zoning.	Compoundable @ Rs.10/- per sq. mts. of the permissible ground coverage.
8.	STAIR CASE :	
a.	Steps outside the zoned area on ground floor.	Steps shall not be counted towards covered area and compoundable @ Rs.1000/- per step subject to the maximum of five steps and maximum width of 1.20 mts. Having maximum tread of 30cm each.
b.	Tread and riser not as per rules.	Variation up to 10% compoundable @ Rs. 100/- per step.
c.	Provision of winder steps at landings only.	Compoundable @ Rs. 200/- each.
d.	Width of stair case reduced from minimum width prescribed under the rules.	Reduction only up to 10cm is compoundable @ Rs. 500/- per stair case.
e.	Head room height reduction from the minimum prescribed under the rules.	Up to 10cm is compoundable @ Rs. 500/- each Head room.
9.	CANTILEVER PROJECTION:	
a.	Sanctionable projection but not shown in the sanctioned building plan.	Compoundable @ Rs. 100/- per sq. mts.
b.	Non-Sanctionable cantilever projection but within zoning line.	Compoundable @ Rs. 500/- per sq. mts.
c.	Non-Sanctionable cantilever projection outside zoning line.	Violation up to maximum limit of 10% of the set back line is compoundable @ Rs.11000/- per sq mt .
d.	Cantilever Cup Board / bay window	To be counted in covered area violation.
e.	Projection on Govt. Land	Compoundable to the limit of 30 cm in width @ Rs. 1000/- per sq. mts. at door/window level only.
10.	VENTILATION SHAFT:	

Sr.No.	Description of violation	Composition rates
a.	Area of shaft is less than the permissible.	Variation up to 10% is compounded @ Rs. 9000/- per sq. mts.
b.	Shaft covered at 2.40 meters height.	Compoundable @ Rs. 1000/- each light and ventilation parameters met with.
11.	MISCELLANEOUS:	
a.	Un-authorized occupation	Compoundable @ Rs. 50/- per sq. mts. of the permissible ground coverage.
b.	Pipe shaft beyond zoning line.	To be counted in covered area violation.
c.	Non load bearing architectural pillars.	Compoundable @ Rs. 1000/- each provided is less than 30cm in dia not touching roof or projection and maximum up to 4 pillars.
d.	Major changes like shifting of internal wall, door, window, ventilator, left over door and other changes in elevations.	Compoundable @ Rs. 100/- each.
e.	Store converted into Kitchen, provided it meets with the provisions of rules.	Compoundable @ Rs. 1500/-

NOTE: All the violations not covered by the composition rates listed above are non-compoundable except minor variation in Public Health Services such as construction of under ground water tank etc. which are to be ignored.

-sd/-

District Town Planner,
For Chief Administrator, HUDA,
Panchkula.

From:

The Chief Administrator,
HUDA, Panchkula

To

1. The Senior Town Planner,
Panchkula, Gurgaon, Hissar
2. District Town Planner, Panchkula, Gurgaon, Faridabad, Hisar, Rohtak, Bahadurgarh,
Karnal, Ambala, Kurukshetra, Sonapat, Panipat, Bhiwani, Jind, Sirsa, Rewari, Narnaul,
Yamuna Nagar, Kaithal, Jhajjar, Fatehabad

Memo no. CTP (H) 6778-6800

Dated: 29.12.2005

Subject: Clarification regarding **Architectural Control Sheets/Standard Designs/Frame Controls.**

It has been observed that the Architectural Control Sheets/ Standard Designs and Frame Controls of Shopping, Public and Semi Public Bay Sites were prepared long ago. Since then, the requirement of public has undergone change and the internal layout Plan of the building can not be followed rigidly as provided in the above drawings.

Therefore, it has been decided that there is no restriction in changing internal layout of the building while maintaining the front, rear and side façade of the building in conformity with the Architectural Control Sheets/ Standard Designs and Frame Controls. However, the internal changes should strictly meet the provisions of HUDA (Erection of Buildings) Regulation, 1979.

These instructions be strictly adhered to.

-sd/-
Chief Town Planner,
HUDA, Panchkula

Endst. NO CTP (H)/6801-6822

Dated: 29.12.2005

A copy is forwarded to the following for information and necessary action:-

1. Administrator, Panchkula, Gurgaon, Faridabad & Hisar.
2. Estate Officer, HUDA, Panchkula, Ambala, Gurgaon, Faridabad, Karnal, Kaithal, Kurukshetra, Panipat,
Hissar, Rohtak, Bahadurgarh, Bhiwani, Jind Sirsa, Sonapat, Yamuna Nagar & Rewari.
3. Senior Architect, HUDA, Panchkula.

-sd/-
Chief Town Planner,
HUDA, Panchkula

(F) INSTRUCTIONS REGARDING COMMERCIAL PLOTS.

Through email only

Policy Matter

To

1. All the Zonal Administrators of HSVP, (In the State)
2. All the Estate Officers of HSVP, (In the State)

Memo. no. CTP/STP(S)/VY/167566, 167568

Dated: 21.08.2018.

Subject: Regarding construction of **First Floor** on the **Booths** and **Service Booths** only in the HSVP markets, Haryana.

Please refer to the policy instructions on the above cited subject issued vide memo. No. CTP/STP(S)/VY/11727 dated 18.01.2017.

In view of representations received from the Haryana HSVP Shopkeepers Welfare Federation, the matter regarding charges to be levied for allowing construction of additional floor on single storey Booths and Service Booths in HSVP Shopping Centres has been reconsidered. In partial modification of the already circulated instructions dated 18.01.2017 referred to above, it is hereby informed that condition no.(ii) i.e. Charges for construction of additional floor, in the instructions dated 18.01.2017, shall be modified and substituted as under:-

(ii) Charges for construction of additional floor:- Charges for allowing additional floor shall be worked out by taking the charges prescribed for purchasable FAR (commercial) in Gurugram under the Transit Oriented Development policy (TOD) as the Nodal rate and the rates for other Urban Estates shall be worked out by adopting the indexation mechanism being followed for calculation for EDC in various potential zones, as notified in the policy issued by DTCP Haryana vide memo. No. 8/2/2016-TCP dated 11.02.2016.

For proper understanding of the matter, a detailed illustration for working out the charges is given below:-

Sr. No.	Potential Zone	Index
1.	Hyper: Area forming part of the development plan of Gurgaon-Manesar Urban Complex.	1.0
2.	High-I: Areas forming part of development plan of Faridabad-Ballabhgarh Urban Complex, Part of Sohna Development plan falling in Gurgaon District, Areas forming part of development plan of Gwal Pahari.	0.90
3.	High-II: Periphery Controlled Areas of Panchkula, Sonipat-Kundli Urban Area Complex & Panipat.	0.70
4.	Medium: Areas forming part of development plan of Karnal, Ambala, Kurukshetra, Bahadurgarh, Hisar, Rohtak, Rewari, Bawal, Palwal, Yamuna Nagar- Jagdhari, Dharuhera, Prithla, Ganaur, Hodal, the Urban Areas declared under clause (o) of Section 2 of the Haryana Development and Regulation of Urban Areas Act, 1975 (8 of 1975) to cover the Controlled Areas declared under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) in Faridabad District (excluding the controlled areas of Faridabad-Ballabhgarh Complex), and Oil Refinery Panipat (Baholi) in Panipat District.	0.60
5.	Low-I: Bhiwani, Fatehabad, Jind, Kaithal, Mahendergarh & Narnaul, Sirsa and Jhajjar.	0.50
6.	Low-II: Gharaunda, Hansi, Assandh, Indri, Naraingarh, Narwana, Nilokheri-Taraori, Ratia, Shahbad, Tohana, Talwandi Rana and any other town not appearing in any of the potential zones.	0.40

Calculations for Gurugram (under TOD Policy) are as under:-

	(Amount in ₹ per Sq.m.)
1	Gurugram
i Scrutiny fee (fixed)	10
ii IDC (fixed)	1000
iii TOTAL (A)	1010
iv Licence Fee (1.75 FAR)	15567
v Conversion Charges at NH Road (1.75 FAR)	1715
EDC (1.75 FAR)	12009
2 Total (B)	29291
Total Charges for 1.75 FAR (A+B)	30301
3	
i Proportionate charges per sqr mtr of additional covered area due to increased FAR (Total for 1.75 FAR at Sr. No. 2 above)/1.75	17315
ii IAC (Infrastructure augmentation charges)	3000
Sub total	20315
iii HUDA Charges (10% of Sub Total as above)	2031
Total	22346
v Add 10% increase as per HSVP TOD Policy	2235
Sub total	24581
v Total rounded of to next multiple of 500	25000

Any change in charges for purchasable FAR in Gurugram under TOD in future, will automatically lead to proportionate change in the charges for first floor on the Booths / service Booths.

All other terms & conditions of the already approved policy shall remain the same. This issues with the approval of the competent authority.

-sd/-
(R. Jain, ATP)
for Chief Administrator, HSVP
Dated: 21.08.2018

Endst. No. CTP/STP(S)/VY/167576

A copy is forwarded to the following for information and further necessary action please:-

- 1) The Chief Controller of Finance, HSVP, Panchkula.
- 2) The Administrator, HSVP(HQ), Panchkula.
- 3) The Chief Engineer-I, HSVP, Panchkula.
- 4) The Chief Engineer-II, HSVP, Panchkula.
- 5) The Chief Architect, HSVP, Panchkula.
- 6) All the Senior Town Planners in the State.
- 7) The General Manager(IT), HSVP, Panchkula with the request to upload these instructions on HSVP website
- 8) The District Attorney, HSVP, Panchkula.
- 9) All the District Town Planners in the State.

-sd/-
(R. Jain, ATP)
for Chief Administrator, HSVP

Through email only

Policy Matter

T

o

1. All the Administrators, HUDA.

2. All the Estate Officers, HUDA.

Memo. no. CTP/STP(S)/VY/11727

Dated: 18.01.2017.

Subject: Regarding construction of **First Floor** on the **Booths** and **Service Booths** in the HUDA markets, Haryana.

With reference to above cited subject, it is intimated that an announcement was made by Hon'ble Chief Minister Haryana on 24.04.2016 (announcement code no. 11282) at Panchkula for allowing first floor on booths. In compliance of the said announcement, matter was examined by a committee of officers constituted under the chairmanship of Administrator, HUDA HQs and a proposal in this regard was placed before the Authority in its 112th meeting held on 10.01.2017 vide agenda item no. 20. The Authority has approved the following policy proposal contained in the agenda note for allowing construction of first floor on single storey Booths and Service Booths in HUDA markets:-

- (i) Applicability:- The scheme shall be applicable to all the allotted Single Storey Shops governed by Architectural Controls having size 2.75m x 8.25m and above.
- (ii) Charges for construction of additional floor:- The allottee shall have to pay a sum equal to 35% of the Commercial Collector rates of the sector/Urban Estate in which it falls or updated auction price whichever is higher, as applicable at the time of making request for grant of approval to raise first floor on existing single storey booth/shops.
- (iii) Mode of payment of charges:- The charges shall be payable in lump sum along with request letter.
- (iv) Sanction of Building Plan:- Before the commencement of the construction, the allottee of Single Storey Shops shall get the building plan of first floor sanctioned from concerned Estate Officer, HUDA. The building plan shall be accompanied with "structural stability certificate" issued by registered Structure Engineer and applicant/allottee shall also submit an undertaking in the shape of an affidavit to the effect that:-
 - (a) The allottee shall be entirely responsible for the safety of his/her own structure as well as abutting booths/shops.
 - (b) The allottee shall also be responsible to make good the loss, if any, sustained by the allottees of abutting booths/shops, HUDA or its employees.
- (v) The first floor on single storey shops shall be used "for storage purpose" only.
- (vi) The permission to raise first floor on single storey shops, shall also be governed by the terms and conditions as laid in the allotment letter.
- (vii) The applicant/allottee will be bound by the HUDA Act, Regulations, Building Code, Policies and Instructions as applicable and amended from time to time.
- (viii) If in case there is more than one allottee i.e. the site is jointly held, then the application shall have to be made by all the allottees of that site.
- (ix) Application submitted by the allottee should be accompanied by Occupation Certificate, if already constructed, and should be submitted through empanelled Architect along with the requisite fees as per rules.

- (x) Allottee may ensure that there is no building violation. If in case it exists, same be removed before submitting application.

Also, the un-allotted Single Storey Shops governed by Architectural Controls having size 2.75m x 8.25m and above shall be auctioned with the provision of First Floor to be used for storage purposes only. The reserve price of such un-allotted shops shall be fixed accordingly.

A copy of the agenda note and extract of proceedings is enclosed for information and necessary action. The policy instructions approved by the Authority may be strictly complied with.

DA/As above.

-sd/-

(R. Jain, ATP)
for Chief Administrator, HUDA

Endst. No. CTP/STP(S)/VY/11731

Dated:- 18.01.2017

A copy is forwarded to the following for information and further necessary action please:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Administrator, HUDA(HQ), Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Chief Engineer-II, HUDA, Panchkula.
5. The Chief Architect, HUDA, Panchkula with the request to get the standard design for additional floor finalized on priority.
6. All the Senior Town Planners in the State.
7. The General Manager(IT), HUDA, Panchkula with the request to upload these instructions on HUDA website
8. The District Attorney, HUDA, Panchkula.
9. All the District Town Planners in the State.

-sd/-

(R. Jain, ATP)
for Chief Administrator, HUDA

Through email only

Policy Matter

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.
3. All the District Town Planners.

Memo no. CTP/SB/11210

Dated:18.01.2017

Subject:- Policy regarding **exchange of HUDA land** with the land of developers/ individual land owners.

1. The matter cited as subject was placed before the Authority in its 112th meeting held on 10.01.2017 vide Agenda item no. 22 with following proposal for dealing with exchange of land cases:-

A. Conditions under which exchange of HUDA land shall be considered:

- i) Where HUDA land is irregular in shape and exchange of land with the developer/individual land owner will help in regularisation of boundaries of HUDA land, in such cases exchange of land shall be executed on the principles of 'give equal and take equal'. However, in case of exchange of land with unlicensed land or individual land owners where the land of the individual owner gets re-located as a compact chunk or plot, residential plots of HUDA having area equivalent to 25% of the land taken in exchange shall be given to the applicant because in lieu of undeveloped land, developed land of HUDA is given.
- ii) Where no approach is available to the land of developer and an approach is to be provided through HUDA land, in such cases 1.5 times of the developer land shall be taken by HUDA in lieu of its land required for providing approach.
- iii) Where HUDA has utilized unacquired land of individual land owner without paying compensation/ land in exchange, in such cases, land owner can opt for one of the following benefits:-
 - a. HUDA shall pay the updated cost of land based on the award announced for the land abutting/ adjoining to the land of individual land owner.

Or

- b. The land owner will have an option to have residential plot of area equivalent to 40% of his utilized unacquired land by HUDA. This plot will be given to the land owner in the same sector in which his land has been utilized. If plot is not available in the same sector then plot will be given in the adjoining sector of the same Revenue Estate. If plot is not available in same sector or adjoining sector then only monetary benefits as given in (a) above shall be paid to the land owner.

B. Terms and Conditions of exchange of HUDA land:-

- i) Exchange of land would be governed by HUDA Act, 1977 and the rules/regulations framed thereunder. However, the said exchange of land shall not provide immunity to the developer/individual land owner from the provisions of any other Acts/Rules in force.
- ii) The proposal of exchange of land shall be considered only in the same sector. The land of developers/ individual land owners to be given to HUDA in exchange must abut already acquired HUDA land.
- iii) Land of both parties involved in exchange shall be got demarcated at site to ascertain/verify its area and clear availability, before execution of agreement.

- iv) An undertaking shall be given by developer/individual land owner that the title of the land to be given to HUDA in exchange is in favour of the applicant and is clear & free from all encumbrances.
- v) In case exchange is done on the request of the applicant, HUDA will not be liable to pay any compensation for the existing structures, if any, to the land owners in the land to be exchanged.
- vi) The cost of exchange deed/stamp paper shall be paid by the developer/individual land owner in case the exchange of land is being executed on the request of developer/individual land owner. However, in case where the exchange is to be executed on the initiative of HUDA necessitated for laying of services, provision of infrastructure facilities etc., the cost of exchange deed / stamp paper shall be paid by HUDA.
- vii) The developer/individual land owner shall execute an agreement for exchange of land with the concerned Estate Officer, HUDA before the exchanged site is handed over.

C. Constitution of Committee to examine the exchange proposals :- A Committee under the Chairmanship of Zonal Administrator, HUDA consisting of concerned District Town Planner, concerned Estate Officer and concerned Land Acquisition Officer shall examine the proposals of exchange of land and will send its recommendations to Chief Administrator, HUDA.

D. Responsibilities of the Committee :- The Committee shall :-

- (i) Examine the revenue documents relating to land involved in exchange and will ascertain that the title of land of HUDA as well as developer/ individual land owner involved in exchange is clear in their favour and is free from encumbrances.
- (ii) The Committee will evaluate the land values of HUDA land as well as land of developer/individual land owner involved in exchange and only the land of equivalent value shall be proposed for exchange.
- (iii) The Committee shall send the revenue details of the land involved in exchange duly marked on shajra plan and relevant Layout Plan of HUDA. Tentative dimensions and area of land involved in exchange shall also be given.
- (iv) The Committee will clearly state the benefits of exchange of land to HUDA and will also propose utilization of the land to be taken in exchange by HUDA.

E. The report of the Committee shall be examined by Chief Administrator, HUDA who will obtain approval of proposal from the Chairman of the Authority.

2. The above proposal has been approved by the Authority with following directions:-

“Approved. However, request of mega projects involving huge investment or socially important project like health or education for approach through HUDA land can be considered for grant of relaxation in Para A (ii) of the policy on a contractual basis.”

3. A copy of the Agenda note and an extract of the proceedings are enclosed. The above instructions may be followed meticulously.

DA/As above.

-sd-

(Nadim Akhtar, STP)

for Chief Administrator, HUDA

A copy alongwith a copy of agenda and an extract of the proceedings of the meeting are forwarded to the following for information and further necessary action please:-

- 1) The Chief Controller of Finance, HUDA, Panchkula.
- 2) The Administrator, HUDA(HQ), Panchkula.
- 3) The Chief Engineer-I, HUDA, Panchkula.
- 4) The Chief Engineer-II, HUDA, Panchkula.
- 5) The Chief Architect, HUDA, Panchkula.
- 6) The District Attorney, HUDA, Panchkula.
- 7) The General Manager(IT), HUDA, Panchkula with the request to upload these instructions on HUDA website.

DA/As above.

-sd-

(Nadim Akhtar, STP)

for Chief Administrator, HUDA

Being circulated through e-mail only

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators of HUDA.
2. All the District Town Planners of T&CP Department.
3. All the Executive Engineers of HUDA.
4. All the Estate Officers of HUDA.

Memo No: CTP/SB/F.No.104/62610

Dated: 06.09.2016

Subject: - Permission to **convert Shop-cum-Flat (SCF) into Shop-cum-Office (SCO)** in HUDA Shopping Centres.

Reference:- In continuation to this office memo. no. 45282-45287 dated 10.08.2016.

The matter cited as subject has been examined. It is clarified that para (ii) of the instructions issued vide letter under reference may be read as under:-

- (ii) The additional covered area on first floor & second floor would be allowed equal to the coverage available at ground floor i.e. the double storeyed SCF would be allowed 2 FAR and three storeyed would be allowed 3 FAR after conversion into SCO, **if the ground coverage in the applicable architectural control is 100%.**

-sd/-

(N. Mehtani, CTP)
for Chief Administrator, HUDA

Endst. No. CTP/SB/F. No.104/62621

Dated: 06.09.2016

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer-I, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Architect, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula with the request to host the instruction on HUDA website.
7. The District Attorney, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.
9. The Superintendent (Urban Branch), HUDA Panchkula.

-sd/-

(N. Mehtani, CTP)
for Chief Administrator HUDA

Being circulated through e-mail only

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators of HUDA.
2. All the District Town Planners of T&CP Department.
3. All the Executive Engineers of HUDA.
4. All the Estate Officers of HUDA.

Memo No: CTP/SB/F.No.104/45282

Dated:10.8.2016

Subject: - Permission to convert Shop-cum-Flat (SCF) into Shop-cum-Office (SCO) in HUDA Shopping Centres.

A proposal to allow conversion of Shop-cum-Flat (SCF) into Shop-cum-Office (SCO) in HUDA Shopping Centres was placed before the Authority in its 111th meeting held on 27.07.2016 vide Agenda item no. 4 which has been approved by the Authority. The conversion of SCFs into SCOs shall be governed by the following conditions:-

- i) The nodal conversion rates will be Rs.16,000/- per sq. mtr. (to be rounded off to nearest multiple of Rs.500/-) for High Potential Zone. These rates may be increased by 20% for Hyper Potential Zone and decreased by 20% and 40% for Medium and Low Potential Zones respectively. These rates shall be further updated every year @12% per annum and will be rounded off to nearest multiple of Rs.100/-.
- ii) The additional covered area on first floor & second floor would be allowed equal to the coverage available at ground floor i.e. the double storeyed SCF would be allowed 2 FAR and three storeyed would be allowed 3 FAR after conversion into SCO.
- iii) The above conversion will be allowed on application by the allottee to the Zonal Administrator subject to applicable Architectural Control, from double storey SCF to double storey SCO; and; triple storey SCF to triple storey SCO. Any construction beyond this shall be demolished by the owner/allottee voluntarily before such conversion is allowed or it will be got demolished by the concerned Estate Officer at the cost to be recovered from the owner/allottee.
- iv) Structural stability will be got vetted by the owner from the Structural Engineer before under taking any amendments. A certificate to the effect that the proposed amendments in the building are structurally safe, shall be submitted by the applicant while applying for conversion of SCF into SCO.

It has also been decided that efforts will be made to increase parking in the commercial areas of HUDA by reducing the width of pavements, designating open spaces/unplanned pockets / land available adjoining to corner shops for parking purposes. If need be multi storey parking may also be developed so as to ensure adequate parking spaces in commercial area.

These instructions shall come into force from the date of issue of this letter.

-sd-

(N. Mehtani, CTP)
for Chief Administrator, HUDA

Dated: 10.8.2016

Endst. No. CTP/SB/F. No.104/45287

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer-I, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Architect, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula with the request to host the instruction on HUDA website.
7. The District Attorney, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.
9. The Superintendent (Urban Branch), HUDA Panchkula.

-sd-

(N. Mehtani, CTP)
for Chief Administrator HUDA

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula.

To

1. All the Administrators of HUDA
2. All Estate Officers of HUDA
3. All the Executive Engineers of HUDA

Memo no. CTP/STP (N)/KM/8294-8342

Dated: 02.07.2010

Subject: Relaxation in **height norms** and **exemption** of **service floor** from FAR for HUDA allotted **hotel sites** above 1.0 acres in size.

A representation dated 16.02.2010 on the subject cited above received from the Hotel and Restaurant Association of Haryana has been examined. It has been decided that:

- i. Maximum Permissible height up to 60 meters may be allowed to all the allotted Hotel sites above 1.0 acre in size which are governed by zoning plan only. The relaxation in height shall be subject to clearance by the Airport Authority of India. No change in FAR shall be permitted and other terms and conditions of allotment shall remain the same.
- ii. A service floor, exclusively for services, may be allowed in Hotels. The maximum height of service floor shall be restricted to 2.4 meters and the area of service floor shall not be counted towards FAR. Hazardous uses including setting up of generator set shall not be permitted on the service floor.

-sd/-
B.B.L.Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

Endst. No. CTP/STP (N)/KM/8343-8348

Dated: 02.07.2010

A copy is forwarded to the following for information and necessary action please:

1. The Chief Controller of Finance, HUDA Panchkula.
2. The Chief Engineer (NCR) HUDA Panchkula..
3. The Chief Engineer-I, HUDA Panchkula.

-sd/-
B.B.L.Kaushik)
Chief Town Planner,
for Chief Administrator, HUDA.

From,

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To,

1. All the Zonal Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. CTP-HUDA/STP-M/5113-35

Dated: 17.06.2009

Subject: Guidelines regarding **clubbing of commercial sites.**

Policy guidelines for clubbing of commercial sites were circulated vide memo no. CTP HUDA/ DTP (M) 4953-75 dated 19.09.2000. Thereafter, it was decided vide memo no. 6778-6822 dated 29.01.2005 that permission for clubbing shall be granted by respective Zonal Administrators. Hon'ble Chief Minister Haryana has approved the following amendments in the existing guidelines circulated vide letters referred above:-

“Clubbing of adjoining commercial sites under different ownership may also be granted provided all the owners of the sites proposed to be clubbed submit a joint application for permission to club, and also agree to undertake in the form of affidavit that disputes, if any, between the various owners will be limited to the agreement partners and HUDA will not be a party to such disputes. Further in case of any dispute, the permission to dissolve the clubbing/separate the individual properties shall also be granted by HUDA only upon submission of joint application /undertaking by all the owners of the clubbed property, and request of individual owners for opting out of clubbing shall not be entertained”.

-sd/-

(R. Jain, ATP)

For Chief Administrator, HUDA,
Panchkula.

Endst.No. CTP/STP-M/5136-37

Dated: 17.06.2009

A copy is forwarded to the following for information and meticulously compliance:-

1. The Administrator, HUDA (HQ), Panchkula.
2. The Senior Architect, HUDA, Panchkula.

-sd/-

(R. Jain, ATP)

For Chief Administrator, HUDA,
Panchkula..

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

1. All the Administrators HUDA
2. All the Senior Town Planners
3. All the District Town Planners
4. All the Estate Officer, HUDA

Memo no. CTP/DTP(N) 16890-937

Dated: 24/12/2007

Subject: Allowing commercial component in Hotel sites

It has been observed that due to huge investment required in land cost and the cost of construction in case for Hotel sites, the budget Hotels are becoming un-viable. In order to make the Hotel sites more attractive and to make the budget Hotel viable, it has been decided to allow provision of commercial component up to 10% of FAR or maximum 20 shops whichever is lesser/lower. This provision will be applicable only on un-allotted Hotel sites/ Hotel sites proposed to be auctioned henceforth with this provision. Necessary amendment in the zoning of such un-allotted Hotel sites may be made before putting them for auction and this condition may be included in all the zoning plans of Hotel sites which are yet to be finalized.

-sd/-
(Nadim Akhtar)
District Town Planner,
for Chief Administrator, HUDA,
Panchkula

Endst. No. CTP/HUDA/DTP(N) 16938-43

Dated: 24.12.2007

A copy if forwarded to the following for information and necessary action please:

1. The Administrator, HUDA, HQ, Panchkula
2. The Chief Controller of Finance, HUDA, Panchkula
3. The Chief Engineer, HUDA, Panchkula
4. The Senior Architect, HUDA, Panchkula
5. The CVO-cum E.O. HUDA Panchkula
6. Sh. Naresh Mehtani, DTP, HUDA.

-sd/-
(Nadim Akhtar)
District Town Planner,
for Chief Administrator, HUDA,
Panchkula

From:

The Chief Administrator,
HUDA, Panchkula

To

The Administrator,
Panchkula, Gurgaon, Faridabad & Hissar

Memo no. CTP (H)/6823-6826

Dated: 29.12.2005

Subject: Clubbing of Booths, SCO/SCF Sites.

The cases relating to clubbing of these sites indicated in the subject are being received in this office for permission. It has been decided that henceforth the permission to club the booths, SCO, SCF sites shall be granted by respective Administrators on the recommendations of District Town Planners; Administrators will ensure that the clubbing of the sites is allowed only in the cases where the sites are in a single ownership.

-sd/-
Chief Town Planner
For Chief Administrator, HUDA,
Panchkula

Endst. No. CTP (H) 6827-6849

Dated: 29.12.2005

A copy is forwarded to the following for information and necessary action:

1. Senior Town Planner, Panchkula, Gurgaon & Hissar
2. District Town Planner, Panchkula, Gurgaon, Faridabad, Hissar, Rohtak, Bahadurgarh, Karnal, Ambala, Kurukshetra, Sonapat, Panipat, Bhiwani, Jind, Sirsa, Rewari, Narnaul, Yamuna Nagar, Kaithal, Jhajjar, Fatehabad.

-sd/-
Chief Town Planner
For Chief Administrator, HUDA,
Panchkula

From:

The Chief Administrator,
HUDA, (TP Section)
Panchkula

To

The Administrator,
HUDA, Faridabad, Hissar, Panchkula, Gurgaon

Memo No. 800-803

Dated: 29.1.2004

Subject: Earmarking of small **commercial sites** for **essential trades** in different Urban Estate of HUDA.

On the subject cited above it may be appreciated that convenient Shopping and other commercial areas are provided by HUDA in each sector to cater to the commercial needs of the residents of these sectors. Although small size booths and Kiosks are provided while planning these shopping areas, however it has been observed that these commercial sites have become financially non viable for those small time traders involved in day to day essential commercial activities like pressing of cloth, cutting of hairs, repairing of cycles and shoes and selling of vegetables etc. In the absence of any policy to earmark commercial sites specifically for these essential day to day commercial activities, these small time commercial activities are being run in informal sector in almost all residential sectors and commercial areas of HUDA.

The Government has now taken a policy decision to this effect to provide such shops in each sector at the subsidized rates to the genuine persons involved in such small time commercial activities. It is therefore requested that a cluster of kiosks having a size of 2.75 mt x 2.75 mt may be planned in all the residential sectors of HUDA as per local needs and the layout plans may be forwarded to this office for obtaining formal approval of CA, HUDA within fortnight positively.

-sd/-
For Chief
Administrator HUDA,
Panchkula

Endst. No. 804-825

Dated: 29/1/04

A copy is forwarded to the following for information and immediate further necessary action.

1. STP, Gurgaon, Hissar, Panchkula
2. All District Town Planners

-sd/-
For Chief
Administrator HUDA,
Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

The All Estate Officers,
HUDA.

Memo No. CTP-HUDA/DTP(M) /4952-4968

Dated: 19.09.2000

Subject: - Guidelines regarding clubbing of commercial sites.

Hon'ble Chairman, HUDA has approved the following guidelines for allowing clubbing of commercial sites in the urban estates of HUDA:

- 1) Approval for clubbing of commercial sites under the same ownership in various commercial areas of HUDA may be granted by the Chief Administrator, HUDA after the examination of the proposal from planning point of view, and from the point of view of proposed utilisation plan of the amalgamated sites.
- 2) Project details/architectural drawings for the amalgamated sites will be got approved by the party from the Chief Administrator, HUDA before clubbing is allowed.
- 3) Architectural controls of the Facade shall not be changed.
- 4) Zoning/overall planning will not be changed.
- 5) No charges would be levied for allowing such a clubbing.

Whenever any request for grant of permission for clubbing of commercial sites is received, the same may be forwarded to the Chief Administrator, HUDA (Town Planning Wing) alongwith the recommendations of the your office, clearly indicating that the sites for which clubbing permission has been sought are under the same ownership.

-sd/-
District Town Planner,
for Chief Administrator HUDA,
Panchkula.

Endst. No. CTP-HUDA/DTP(M)/4969-4975

Dated: 19.09.2000.

A copy is forwarded to following for information and necessary action please:-

- 1) Chief Administrator, HUDA (Urban Branch), Panchkula.
- 2) All Administrators, HUDA.
- 3) Chief Town Planner, HUDA, Panchkula.
- 4) Senior Town Planner, HUDA, Panchkula.

-sd/-
District Town Planner,
for Chief Administrator HUDA,
Panchkula.

(G) MISCELLANEOUS INSTRUCTIONS

Through E-mail

To

1. All the Administrators of HSVP,
Panchkula, Rohtak, Hisar, Gurugram, Faridabad.
2. All the Estate Officeres of HSVP,

Memo no. CTP/STP(S)/PT/133073

Dated: 25.07.2019

Subject:- Land Pooling Policy-2019-Amendment thereof.

The subject cited matter was placed before the Pradhikaran in its 118th meeting held on 10.07.2019/12.07.2019, vide agenda item no. 118th(4) ex-post-facto approval. The Pradhikaran has accorded its ex-post-facto approval to the Land Pooling Policy-2019. A photocopy of agenda item no. 118th(4), alongwith a photocopy of relevant extract of proceedings of the 118th Pradhikaran meeting, is enclosed herewith for information and necessary action.

DA/As above.

-sd-

(Gunjan Verma, DTP)
for Chief Town Planner, HSVP

Endst. No. CTP/STP(S)/PT/133074

Dated: 25.07.2019

A copy, alongwith photocopies of agenda item no. Pradhi-2019/118th(4) and the relevant extract of proceedings of the 118th Authority meeting is forwarded to the following for information and further necessary action:-

1. The Chief Administrator, HSVP(Urban Branch), Panchkula.
2. The Chief Controller of Finance, HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The District Attorney, HSVP(HQs), Panchkula.
5. The General Manager(IT), HSVP, Panchkula.

DA/As above.

-sd-

(Gunjan Verma, DTP)
for Chief Town Planner, HSVP

To

1. All the Administrators, HSVP.
2. All the Estate Officers, HSVP.

Memo No. CTP(N)/STP(S)/AM/52768

Dated:18.03.2019

Subject:- Implementation of **Transit Oriented Development Policy (TOD)** in HSVP areas-**Revised Policy.**

Reference: In supersession of the earlier policy on the subject circulated vide memo no. CTP/STP(S)/AM/23827 dated 14.12.2017.

In order to provide the benefit of increased FAR permissible in the notified TOD Zones to HSVP allottees, a policy for implementation of Transit Oriented Development in HSVP areas was approved by the Hon'ble Chief Minister-cum-Chairman, HSVP. Policy instructions were circulated vide memo no. CTP/STP(S)/238227 dated 14.12.2017. Ex-Post-Facto approval of the Pradhikaran was obtained in its 113th meeting held on 16.02.2018. This TOD policy of HSVP was largely modeled on the lines of TOD policy dated 09.02.2016 of the T&CP department, however, the benefit of mixed land use on various type of plots falling in the TOD zone was not extended to HSVP allottees, keeping in view the HSVP Rules & Regulations.

In order to minimize the disparity, a modified policy was placed before the Pradhikaran in its 117th meeting held on 18.02.2019 vide Agenda item no. P-117th Suppl.(2). The Pradhikaran has accorded its approval to the amended policy. Accordingly, the revised policy is as under:-

Policy for 'Transit Oriented Development' in HSVP areas

1. Background

The Town & Country Planning department, Haryana had notified a policy dated 05.09.2014 for Transit Oriented Development along the MRTS Corridors, as a means of densification of the MRTS Corridors and also as a source of generating revenue for financing these MRTS projects in the State. The larger objective of the policy was to create an enabling environment for maximum uses of such Mass Transit Systems and to wean away the public from uses of private vehicles. In view of the suggestions received from various organizations, real estates developers and other professional groups/individuals, the TOD policy was modified and an amended policy was notified by the Town & Country Planning department, Haryana vide notification dated 09.02.2016. The main policy of 09.02.2016 has been partially modified from time to time vide notifications dated 16.11.2016, 11.04.2017, 13.06.2017, 03.08.2017, 08.02.2018, 26.02.2018, 06.03.2018, 17.12.2018 and 26.12.2018. The TOD zones notified by the State Government in its policy include areas acquired and developed/being developed by the Haryana Shehri Vikas Pradhikaran also.

2. Need for the policy

Since the TOD zones notified by the State Government in its policy include areas acquired and developed/ being developed by the Haryana Shehri Vikas Pradhikaran also, therefore, there is a need to suitably adopt the TOD policy of the State Government for HSVP areas also, so that the objective of densification of MRTS corridors can be fully achieved.

3. Definition of TOD

Transit Oriented Development is essentially any development, macro or micro, focused around/along a transit mode/corridor and facilitates complete ease of access to the transit facility, thereby, inducing 'walk to work' culture and use of public transportation over personal means of transport. The primary goals of TOD are to:-

- (i) Reduce / discourage private vehicle dependency and induce Public Transport use – through design policy, measures and enforcement
- (ii) Provide easy transport access to maximum number of people within walking distance to densification and enhanced connectivity.

4. TOD zones

The TOD zones shall be as approved by the State Government. The TOD policy notified by the State government vide notification dated 09.02.2016 provides that in the first phase, TOD will be allowed on the following designated Metro corridors:-

- a) Delhi Metro extension along Gurgaon-Mehrauli road upto sector-29 (City Centre), Gurgaon.
- b) Metro Link from Badarpur (Delhi) to Ballabgarh, District Faridabad.
- c) Metro Link from Mundka (Delhi) to City Park, Bahadurgarh.

- d) Metro Link along Northern Periphery Road (NPR) as proposed in the Final Development Plan 2031 AD of Gurgaon-Manesar Urban Complex.
- e) Metro Link along Southern Periphery (SPR) as proposed in the Final Development Plan 2031 AD of Gurgaon-Manesar Urban Complex including the portion of SPR forming Southern Periphery of sector-56, Gurugram.
- f) Rapid Metro developed/being developed in PPP mode and upto SPR.
- g) MRTS Project from HUDA City Centre, Gurugram to Bawal via Global City and Manesar to the extent it falls within the limits of Final Development Plan 2031 AD of Gurugram Manesar Urban Complex (notified vide notification dated 26.02.2018)

Further, identification of new corridors for MRTS shall be done by the Haryana Mass Rapid Transit Corporation (HMRTC). The State Government will approve new corridors on the recommendations of HMRTC and such corridors shall be considered as included in this policy.

5. Demarcation of TOD zones

The TOD Zone shall be designated upto 800 metres depth on both sides from the boundaries of the Right of Way (ROW) of the road, on which MRTS corridor is proposed to be provided, including a semi-circle with a radius of 800 meters at the terminating points of such MRTS corridors. This 800 meters proposed TOD Zone has been bifurcated as under, for the purpose of the development proposed to be carried out:-

- (a) Intense TOD Zone: The first 500 mtrs depth on both sides from the boundaries of ROW of the road, on which MRTS corridor is proposed to be provided.
- (b) Transition TOD Zone: Between 500 to 800 mtrs depth on both sides from the boundaries of ROW of the road, on which MRTS corridor is proposed to be provided.

It is clarified that MRTS can be constructed either on the central verge of the ROW of the road or on any point/stretch of this road but for the purposes of TOD Zone, 800 meters will be calculated from the boundaries of the ROW of the acquired road irrespective of construction of MRTS on any point in the ROW.

6. Permissible uses

The permissible uses within the TOD zone are detailed in the table in para-7 below and these uses shall be permitted irrespective of any restrictions in the present planning norms of HSVP / T&CP department. Mixed land use (Residential and Commercial only) and FAR 3.5 / 2.5 shall be permitted upto 30% residential component on commercial sites and upto 30% commercial component in residential / Industrial / Institutional zones of the Development Plans. Similarly, IT / ITES projects approved in residential / Industrial Zones shall also be eligible under this TOD policy and such re-densification shall be permitted with maximum FAR of 3.5 / 3.0 with mixed land use upto 30% for commercial / residential purposes. Charges would be levied as per the category of use and proposed usage of FAR.

The height restrictions shall be subject to the regulations of the Haryana Building Code 2017.

7. Planning parameters (Ground coverage/FAR) within TOD zone

Land Use	TOD Zone	Maximum coverage	Ground	FAR	Maximum Density (Persons Per Acre)
Multi-storeyed group housing (minimum half acre plot)	Intense	40%		3.5	600
	Transition	40%		2.5	430
Integrated commercial complexes, Shopping Malls / Industrial plots in Industrial sectors	Intense	60%		3.5	-
	Transition	60%		2.5	-
IT / ITes	Intense	40%		3.5	-
	Transition	40%		3.0	-
Institutional plots in institutional sectors	Intense	40%		3.5	-
	Transition	40%		2.5	-

8. Parking norms

Parking norms as prescribed in the TOD policy of the State Government shall be followed. The presently prescribed norms provide that in order to discourage the dependency on private vehicles and induce the use of public transport, the parking requirements, for the additional FAR proposed to be achieved, shall be calculated on the rationale of carpet area of the each dwelling unit which is as under:-

(a)	Upto 100 sq.mtr.	0.5 Equivalent Car Space (ECS)
(b)	Between 100 sq.mtr to 150 sq.mtr.	1.0 Equivalent Car Space (ECS)
(c)	More than 150 sq.mtr.	1.5 Equivalent Car Space (ECS)

Further for Commercial areas, the norm of one ECS for each 50 sq mtrs carpet area shall be followed.

The term “carpet area” shall mean the net usable covered floor area, bound within the walls of the apartment but excluding the area covered by the walls and any balcony which is approved free-of-FAR, but including the area forming part of kitchen, toilet, bathroom, store and built-in cupboard/almirah/shelf, which being usable covered area shall form part of the carpet area. Further, connected parking shall be permitted not only below the towers but also below the podium/open spaces covered with greens or otherwise.

Size of ECS (Equivalent Car Space):-

1 ECS	= 23 sq. mts. for open parking
1 ECS	= 28 sq. mts. for stilt parking
1 ECS	= 32 sq. mts. for basement parking

9. Miscellaneous

- Additional FAR can be purchased in the slabs of 0.25 subject to the ceiling of maximum permissible FAR allowed for various land uses in the Intense and Transition Zones as per Table in clause 7 of this policy.
- The allottee shall seek a revised zoning plan of the allotted site for the purpose of availing the TOD benefits under this policy. It is, however, made clear that the issuance of revised zoning plan under this policy shall not entitle the allottee to any undue benefit on account of possession interest, period of construction, waiver of extension fee etc. in respect of the original allotment and the allotment of the plot shall continue to be governed by its original terms and conditions.

10. Applicability

- i. TOD benefit shall not be applicable on the plots which are under any kind of default in payment or dispute/litigation. The already allotted sites shall be allowed additional FAR under this policy as per norms of ground coverage, green area etc. proposed in this policy. However, in such cases, the permissible density under this policy shall only be allowed proportionate to the additional FAR being permitted and not on the originally permissible FAR. Such benefit on existing or under construction developments shall be allowed only after structural stability of the existing and proposed constructions is certified by reputed institutes like NIT, IIT, PEC, etc.
- ii. Where any site is coming within any TOD zone partially, the provisions of this policy will be allowed to be availed only for that portion of the plot as per limitation defined for intense and transitional TOD zones but such FAR can be utilized anywhere within the permissible buildable zone of such a plot, i.e. even in the portion of buildable zone of the plot falling outside TOD zone. Furthermore, permission under this policy may be granted only to such projects which have entry and exist within the TOD Zone.
- iii. Those allottees who intend to avail the increased FAR and permissible ground coverage/density as per this TOD policy, shall submit a request to the concerned Estate Officer for issuance of a revised zoning plan of their site. The Zonal Administrator shall examine the proposal and forward his/her recommendations to Chief

Administrator, HSVP for approval. After approval of the proposal, the allottee shall be required to deposit the necessary charges with the concerned Estate Officer. Upon receipt of the prescribed charges, the revised zoning plan (duly approved by the Zoning Plan Committee headed by the concerned Zonal Administrator) shall be provided by the concerned Estate Officer to the applicant.

- iv. In case of residential plotted development, the allottees of adjoining residential plots in a compact block having a minimum area of 2,000 sq.mts and abutting 18 mts or wider roads may also be permitted to convert their plots into Group Housing sites for re-densification purposes. However, in all such cases, approvals shall be granted on case to case basis, keeping in view the light, ventilation, privacy etc. of the surroundings areas and provision of adequate parking within the composite plot. For this purpose, the Zoning Plan Committee constituted under the chairmanship of concerned Zonal Administrator shall examine the proposal and send recommendations to Chief Administrator HSVP, who shall be the competent authority to grant such permission. In case of conversion of adjoining plots into Group Housing site, all the allottees of such clubbed plots shall be required to form a Cooperative Group Housing Society and get the same registered with the Registrar, Cooperative Societies Haryana. Thereafter, all such clubbed plots shall be transferred in the name of the Society and the clubbed site shall be governed by the Group Housing norms of HSVP, bye-laws of the Society approved by the RCS Haryana and the provisions of Haryana Apartment Ownership Act, 1983 and the Haryana Apartment Ownership Rules, 1987.
- v. In case of mixed land use on Group Housing plots, the commercial component shall be allotted only as a share to the members of that particular society alongwith their respective residential share. It shall not be sold as an independent area/unit by the society or the members. The commercial share shall only be transferred alongwith the residential share to a new member as per laid down procedure for transfer of membership. In case of Group Housing Societies which have already obtained Occupation Certificate, the consent / resolution of General Body of the Society (duly attested by the concerned ARCS, Haryana) shall be required to be submitted alongwith the application for increase in FAR / mixed land use.
- vi. In case of mixed land use on commercial plots, the residential component shall be allowed only in the form of flatted development/apartments and plotted development shall not be allowed. Such apartments shall be governed by the provisions of Haryana Apartment Ownership Act & Rules framed thereunder.
- vii. In case of institutional plots, the commercial component shall be allowed only in case of 1.0 acre (4047 sq.mts) and above plots. Such commercial component shall not be allowed to be sold as independent shops and ownership of the commercial component shall always remain vested in the allottee of the concerned institutional plot. Such commercial area can only be rented out on lease basis.
- viii. In case of mixed land use in IT/ITes, the residential component shall be permitted only for the use of workers / staff of the allottee organization (i.e. for staff housing on rental basis where the ownership of the residential component shall remain vested with the allottee organization and shall not be transferred to the workers/employees). The residential area shall not be allowed to be transferred as independent floors or units/apartments. The commercial component shall also not be allowed to be sold as independent shops and ownership of the commercial component shall always remain vested in the allottee of the concerned plot. Such commercial area can only be rented out on lease basis.
- ix. Subsequent to these amendments, building plans shall be sanctioned with higher FAR / density as per provisions of this policy.
- x. All unallotted plots of land uses covered under this TOD policy shall be allotted as per parameters prescribed in the table in clause 7, after price fixation as per the maximum permissible FAR for Intense/Transition zone.

11. Fee & Charges

All the charges like scrutiny fee, IDC, licence fee, conversion charges, EDC for allowing additional FAR shall be charged on the pro-rata basis for increased FAR from 1.50/1.75 to 2.5/3/3.5. Apart from above, the following 'Infrastructure Augmentation Charges' shall also be payable :-

Sr. No.	Land use	Rate in Rs. per sq. mts. of Additional covered area due to increased FAR
1.	Residential	2000
2.	Commercial	3000
3.	Institutional/IT/ITes	500

In addition , amount shall be shall be charged @10% of the sum total of amount payable as calculated above comprising of scrutiny fee, IDC, licence fee, conversion charges, EDC and ‘Infrastructure Augmentation Charges’. This amount will be retained by HSVP on charges for permitting higher FAR.

Note:

- Infrastructure Development Charges and Infrastructure Augmentation Charges will be collected and deposited in “Infrastructure Development Fund.
- The Scrutiny fee, licence fee and conversion charges will be deposited in the receipt head of the State.
- External Development Charges will be utilized as per provision of Section 2 (g) of the Haryana Development and Regulation of Urban Areas Act, 1975.

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(R. Jain, ATP)

for Chief Town Planner, HSVP

Endst. No. CTP/STP(S)/AM/52773

Dated:18.03.2019

A copy of above is forwarded to the following for information and further necessary action please:-

1. The Administrator, HSVP (HQ), Panchkula.
2. The Chief Controller of Finance, HSVP, Panchkula.
3. The Chief Engineer-I & II, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The District Attorney, HSVP, Panchkula.
6. All the Senior Town Planners of Town and Country Planning Department, Haryana.
7. All the District Town Planners of Town and Country Planning Department, Haryana.
8. The General Manger (IT), HSVP, Panchkula with the request to host these instructions on HSVP website.

-sd-

(R. Jain, ATP)

for Chief Town Planner, HSVP

Through E-Mail only
Policy Matter

To

1. All the Administrators, HSVP.
2. All the Estate Officer, HSVP.
3. All the District Town Planners, Town & Country Planning Department.
4. All the Land Acquisition Officers, Urban Estate Department.

Memo No. CTP(N)/STP(S)/SB/45362, 45365, 45366, 45369

Dated: 08.03.2019

Subject: Revised Policy regarding **exchange of HSVP Land** with the land of developers/land owners and **purchase of land** by HSVP for infrastructure projects or otherwise.

Reference: In supersession of the earlier policy on the subject circulated vide memo No.CTP(N)/SB/143750-143757, dated 17.07.2018.

1. A policy regarding exchange of HSVP land with the land of developers/land owners was approved by the Pradhikaran in its 112th meeting held on 10.01.2017 vide Agenda item no. 22. Policy instructions were circulated vide memo no. 11210 dated 18.01.2017. Minor amendment in the policy was circulated vide memo no. 25186 dated 08.02.2017. Subsequently, amended policy guidelines were issued vide memo. No. CTP(N)/SB/143750 dated 17.07.2018, in supersession of the earlier instructions dated 18.01.2017 and 08.02.2017. These instructions dated 18.01.2017 and 17.07.2018 deal with provision of rasta, through exchange of land. Separately policy instructions for rates to be charged for providing approach road (rasta) to released land pockets were also issued by the Finance Wing of HSVP vide memo. No. HUDA-CCF-AO-I/Acctt-I-2018/5707 dated 09.01.2018. Further, while according Ex-Post-Facto approval to the amended policy instructions dated 17.07.2018, the Pradhikaran, in its 116th meeting held on 22.11.2018, decided that the benefit of policy (dated 17.07.2018) under para-A(iii) a & b shall also be applicable for para-A(iv). Accordingly, in order to bring out a composite policy, amalgamating the instructions dated 17.07.2018 and 09.01.2018 as well as the decision of the Pradhikaran taken in its 116th meeting, as amended policy proposal was placed before the Pradhikaran in its 117th meeting held on 18.02.2019, vide Suppl. Agenda Item No.117th (5). The Pradhikaran has accorded the approval. Accordingly, the revised policy is as under:-

A. Conditions under which purchase of land by HSVP and exchange of HSVP land shall be considered:

- i) Where HSVP land is irregular in shape and exchange of land with the developer / land owner will help in regularization of boundaries of HSVP land. In such cases, exchange of land shall be executed on the principles of 'give equal and take equal'. However, in case of exchange of land with unlicensed land or land owners where the land of the owner gets re-located as a compact chunk or plot, residential plots of HSVP having area equivalent to 40% of the land taken in exchange shall be given to the applicant because in lieu of undeveloped land, developed land of HSVP is given.
- ii) Where HSVP has utilized un-acquired land of land owner without paying compensation/land in exchange, or where HSVP intends to purchase un-acquired/released land of developers/land owners for infrastructure projects or otherwise, in such cases, land owner can opt for one of the following benefits:-

- a. HSVP shall pay the updated cost of land based on the award announced for the land abutting/ adjoining to the land of land owner or the Collector rate of the revenue estate in which the land is situated, whichever is higher. However, in case of purchase of land by HSVP for infrastructure project or otherwise, this will be the 'offer' and the 'acceptance' of the same by such land owners shall be a sale of this land with no future encumbrance/liability on price of the land.
- Or
- b. The land owner will have an option to have residential plot of area equivalent to 40% of his/ her utilized un-acquired land / land required to be purchased by HSVP. This plot will be given to the land owner in the same sector in which his / her land is situated. If plot is not available in the same sector, then plot will be given in the adjoining sector of the same Revenue Estate. If plot is not available in same sector or adjoining sector then only monetary benefits as given in (a) above shall be paid to the land owner.
- iii) In those cases where existing revenue rasta has been acquired by HSVP and no approach is available to the owner of released / unacquired land, in such cases HSVP shall provide rasta with width upto maximum of 2-karam (11 ft) free of cost to such land owners.
 - iv) If the owner of such released / unacquired pocket requests for Rasta in excess of 2 karam (11 feet) width, then the same can be permitted in the following manner :-
 - a) Applicant shall be required to pay for the differential land (required for rasta in excess of 2-karam width) at 1.5 times the nodal residential plotted rate of the concerned sector, in which the said rasta falls, or of the adjoining sector, in case nodal rate of the concerned sector is not yet fixed. However, ownership of the land under rasta shall remain with HSVP and the rasta shall be a public rasta.
 - b) In addition any cost of construction of Rasta as determined by the HSVP Engineering Wing shall be chargeable extra.
 - c) Such a permission for rasta can be granted to the lessee also, in case the lessee has a lease deed of minimum 30 years in his / her favour and submits an undertaking / NOC from the land owner for the rasta.
 - v) Where approach is not available to the land of developer, and the developer requested for an approach to be provided through HSVP land, in such cases, such quantum of the land required for rasta shall be charged at double the rate of nodal residential plotted rates of the concerned sector in which the land of the proposed rasta falls.
 - a) However, ownership of the land under rasta shall remain with HSVP and the rasta be a public rasta.
 - b) In addition any cost of construction of Rasta as determined by the HSVP Engineering Wing shall be chargeable extra.

B. Terms and Conditions:-

Exchange of land:-

- i) Exchange of land would be governed by HSVP Act, 1977 and the rules/regulations framed there under. However, the said exchange of land shall not provide immunity to the developer/land owner from the provisions of any other Acts/Rules in force.
- ii) The proposal of exchange of land shall be considered only in the same sector. The land of developers/ land owners to be given to HSVP in exchange must abut already acquired HSVP land.
- iii) Land of both parties involved in exchange shall be got demarcated at site to ascertain/verify its area and clear availability, before execution of agreement.
- iv) An undertaking shall be given by developer/land owner that the title of the land to be given to HSVP in exchange is in favour of the applicant and is clear & free from all encumbrances.
- v) In case exchange is done on the request of the applicant, HSVP will not be liable to pay any compensation for the existing structures, if any, to the land owners in the land to be exchanged.

- vi) The cost of exchange deed/stamp paper shall be paid by the developer/land owner in case the exchange of land is being executed on the request of developer/land owner. However, in case where the exchange is to be executed on the initiative of HSVP necessitated for laying of services, provision of infrastructure facilities etc., the cost of exchange deed / stamp paper shall be paid by HSVP.
- vii) The developer/land owner shall execute an agreement for exchange of land with the concerned Estate Officer, HSVP before the exchanged site is handed over.

Purchase of land by HSVP:-

- viii) The land to be purchased shall be free from all encumbrances and the owner shall have clear title of the land. HSVP shall satisfy itself about the demarcation / size and clear title of the land and enter into an agreement with the land owner for purchase of land.
- ix) 50% of the amount of monetary compensation or letter of allotment of developed residential plot shall be issued upon execution of agreement. Remaining payment or possession of the plot (as the case may be) shall be given after taking over of possession of land from the land owner.

C. Constitution of Committee to examine the matters relating to purchase of land by HSVP and proposals of exchange of HSVP land :-

A Committee under the Chairmanship of Zonal Administrator, HSVP consisting of concerned District Town Planner, concerned Estate Officer and concerned Land Acquisition Officer shall examine the proposals of purchase of land by HSVP and proposals of exchange of HSVP land and will send its recommendations to Chief Administrator, HSVP.

D. Responsibilities of the Committee :-

- i) The Committee shall examine the revenue documents relating to land proposed to be purchased by HSVP and/or the land involved in exchange. The committee will ascertain that the title of land proposed to be purchased by HSVP is clear and is free from encumbrances/litigation/disputes. Similarly, in exchange of land cases, the committee will ascertain that the title of the land of HSVP as well as developer/land owner involved in exchange is clear in their favour and is free from encumbrances.
 - ii) The Committee will evaluate the land values of land proposed to be purchased by HSVP based on the award announced for the land abutting/adjoining to the land of land owner and calculate the updated cost of land to be paid by HSVP. The committee shall also ascertain the prevailing collector rate of the revenue estate in which the land to be exchanged / purchased is situated and recommend the rates for exchange / purchase of land.
 - iii) The Committee shall send the revenue details of the land proposed to be purchased by HSVP and the land involved in exchange duly marked alongwith HSVP existing acquired land and/or services or project for which land is proposed to be purchased or exchanged on shajra plan and relevant Layout Plan of HSVP. The actual dimensions and area of land proposed to be purchased/ involved in exchange shall also be given.
 - iv) The Committee will clearly state the need for purchase of land by HSVP and in the case of exchange of land proposals, the benefits of exchange of land to HSVP. In both the cases, the committee will also intimate the proposed utilization of the land by HSVP.
2. The report of the Committee shall be examined by Chief Administrator, HSVP. In case of exchange of land with developer for regularization of boundaries (as in 1A(i) above), Chief Administrator shall seek the approval of Hon'ble Chief Minister-cum-Chairman Pradhikaran. However, for allotment of developed residential plot equivalent to 40% of the land in lieu of un-licensed land or where the land of the owner gets relocated as a compact chunk or plot, Chief Administrator HSVP shall be competent to approve the same.

3. For 1A(ii)a, where payment in lieu of land is to be made, approval of the Hon'ble Chief Minister-cum-Chairman Pradhikaran shall be obtained.
4. In case of 1A(ii)b, Chief Administrator shall be competent to approve the allotment of plot in the same sector. However, if plot is not available in the same sector and is to be allotted in an adjoining sector (of the same revenue estate), then the approval of Hon'ble Chief Minister-cum-Chairman Pradhikaran shall be obtained.
5. For 1A(iii), where 2-karam rasta is to be given free of cost, the approval shall be at the level of Chief Administrator HSVP.
6. For 1A(iv) & 1A(v), approval shall be accorded by Chief Administrator HSVP at his own level, in case the total area involved in provision of rasta is upto 500 sq.mts only. For rastas involving area more than 500 sq.mts, approval of Hon'ble Chief Minister-cum-Chairman Pradhikaran shall be obtained.
7. However, request of mega projects involving huge investment or socially important project like health or education for approach through HSVP land can be considered for grant of relaxation in Para A (ii) of the policy on a case to case basis.

-sd-

(D. Pal, DTP)

for Chief Town Planner, HSVP

Endst. No. CTP/STP(S)/SB/45370, 45372, 45373, 45375, 45378, 45379

Dated: 08.03.2019

A copy is forwarded to the following for information and necessary action please:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Administrator, HSVP (HQ), Panchkula.
3. The Chief Engineer-I & II, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The District Attorney, HSVP, Panchkula.
6. The General Manger (IT), HSVP, Panchkula with the request to host these instructions on HSVP website.

-sd-

(D. Pal, DTP)

for Chief Town Planner, HSVP

Through email only

Policy Matter

To

1. All the Administrators, HSVP.
2. All the Estate Officers, HSVP.
3. All the District Town Planners.

Memo no. CTP (N)/SB/143750

Dated: 17.07.2018

Subject: - Policy regarding **purchase of land by HSVP** for infrastructure projects or otherwise and exchange of HSVP land with the land of developers/ land owners.

Reference: In supersession of this office memo no. 11210 dated: 18.01.2017 and 25186 dated 08.02.2017.

1. A policy regarding exchange of HSVP land with the land of developers/land owners was circulated vide memo no. 11210 dated: 18.01.2017. Minor amendment in the policy was also circulated vide memo no. 25186 dated 08.02.2017. This policy was circulated with approval of the same by the Pradhikaran in its 112th meeting held on 10.01.2017 vide Agenda item no. 22. This policy does not envisage purchase of un-acquired land of developers/land owners required for various infrastructures projects or otherwise. The cases are being referred by the Zonal Administrators for purchase of un-acquired patches/pockets of land required for completion of roads, lying of infrastructure etc. It was felt that such requests cannot be considered and examined under the ibid policy of exchange. Hence, a proposal was submitted to the Government that the scope of policy may be widened to include purchase of land by HSVP for infrastructure projects or otherwise. The proposal has been approved by the Hon'ble CM Haryana-cum Chairman, HSVP. Accordingly, the revised policy is as under:-

F. Conditions under which purchase of land by HSVP and exchange of HSVP land shall be considered:

- i) Where HSVP land is irregular in shape and exchange of land with the developer land owner will help in regularization of boundaries of HSVP land. In such cases, exchange of land shall be executed on the principles of 'give equal and take equal' except in situation as mentioned in Clause (ii) hereinbelow. However, in case of exchange of land with unlicensed land or land owners where the land of the owner gets re-located as a compact chunk or plot, residential plots of HSVP having area equivalent to 25% of the land taken in exchange shall be given to the applicant because in lieu of undeveloped land, developed land of HSVP is given.
- ii) Where no approach is available to the land of developer and an approach is to be provided through HSVP land, in such cases 1.5 times of the developer land out of the same land for which approach is being given shall be taken by HSVP in lieu of its land required for providing approach.
- iii) Where HSVP has utilized un-acquired land of land owner without paying compensation/land in exchange, in such cases, land owner can opt for one of the following benefits:-
 - a. HSVP shall pay the updated cost of land based on the award announced for the land abutting/ adjoining to the land of land owner with no future encumbrance/liability on price of the land.

Or

- b. The land owner will have an option to have residential plot of area equivalent to 40% of his utilized un-acquired land by HSVP. This plot will be given to the land owner in the same sector in which his land has been utilized. If plot is not available in the same sector then plot will be given in the adjoining sector of the same Revenue Estate. If plot is not available in same sector or adjoining sector then only monetary benefits as given in (a) above shall be paid to the land owner.
- iv) Where HSVP intends to purchase un-acquired/released land of developers/ land owners for infrastructure projects or otherwise, in such cases HSVP shall pay the updated cost of land based on the award announced for the land abutting/adjoining to the land of developers/land owners. However, this will be the 'offer' and the 'acceptance' of the same by such land owners shall be a sale of this land with no future encumbrance / liability on price of the land.

G. Terms and Conditions of exchange of HSVP land:-

- viii) Exchange of land would be governed by HSVP Act, 1977 and the rules/regulations framed there under. However, the said exchange of land shall not provide immunity to the developer/land owner from the provisions of any other Acts/Rules in force.
- ix) The proposal of exchange of land shall be considered only in the same sector. The land of developers/ land owners to be given to HSVP in exchange must abut already acquired HSVP land.
- x) Land of both parties involved in exchange shall be got demarcated at site to ascertain/verify its area and clear availability, before execution of agreement.
- xi) An undertaking shall be given by developer/land owner that the title of the land to be given to HSVP in exchange is in favour of the applicant and is clear & free from all encumbrances.
- xii) In case exchange is done on the request of the applicant, HSVP will not be liable to pay any compensation for the existing structures, if any, to the land owners in the land to be exchanged.
- xiii) The cost of exchange deed/stamp paper shall be paid by the developer/land owner in case the exchange of land is being executed on the request of developer/land owner. However, in case where the exchange is to be executed on the initiative of HSVP necessitated for laying of services, provision of infrastructure facilities etc., the cost of exchange deed / stamp paper shall be paid by HSVP.
- xiv) The developer/land owner shall execute an agreement for exchange of land with the concerned Estate Officer, HSVP before the exchanged site is handed over.

H. Constitution of Committee to examine the matters relating to purchase of land by HSVP and proposals of exchange of HSVP land :-

A Committee under the Chairmanship of Zonal Administrator, HSVP consisting of concerned District Town Planner, concerned Estate Officer and concerned Land Acquisition Officer shall examine the proposals of purchase of land by HSVP and proposals of exchange of HSVP land and will send its recommendations to Chief Administrator, HSVP.

I. Responsibilities of the Committee :-

- (v) The Committee shall examine the revenue documents relating to land proposed to be purchased by HSVP and/ or the land involved in exchange. The committee will ascertain that the title of land proposed to be purchased by HSVP is clear and is free from encumbrances/litigation/disputes. Similarly, in exchange of land cases, the committee will ascertain that the title of the land of HSVP as well as developer/and owner involved in exchange is clear in their favour and is free from encumbrances.

- (vi) The Committee will evaluate the land values of land proposed to be purchased by HSVP based on the award announced for the land abutting/adjoining to the land of land owner and calculate the updated cost of land to be paid by HSVP. In the exchange of land cases, the committee will evaluate the land values of HSVP land as well as land of developer/land owner involved in exchange and only the land of equivalent value shall be proposed for exchange except as provide in clause A (ii).
 - (vii) The Committee shall send the revenue details of the land proposed to be purchased by HSVP and the land involved in exchange duly marked alongwith HSVP existing acquired land and/or services or project for which land is proposed to be purchased or exchanged on shajra plan and relevant Layout Plan of HSVP. The actual dimensions and area of land proposed to be purchased/ involved in exchange shall also be given.
 - (viii) The Committee will clearly state the need for purchase of land by HSVP and in the case of exchange of land proposals, the benefits of exchange of land to HSVP. In both the cases, the committee will also intimate the proposed utilization of the land by HSVP.
- 2. The report of the Committee shall be examined by Chief Administrator, HSVP who will obtain approval of proposal from the Chairman of the Pradhikaran.
 - 3. However, request of mega projects involving huge investment or socially important project like health or education for approach through HSVP land can be considered for grant of relaxation in Para A (ii) of the policy on a case to case basis.
 - 4. The above instructions may be followed meticulously. These instructions shall come into force from the date of issue of this letter.

-sd-

(Devender Pal, DTP)
for Chief Administrator, HSVP

Endst. No.: CTP(N)/SB/143757

Dated:17.07.2018

A copy of above is forwarded to the following for information and further necessary action please:-

- 1) The Chief Controller of Finance, HSVP, Panchkula.
- 2) The Administrator, HSVP (HQ), Panchkula.
- 3) The Chief Engineer-I, HSVP, Panchkula.
- 4) The Chief Engineer-II, HSVP, Panchkula.
- 5) The Chief Architect, HSVP, Panchkula.
- 6) The District Attorney, HSVP, Panchkula.
- 7) The General Manager (IT), HSVP, Panchkula with the request to host these instructions on HSVP website.

-sd-

(Devender Pal, DTP)
for Chief Administrator, HSVP

Through E-mail

To

1. The Zonal Administrator, HSVP, Faridabad, Gurugram, Hisar, Rohtak, Panchkula.
2. The Chief Controller of Finance, HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. All the Estate Officer, HSVP (in the State).
5. All the District Town Planners, Town & Country Planning, Haryana (in the State).

Memo no. CTP/STP(S)/PT/78097-78109

Dated: 20.04.2018

Subject: Revision of norms of site for **Religious Building** and **Social Charitable sites**.

This is in continuation of this office memo no. 8816 dated 12.01.2018 vide which revised norms for internal and external community buildings were circulated. Further, in supersession of any earlier instruction on the subject, it has been decided that henceforth the norms for Religious, Social Charitable buildings shall be revised as under:-

S r . No.	Name of site	Present area norms	Revised name of site	Revised area norms.
1	Religious building site	2000 sq. mtrs.	Religious/ Social -Charitable/ Dharamshala	500 sq. mtrs to 1500 sq. mtrs.
2	Social Charitable site	3000 sq. mtrs.		

The condition of locating these sites on 24 mtrs and above wide road shall be continued to be followed. However, the sites ranging from 500 sq. mtrs to 1500 sq. mtrs will be carved out on the basis of locational consideration / spatial distribution and planning suitability. This is for information and further necessary action.

This issues with the approval of Hon'ble Chief Minister-cum-Chairman, HSVP.

-sd-

(D. Pal, DTP)

for Chief Town Planner, HSVP

Endst no. CTP/STP(S)/PT/78112, 78115, 78119

Dated: 20.04.2018

A copy is forwarded to the following for information and further necessary action please:-

1. The Chief Administrator (Urban Branch), HSVP, Panchkula.
2. The General Manager (IT), HSVP, Panchkula to upload the same on HSVP website under policy section of Planning Wing.
3. All the Senior Town Planners, Town & Country Planning Department.

-sd-

(D. Pal, DTP)

for Chief Town Planner, HSVP

Through E-Mail

To

All the Zonal Administrators of HUDA (In the State)

All the Estate Officer of HUDA (In the State)

Memo. no. CTP/STP(S)/AM/238227,238230

Dated:14.12.2017

Subject:- Implementation of **Transit Oriented Development Policy (TOD)** in HUDA areas.

In order to provide the benefit of increased FAR permissible in the notified TOD Zones to HUDA allottees, the following policy for implementation of Transit Oriented Development in HUDA areas has been approved by the Hon'ble Chief Minister-cum-Chairman, HUDA:-

Policy for 'Transit Oriented Development' in HUDA areas

1. Background

The Town & Country Planning department, Haryana had notified a policy dated 05.09.2014 for Transit Oriented Development along the MRTS Corridors, as a means of densification of the MRTS Corridors and also as a source of generating revenue for financing these MRTS projects in the State. The larger objective of the policy was to create an enabling environment for maximum uses of such Mass Transit Systems and to wean away the public from uses of private vehicles. In view of the suggestions received from various organizations, real estates developers and other professional groups/individuals, the TOD policy was modified and an amended policy was notified by the Town & Country Planning department, Haryana vide notification dated 09.02.2016. The main policy of 09.02.2016 has been partially modified from time to time vide notifications dated 16.11.2016, 11.04.2017, 13.06.2017 & 03.08.2017. The TOD zones notified by the State Government in its policy include areas acquired and developed/being developed by the Haryana Urban Development Authority also.

2. Need for the policy

Since the TOD zones notified by the State Government in its policy include areas acquired and developed/ being developed by the Haryana Urban Development Authority also, therefore, there is a need to suitably adopt the TOD policy of the State Government for HUDA areas also, with appropriate modifications wherever required as per HUDA rules and regulations, so that the objective of densification of MRTS corridors can be fully achieved.

3. Definition of TOD

Transit Oriented Development is essentially any development, macro or micro, focused around/along a transit mode/corridor and facilitates complete ease of access to the transit facility, thereby, inducing 'walk to work' culture and use of public transportation over personal means of transport. The primary goals of TOD are to:-

(i) Reduce / discourage private vehicle dependency and induce Public Transport use – through design policy, measures and enforcement

(ii) Provide easy transport access to maximum number of people within walking distance to densification and enhanced connectivity.

4. TOD zones

The TOD zones shall be as approved by the State Government. The TOD policy notified by the State government vide notification dated 09.02.2016 provides that in the first phase, TOD will be allowed on the following designated Metro corridors:-

- a) Delhi Metro extension along Gurgaon-Mehrauli road upto sector-29 (City Centre), Gurgaon.
- b) Metro Link from Badarpur (Delhi) to Ballabgarh, District Faridabad.
- c) Metro Link from Mundka (Delhi) to City Park, Bahadurgarh.
- d) Metro Link along Northern Periphery Road (NPR) as proposed in the Final Development Plan 2031 AD of Gurgaon-Manesar Urban Complex.
- e) Metro Link along Southern Periphery (SPR) as proposed in the Final Development Plan 2031 AD of Gurgaon-Manesar Urban Complex including the portion of SPR forming Southern Periphery of sector-56, Gurugram.
- f) Rapid Metro developed/being developed in PPP mode and upto SPR.

Further, identification of new corridors for MRTS shall be done by the Haryana Mass Rapid Transit Corporation

(HMRTC). The State Government will approve new corridors on the recommendations of HMRTC and such corridors shall be considered as included in this policy.

5. Demarcation of TOD zones

The TOD Zone shall be designated upto 800 metres depth on both sides from the boundaries of the Right of Way (ROW) of the road, on which MRTS corridor is proposed to be provided. This 800 meters proposed TOD Zone has been bifurcated as under, for the purpose of the development proposed to be carried out:-

- (a) Intense TOD Zone: The first 500 mtrs depth on both sides from the boundaries of ROW of the road, on which MRTS corridor is proposed to be provided.
- (b) Transition TOD Zone: Between 500 to 800 mtrs depth on both sides from the boundaries of ROW of the road, on which MRTS corridor is proposed to be provided.

It is clarified that MRTS can be constructed either on the central verge of the ROW of the road or on any point/stretch of this road but for the purposes of TOD Zone, 800 meters will be calculated from the boundaries of the ROW of the acquired road irrespective of construction of MRTS on any point in the ROW.

6. Permissible uses

The permissible uses within the TOD zone are detailed in the table in clause 7 below.

Plotted residential development shall not be covered under the TOD policy and in case of residential use, the TOD policy shall be applicable only on sites allotted under Group Housing norms, having a minimum area of half acre.

In case of commercial sites, provisions of TOD policy can be availed only by the allottees of commercial sites covered under the applicability clause of the Haryana Apartment Ownership Act, 1983 i.e. integrated commercial complexes.

The TOD policy is not applicable to the earmarked institutional sites like Schools, Colleges and Hospital etc. provided in the residential/commercial zones/ sectors of the Development Plan. Only the institutional plots provided in Institutional zones/sectors of the Development Plan would be covered under the policy.

In the industrial zone, the TOD policy is applicable only to IT/ITes and not to other category of industrial plots.

IT/ITes projects approved in institutional/industrial zones of the Development Plan shall be eligible under this TOD policy and such re-densification shall be permitted with maximum FAR of 3.5/3.0.

The allottees of sites of various land uses covered under this policy, as detailed above, can avail the increased FAR/ground coverage/density as per parameters prescribed in the table in clause 7 below for the augmentation of the purpose/use for which the plot has been allotted. The increased FAR shall not be allowed to be utilized for any mixed land use or for any other purpose/activity different from the permissible purpose/activity of the allotted plot.

Charges would be levied as per the category of land use.

The height restrictions shall be subject to the regulations of the Airport Authority of India and structural stability / fire safety compliances as per applicable laws.

7. Planning parameters (Ground coverage/FAR) within TOD zone

Land Use	TOD Zone	Maximum Ground coverage	FAR	Maximum Density (Persons Per Acre)
Multi-storeyed group housing (minimum half acre plot)	Intense	40%	3.5	600
	Transition	40%	2.5	430
Integrated commercial complexes, Shopping Malls/ mixed land use	Intense	60%	3.5	-
	Transition	60%	2.5	-
IT/ITes	Intense	40%	3.5	-
	Transition	40%	3.0	-
Institutional plots in institutional sectors	Intense	40%	3.5	-
	Transition	40%	2.5	-

8. Parking norms

Parking norms as prescribed in the TOD policy of the State Government shall be followed. The presently prescribed norms provide that in order to discourage the dependency on private vehicles and induce the use of public transport, the parking requirements, for the additional FAR proposed to be achieved, shall be calculated on the rationale of carpet area of the each dwelling unit which is as under:-

(a)	Upto 100 sq.mtr.	0.5 Equivalent Car Space (ECS)
(b)	Between 100 sq.mtr to 150 sq.mtr.	1.0 Equivalent Car Space (ECS)
(c)	More than 150 sq.mtr.	1.5 Equivalent Car Space (ECS)

Further for Commercial areas, the norm of one ECS for each 50 sq mtrs carpet area shall be followed.

The term “carpet area” shall mean the net usable covered floor area, bound within the walls of the apartment but excluding the area covered by the walls and any balcony which is approved free-of-FAR, but including the area forming part of kitchen, toilet, bathroom, store and built-in cupboard/almirah/shelf, which being usable covered area shall form part of the carpet area. Further, connected parking shall be permitted not only below the towers but also below the podium/open spaces covered with greens or otherwise.

1ECS	= 23 sq. mts. for open parking
1ECS	= 28 sq. mts. for stilt parking
1ECS	=32 sq. mts. for basement parking

9. Miscellaneous

- Additional FAR can be purchased in the slabs of 0.25 subject to the ceiling of maximum permissible FAR allowed for various land uses in the Intense and Transition Zones as per Table in clause 7 of this policy.
- The allottee shall seek a revised zoning plan of the allotted site for the purpose of availing the TOD benefits under this policy. It is, however, made clear that the issuance of revised zoning plan under this policy shall not entitle the allottee to any undue benefit on account of possession interest, period of construction, waiver of extension fee etc. in respect of the original allotment and the allotment of the plot shall continue to be governed by its original terms and conditions.

10. Applicability

1. TOD benefit shall not be applicable on the plots which are under any kind of default in payment or dispute/litigation. The already allotted sites shall be allowed additional FAR under this policy as per norms of ground coverage, green area etc. proposed in this policy. However, in such cases, the permissible density under this policy shall only be allowed proportionate to the additional FAR being permitted and not on the originally permissible FAR. Such benefit on existing or under construction developments shall be allowed only after structural stability of the existing and proposed constructions is certified by reputed institutes like NIT, IIT, PEC, etc.
2. Plotted residential development is not covered under the TOD policy and proposals for clubbing of residential plots for availing the TOD benefits shall also not be entertained.
3. Where any site is coming within any TOD zone partially, the provisions of this policy will be allowed to be availed only for that portion of the plot as per limitation defined for intense and transitional TOD zones but such FAR can be utilized anywhere within the permissible buildable zone of such a plot, i.e. even in the portion of buildable zone of the plot falling outside TOD zone. Furthermore, permission under this policy may be granted only to such projects which have entry and exist within the TOD Zone.
4. Those allottees who intend to avail the increased FAR and permissible ground coverage/density as per this TOD policy, shall submit a request to the concerned Estate Officer for issuance of a revised zoning plan of their site. The Zonal Administrator shall examine the proposal and forward his/her recommendations to Chief Administrator, HUDA for approval. After approval of the proposal, the allottee shall be required to deposit the necessary charges with the concerned Estate Officer. Upon receipt of the prescribed charges, the revised zoning plan (duly approved by the Zoning Plan Committee headed by the concerned Zonal Administrator) shall be provided by the concerned Estate Officer to the applicant.
5. Subsequent to these amendments, building plans shall be sanctioned with higher FAR as per provisions of this

policy.

6. All unallotted plots of land uses covered under this TOD policy shall be allotted as per parameters prescribed in the table in clause 7, after price fixation as per the maximum permissible FAR for Intense/Transition zone.

11. Fee & Charges

All the charges like scrutiny fee, IDC, licence fee, conversion charges, EDC for allowing additional FAR shall be charged on the pro-rata basis for increased FAR from 1.50/1.75 to 2.5/3/3.5. Apart from above, the following 'Infrastructure Augmentation Charges' shall also be payable :-

Sr. No.	Land use	Rate in Rs. per sq. mts. of Additional covered area due to increased FAR
1.	Residential	2000
2.	Commercial	3000
3.	Institutional/IT/ITes	500

In addition, amount shall be charged @ 10% of the sum total of amount payable as calculated above comprising of scrutiny fee, IDC, licence fee, conversion charges, EDC and 'Infrastructure Augmentation Charges'. This amount will be retained by HUDA on charges for permitting higher FAR.

Note:

- Infrastructure Development Charges and Infrastructure Augmentation Charges will be collected and deposited in "Infrastructure Development Fund".
- The Scrutiny fee, licence fee and conversion charges will be deposited in the receipt head of the State.
- External Development Charges will be utilized as per provision of Section 2 (g) of the Haryana Development and Regulation of Urban Areas Act, 1975.

This issues with the approval of the Hon'ble Chief Minister-cum-Chairman, HUDA.

-sd-

(R. Jain, ATP)

for Chief Town Planner, HUDA

Endst. No. CTP/STP(S)/ 238244-238269

Dated: 14.12.17

A copy of above is forwarded to the following for information and necessary action:-

1. The Director, Town & Country Planning Department, Haryana, Chandigarh.
2. The Administrator, HUDA HQs (Urban Branch), Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer-I, HUDA, Panchkula.
5. The Chief Engineer-II, HUDA, Panchkula.
6. The Chief Architect, HUDA, Panchkula.
7. The General Manager(IT), HUDA, Panchkula with the request to upload the policy on HUDA website.
8. All the Senior Town Planners in the State _____.
9. All the District Town Planners in the State _____.
10. The District Attorney, HUDA, Panchkula.

-sd-

(R. Jain, ATP)

for Chief Town Planner, HUDA

Through email only

Policy Matter

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.
3. All the District Town Planners.

Memo no. CTP/SB/25186

Dated:08.02.2017.

Subject:- Policy regarding **exchange of HUDA land** with the land of developers/ individual land owners – **Amendment** thereof.

Reference:- In continuation to this office memo. no. 11210 & 11215 dated 18.01.2017.

Policy guidelines regarding exchange of HUDA land with the land of developers/individual land owners were circulated vide above referred letter dated 18.01.2017, with the approval of the Authority in its 112th meeting held on 10.01.2017 [vide agenda item no. A-112th (22)].

2. Amended proceedings of 112th meeting in respect of Agenda item no. 22 have been circulated vide memo. no. 14489 dated 23.01.2017 (copy attached). Accordingly, para-2 of the policy guidelines dated 18.01.2017 shall be substituted as under:-

“Approved. However, request of mega projects involving huge investment or socially important projects like health or education for approach through HUDA land can be considered for grant of relaxation in Para A (ii) of the policy on a **case to case basis**.”

The above instructions may be followed meticulously.

DA/As above.

-sd/-

(Usha Kiran, DTP)

for Chief Administrator, HUDA

Endst. No.: CTP/SB/25186

Dated : 08.02.2017.

A copy alongwith a copy of amended proceedings of the meeting are forwarded to the following for information and further necessary action please:-

- 1) The Chief Controller of Finance, HUDA, Panchkula.
- 2) The Administrator, HUDA(HQ), Panchkula.
- 3) The Chief Engineer-I, HUDA, Panchkula.
- 4) The Chief Engineer-II, HUDA, Panchkula.
- 5) The Chief Architect, HUDA, Panchkula.
- 6) The District Attorney, HUDA, Panchkula.
- 7) The General Manager(IT), HUDA, Panchkula with the request to upload these instructions on HUDA website.

DA/As above.

-sd/-

(Usha Kiran, DTP)

for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA (In the State)
2. All the Senior Town Planners (In the State)
3. All the District Town Planners (In the State)

Memo No. CTP/NS/ 11636 -11669

Dated:16.07.2014

Subject: - Approval of Zoning Plans of Hospital sites.

It is pointed out that the clause no. 7 of policy / procedure for allotment of Hospital site, circulated vide memo no. 32463-87 dated 06.11.1998 reads as under:-

“Shops shall not be allowed to be constructed, except those specifically provided in the zoning plan”.

Further, in the zoning plans of hospital sites, 10% of FAR is allowed to be used for ancillary uses including residencies for essential watch and ward staff. However, there is no mention of nursing hostels or facilities like Chemist shops, cafeteria /canteen, florist shop, ATM and other related facilities. It has been decided that these facilities may be clearly defined in the zoning plan. Accordingly, clause no. 2 of the zoning plan relating to use of site shall read as under:-

“The site shall be permitted for construction of Hospital and related buildings. 10% of the FAR can be permitted for ancillary uses including residencies for essential watch and ward staff, Nursing Hostel etc. Out of 10% FAR allowed for ancillary uses, 2% FAR can be utilized for facilities related to hospital functioning like Chemist shops, cafeteria /canteen, florist shop, ATM and other related facilities. Change in the use of land by the allottee for purposes other than hospital and ancillary building shall not be permitted in any case”.

This clause may be inserted in all the zoning plans of un-allotted hospital sites. The allottees of already allotted hospital sites can also avail the benefit of this clause provided scope is there within the maximum permissible FAR.

These instructions are issued with prior approval of Chief Administrator, HUDA please.

-sd-

(Usha Kiran, DTP)

For Chief Administrator HUDA

Endst. No. : CTP/NS/11670

Dated:

A copy is forwarded to the General Manager(IT), HUDA, Panchkula with the request to upload these instructions on HUDA website please.

-sd-

(Usha Kiran, DTP)

for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA, (In the State)
2. All the Superintending Engineers, HUDA, (In the State)
3. All the Senior Town Planners, (In the State)
4. All the District Town Planners, (In the State)
5. All the Estate Officers, HUDA, (In the State)
6. All the Executive Engineers, HUDA, (In the State)

Memo No: CTP/NS/3873-3954

Dated: 07.03.2014.

Subject: Regarding increase in **FAR of Cinema/Multiplex sites – Amendment.**

Reference:- In continuation to this office memo. no. 492-582 dated 10.01.2014.

In order to further streamline the procedure for grant of permission for increase in FAR of cinema/multiplex sites and the charges to be paid by the allottees for the same, it has been decided that the calculation sheet as per the formula given in the above referred instructions shall be prepared by the accounts wing of concerned Estate Officer. The same alongwith all supporting documents, shall then be forwarded to Chief Administrator, HUDA (in Accounts Wing) by the concerned Estate Officer through the concerned Zonal Administrator of HUDA for checking and counter signature by the Accounts & Finance Wing at HUDA, Head Quarter.

These instructions be brought to the notice of all concerned for all cases being dealt as per policy
ibid.

-sd-
(Nadim Akhtar, STP)
for Chief Administrator HUDA

Endst. No.CTP/NS/3955-62

Dated: 07.03.2014.

A copy is forwarded to the following for information & necessary action please:-

1. The Administrator (H.Q.), HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula.
7. The District Attorney, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.

-sd-
(Nadim Akhtar, STP)
for Chief Administrator HUDA

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. All the Administrators, HUDA, (In the State)
2. All the Superintending Engineers, HUDA, (In the State)
3. All the Senior Town Planners, (In the State)
4. All the District Town Planners, (In the State)
5. All the Executive Engineers, HUDA, (In the State)
6. All the Estate Officers, HUDA, (In the State)

Memo No: CTP/NS/492-574

Dated:10.01.2014

Subject: Regarding increase in **FAR of Cinema/Multiplex sites** – Revision in Policy.

Reference:- In continuation to this office memo. no. 3400 dated 11.05.1998 and in supersession of this office memo. no. 8733-64 dated 18.10.2001.

The matter regarding increase in FAR of cinema/multiplex sites has been examined and it has been decided that FAR in case of cinema/multiplex sites shall be 175% of the site area. The allottees of already auctioned cinema/ multiplex sites and the allottees who have already converted cinema sites into multiplex or commercial complex shall also be allowed to avail the benefit of revised FAR subject to the following conditions:-

1. The FAR of cinema/multiplex if increased from 100%/125%/150% to 175%, the charges may be worked out as under :-

- (i) The auction price achieved in respect of cinema/multiplex site may be updated @ 10% per annum.
- (ii) For the increased FAR, 75% of the auction price as worked out as per (i) above may be charged.
- (iii) The following formula may be applied to work out the charges for the increased FAR
$$\frac{(\text{Increased FAR} \times \text{updated auction price})}{\text{Base FAR at which auction was held}} \times 75\%$$

For example, if the cinema/ multiplex site is auctioned for Rs. 100 lacs on 1.4.2009 and size of the cinema/ multiplex site is 1,000 sq. mtr. The updated auction price on 31.3.2014 shall work out as under:-

Auction price as on 1.4.2009	Rs.100.00 lacs.
Add interest @10% p.a. from 1.4.2009 to 31.3.2014 i.e. the date of approval of increase of FAR.	Rs. 50.00 lacs
Updated Auction Price.	Rs.150.00 lacs.

(a) In case, the FAR of Cinema/multiplex site at the time of auction is 100% and the allottee wants to increase the FAR from 100% to 150%, in that case the charges will work out to Rs.56.25 lacs as per details given below :-

1.	Updated auction price	=	Rs.150 lacs
2.	Base FAR as which auction was held	=	100%
3.	Increased FAR	=	50%
	Additional price payable $\frac{(50 \times 150)}{100} \times 75\%$	=	Rs. 56.25 lacs

(b) In case the FAR of cinema/multiplex site is 125% at the time of auction and the allottee wants to increase the FAR from 125% to 175%, charges will work out to Rs.45.00 lacs under:-

1.	Updated auction price	=	Rs.150 lacs
2.	Base FAR as which auction was held	=	125%
3.	Increased FAR	=	50%
	Additional price payable $\frac{(50 \times 150)}{125} \times 75\%$	=	Rs. 45.00 lacs

(c) In case, the FAR of Cinema/multiplex site is 150% at the time of auction and the allottee wants to increase the FAR from 150% to 175%, in that case the charges will work out to Rs.18.75 lacs as per details given below :-

1.	Updated auction price	=	Rs. 150 lacs
2.	Base FAR as which auction was held	=	150%
3.	Increased FAR	=	25%
	Additional price payable $\frac{(25 \times 150)}{150} \times 75\%$	=	Rs. 18.75 lacs

- The price worked out on the basis of formula given above may be compared with the collector rate and out of the two, the rate whichever is higher, may be charged.
- The allottees will have to construct minimum two separate Theatres within the same Cinema/Multiplex Complex. Minimum total number of seats of all the Theatres should not be less than 450. The percentage of commercial component of the Cinema hall may be allowed to the tune of 50% of FAR. The commercial component of the Cinema hall can be used for Convention Centre, Exhibition Hall, Cultural Centres, Departmental Store, Shopping Centre, Restaurant and similar other uses for entertainment.
- There will be no maximum height prescribed for cinema/multiplex buildings. However, this provision shall be applicable only on those sites which are governed by the zoning plans and not by the architectural controls.
- In case of buildings having height 30 meters and above, clearance from the National Airport Authority of India will be required.
- For buildings more than 60 meter in height, structural stability certificate from the recognized institutions like IITs, Punjab Engineering College (PEC), Regional Engineering College/ National Institute of Technology etc. and for the fire safety clearance from National Fire Service College Engineers (Ministry of Home

affairs, Govt. of India) Nagpur will be required.

7. Four level basements shall be allowed only for parking purposes.
8. One ECS for every 50 square meters of the covered area will have to be provided. Further, 15% of the total parking requirement can be at the surface level and remaining 85% shall have to be in the form of covered parking.
9. The area for parking per car unit (Equivalent Car Space) shall be as under:

a) Basement	=	32 square meters.
b) Stilts	=	28 square meters.
c) Open	=	23 square meters.
10. The covered parking in the basement or in the form of multi-level parking above ground level will not be counted towards Floor Area Ratio (FAR). However, the footprint of separate parking building blocks shall be counted towards ground coverage.
11. In case of provision of mechanical parking in the basement floor/upper story's, the maximum floor to ceiling height of the basement/floor may be of 4.5 meters.
12. The misuse of the covered parking space will immediately attract levy of three times the penalty of the composition fee prescribed for the excess covered area in the respective category.
13. Provisions of the Haryana Apartment Ownership Act 1983, as amended upto date, shall also be applicable on the shopping mall sites.
14. The construction of cinema/multiplex buildings shall be further governed by BIS/National Building Code as well as The Punjab Cinema Regulations Act 1952 and the Rules made there under.
15. In the case of unsold cinema/multiplexes, the price shall be calculated at FAR of 1.75 and condition no. 3 to 14 will be part of zoning plans.

The above instructions are issued with prior approval of the above proposal from Hon'ble C.M., Haryana-cum-Chairman, HUDA.

sd-

(Usha Kiran, DTP)

for Chief Administrator HUDA

Endst. No.CTP/NS/-582

Dated: 10.01.2014

A copy is forwarded to the following for information & necessary action please:-

1. The Administrator (H.Q.), HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula.
7. The District Attorney, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.

-sd-

(Usha Kiran, DTP)

for Chief Administrator HUDA

From

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

All the Administrators of HUDA (In the State)
All the Estate Officers of HUDA (In the State)

Memo no. CTP/STP(M)/VY/14287-14309

Dated 14.10.2013

Subject: Policy for fixation of **rates of composition fees** for compounding the offence as per the provision of **Section 24C** of the **Haryana Apartment Ownership Act 1983**.

In exercise of the powers conferred under section 24-C of the Haryana Apartment Ownership Act, 1983, the following rates for composition fees for compounding the offence committed under Section 2 of the Act ibid pertaining to delay in filing of deed of declaration beyond the prescribed 90 days period after obtaining occupation certificate under HUDA Act, 1977 have been approved:

Sr. No.	Delayed Period	Rate
	Upto 1 year	Rs. 50,000/-
	More than 1 year but upto 2 years	Rs. 1,00,000/-
	More than 2 years but upto 3 years	Rs. 1,50,000/-
	For further delay	Rs. 1,50,000+Rs. 25,000/- per month

This issues with the approval of Hon'ble Chief Minister-cum-Chairman, HUDA.

-sd-

(Manjit Kaur)
Chief Town Planner,
for Chief Administrator, HUDA

Endst. No. CTP/STP(M)/VY/14310-315

Dated: 14.10.2013

A copy is forwarded to the following for information and necessary action:-

1. The Administrator (HQ), HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
4. The General Manager (IT), HUDA (HQ), Panchkula.
5. The District Attorney, HUDA (HQ), Panchkula.

-sd-

(Manjit Kaur)
Chief Town Planner,
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators of HUDA
2. All the Senior Town Planners in the State
3. All the District Town Planners in the State

Memo No:CTP/JS-9/10645-75

Dated:29.07.2013

Subject: Policy regarding revision of Norms / Guidelines / Parameters for grant of change of land use permission for setting up of **retail outlet for Compressed Natural Gas / Petroleum / Natural Gas Station/ Petrol Pump/ Fuel Filling station** in the State of Haryana.

Reference:- In continuation of this office memo no. 2900-2930 dated 05.03.2013.

Kindly find enclosed herewith a photocopy of memo no. Misc-311/2013 dated 03.06.2013 received from Principal Secretary to Govt. Haryana, Town & Country Planning Department vide which revised guidelines / parameters for grant of change of land use permission for setting up of retail outlet for Compressed Natural Gas / Petroleum / Natural Gas Station/ Petrol Pump/ Fuel Filling station in the State of Haryana are received.

These guidelines stipulate that above said policy shall be adopted by HUDA while carving out the above referred sites. Also, in case any un-allotted sites are not fulfilling the criteria proposed in the policy, such sites shall be deleted from layout plans and land there of will be used as green belt / restricted area only.

You are, therefore, requested that these instructions may be followed meticulously. You are also requested that proposals for seeking approval of C.A. HUDA for deletion of such un-allotted sites from layout plans may be sent and land under these sites may be re-designated as green belt / restricted areas only. In future fuel filling station sites may be carved out keeping in the above guidelines.

DA/As above

-sd/-

(Usha Kiran)

District Town Planner,
for Chief Administrator, HUDA

Dated:29.07.2013

Endst. No. CTP/JS-9/10676

A copy is forwarded to the Director General, Town & Country Planning Department, Haryana, Sector-18, Chandigarh for information please.

-sd/-

(Usha Kiran)

District Town Planner,
for Chief Administrator, HUDA

Dated:29.07.2013

Endst. No. CTP/JS-9/10677-84

A copy, alongwith a copy of above referred policy guidelines is forwarded to the following for information and necessary action please:-

1. The Chief Administrator, HUDA(Urban Branch), Panchkula. 2. The Chief Controller of Finance, HUDA, Panchkula. 3. The Chief Engineer, HUDA, Panchkula. 4. The Chief Engineer-I, HUDA, Panchkula. 5. The Enforcement Officer, HUDA, Panchkula. 6. The District Attorney, HUDA, Panchkula. 7. The Dy. ESA, HUDA, Panchkula. 8. The GM (IT), HUDA, Panchkula with the request to host the policy on HUDA website.
- DA/As above

-sd/-

(Usha Kiran)

District Town Planner,
for Chief Administrator, HUDA

From,

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

To

1. The Administrator, HUDA, Gurgaon/Panchkula/
Faridabad/Rohtak/Hisar.
2. All Senior Town Planners.
3. All District Town Planners.

Memo. No. CTP-HUDA/DTP-M/ 16515-16563

Dated: 17.12.2007.

Subject: Guidelines regarding allowing **Hostel for Girls** in High/Higher Secondary **School sites** allotted by HUDA.

A request for allowing construction of Hostel facility on the High School site allotted to them in sector 12, Panchkula was received from the Darbari Lal Foundation Society. Request of the Society was examined and a proposal was submitted to the Hon'ble CM Haryana for allowing the Darbari Lal Foundation to utilize 10% of the permissible FAR for construction of Hostel/warden's residence.

The proposal has been approved by the Hon'ble CM Haryana with the stipulation that the dispensation would be available only for the construction of Hostel for Girls, and further that this facility would be extended to all cases similarly placed.

Therefore, in supersession of the previous guidelines regarding allowing Hostel facility in the school sites,

following Guidelines have been finalized:

1. For High/Higher Secondary sites up to 7.5 acres, 10% of the permissible FAR can be utilized for ancillary buildings including residence for warden and essential watch & ward staff and a Hostel for girls.
2. For Sites larger than 7.5 acres, residence for Principal/Bursar/other teaching staff/watch & ward staff as well as Hostel accommodation for students would be allowed subject to a maximum of 10% of the permissible covered area.

- sd/-

(Naresh Mehtani, DTP)

For Chief Administrator, HUDA, Panchkula.

Dated:

Endst. No. CTP-HUDA/DTP-M/

A copy is forwarded to the following for information & necessary action:

1. Administrator, HUDA HQ. (Urban Branch-II), Panchkula.
2. Estate Officers, HUDA

-sd/-

(Naresh Mehtani, DTP)

For Chief Administrator, HUDA,
Panchkula.

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

- 1 All the Administrators HUDAPanchkiula, Rohtak, Faridabad, Gurgaon, Hisar.
- 2 All the Senior Town Planners Panchkula, Rohtak, Faridabad, Gurgaon, HUDA Gurgaon, Hisar.
- 3 All the District Town Planners Panchkula, Ambala, Kurukshetra, Yamuna Nagar, Karnal, Panipat, Rohtak, Jhajjar, Faridabad, Mewat, Gurgaon, Jind, Hisar, Fatehabad, Sirsa, Kaithal.

Memo no. CP HUDA/DTP(N) 16262-292

Dated: 11/12/2007

Subject: Computerization Programme of HUDA-up gradation of **demarcation plans** and assigning **unique property numbers**.

A review meeting was held under the chairmanship of Sh. T.C. Gupta IAS, Chief Administrator, HUDA on 16-11-2007 at Karnal. It was decided that in view of the Computerization Programme of HUDA, all the Demarcation plans are to be checked and updated by the DTP concerned so that the approvals of Part Plans obtained from time to time are incorporated in the main demarcation plan. Also a unique property number may be assigned to each and every site provided in the demarcation plan (including) parks, un-determined use pockets, reserved for HUDA land or to be planned later on pockets, community facilities like schools, community centre, dispensary etc. nursing homes, clinics, religious buildings, social and charitable sites, tube wells etc. A list of category code/sub-category code for different categories of properties has been supplied by IT Cell of HUDA and copy of the same is enclosed herewith. You are requested to assign unique property numbers to various kinds of properties as per the category code and sub-category code mentioned in the list.

CA HUDA observed that possession of a number of plots in various urban estates is held up due to passing of HT lines over those plots. Therefore, in order to ensure that no plots get carved out under the influence zone of HT lines, in future a copy of the plane table survey clearly showing the HT lines/pylons should accompany the layout/ part layout plan sent to CTP HUDA for approval. Also whenever any proposal for approval of layout/ demarcation/ zoning/ carving out of site etc is sent by zonal Administrators to CTP, HUDA, four prints of the same must be sent invariably.

It was also decided that in future layout plans/demarcation plans/zoning plans of all the sectors shall be prepared separately instead of clubbing two or three sectors in one layout plan/demarcation plans/zoning plans.

You are requested to follow the above instructions meticulously.

-sd/-

District Town Planner

For Chief Administrator, HUDA, Panchkula

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal -ment
COMME	BOAGE	Booking Agencies	FREEH	AUCTI	8	HAYEA
COMME	BBSHO	Body Building Shoip	FREEH	AUCTI	8	HAYEA
COMME	BMSHO	Building Material Shop	FREEH	AUCTI	8	HAYEA
COMME	BOOT1	Booths (Auction)	FREEH	AUCTI	10	HAYEA
COMME	BOOT4	Booths (Direct)	FREEH	DIREC	10	HAYEA
COMME	BOOT2	Booths (Lease - Yearly)	LEPRE	AUCTI	10	HAYEA
COMME	BOOT3	Booths (Lease - Monthly)	LEMON	DIREC	60	MONTH
COMME	CINEM	Cinema	FREEH	AUCTI	8	HAYEA
COMME	CLIN1	Clinic (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	CODEP	Coal Depot	FREEH	AUCTI	8	HAYEA
COMME	DHABA	Dhaba	FREEH	AUCTI	10	HAYEA
COMME	DILAB	Diagnostic Lab	FREEH	AUCTI	8	HAYEA
COMME	DSSHO	Double Storey Shops	FREEH	AUCTI	8	HAYEA
COMME	MIBOO	Milk Booth	LEMON	DIREC	60	MONTH
COMME	GOCLU	Golf Club	LEPRE	HANDO	0	YEARL
COMME	GODOW	Godown	FREEH	AUCTI	8	HAYEA
COMME	HBSIT	Hotel Bay Sites	FREEH	AUCTI	8	HAYEA
COMME	HOTEL	Hotels	FREEH	AUCTI	8	HAYEA
COMME	IRSHO	Iron Steel Shop	FREEH	AUCTI	8	HAYEA
COMME	KIOS1	Kiosks (Auction)	FREEH	AUCTI	10	HAYEA
COMME	LPGOD	LPG Godowns	FREEH	AUCTI	8	HAYEA
COMME	MASHO	Marbal Shop	FREEH	AUCTI	8	HAYEA
COMME	MULTI	Multiplex	FREEH	AUCTI	8	HAYEA
COMME	NUHO1	Nursing Home (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	NUHO2	Nursing Home (8 Inst.)	FREEH	AUCTI	6	YEARL
COMME	OFAGE	Office of Agencies	FREEH	AUCTI	8	HAYEA
COMME	OFBOO	Office of Booking	FREEH	AUCTI	8	HAYEA
COMME	RESHO	Repair Shop	FREEH	AUCTI	8	HAYEA
COMME	REST1	Restaurant (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	REST2	Restaurant (10 Inst.)	FREEH	AUCTI	10	HAYEA
COMME	SCFLA	Shop Cum Flats	FREEH	AUCTI	8	HAYEA
COMME	SCOCF	Shop Cum Office Cum Flats (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	SCOC2	Shop Cum Office Cum Flats (10 Inst.)	FREEH	AUCTI	10	HAYEA
COMME	SCOF1	Shop Cum Office (Auction) (8 Inst.)	FREEH	AUCTI	8	HAYEA

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal- ment
COMME	SCOF5	Shop Cum Office (Auction) (10 Inst.)	FREEH	AUCTI	10	HAYEA
COMME	SCOF2	Shop Cum Office (Lease	LEMON	LEASE	36	MONTH

COMME	SCOSM	Shop Cum Office Special Market	FREEH	AUCTI	8	HAYEA
COMME	SEBOO	Service Booths	FREEH	AUCTI	10	HAYEA
COMME	SESH1	Service Shop (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	SESH2	Service Shop (10 Inst.)	FREEH	AUCTI	10	HAYEA
COMME	SHMAL	Shopping Malls (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	SHMA1	Shopping Malls (10 Inst.)	FREEH	AUCTI	10	HAYEA
COMME	SHOPS	Shops	FREEH	AUCTI	8	HAYEA
COMME	SHOWR	Showrooms	FREEH	AUCTI	8	HAYEA
COMME	SISHO	Service Industry Shop	FREEH	AUCTI	10	HAYEA
COMME	SMBOO	Small Booths	FREEH	AUCTI	10	HAYEA
COMME	SPSHO	Spare Part Shop	FREEH	AUCTI	8	HAYEA
COMME	SRS1	Spare/Repair Part Shop (2 stories)	FREEH	AUCTI	8	HAYEA
COMME	SRS2	Spare/Repair Part Shop (2.5 stories)	FREEH	AUCTI	8	HAYEA
COMME	WSBBS	Work Shop Cum Body Building Shop	FREEH	AUCTI	8	HAYEA
COMME	COLL1	College (Auction (6 Inst.)	FREEH	AUCTI	6	HAYEA
COMME	HSSC3	High Sec. School (Auction) (6 Inst.)	FREEH	AUCTI	6	HAYEA
COMME	HSSC4	High Sec. School (Auction) (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	NUSC3	Nursery School (Auction) (6 Inst.)	FREEH	AUCTI	6	HAYEA
COMME	NUSC4	Nursery School (Auction) (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	PRSC3	Primary School (Auction) (6 Inst.)	FREEH	AUCTI	6	HAYEA
COMME	PRSC4	Primary School (Auction) (8 Inst.)	FREEH	AUCTI	8	HAYEA
COMME	BOOT5	Booths (With Basement)	FREEH	AUCTI	10	HAYEA
COMME	SCOF3	Shop Cum Office (With Basement)	FREEH	AUCTI	8	HAYEA
COMME	SCOC1	Shop Cum Office Cum Flats (With Basement)	FREEH	AUCTI	8	HAYEA
GHSOC	0.50A	0.5 Acre	FREEH	DRAW	5	YEARL

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal- ment
GHSOC	1.00A	1.0 Acre	FREEH	DRAW	5	YEARL
GHSOC	1.50A	1.50 Acre	FREEH	DRAW	5	YEARL
GHSOC	0.50E	0.5 Acre	FREEH	DRAW	10	YEARL
GHSOC	1.00E	1.00 Acre	FREEH	DRAW	10	YEARL
GHSOC	1.50E	1.50 Acre	FREEH	DRAW	10	YEARL
INDUS	INDU1	Industrial Plots (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	INDU2	Industrial Plots (5 Inst.)	FREEH	ALCOM	5	HAYEA
INDUS	INTEC	Information Technology	FREEH	ALCOM	5	HAYEA
INSTI	MPBOO	Multi Purpose Booth	FREEH	HANDO	0	HAYEA

INSTI	AUDIT	Auditorium	FREEH	HANDO	0	YEARL
INSTI	BABAY	Bank Bays	FREEH	DIREC	4	YEARL
INSTI	BOAR1	Board (4 Inst.)	FREEH	DIREC	4	YEARL
INSTI	BOAR2	Board	FREEH	DIREC	0	YEARL
INSTI	BOAR3	Board (Lease - 99 Years)	FREEH	DIREC	99	YEARL
INSTI	CHTRU	Charitable trust	LEYEA	ALCOM	8	HAYEA
INSTI	COCEN	Community Centre	LEPRE	HUDA	0	YEARL
INSTI	COLL2	College (Govt.)	FREEH	DIREC	99	YEARL
INSTI	COOF1	Corporate Office	LEYEA	DIREC	0	YEARL
INSTI	COOF2	Corporate Office (100% payment with App.)	FREEH	DIREC	0	YEARL
INSTI	CORP1	Corporation (4 Inst.)	FREEH	DIREC	4	YEARL
INSTI	CORP2	Corporation	FREEH	DIREC	0	YEARL
INSTI	CORP3	Corporation (Lease - 99 Years)	FREEH	DIREC	99	YEARL
INSTI	CRECH	Crech	FREEH	HANDO	99	YEARL
INSTI	CHAR1	Charitable (8 Inst.)	LEYEA	ALCOM	8	HAYEA
INSTI	SOSO1	Social Societies (8 Inst.)	LEYEA	ALCOM	8	HAYEA
INSTI	DISPE	Dispensary	LEPRE	HANDO	0	YEARL
INSTI	GOOF1	Govt. Office	LEPRE	DIREC	4	YEARL
INSTI	GOOF2	Govt. Office (Judicial Com- plex)	FREEH	DIREC	2	YEARL
INSTI	GOOF3	Govt. Office	FREEH	DIREC	0	YEARL
INSTI	GOOF4	Govt. Office (99 year lease)	FREEH	DIREC	99	YEARL
INSTI	HECEN	Health Centre	FREEH	HANDO	0	YEARL
RESID	HOB OA	Housing Board	LEYEA	DIREC	0	YEARL
INSTI	HOSPI	Hospital (Govt.)	FREEH	HANDO	0	YEARL
INSTI	HSSC2	Higher Sec. School (Lease) (8 Inst.)	FREEH	DIREC	8	HAYEA
INSTI	HSSC5	Higher Sec. School (Govt.)	FREEH	HANDO	0	YEARL
INSTI	FISTA	Fire Station	LEPRE	HANDO	0	YEARL

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal- ment
INSTI	NUSC2	Nursery School (Lease) (8 Inst.)	FREEH	DIREC	8	HAYEA
INSTI	OAHOM	Old age home	FREEH	DIREC	8	HAYEA
INSTI	OAHOR	Old age home (Red Cross)	LEPRE	HANDO	99	YEARL
INSTI	OBSIO	Office Bay Sites (100% pay- ment with App.)	FREEH	DIREC	0	YEARL
COMME	PEPUM	Petrol Pumps	LEYEA	DIREC	180	MONTH
INSTI	POOFF	Post Office	FREEH	DIREC	0	YEARL
INSTI	POPOS	Police Post	LEMON	HANDO	0	YEARL
INSTI	PRSC2	Primary School (Lease) (8 Inst.)	FREEH	DIREC	8	HAYEA
INSTI	PRSC5	Primary School (Govt.)	FREEH	HANDO	0	YEARL
INSTI	SSHOS	Super Speciality Hospital	LEPRE	DIREC	4	YEARL
INSTI	TELEXC	Telephone Exchange	FREEH	DIREC	0	YEARL
INSTI	RELE1	Relegious (8 Inst.)	FREEH	ALCOM	8	HAYEA
RESID	HSQCO	HUDA Staff Quarter / Colonies	FREEH	DIREC	0	YEARL
INSTI	CAPON	Cattle Pond	LEPRE	DIREC	99	YEARL

PUUTI	BUSTA	Bus stand	LEMON	DIREC	0	YEARL
PUUTI	CLUB	Club	LEYEA	HANDO	0	YEARL
PUUTI	CRGRO	Crimation Ground	FREEH	HANDO	0	YEARL
PUUTI	ESSTA	Electrical Sub Station	FREEH	HANDO	0	YEARL
PUUTI	ETPLA	Effluent Treatment Plant	FREEH	ALCOM	0	YEARL
PUUTI	GRYAR	Grave Yard	FREEH	HANDO	0	YEARL
PUUTI	IESST	Indoor Electric Sub Station	FREEH	HANDO	0	YEARL
PUUTI	JAGHA	Janj Ghar	FREEH	HUDA	0	YEARL
INSTI	OBSIT	Office Bay Sites (New)	FREEH	HANDO	4	YEARL
RECRE	SPSTA	Sports Stadium	FREEH	HANDO	99	YEARL
PUUTI	STPLA	Sewerage Treatment Plant	FREEH	HUDA	0	YEARL
PUUTI	SWSTA	Switching Station	LEYEA	DIREC	0	YEARL
PUUTI	TRPAR	Traffic Park	FREEH	HANDO	0	YEARL
PUUTI	WAWOR	Water Works	FREEH	HUDA	0	YEARL
RECRE	BQSHE	Bus Que Shelter	FREEH	HUDA	0	YEARL
RECRE	OATHE	Open Air Theater	FREEH	HUDA	0	YEARL
RECRE	PARKS	Parks	FREEH	HUDA	0	YEARL
INSTI	POSTA	Police Station	FREEH	HANDO	0	YEARL
INSTI	PULIB	Public Library	FREEH	HANDO	0	YEARL
RECRE	SWPOO	Swimming Pool	FREEH	HUDA	0	YEARL
RECRE	TOPAR	Town Park	FREEH	HUDA	0	YEARL
INSTI	VEHOS	Veterinary Hospital	LEYEA	DIREC	4	YEARL
INSTI	WOSHO	Work Shop	FREEH	HUDA	0	YEARL

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal- ment
RESID	1.00K	1 Kanal	FREEH	DRAW	6	YEARL
RESID	1.0ME	1 Marla EWS	FREEH	DRAW	100	MONTH
RESID	1.50K	1.5 Kanal	FREEH	DRAW	6	YEARL
RESID	1.5ME	1.5 Marla EWS	FREEH	DRAW	100	MONTH
RESID	10.0M	10 Marla	FREEH	DRAW	6	YEARL
RESID	14.0M	14 Marla	FREEH	DRAW	6	YEARL
RESID	2.00K	2 Kanal	FREEH	DRAW	6	YEARL
RESID	2.0ME	2 Marla EWS	FREEH	DRAW	100	MONTH
RESID	3.0ME	3 Marla EWS	FREEH	DRAW	100	MONTH
RESID	4.00M	4 Marla	FREEH	DRAW	6	YEARL
RESID	4.0ME	4 Marla EWS	FREEH	DRAW	100	MONTH
RESID	5.00M	5 Marla	FREEH	DRAW	6	YEARL
RESID	6.00M	6 Marla	FREEH	DRAW	6	YEARL
RESID	8.00M	8 Marla	FREEH	DRAW	6	YEARL
ROADS	ROADS	Roads	FREEH	HUDA	0	YEARL
GHSOC	2.00A	2.00 Acre	FREEH	DRAW	5	YEARL
GHSOC	2.00E	2.00 Acre	FREEH	DRAW	10	YEARL
COMME	SCOF4	Shop Cum Office (Lease)	LEMON	LEASE	60	MONTH
INDUS	INDU3	Industrial Plots (4 Inst.)	FREEH	ALCOM	4	HAYEA
GHSOC	10.5A	10.50 Acre	FREEH	DRAW	5	YEARL

GHSOC	10.5E	10.50 Acre	FREEH	DRAW	10	YEARL
INSTI	RELE2	Religious (6 Inst.)	LEPRE	ALCOM	6	YEARL
INSTI	CHAR2	Charitable (6 Inst.)	LEPRE	ALCOM	6	YEARL
INSTI	SOSO2	Social Societies (6 Inst.)	LEPRE	ALCOM	6	YEARL
INDUS	0.121	1/8 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	0.127	1/8 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	0.128	1/8 Acre (3 Instl.)	FREEH	ALCOM	3	QUART
INDUS	0.251	1/4 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	0.257	1/4 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	0.258	1/4 Acre (3 Instl.)	FREEH	ALCOM	3	QUART
INDUS	0.501	1/2 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	0.507	1/2 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	0.508	1/2 Acre (3 Instl.)	FREEH	ALCOM	3	QUART
INDUS	1.001	1 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	1.007	1 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	1.008	1 Acre (3 Inst.)	FREEH	ALCOM	3	QUART
INDUS	2.001	2 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	2.007	2 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	2.008	2 Acre (3 Inst.)	FREEH	ALCOM	3	QUART

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal- ment
INDUS	2.501	2.5 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	2.507	2.5 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	2.508	2.5 Acre (3 Inst.)	FREEH	ALCOM	3	QUART
INDUS	5.001	5 Acre (10 Inst.)	FREEH	ALCOM	10	YEARL
INDUS	5.007	5 Acre (Lumpsum)	FREEH	ALCOM	1	QUART
INDUS	5.008	5 Acre (3 Inst.)	FREEH	ALCOM	3	QUART
INDUS	0.122	1/8 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	0.252	1/4 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	0.502	1/2 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	1.002	1 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	2.002	2 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	2.502	2.5 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	5.002	5 Acre (5 Instl.)	FREEH	ALCOM	5	HAYEA
INDUS	0.123	1/8 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
INDUS	0.253	1/4 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
INDUS	0.503	1/2 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
INDUS	1.003	1 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
INDUS	2.003	2 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
INDUS	2.503	2.5 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
INDUS	5.003	5 Acre (4 Instl.)	FREEH	ALCOM	4	HAYEA
RESID	1.00A	1 Kanal (Auction)	FREEH	AUCTI	6	HAYEA
RESID	1.50A	1.5 Kanal (Auction)	FREEH	AUCTI	6	HAYEA
RESID	10.0A	10 Marla (Auction)	FREEH	AUCTI	6	HAYEA
RESID	14.0A	14 Marla (Auction)	FREEH	AUCTI	6	HAYEA
RESID	2.00A	2 Kanal (Auction)	FREEH	AUCTI	6	HAYEA
RESID	4.00A	4 Marla (Auction)	FREEH	AUCTI	6	HAYEA
RESID	5.00A	5 Marla (Auction)	FREEH	AUCTI	6	HAYEA
RESID	6.00A	6 Marla (Auction)	FREEH	AUCTI	6	HAYEA
RESID	8.00A	8 Marla (Auction)	FREEH	AUCTI	6	HAYEA
COMME	KIOS2	Kiosks (Diect)	FREEH	DIREC	10	HAYEA
COMME	COSHO	Convenient Shop	FREEH	AUCTI	8	HAYEA
COMME	BOOT6	Booths (6 Inst.)	FREEH	AUCTI	6	HAYEA
COMME	CLIN2	Clinic (6 Inst.)	FREEH	AUCTI	6	YEARL
GHSOC	13.0A	13.00 Acre	FREEH	DRAW	5	YEARL
GHSOC	13.0E	13.00 Acre	FREEH	DRAW	10	YEARL
PUUTI	PUSER	Public Utility Service	FREEH	HUDA	0	YEARL
ROADS	HROAD	Horizontal Roads	FREEH	HUDA	0	YEARL
ROADS	VROAD	Vertical Roads	FREEH	HUDA	0	YEARL
PUUTI	GSSTA	Grid Sub Stations	FREEH	HANDO	0	YEARL

Cat- egory Code	Sub Cat- egory Code	Sub Category Description	Type of Property	Mode of Allot ment	Num- ber Of Instal ment	Type of In- stal- ment
INDUS	0.126	1/8 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
INDUS	0.256	1/4 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
INDUS	0.506	1/2 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
INDUS	1.006	1 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
INDUS	2.006	2 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
INDUS	2.506	2.5 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
INDUS	5.006	5 Acre (6 Inst.)	FREEH	ALCOM	6	HAYEA
COMME	REHRI	Rehri (Market)	LEMON	DIREC	12	MONTH

HARYANA URBAN DEVELOPMENT AUTHORITY

Subject: Powers and functions of Competent Authority under section 24 B of the Haryana Apartment Ownership Act, 1983 – Order.

ORDER

In exercise of the powers conferred by Section 24 B of the Haryana Apartment Ownership Act 1983 (Haryana Act. no.10 of 1983) I, T.C. Gupta, Chief Administrator, Haryana Urban Development Authority hereby authorize all the Estate Officers of Haryana Urban Development Authority in the State of Haryana to exercise and perform all the powers and function of competent authority exercisable under section 24 B of the said Act.

Dated: 15th April, 2007

-Sd/-
T.C.Gupta,
Chief Administrator,
Haryana Urban Development Authority
Panchkula.

Endst. No.CTP-HUDA/DTP-M/2616-2638

Dated: 16/4/07

A copy is forwarded to the following for information and necessary action:-

1. Administrator, HUDA, Hqs/Gurgaon/Panchkula/Faridabad/Rohtak/Hisar.
2. Estate Officer, HUDA, _____.

-Sd/-
Chief Town Planner,
For Chief Administrator, HUDA,
Panchkula.

From:

The Chief Administrator,
HUDA Panchkula

To

1. All the Administrators
2. All the Senior Town Planners
3. All the District Town Planners.

Memo No. 8733-64

Dated: 18.10.2001

Subject: Finalization of **zoning plan** of **multiplex cinema complexes** framing of policy.

The matter regarding finalization of zoning plan of multiple cinema complexes has been examined and following policy decisions have been taken.

1. The proposed FAR in multiplexes may be restricted to 1.50 in cases where the sites are part of City Centre. However in case of independent sites where individual plots have been earmarked for Cinema or the multiplexes, FAR of 1.25 may be allowed.
2. Multiplexes may be allowed only in City Centers and District Shopping Centres. The allottees will have to construct minimum two separate Theatres within the same Cinema complex. Minimum total number of seats of all the Theatres would be 450.
3. The percentage of commercial component in a Cinema may be allowed to the tune of 50% of FAR. The commercial component of the Cinema hall can be used for convention center, exhibition hall, Cultural centers, Departmental store, Shopping center, Restaurant and similar other uses for entertainment.
4. In case of existing cinema buildings and cinema sites which have already been auctioned but buildings have not yet been constructed, the FAR already approved be retained.
5. In case, owner of existing cinema building, want to convert their buildings into multiplexes and use some portion of their site for commercial use (within the prescribed FAR), HUDA would levy charges as per policy already approved by the cabinet/authority.

The zoning plan forwarded vide letter under reference may be amended as per the above decisions and forward the same for approval of Chief Administrator, HUDA.

-sd/-

District Town Planner,
For Chief Administrator, HUDA,
Panchkula

From

The Chief Administrator,
Haryana Urban Development
Authority, Panchkula

To

The Senior Town
Planner, Panchkula

Memo No. -DTP(N) 3872

Dated: 31/7/2000

Subject: Relaxation in the **zoning regulation** in HUDA with respect to allowing the **machine room** for the **lifts** over and above the permissible **height of the building**.

Reference: Your office memo No. 2297 dated 8.6.2000 and in continuation to this office memo No. 5822, dated 26.6.1998

The matter cited as subject has again been examined. It is intimated that the relaxation pertaining to machine room of lift conveyed vide letter under reference shall be applicable on all building above the height of 15 mts where lift is compulsory irrespective of its use i.e. Institutional/group housing/commercial etc.

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula
Dated: 31-7-2000

Endst. No.3873-3898

A copy is forwarded to the following in continuation to letter mentioned under reference for information and necessary action please.

1. The Administrator, HUDA, Panchkula, Gurgaon, Faridabad, Hissar.
2. Senior Town Planner, Gurgaon, Hissar
3. District Town Planner, Gurgaon, Faridabad, Panchkula, Karnal, Ambala, Rohtak, Panipat, Bhiwani, Sonapat, Rewari, Kaithal, Kurukshetra, Hissar, Jind, Bahadurgarh, Sirsa, Jagadhari, Fatehabad, Jhajjar.

-sd/-

District Town Planner,
For Chief Administrator, HUDA, Panchkula

Endst. No. LO-79/13353-13423

Dated: 10.9.1979

**HARYANA URBAN DEVELOPMENT
AUTHORITY KOTHI NO. 231, SECTOR 18-
A, CHANDIGARH ORDER**

Subject: Instruction regarding **committees** for preparation of **zoning plans**.

In exercise of the powers conferred by regulation 3(a) of the Haryana Urban Development Authority

(Erection of Building) Regulations, 1979, the Haryana Urban Development Authority is pleased to constitute the following committees for preparation of zoning plans and passing of building plans in respect of various Urban Estates in the Authority and entrust such committees with the constitution of these committees will be deemed to have come into force w.e.f. 1.7.1979.

A) Committees for preparation of zoning plans

1. Administrator concerned of HUDA
2. Senior Town Planner concerned of the T&CP Deptt. Haryana.
3. Superintending Engineer concerned of HUDA.

The zoning plans as prepared by the Committee constituted for the purpose shall be submitted to the CA, HUDA for approval.

B) Committees for passing of building plans

The constitution of Committees for passing the building plans,
Urban Estate-wise, is as under:-

PANCHKULA

1. Estate Officer, Panchkula
2. D.T.P. Panchkula
3. XEN Public Health, HUDA, Panchkula
4. S.D.O. Survey (To act as presenting Officer)

AMBALA

1. Estate Officer, Karnal
2. D.T.P. Panchkula
3. XEN Public Health, HUDA, Karnal
4. A.T.P. Ambala (To act as presenting Officer)

KARNAL

1. Estate Officer, Karnal
2. D.T.P. Karnal
3. XEN Public Health, HUDA, Karnal
4. Building Inspector of D.T.P To act as Presenting Officer

KURUKUSHETRA

1. Estate Officer, Karnal
2. D.T.P. Kurukshetra
3. S.D.O. Public Health, HUDA, Kurukshetra
4. A.T.P. Kurukshetra (to act as Presenting Officer)

HISSAR

1. Estate Officer, Hisar
2. D.T.P. Hisar
3. S.D.O. Public Health, HUDA, Hissar
4. A.T.P. (to act as Presenting Officer)

JIND

1. Estate Officer, Hissar
2. XEN, Public Health, HUDA, Hissar
3. D.T.P. Jind.
4. A.T.P. JIND (to act as Presenting Officer)

BHIWANI

1. Estate Officer, Bhiwani
2. D.T.P. Bhiwani
3. S.D.O. Public Health, HUDA, Hisar
4. A.T.P. Bhiwani (To Act as Presenting Officer)

ROHTAK

1. Estate Officer, Rohtak
2. XEN Public Health, HUDA, Rohtak
3. D.T.P. Rohtak
4. A.T.P. Rohtak (to act as presenting Officer)

BAHADURGARH

1. Estate Officer, Bahadurgarh
2. D.T.P. Rohtak
3. S.D.O. Public Health, HUDA, Bahadurgarh.
4. A.T.P. Rohtak (to act as Presenting Officer)

SONEPAT

1. Estate Officer, Rohtak
2. XEN Public Health, HUDA, Sonapat
3. A.T.P. Sonapat (To act as Presenting Officer)

GURGAON & DHARUHERA

1. Estate Officer, Gurgaon
2. D.T.P. Gurgaon
3. XEN Public Health, HUDA, Sonapat.
4. Senior Draftsman, DTP Office (to act as Presenting Officer)

FARIDABAD

1. Administrator, Faridabad Chairman
2. Estate Officer, Faridabad
3. XEN Public Health, HUDA, Faridabad
4. S.D.O. Survey (to act as Presenting Officer)

In order to pass the plans expeditiously the following guidelines are issued for being strictly followed by

the building Plans Committees:-

“The Plot-holders will submit four copies of the building plans (to be mounted on cloth) before the presenting Officer, who will send one copy each to the Town Planner and XEN/SDO, Public Health as per provisions in the Erection of Building regulations for scrutiny from technical point of view. One copy will be kept by the Presenting Officer, who will scrutinize it thoroughly with reference to the record concerning allotment of plot and one copy will be restrained in the record with D.T.P. The committee will meet every week. The presenting Officer shall maintain a register in which the details of the plan received shall be entered. A suitable proforma shall be evolved, which should contain the columns to indicate the dates on which the plan was submitted, placed before the committee, returned to the plot-holders/Architect, duly sanctioned or with objection(s) re-submitted after correction(s) and finally sanctioned etc, of the plans after scrutiny shall be immediately sent by the Presenting Officer or the concerned officer of Committee and such plan under all circumstances shall be put before the Committee within a period of 15 days and finally ordered upon by the Committee. The concerned architect should be invited in the meeting so that the discrepancies, if any, are removed by him there and then and the plans, thus corrected are passed in the meeting. In case however, he wants to have some time for meeting with the objections, the plans should be returned to him after making an entry in the proforma and it should be placed before the committee within one week of the date of resubmission. The committee will sign the register maintained for the purpose and proper proceedings shall also be drawn and minutes recorded in the proceeding register to be signed by all concerned. The proceedings register shall also be counter-signed by the Administrator concerned fortnightly or whenever he visits the estates under his charge. This register could also be checked up at random by the Chief Administrator.

In case any building plan is not decided within the stipulated period of 15 days, suitable disciplinary action should be initiated against the diligent official.

The Chief Administrator is also authority to make any changes in the constitution of the committees or lay down such other guidelines as may be considered necessary from time to time without of course, changing the basic concept, as approved.

Dated: Chandigarh the 10th Sept, 1979

-sd/-
(M.S. Rathee)
Chief Administrator,
Haryana Urban
Development Authority,
Chandigarh

Endst. No. LO-79/13353-13423

Dated: 10.9.1979

A copy is forwarded to:-

1. Chief Engineer, HUDA,
2. Administrator, Panchkula, Faridabad.

The logo for Urban Wing is a horizontal rectangle divided into three equal-width bands. The top and bottom bands are a light gray color, while the middle band is a dark charcoal gray. The words "URBAN WING" are centered within the dark middle band in a white, all-caps, serif typeface.

URBAN WING

1. OUSTEES / R & R POLICIES

To

1. All the Administrator(s),
HSVP in the state.
2. All the Estate Officer(s),
HSVP in the state.

Memo No. A-1-UB-2018/92633-34

Dated:08.05.2018

Subject:-Settlement of oustees claims-terms and conditions thereof –~~withdrawal of one time scheme and clarification of policy dated 11.08.2016.~~

In partial modification of this office memo no. UB-A-5-2016/46608-10 dated 11.08.2016 on the subject cited above.

Haryana Shehri Vikas Pradhikaran issued detailed guidelines dated 11.08.2016 providing terms and conditions for settlement of oustees claims with a view to implement the judgment dated 25.04.2012 passed in LPA No. 2096 of 2011 titled as HUDA V/s Sandeep and others which has been upheld by the Hon'ble Supreme Court in SLP No. 27256 of 2012 filed by HUDA which was dismissed vide order dated 06.03.2014 and further the order dated 26.04.2012 passed by the Hon'ble High Court in CWP No. 10941 of 2010 titled as Bhagwan Singh & Others vs State of Haryana & Others which has been upheld by the Hon'ble Supreme Court when SLP No. 13375-388 of 2013 filed by HUDA was dismissed vide order dated 24.11.2015 by the Hon'ble Supreme Court.

Thereafter, number of litigations qua oustees claims have arisen and Hon'ble Division Bench referred the oustees matter to the Full Bench after framing questions of law. The Hon'ble Full Bench has delivered a judgment dated 22.11.2017 in CWP No. 22252 of 2016 titled as Rajiv Manchanda vs State of Haryana & Others.

The matter has been examined and it has been decided to amend clause no. 2, 3, 11 and 15 of the guidelines dated 11.08.2016 and to add clause no. 19 as under:

A. For clause 2 of the guidelines, following clause may be substituted:

2. An oustee shall be entitled to seek allotment of plot in the same sector for which land has been acquired for residential/ commercial purpose and in case the plots are not available in the same sector for which land has been acquired for residential/ commercial purpose, then such an oustee may also be considered for allotment in an adjoining sector except where the land was acquired prior to 10.09.1987. Where the land has only been acquired for any non-residential purpose such as industrial, institutional, group housing sites and completely commercial sector etc., then such an oustee shall be entitled to seek allotment of plot in an adjoining sector. Adjoining sector for this purpose shall mean any sector where boundary abuts that of the said sector. However, if no plot is available for one or more oustees in any of the adjoining sectors, then a sector adjoining to any of the original adjoining sectors, may be considered for purpose of allotment of plots. An oustee shall be free to apply for allotment of an oustee quota plot in one, more or all the adjoining sectors. It is clarified that once any of these applications is successful, all remaining applications shall be automatically assumed to have been cancelled.

B For clause 3 of the guidelines, following clause may be substituted:

3. The application of an oustee shall be considered against the plots determined under oustees quota as per the instruction issued vide memo no. UB-A-6-2016/2213 dated 04.12.2015. The percentage of plots shall be determined on the basis of plots in a sector and it shall be ensured that number of plots allotted under all the reserved categories shall not exceed maximum limit of 50 % of the plots in a sector. The change in number of plots in a sector subsequently should be taken into account for determining the reservation of oustees quota plots.

C. For clause 11 of the guidelines, following clause may be substituted:

11. An oustee whose land and/ or constructed house/ factory etc. was notified under section 4 of the Land Acquisition Act, 1894 and was released subsequently (in its entirety or a part thereof) will not be eligible for

availing benefit of oustees quota plot irrespective of the fact that 75 % of his total land has been acquired as per clause no. 7 of the guidelines dated 11.08.2016. It is clarified that release for this purpose shall mean the case where the notification under Section 4 of the Land Acquisition Act, 1894 has been issued in respect of the said land.

D. In clause 15 of the guidelines, following clause may be added:

15. (a). Where an application is made by an oustee in an advertisement issued afresh, the price of plot that may be charged from him if he is successful in draw of lots out of plots reserved for oustees shall be the rate as advertised in new advertisement.

In cases where the allotment of plot could not be effected despite determination of his eligibility, the prevalent price at the time of application by the oustee in pursuance to an advertisement may be charged alongwith simple interest @ 11 % per annum till date.

It is clarified that eligibility for the purpose as aforesaid shall be treated as determined only when such an oustee completed and satisfied all the formalities/ conditions as per the applicable policy.

E. Clause no. 19 may be added as under:

“The plot allotted shall not be allowed to be sold/ transferred for a period of 5 years from the date of issue of allotment letter.”

The one time settlement scheme issued vide memo no. A-4-UB-2017/ 160690 dated 29.08.2017 is hereby withdrawn with immediate effect.

This issues with the prior approval of Hon’ble CM-cum-Chairman, HSVP and ex-post facto approval will be obtained from the “Authority” in its next meeting.

You are therefore requested to take further action accordingly & the same may be complied in letter & spirit. These instructions may be brought to the notice of all concerned.

-sd/-

(R.S.Verma)

Administrator (HQ),

For Chief Administrator HSVP

Endst. No. UB-A-1-2018/92634

Dated: - 08-05-2018

A copy is forwarded to the following for information and strict compliance:

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner, HSVP, Panchkula.
3. The Chief Engineer, HSVP, Panchkula.
4. The Senior Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager (IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. The Enforcement Officer, HSVP, Panchkula.
9. The Dy. ESA, HSVP, Panchkula.
10. The Supdts./Dy. Supdts./Assistants/ clerks of Urban Branch, HQ, HSVP, Panchkula.

-sd/-

(R.S.Verma)

Administrator (HQ),

For Chief Administrator HSVP

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2017/160690

Dated: 29.08.2017

Subject:- One time scheme for settlement of HUDA oustees Claims.

Please refer on the subject cited above.

1. As a welfare State, Haryana Urban Development Authority recognizes that Acquisition of Land under the statute and the alienation of the land owners from their source of livelihood could be a painful process, notwithstanding the payment of compensation for the same as per law. There are large numbers of litigations filed by the land owners claiming the residential plots under the oustees Category and the same are pending in the Hon'ble Supreme Court of India, Hon'ble High Court, Civil Courts, and Tribunals/Consumer Forums. The instructions dated 11.08.2016 and 04.12.2015 has been issued with a view to implement the judgment dated 25.04.2012 passed in LPA No.2096 of 2011 titled as HUDA Vs. Sandeep and others which has been upheld by the Hon'ble Supreme Court in SLP no.27256 of 2012 filed by HUDA which was dismissed vide order dated 06.03.2014 and further the order dated 26.04.2012 Passed by the Hon'ble High Court in CWP No.10941 of 2010 titled as Bhagwan Singh & Others Vs.State of Haryana and others which has been upheld by the Hon'ble Supreme Court when SLP No.13375-388 of 2013 filed by HUDA was dismissed vide order dated 24.11.2015 by the Hon'ble Supreme Court. A large number of Petitions have been filed in the Hon'ble High Court praying for allotment of plot as oustees. These petitions with main writ petition No 22018 of 2015 titled as Shrikant Singh Vs.State of Haryana & Ors. were heard on 25.05.2017 by the Hon'ble High Court and an interim order was passed to examine all the cases to enable the competent authority to revisit the whole issue by constituting a committee. Therefore, in order to minimize the litigation and to minimize the pain of the affected person, the Haryana Urban Development Authority has now framed a "Onetime settlement Scheme" to decide all claims pending in different courts and Forum.

In pursuance to the above judgments and orders and with a view to dispose off large number of litigations by the oustees it has been decided to settle the claims of oustees as one time measure on terms and conditions stipulated hereinafter below:-

- a) That 50% of the total plots available as on date of advertisement will be offered for allotment to the oustees. As a one time scheme, the reservation quota fixed by HUDA as per instructions dated 04.12.2015 i.e 8% and 10% the same has now been increased to 50% for one time settlement to claims of all the oustees.
- b) That these 50% plot will include all un allotted plots available in the sectors floated/developed in last 5 years from the date of advertisement to be issued for oustees alone.
- c) Such allotment shall be made through draw of lots.
- d) Each oustee shall have to apply afresh under this one time scheme as per the advertisement .
- e) The application under the new advertisement shall not be sector specific and allotment would be made in any of the sectors advertised by draw of lots within the same urban estate.
- f) The allotment of plots to oustees shall be made at current reserve price of the concerned sector where the oustees is declared successful in draw of lots. In order to clarify, the current reserve price means the price fixed at the time of advertisement by the HUDA
- g) The oustees including the litigants whose instigation is pending before any court of law/forum including any appeal pending before the authorities of HUDA under Act, 1977 shall be eligible for consideration for allotments under oustees category if he has not availed the benefit of allotment of plot of any Urban Estate from HUDA and his land has been acquired for the same Urban Estate irrespective of the sector, provided he satisfies the other eligibility conditions of the policy guidelines and apply along with application fee in pursuance to advertisement to be issued for oustees.
- h) The oustees who fail to apply under this one time scheme, shall forfeit their right under oustees claim for

allotment of plot in future.

- i) The plots allotted shall not be allowed to be sold/transferred for a period of 5 years from the date of issue of allotment letter.

Other terms and conditions stipulated in the terms and conditions for settlement of oustees claims issued on 11.08.2016 shall apply mutatis mutandis to the present scheme also in so far as same are not inconsistent to terms and conditions of this scheme.

This issues with the approval of the Hon'ble Chairman, HUDA and ex-post facto approval of the "Authority" will be obtained.

-sd/-
Administrator (HQ's)
for Chief Administrator, HUDA

Endst. No. UB-A-6-2017/

Dated:- 29.08.2017

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Senior Architect, hudu Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
7. The District Attorney, HUDA (HQ), Panchkula.
8. The Enforcement officer ,huda, panchkula
9. The Dy. ESA, HUDA (HQ), Panchkula.
10. Supdts./DY. Supdts./Assistants/Clerks of Urban Branch, HQ, hudu , Pnanchkula .

-sd/-
Administrator (HQ's)
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), HUDA.
2. All the Estate Officer(s), HUDA.

Memo No.UB-A-5-2016/46608-09

Dated: 11.08.2016

Subject: Settlement of oustees claims-terms and conditions thereof

With the prior approval of the 'Authority' accorded in its 111th meeting held on 27.07.2016 vide agenda item no. 111th (18), the present instructions are being issued with a view to implement the judgment dated 25.04.2012 passed in LPA No. 2096 of 2011 titled as HUDA V/s Sandeep and others which has been upheld by the Hon'ble Supreme Court in SLP No. 27256 of 2012 filed by HUDA which was dismissed vide order dated 06.03.2014 and further the order dated 26.04.2012 passed by the Hon'ble High Court in CWP No. 10941 of 2010 titled as Bhagwan Singh & Others vs State of Haryana & Others which has been upheld by the Hon'ble Supreme Court when SLP No. 13375-388 of 2013 filed by HUDA was dismissed vide order dated 24.11.2015 by the Hon'ble Supreme Court. Therefore, in order to ensure implementation of the aforesaid direction and to ensure settlement of oustees claims, it has been decided to issue instruction with following terms and conditions for eligibility:

1. An oustee shall have to submit an application for allotment of plot under the oustees quota along with earnest money in pursuance of advertisement inviting claims for such allotment.
2. An oustee shall be entitled to seek allotment of plot in the same sector for which land has been acquired for residential/ commercial purpose. However, where the land has only been acquired for any non-residential purpose such as industrial, institutional, group housing sites, completely commercial sector etc., then such an oustee shall be entitled to seek allotment of plot in the adjoining sector. Adjoining sector for this purpose shall mean the sector with boundaries abutting to the said sector. Where there are more than one sectors adjoining to the sector for which land has been acquired, in that case, an oustee shall be entitled to make an application in any one sector of his choice. However, where any such application is made in more than one sector then only his one application in any such sector at the discretion of the HUDA Authority shall be considered and earnest money in respect of other applications shall automatically stand forfeited and no claim for such forfeiture shall lie in future.
3. The application of an oustee shall be considered against the plots determined under oustees quota as per the instruction issued vide memo no. UB-A-6-2016/2213 dated 04.12.2015. The number of plots shall be determined on basis of total available plots advertised.
4. An oustee shall have the right to make such application only till the plots are available for oustees in the sector as per condition no. 2 and 3 above.
5. The allotment of plot to the oustees will be made through draw of lots.
6. An oustee should have been the owner of the land as on the date when the notification under Section 4 of the Land Acquisition Act, 1894 is issued. Any subsequent purchaser of land after said notification has been issued will not be entitled to make such application. Any application made by such purchaser shall entail automatic rejection of application and forfeiture of earnest money. However, the forfeiture of earnest money will be done only after giving opportunity of hearing to the defaulting applicant.
7. An oustee shall be eligible to make such application only if 75 % or more of his total land in the concerned revenue estate is acquired. For this purpose, the total land to be considered for such determination will mean the land comprised in the same revenue estate(s) where the concerned sector is situated.

8. The eligibility of each co-sharer for allotment of plot under oustees quota shall be determined on the basis of his individual holding i.e each co-sharer will be entitled to seek allotment of plot on basis of his own individual holding.
9. An oustee who satisfies other conditions will be entitled to be allotted the plot in proportion to his holding at the time of award. For purpose of determining the size of plots, criteria laid down in the policy as was in force at the time when notification under Section 4 of the Land Acquisition Act, 1894 was issued, shall be followed. However, as regards the cases where awards have been announced on or after 05.03.2005 but prior to 07.09.2010, the government notification of Rehabilitation and Resettlement dated 07.12.2007 will be applicable and size of plot will be allotted in such cases as per notification dated 07.12.2007. Similarly, where the awards have been announced on or after 07.09.2010, the size of plots will be allotted as stipulated in Government Notification of Rehabilitation and Resettlement dated 09.11.2010. An oustee may submit his application for lesser size plot than his entitlement. However, in such an eventuality he will not be entitled for further allotment of plot in future.
10. No commercial site will be allotted to the oustees.
11. An oustee, any portion of whose land and/ or constructed house/ factory etc. notified under section 4 of the Land Acquisition Act has been released will not be eligible for availing benefit of the plot under oustees policy even if otherwise 75 % of the total land has been acquired. This will help in ensuring that benefit of oustees policy is available only to those oustees who have no house, so that purpose of rehabilitation is achieved. It is clarified that release for this purpose shall mean the case where the notification under Section 4 of the Land Acquisition Act, 1894 has been issued in respect of the said land.
12. An oustee who has already got the benefit of allotment of plot from Haryana Urban Development Authority in any reserved category including under oustee policy shall not be eligible to seek allotment of plot under oustees quota.
13. A co-sharer in the land will not be eligible to claim allotment of plot if he had given a no objection certificate in favour of his co-sharer and on account of submission of such no objection certificate, a plot was allotted to such co-sharer in any previous floatation of plots for oustees.
14. An oustee who has already been allotted a plot under the oustees policy on any previous occasion as a co-sharer shall not be entitled to stake claim for allotment of plot under oustees quota.
15. An oustee who has made an application for allotment of plot under oustees policy on any previous occasion and said application either is pending for decision or was rejected on any ground and said rejection order was impugned before any court of law or Authority or forum of any nature and matter has been remanded back to the Authority for fresh decision, shall be informed of the decision in Bhagwan Singh's case and Sandeep's case and may be advised to apply for allotment of plot in fresh advertisement which will be issued after determination of reservation and their earnest money may be refunded along with interest @ 5.5 % per annum from date of deposit till date of payment. However, where litigation is pending then the court of law or authority or forum where it is pending may be informed of the aforesaid decision and efforts may be made to get the litigation disposed off in terms specified herein.
16. The applications of the oustees as received shall be put in draw of lots and eligibility of only those oustees who are successful in draw of lots shall be determined. Mere submission of such application or success in draw of lots shall not create any vested right for such allotment as eligibility will be determined only after oustee is declared successful in draw of lots.
17. The list of applicants shall be compiled within a period of 15 days of closing of the scheme and draw shall be held within a period of 30 days of closing of scheme for advertised plots. The eligibility of the oustees who are successful in draw of lots shall be determined within a further period of one month. If any oustee who is declared as successful in draw of lots is found ineligible as per policy, then his draw shall be cancelled. The plot which will become available on account of such cancellation of draw may again be put to draw of lots out of remaining oustees who were earlier unsuccessful in the same draw. The earnest money of unsuccessful applicants may be refunded thereafter. No interest shall be payable on said amount if it is refunded within a period of 6 months from closing of

the scheme otherwise interest @ 5.5 % per annum may be paid on earnest money after expiry of 6 months till date of payment.

18. An oustee shall have to submit with his application:

- a. A certificate from the District Town Planner of Urban Estate concerned with regard to the sector for which land has been acquired. Where the land has been acquired for non-residential purposes, certificate regarding the adjoining sector as per development plan shall be submitted. He will also give report as to whether any self occupied house was in existence at the time when notification under Section 4 of the Land Acquisition Act, 1894.
- b. A certificate from Land Acquisition Officer with regard to detail of his acquired land i.e khewat/ khatauni/ khasra no, area of acquired land, detail of released land if any, i.e area of released land, khasra no., ownership. He will also report regarding co-sharers giving name and number of co-sharer (s) with their share (s). He shall also report about the area of self occupied residential house if said self occupied residential house was in existence at the time when notification under Section 4 of the Land Acquisition Act, 1894 was issued and was acquired. He shall further report that no litigation is pending in respect of any court of law in respect of acquisition of this land except a reference made under Section 18 of the Land Acquisition Act.
- c. A certificate from Tehsildar of the District concerned with regard to oustee's ownership of total land in the same revenue estate as on date when notification under Section 4 of the Land Acquisition Act, 1894 was issued and also at the time when award was passed. He will give the certificate of the percentage of acquired land of oustee in regard to said oustee's total land.
- d. An oustee shall submit a duly certified copy of jamabandi with respect to proof of ownership of land as on date when notification under Section 4 of the Land Acquisition Act, 1894 was issued and also when award was passed.
- e. An affidavit containing all the elements of this policy.

You are therefore requested to take further action accordingly & the same may be complied in letter & spirit. These instructions may be brought to the notice of all concerned. This will be made applicable with immediate effect.

-sd/-
Administrator, HQ,
For Chief Administrator HUDA

Endst. No. UB-A-5-2016/46610

Dated: - 11.08.2016

A copy is forwarded to the following for information a strict compliance.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA website.
7. The District Attorney, HUDA, Panchkula.
8. The Enforcement Officer, HUDA, Panchkula.
9. The Dy. ESA, HUDA, Panchkula.
10. Supdts./Dy. Supdts./Assistants/ clerks of Urban Branch, HQ, HUDA, Panchkula.

-sd/-
Administrator, HQ,
For Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrators, HUDA in the State.

Memo No.UB-A-4-2015/8708

Dated:08.05.2015

Subject: CWP No. 16012/13 titled as Sham Lal Vs. State of Haryana.

Reference on the subject cited above.

The Double Bench of the Hon'ble Punjab & Haryana High Court vide its order dated 15.12.2014 in case of CWP No. 16012 of 2013 titled as Sham Lal Vs. Haryana State through Commissioner and Secretary and others has allowed the petition.

The dispute involved in the petition is, whether a person who is the sole land owner in one Khewat and a co-sharer in another Khewat is to be allotted plot in sole name ignoring his being co-sharer in another Khewat.

The case has been got examined from the Legal Cell and they have opined that if an oustees is in independent ownership of land in one Khewat and is also a shareholder in another Khewat, he should be considered eligible for allotment of plot individually against his holding in the independent Khewat. His share in the other Khewat may also be added to his total land holding for calculating his eligibility and the same may be deducted from the joint Khewat while calculating the eligibility of the other co-sharer in the joint Khewat.

Accordingly, you are requested to decide the oustees claim in view of above decision. The above clarification may be brought to the notice of all concerned to implement it in letter and spirit.

This issues with the approval of Hon'ble CM-cum-Chairman, HUDA.

DA/As above

-sd/-

(B.B.TANEJA)

Dy. Supdt. Urban Branch,
for Chief Administrator, HUDA.

Endst. No.UB-A-4-2015/

Dated:

A copy of above alongwith copy of orders dated 15.12.2014 passed by Hon'ble High Court is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. All Estate Officers, HUDA, in the State.
5. The General Manager (I.T.), HUDA, Panchkula. He is requested to host this clarification on HUDA website.
6. The District Attorney, HUDA, Panchkula.

-sd/-

(B.B.TANEJA)

Dy. Supdt. Urban Branch,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s) in the State.
2. All the Estate Officer (s) in the State.

Memo No.UB-A-4-2015/6612

Dated:08.04.2015

Subject: Regarding claims of **Oustees** under Old HUDA Oustees Policy – **clarification and withdrawal of letter dated 02.12.2013.**

The Hon'ble High Court vide order dated 20.08.2014 passed in CWP No. 2212 of 2014 titled as Hukam Singh & Ors Vs. State of Haryana has held that the failure to apply in response to one or more advertisements does not deprive the Oustees of their rights of rehabilitation or their status as that of an Oustees at a subsequent stage as and when advertisement is again issued inviting applications for allotment of plots. The advertisement inviting applications for allotment of plots are to be issued after determining the plots available in these sector for reserve category including that of Oustees. HUDA is expected to invite applications in respect of such plots in its Sectors. The Hon'ble High Court has directed HUDA to issue a fresh advertisement inviting applications from all land owners, whose land was acquired in the area in question.

Further the Hon'ble High Court in its judgement dated 25.04.2012 passed in LPA No. 2096 of 2011 has observed that the failure to apply in response to an advertisement will not dis-entitle an Oustees for submitting application at a subsequent stage as and when advertisement has again issued inviting applications for allotment of plots. The said judgement has been up held by the Hon'ble Apex Court vide its order dated 06.03.2014. The Senior Counsel of HUDA has also opined that the Hon'ble High Court has rightly set aside the conditions in the advertisement in Hukum Singh case in view of Q. No. 5 (of Sandeep Singh judgement) and therefore, an Oustees can apply in response to any advertisement but his case has to be considered by treating his eligibility referred in policy applicable when Section-4 notification was issued.

Therefore it has been decided in view of the above judgements/opinion that an Oustees can apply in response to any advertisement but his case has to be considered by treating his eligibility as per policy applicable when Section 4 notification was issued. It has further been decided that the letter regarding 'withdrawal of Oustees Policy framed by HUDA prior to 07.12.2007.' issued vide headquarters memo no. DA/HUDA/44131-132 dated 02.12.2013 is hereby withdrawn and the claims of land owners whose land has been acquired prior to 05.03.2005 by the State of Haryana for development of Sectors of HUDA may be invited for allotment of plots, as per availability of plots, but their claims have to be considered by treating their eligibility as per policy applicable when Section-4 notification was issued.

This has approval of Chief Administrator, HUDA.

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA.

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The General Manager (IT), HUDA, Panchkula with the request to host these instructions on HUDA website.
5. The District Attorney, HUDA, Panchkula.
6. All Assistants/Clerks of Urban Branch,HUDA,HQ,Panchkula.

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
HUDA, Panchkula.

To

All the Zonal Administrators,
HUDA.

Memo No. DA/HUDA/44131

Dated: 02.12.2013

Subject: Withdrawal of Oustee Policies framed by HUDA prior to 07.12.2007.

Reference on the subject cited above.

HUDA has been alive to the need of the land owners for their rehabilitation whose land is acquired by the State for the planned development to be made by HUDA. Therefore, oustee policies are implemented by inviting claims from the eligible oustees and allotting them plots by draw of lots according to their eligibility. The then Chief Administrator, HUDA made a statement in the Hon'ble High Court in CWP No. 15433 of 2006 titled as Amar Singh vs. HUDA and others decided on 29.11.2006 that all the pending claims of the Oustee Adalat were constituted at the level of Zonal Administrators to consider such claims and a right of appeal was also given in those land owners, whose claims were rejected by the Oustee Adalat before the Apex Appellate Body headed by Administrator (HQ), HUDA with CTP, HUDA as its Member. All pending claims were decided by the Competent Authority and the eligible land owners were allotted plots after following due process. Regarding other land owners found eligible and entitled by these screening committees constituted in 2007 consequent upon the orders of Hon'ble High Court dated 29.11.2006 are only to be considered for allotment.

As per the procedure prescribed for the implementation of the oustee policies, those land owners who did not prefer their claims within the stipulated period along with requisite information, had no right for consideration of their claims. The Hon'ble Punjab & Haryana High court in various judgment has observed that oustees must stake their claims within a reasonable time and they have no vested right for the allotment of plots out of the oustees category as they are adequately compensated for their land. The non submission of applications by the oustees within a reasonable period amounts to giving up their right and Authority is not expected to wait for an oustee indefinitely for making allotment to general category.

Comprehensive rehabilitation and resettlement policies had been framed by the State in the Department of Revenue and Disaster Management on 07.12.2007, which covers the land acquired vide awards announced on or after 05.03.2005 and upto 06.09.2010. R & R Policy dated 09.11.2010 is applicable w.e.f. 07.09.2010. HUDA has already invited claims under these policies and the claims are likely to be considered and decided within 6 months.

Hence, all the oustee policies framed prior to 07.12.2007 are hereby withdrawn in exercise of the powers conferred by Section 30 (1) of the Haryana Urban Development Authority Act, 1977, (13 of 1977) and all other powers enabling him in this behalf, with the previous approval of the State Government. However, anything done or any action taken or any legal proceedings instituted under the said policies shall deemed to be governed by those policies.

This is for information and necessary action.

-

sd/-

Chief Administrator,
HUDA, Panchkula

A copy of above is forwarded to the following for information and necessary action:-

1. Chief Secretary to Govt. Haryana, Haryana Civil Secretariat, Chandigarh.
2. Principal Secretary, Town and Country Planning Department, Haryana, New Mini Secretariat, Sector-17, Chandigarh.
3. Financial Commissioner, Revenue and Disaster Management Department, Haryana, New Mini Secretariat, Sector-17, Chandigarh.
4. All the branch Heads.

-sd-

Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority, Sector 6 Panchkula.

To

All the Administrators, HUDA
All Estate Officers, HUDA

Memo No. UBA4-2012/3383-3406

Dated 24.01.2012

Subject : Allotment of residential plots to the oustees – withdrawal of instructions dated 10.07.2002.

The policy guidelines issued vide HUDA HQ's Memo No.A1(P)-2002/16931-952 dated 10.07.2002, provides as under:-

- i) In case of left out plots, the oustees claims are invited first by the concerned Estate Officers and after reserving the equal number of plots for the oustees, the remaining plots are advertised for general category etc.
- ii) In case less number of applications are received against the reserved category as compared to the number of available plots, then remaining plots in respective category may once again be advertised for the same categories and if still some plots are left then the same should be converted into general category.

A combined reading of the decision of the Hon'ble Punjab and Haryana High Court in LPA No.251 of 2007 decided on 18.08.2008 titled as HUDA and Anr. Vs Baljeet Singh, in CWP No.6129 of 2007 titled as Ramo Bai & Ors. Vs. State and in CWP No.1038 of 1999 titled as Smt.Bhagwanti Vs. HUDA decided on 09.05.2001 has revealed that the owners must stake their claims within a reasonable time and they have no vested right for the allotment of oustees quota plot as they are adequately compensated for their land. The non submission of application by the oustees within a reasonable time amounts to giving up of their right and Authority is not expected to wait for an oustees for unreasonable time before proceeding to make allotment to general category.

Keeping in view the legal position as stated above, the instructions regarding allotment of residential plots to the oustees mentioned at serial number (1) above issued by the HQ's memo No.A1(P)-2002/16931-16952 dated 10.07.2002 are hereby withdrawn.

These instructions may be brought into the notice of all concerned for strict compliance.

-sd/-

(Surjeet Singh, I.A.S.) Administrator,
For Chief Administrator, HUDA

GUIDELINES FOR REHABILITATION AND RESETTLEMENT POLICY

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

1. All the Zonal Administrator, HUDA in the State.
2. All the Estate Officer, HUDA in the State.
3. All the Land Acquisition Officers in the State.

Memo No. UB-A3-2011/14943-84

Dated: 04.05.2011

Subject:- Guidelines for implementing the rehabilitation and resettlement policy notified vide Haryana Government Gazette Notification No. 3212-R-5-2010/12140 dated 9th Nov, 2010.

In continuation of this office letter no. UB-A-3-2011/7895-940 dated 07.03.2011 whereby the adoption of the ibid Policy notified by the Revenue and Disaster Management Departments in HUDA was circulated.

The Operational guidelines for implementing the above Policy in HUDA have been formulated as under:-

1. After the announcement of the Award, the Land Acquisition Collector will send the details of the land owners including their are acquired for determining the eligibility and entitlement of the land owners. These details will be sent to the concerned Estate Officers within one month of the announcement of the Award.
2. The Estate Officer will issue a public notice through two news-papers inviting the Oustee's Claim for allotment of residential plot and / or commercial booth as the case may be. The period for inviting the claims will be 30 days from the date of publication of the above notice.
3. The applicants will have to deposit a tentative amount of Rs. 50,000/- with their applications. This amount will be deposited against the price of the plot. Those Oustees who do not prefer their claims within the stipulated period alongwith the requisite application amount will have no right for consideration subsequently.
4. The Zonal Committee headed by the Administrator and consisting of Estate Officer and Land Acquisition Collector will determine the eligibility and entitlement of the applicants within 60 days of the last date of receipt of the applications. Each applicant will be informed about the eligibility and entitlement as per the decision of the Zonal Committee.
5. If the Zonal Committee finds the claims unacceptable under the policy, the amount will be refunded to the applicants within 30 days of the decision taken by the Zonal Committee. Any appeal against the decision of the Zonal Committee can be made to the Chief Administrator. The period for such an appeal will be 30 days from the date of communication of the decision of the Zonal Committee.
6. Before the floatation of the Sector, the Oustees will be asked to submit their applications under Oustees' Quota as per their entitlement determined by the Zonal Committee. Each applicant will deposit 10% of the amount so demanded after adjusting the amount of Rs. 50,000/- already paid by the Oustees at the time of submission of application. The actual plots will be given through draw of lots by the Estate Officer. After the draw of lots, the remaining plots will be floated to the general public.
7. Those Oustees who do not apply against the flotation will be refunded the amount of application money without any interest within 60 days of the holding of draw for the Oustees.

ANNUITY

For the payment of annuity to the land owners whose land has been acquired, the tenders from various firms on a year to year basis will be called by the Chief Administrator. However, in case a uniform rate is decided by the Government (in Revenue Department), the work may be allotted at that rate instead of calling tenders. The annuity will be purchased by HUDA once a year. The firm will pay the amount to the land owners for the period as mentioned in the Rehabilitation and Resettlement Policy.

These instructions may be brought to the notice of all concerned for strict compliance.

An acknowledgment of these guidelines may be furnished to the HQ within 15 days of the receipt thereof.

-sd/-

(D.P.S. Nagal)

Chief Administrator, HUDA

Endst. No. UB-A-3-2011/14943-84

Dated: 04.05.2011

A copy of the above is forwarded to the following for information and necessary action:-

1. The Financial Commissioner & Principal Secretary to Govt. Haryana, Revenue & Disaster Management Departments.
2. The Director, Urban Estates Department, Haryana, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Enforcement Officer, HUDA (HQ) Panchkula.
7. The District Attorney, HUDA Panchkula.
8. The General Manager, IT Cell, HUDA, Panchkula.
9. The Dy. ESA, HUDA, Panchkula.
10. All the Assistants in Urban Branch (HQ), HUDA, Panchkula.

-sd/-

(Surjeet Singh)

Administrator(HQ)

Chief Administrator, HUDA

Internal Distribution-

PS/FC TCP

PS/CA, HUDA.

Chief Engineer

Chief Engineer-I

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

1. All the Zonal Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.UB-A-3-2011/ 7895-40 Dated 07.03.2011

Sub:- Policy for Rehabilitation and Resettlement of Land owners- Land Acquisition Oustees- 09.11.2010.

This is in supersession of all the policy guidelines on the subject circulated from time to time.

The State Government has notified a Rehabilitation and Resettlement policy vide notification No. 3212-R-5-2010/12140 dated 9th November, 2010 alongwith its corrigendum No. 3303-R-2010/12621 dated 22nd November, 2010 (copy enclosed). This policy is applicable to Haryana Urban Development Authority also w.e.f. the date mentioned in the notification. The detailed procedure/guidelines shall follow. .

This issues with the prior approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA and also issued in anticipation of approval of the Authority.

DA/As above

-sd/-
(Ishwar Singh)
Asstt. Estate Officer, UB-I,
HUDA, HQ, Panchkula.

Endst.No.UB-A-3-2011/7895-40

Dated 07.03.2011

A copy of the above alongwith the copy of notification No. 3212-R-5-2010/12140 dated 9th November, 2010 is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Secretary, HUDA, Panchkula.
4. The Enforcement Officer, HUDA, Panchkula.
5. The District Attorney, HUDA, Panchkula.
6. The General Manager, IT Cell, HUDA, Panchkula.
7. The Deputy ESA, HUDA, Panchkula.
8. All the Assistants in Urban Branch I & II, HQ's.

-sd/-
(Ishwar Singh)
Asstt. Estate Officer, UB-I,
HUDA, HQ, Panchkula.

HARYANA GOVERNMENT GAZETTE EXTRAORDINARY
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CHANDIGARH, TUESDAY, NOVEMBER 9, 2010 (KARTIKA 18, 1932 SAKA)

HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 9th November, 2010

No. 3212-R-5-2010/12140- In super-session of this Department Memo. No. 1298-R-5-2007/4174, dated the 6th April, 2007 and the Notification bearing No. 5451-R-V-2007/13258 dated 7th December 2007, the Governor of Haryana is pleased to notify a comprehensive revised policy laying down the floor rates in different parts of the State of acquisition of land under the Land Acquisition Act, 1894 or any other corresponding statute on the subject. The revised policy, inter alia, includes introduction of a new Scheme of 'No Litigation incentive', revised rates of Annuity and a number of additional benefits for the landowners whose land is acquired by the Government under the Statute.

2. The policy, of which the details are given in Annexure-A, has been concurred by the Finance Department vide their U.O No. 1/17/09-4FG-11/2362, dated 09.11.2010 and approved by the Council of Minister in its meeting held on 09.11.2010. This policy will take effect from 07.09.2010.

-sd/-

NARESH GULATI, I.A.S.

Financial Commissioner & Principal Secretary
to Government of Haryana,
Revenue and Disaster Management Department.

Enclosure: Annexure-‘A’

Revision of minimum floor rates and the Policy for Rehabilitation and Resettlement of Land Owners Land Acquisition Oustees

A. Preamble:

As a welfare state, the Government of Haryana recognises that acquisition of land under the statute and the alienation of landowners from their source of livelihood could be a painful process, notwithstanding the payment of compensation for the same as per law. Therefore it intends to minimise this pain of the affected persons through a set of policy initiatives that include (a) payment of market value as compensation of land to the landowners with the revision and fine-tuning of minimum floor rates in respect of land situated in different parts of the state; (b) introduction of a special incentive for reducing litigation qua the compensation amount; (c) revision of the rates of Annuity payable for a period of 33 years as a social security benefit for the landowners; and (d) review and introduction of certain additional benefits over and above the one-time compensation paid in accordance with the law so as to provide for alternate means of sustenance for the landowners and other landless persons/artisans who are dependent on the agricultural land being acquired for non-agricultural purposes.

B Strategy and Approach:

The objectives set out in the preamble of this Policy are sought to be achieved through the following approach:

1. Undertake revision of the minimum floor rates of land as contained in the Notification dated 6th April 2007 for different parts of the state, and further fine-tune the same with introduction of a larger number of categories;
2. Introduction of a 'No Litigation Incentive' for such of the landowners who opt to accept the compensation award with a view to containing litigation on this account;
3. Revision of the basic rates of 'Annuity' and the annual increase to make it more meaningful as a means of social security for the landowners;
4. Recognising tow broad categories of infrastructure projects for acquisition of land and treatment of benefits to the landowners based on the feasibility thereof;
5. Making arrangements for professional advice to the landowners for prudent investment of the compensation amount with various options;
6. Addressing the concerns of such landless persons and artisans in a village community whose source of livelihood is dependent upon the agricultural operations in respect of the acquired land.

C. The Policy:

1. Revision of Floor Rates of Land for determining the Compensation:

- i) The Government had introduced the concept of determining the minimum floor rates of land for acquisition purposes for the first time vide its Memo No. 2025-R-5-2005/4299, dated 28.04.2005, which were further revised vide Memo No. 1298-R-5-2007/4174, dated 06.04.2007. It has been observed that market rates of land have registered an upward movement with the passage of time and recovery of markets from the general economic meltdown of 2008-09. Accordingly, after considering all the related aspects for determining the compensation amount payable to the landowners, the Government has decided to revise the minimum floor rates as under:

Sr. No	Particulars	Floor Rates per acre of land (pre-revision)	Floor Rates per acre as revised w.e.f. 07.09.2010
1.	Land situated within the notified limits of Gurgaon Municipal Corporation	Rs. 20.00 Lakh	Rs. 40.00 lakh
2.	Land situated within (i) the notified limits of Faridabad Municipal Corporation, (ii) the notified limits of Panchkula Municipal Corporation as on 07.09.2010, (iii) Development Plans of (a) Gurgoan-Manesar Urban Complex (excluding the areas falling within the limits of Municipal Corporation Gurgaon (b) Sohna, and (c) Sonapat-Kundli Urban Complex	Rs. 16.00 lakh	Rs. 30.00 lakh
3.	Areas situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal and Panipat towns.	Rs. 16.00 Lakh	Rs. 25.00 Lakh
4	Rest of the National Capital Region, areas situated outside the limits of Panchkula Municipal Corporation (as on 07.09.2010) in Panchkula District and the land situated within the Development Plans of all other district headquarters outside the NCR	Rs. 16.00 Lakh Rs. 8.00 Lakh	Rs. 20.00 Lakh
5	Remaining Parts of the State	Rs. 8.00 Lakh	Rs. 12.00 Lakh
Note	1. The floor rates mentioned above represent the basic rate of land and do not include the amount payable under Section 23 (1A) and 30 % Solatium [U/s 23(2)], payable in addition. 2. Please see Appendix-1 for an indicative total amount payable to a landowner based on these floor rates.		

- ii) The Committee headed by the Divisional Commissioner will continue to perform its duties while fixing the basic rates of compensation for various categories of land under acquisition. The Committee shall take into account (i) the sale-deeds executed in the area during the one year period immediately before issue of Section 4 of the Act (while doing so, it will ignore any isolated transaction/sale deed that may be in the nature of a distortion/ aberration and not representative of the average market value of land in the area) (ii) the Collector Rates prescribed for the area for charging the stamp duty on sale deeds, and (iii) the Minimum floor rates revised under this policy. While the highest of the above three rates would form the basis for working out the basic rate, the Committee would not be precluded from taking into account the current prevailing market rates, which could still be higher in certain cases, but based on some dependable/ reliable guiding parameters. The said committee is expected to give a well reasoned justification behind its recommendations. It will continue to take into account all these parameters for working out the land acquisition compensation rates being followed at present while communicating the rates to the Acquiring Departments/ Agencies in the State. To the rates so determined, would be added the additional amounts as per Section 23(1A) and the 30 % amount under Section 23(2) payable in accordance with the Land Acquisition Act, 1894.

2. Introduction of Incentive for ‘No Litigation’:

- i) A landowner or an interested person, whose land is acquired, has a statutory right to seek a reference under Section 18 of the Land Acquisition Act for determination of the Court qua (a) the measurement of land, (b) the amount of compensation, (c) the persons to whom it is payable, or (d) the apportionment of the compensation among the persons interested. However, a reference under Section 18 with reference to the amount of compensation is not competent where the Award is announced by the Land Acquisition Collector under Section 11(2).
- ii) It has been observed that notwithstanding the liberal rates of compensation being awarded by the Land Acquisition Collectors as per the State Policy, the incidence of litigation has not abated, be it by way of Civil Writ Petitions challenging the acquisition of land per se in some cases or by way of references seeking higher amount of compensation. Acknowledging the need for reducing litigation on this account, **at least in matters pertaining to the amount of compensation**, the Government has decided to introduce an incentive for ‘No Litigation’ so as to move towards the domain of ‘consent acquisition’ qua the ‘compensation amount’.
- iii) Accordingly it has been decided to pay an additional amount equal to 20 % of the basic rate of land determined by the Land Acquisition Collector (excluding the interest and the solatium components) as an incentive for ‘No Litigation’ to such of the landowners **who opt (a) not to challenge the acquisition of their land, and (b) to accept the compensation amount as awarded and undertake not to seek a reference under Section 18 of the Act qua the amount of compensation**. This incentive would still be available in cases where a reference is sought with respect to other issue i.e. (a) the measurement of land, (b) the persons to whom it is payable or (c) the appointment of the compensation among the persons interested.
- iv) The landowner opting to avail of this incentive would have to submit an undertaking as per **Application Form-1** to the effect that he accepts the compensation amount as Awarded and, that once he opts to avail of the incentive, he would not be entitled to seek a reference under Section 18 of the Act. The Award would be deemed to have been made under Section 11(2) of the Act to that extent qua those who opt for this incentive.

3. Effective Date:

The revised floor rates, the policy of payment of ‘No Litigation’ incentive’ and the revision in various parameters of the R & R policy will be applicable to all such acquisition cases where awards have been announced on or after 07 September, 2010 irrespective of the date of notification under Section 4 of the Land Acquisition Act, 1894.

D. **Rehabilitation and Resettlement Policy:**

4. Annuity Scheme-revised rates and features:

The payment of Annuity to the persons, who are the landowners at the time of issue of Section 4 Notification (including their nominees over the prescribed period), whose land is acquired by the Government under a statute, is in the nature of a Social Security and Benefit Scheme as part of the overall R & R Policy of the Government. It has been introduced primarily with a view to providing additional basic sustenance to the erstwhile landowners for a period of 33 years. Broad features of the Annuity scheme are as under:

- i) The eligible landowners will be paid Annuity @ Rs. 21,000/- per acre per annum for a period of 33 years over and above the usual land compensation;
- ii) The Annuity amount of Rs. 21,000/- will be increased by a fixed sum of Rs. 750/- every year;
- iii) In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/

Technology Cities/ Technology Parks, in addition to the rehabilitation and resettlement package notified by Industries and Commerce Department vide No. 49/48/2006-41B1, dated 4th May, 2006, a sum of Rs. 42,000/- per acre per annum will be paid for a period of 33 years by private developers and the Annuity amount will be increased at the rate of Rs. 1,500/- every year;

- iv) The scheme of Annuity payment will be applicable to all cases of land acquisition by the Government irrespective of the same being acquired for the State Government and its agencies or the Government of India/ its agencies, including the NHAI, the Railways, and the Defence purposes;
- v) The Government Departments acquiring land under a statute shall recover the amount required for discharging the Annuity obligations along with the compensation amount from the concerned agencies(for whom land is acquired) and shall ensure that the 'Instrument of Annuity' creating a right in favour of the erstwhile landowner is issued at the earliest;
- vi) The landowner would be entitled to appoint his nominee and change the same at any time before his demise for receipt of benefits under this Scheme who would step in his shoes after his death and so on so forth till the completion of 33 years period. In cases where a landowner dies intestate without leaving a nominee behind, the Annuity amount for the remainder of the period would be payable to the legal heirs of the deceased erstwhile landowner;
- vii) In cases where the land acquired in respect of a landowner/ co-sharer works out to less than one acre, such landowner will have the option to avail the commuted value of the Annuity amount upfront in one go which is fixed @ 30% of the gross amount of Annuity payable during the 33 years. He would be required to submit his application as per **Application Form-3**.
- viii) The Annuity in respect of land acquired during the preceding calendar year would become due for payment during the month of January of the following year. The landowner would be required to submit his Annuity claim in the prescribed form, (**Application Form-2**) along with the supporting documents, within a period of six months of the announcement of the Award. The acquiring departments shall be responsible for processing and compilation of the database of all such valid claimants within a period of further six months. The Annuity amount would be paid through Bank transfers.

5. Allotment of residential plots in cases where a self-Occupied residential house is acquired for unavoidable reasons:

- i) Recognising the sensitivity involved in acquisition of built-up residential houses/ structures for unavoidable reasons, the Government has decided to accord the highest priority to the resettlement of this category of persons. In the first instance, all efforts will be made by the acquiring departments to leave out the residential structures existing in the form of clusters from acquisition except where it becomes absolutely unavoidable either due to its stand-alone character or its location being within the Right of Way of infrastructure projects such as roads, canals, railway line etc.;
- ii) Accordingly, it has been decided that wherever any self-occupied residential structure/ house has to be acquired for unavoidable reasons in the process of acquisition of land by the Government for any purpose, such owners of built-up residential structures would be offered assured allotment of residential plots as per the following scale:

Scale of residential plots in cases where an existing self-occupied house/ residential structure is acquired

Scale of residential plots in cases where an existing self-occupied house/ residential structure is acquired

Scheme applicable up to 06.09.2010		Scheme revised w.e.f. 07.09.2010	
Size of the residential house acquired	Size of Residential Plot to be allotted	Size of the residential house acquired	Size of Residential plot to be allotted
Up to 100 sq. yards	50 sq. yards	Up to 150 sq.yards	90sqm.
Above 100 but up to 200 sq. yards	100 sq.yards	Above 150 but up to 200 sq yards	150 sqm
Above 200 and up to 300 sq. yards	150 sq.yards	Above 200 and up to 250 sq. yards	200 sqm
		Above 250 and upto 300 sq.yds.	250 sqm.
Above 300 up to 400 sq. yards	200 sq.yards	Above 300 up to 400 sq. yards	300 sqm
Above 400 up to 500 sq. yards	250 sq.yards	Above 400 up to 500 sq. yards	350 sqm
Above 500 sq.yards	350 sq. yards	Above 500 sq.yards	450 sqm

- iii) As the affected persons would be entitled to compensation on account of acquisition of land and the structures constructed thereon, the price/ cost of the plots to be allotted in favour of the affected persons as per above scale would be payable by the allottee;
- iv) The benefit of allotment of a residential plot in this category would be admissible only if the acquired residential house/structure was self-occupied and was in existence on the date of issue of Section 4 Notification, and further subject to the condition that such residential house had not been constructed by way of any encroachment on the public/ community/government land. The self-occupation of such house by the landowner's family as their regular residence would be an essential condition for this purpose. Residential structures used for rental purposes or those in the form of *kothras* in the fields would not be reckoned as 'residential houses' for this purpose;
- v) While assessing the entitlement for size of the plot to be allotted, the land under the existing residential house only would be taken into account and not the appurtenant facilities for other farm operations. Further, while computing the area areas towards admissible open space shall be taken into account. **Appendix-4** under such Residential house, the plinth area of the constructed house and equal area may be referred for the basis of calculation of areas;
- vi) Development and allotment of the residential plots under this part would be the responsibility of the acquiring Department/agency. Such plots to the extent, possible, would be carved out in the area adjoining/ in close vicinity of the village abdi deh so that the displaced/ rehabilitated persons continue to remain a part of their social milieu. While HUDA, HSIIDC, and the HSAMB would plan their residential blocks for this part as well as for the 'Oustee' category as one cluster, the other acquiring departments would have to acquire additional land specifically for this purpose also;

vii) The rates of plots allotted under this category by HUDA and the HSIIDC shall be 20 % lesser than the nodal price of the plot determined for the general public. In all other cases, the rates of plots would be determined by the allotting agency based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of areas under roads/ streets/ services and utilities on to the plotted area.

viii) The affected landowner would be required to submit his claim in the prescribed **Application Form- 4**.

6. Categories of Land Acquisition Cases:

It has been observed that the Government acquires land for various infrastructure projects, which could be broadly clubbed under the following two categories:

- i) Projects where the urban/ Industrial/ agriculture marketing infrastructure is developed in the form of large clusters by the state agencies i.e. the HUDA, the HSIIDE, and the HSAMB, for which comparatively large mass of land is acquired for development of planned infrastructure;
- ii) Projects where the land is either acquired in smaller pockets (e.g. water works and STPs of the Public Health Engineering Departments or the Power Sub-stations set-up by the power utilities) or where the land is acquired in a linear/ strip form for construction of roads and canals etc.

Whereas it has been found feasible to grant certain benefits in respect of the cluster development projects, the same has not been found feasible in the second category cases.

7. Benefits for the affected persons whose land is acquired for HUDA, HSIIDC and the HSAMB:

Recognising that the Government is expected to address the concerns of all sections of landowners to the extent possible, it has been decided to follow a two- pronged strategy in this behalf. Accordingly, it has been decided to grant the following benefits to the landowners whose land is acquired for HUDA, HSIIDC, and the HSAMB:

- i) Reservation and allotment of residential plots for the land oustees, and
- ii) Provision for allotment of commercial booth-sites/ Industrial plots to the landowner in whose case 75% or more of his land in a revenue estate, subject to a minimum of one acre, is acquired.

8. Allotment of 'oustees-category' residential plots in cases of land acquisition for development of infrastructure HUDA, HSIIDC, and the HSAMB.

Where the land is acquired for development of planned urban infrastructure by HUDA, or development of planned industrial infrastructure by the HSIIDC, or marketing infrastructure by the HSAMB, developed residential plots will be reserved for assured allotment to the land oustees as per the following scale:

Allotment of in cases where only land is acquired (oustees Quota plots)			
Scheme applicable up to 06.09.2010		Scheme Revised w.e.f. 07.09.2010	
Land/Area acquired	Size of residential plot to be allotted	Land/Area acquired	Size of residential plot to be allotted
100 to 500 sq.yards	3 marla	100 to 500 sq.yards	90 sq. mtrs.
501 to 1000 sq. yards	4 marla	501 to 1000sq.yards	150 sqms.
1001 sq yards to ½ acre	6 marla	1001 sq. yards to ½ acre	200 sqms.
Above ½ acre to ¾ acre	8 marla	Above ½ acre to ¾ acre	300 sqms.
Above ¾ acre to 1 acre	10 marla	Above ¾ acre to 1 acre	350 sqms.
One acre and above	14 marla	above one acre	450 sqms.

- ii) The rates of residential plots reserved for allotment to the land oustee in both the above categories, as per the scale prescribed, would be 20% lesser than the nodal price applicable for the general public at the time of first floatation in the case of HUDA and HSIDC, in all other cases the rates of plots would be determined by the acquiring departments/ organisations based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/streets/ services and utilities on to the plotted area;
- iii) Each of co-sharers, depending upon his share in the land acquired as per the entries in the revenue records at the time of issue of Section 4 Notification, would be entitled to the allotment of a plot under the 'oustee category'. The co-sharers would be limited to the persons mentioned in the revenue records on the date of Section 4 Notification. Wherever any such landowner/co-sharer dies during the intervening period of Section 4 Notification and the Award, the natural successors will be treated as one single unit;
- iv) As regards the co-sharers, it may be clarified that the entitlement for size of the plot would be determined based on the share of each of the co-sharers as on the date of Section 4 Notification. Further, under no circumstances, the total land under the plots allotted to the co-sharers put together **would exceed 50%** of the total acquired land of such co-sharers. An illustrative list of the entitlements is enclosed with this policy as **Appendix-2**.
- v) In case where the land of a landowner is acquired in phases, and he becomes entitled to a bigger size of the plot due to subsequent acquisition, he would be entitled to additional area as per his revised entitlement. In such cases either (a) the plot allotted as per the original entitlement may be upgraded as per his entitlement, or (b) in case he has already utilised/ transferred the earlier allotted plot, he may be allotted an additional plot as per his entitlement on account of the net additional area
- vi) In case a landowner or co-sharer avails of a plot under Para(5), he will not be entitled to a second plot in the 'oustee category' under para 8. Such a person, however, will have the option to either apply for allotment of a plot under para 5 or para 8 of this Policy. The landowner interested in availing this benefit would be required to submit his application in the prescribed **Application Form-5**.
- vii) No litigation should be pending in respect of the acquired land, except a reference under Section 18 of the Act, in order to be eligible for allotment of an 'oustee category' plot under the Scheme.
- viii) The acquiring department/ development agency will earmark a separate chunk of land, preferably close to the village in close vicinity of the **Toshi Abadi**, for carving out 'oustee category plots' for the landowners as stated under para 5(vi) above. **The allotment of 'oustee category' plots will precede the allotment of General Category' plots.**

9. Allotment of Commercial/Industrial Sites:

- i) Where 75% of the land-holding of a landowner/co-sharer in a revenue estate, measuring one acre or above, is acquired by the Government for HUDA, HSIDC, and the HSAMB, thereby substantially impacting his means of sustenance, developed commercial/Industrial sites would be reserved and allotted to such land oustee as per the following criterion;

1.	Commercial sites measuring 3 mtrx4 mtr. (12 sq.mtr.)	To be allotted by HUDA/HSIIDC/HSAMB at the Reserve Price, which will be no more than 3 times of the price of residential plot in that area/sector.
2.	Industrial plot measuring 450 sq mtrs. in the case of HSIIDC	A landowner oustee eligible under this category will have the option in the case of HSIDC to opt for the Commercial site or an industrial plot. The rate for the Industrial Plot will be 20 % lesser than the rate determined for the general public at the time of first floatation.

- ii) The allotment of commercial sites/ industrial plots would be made to each co-sharer provided his share in the acquired land is one acre or more, otherwise all the co-sharers will be allotted a sit(s) as per entitlement. In case the total acquired land of all the co-sharers put together is less than one acre, they would not be entitled to this facility. Illustrations given in **Appendix-2** may be referred for any clarity;
- iii) The commercial/ Industrial sites would be reserved and allotted in addition to the residential plots for the land-oustee in these categories. The affected landowner would be required to submit his application in the prescribed **Application Form-6**.

10. Special dispensation by the Town & Country Planning Department:

The Town & Country Planning Department will make appropriate provisions in their rules / regulations so as to allow additional component of residential and commercial use in the Estate/Sector to the extent of the area earmarked for the plots/sites carved out for the purpose of R & R Policy.

11. Benefits for the affected persons whose land is acquired for infrastructure projects other than those of HUDA, HSIIDC, and the HSAMB:

- i) While provision has been made for allotment of ‘oustee category plots’ in case of land acquired for development by HUDA, HSIIDC, and the HSAMB and for allotment of commercial sites/ industrial plots in case of those landowners whose 75 % land gets acquired (subject to a minimum of one acre) for these organisations, extension of these additional benefits in case of the landowners whose land is acquired for public purposes other than these organisations, has not been found feasible. To that extent, it is also fortuitous.
- ii) In order to balance this situation and partially compensate the landowners in this category , it has been decided that wherever 75 % or more land of a landowner in a revenue estate, subject to a minimum of two acres, is acquired for other infrastructure projects, and thereby impacting his sustenance to a considerable extent, one dependent of the land-owing family would be provided a job in the Government or its Boards/Corporations/ State PSUs in Group ‘D’ and Group ‘C’ categories, subject to the incumbent fulfilling the qualifications prescribed for such posts;
- iii) Recognising that certain persons may indulge in large scale division of their holdings to acquire title to government jobs in this process, the entitlement of dependants would be based on the revenue records of four years prior to the date of issue of Notification under Section 4 of the Land Acquisition Act or a corresponding provision in other statutes;

The affected landowner would be required to file his claim-application in the prescribed **Application Forms-7 and 8**.

- iv) While processing applications for this purpose, the applicant would first be considered for grant of a job in the Project for which the acquired land ‘is used. In case of non-availability of adequate number of suitable jobs in the Project, the claim would be considered against vacancies available in the said department or its PSUs, failing which, the claim would be considered for employment in other department/organisation of the Government;
- v) In cases necessitating consideration of the applications for employment in the other Government Departments, the application receiving Department would forward such applications to the Financial Commissioner, Revenue & Disaster Management Department, along with a certificate that there are no vacancies in the Project/ Department/ its PSUs so as to accommodate the applicants elsewhere. The office of FCR would compile all such applications and pass these on to the office of Chief Secretary for appropriate action. Thereafter, the office of Chief Secretary would complete the process of employment;
- vi) While the landowner are expected to submit their claim-applications for jobs within a period of six months of the announcement of the Award, there may be some isolated cases where the dependent may be a minor

or decide to take-up employment only after completion of his/her studies. The erstwhile landowners would be allowed to defer their actual employment in such cases up to a period of 5 years from the date of Award. In such cases, the claim of the erstwhile landowner applicant would be processed and a letter of entitlement would be issued by the concerned Department.

12. Electricity Connection under agriculture category

Wherever the landowner has installed one or more tube-wells with an electricity connection sanctioned on agricultural tariff, and portion of the land whereupon such tube-well is installed is acquired, he would be entitled to alternate tube-well connection(s) in this category either in this un-acquired land or over the agricultural land that he may purchase elsewhere in the state within a period of two years of the Award. The alternate connection would be provided within a period of three months of his application to this effect.

13. Exemption from Stamp Duty & Registration Charges of purchase of alternate agricultural land

In case a landowner, whose land is acquired, purchases alternate agricultural land within the State of Haryana within a period of two years of the Award, such purchase of land, limited to the amount of compensation, would be exempt from payment of Stamp Duty and Registration charges. The Revenue & Disaster Management Department would separately issue necessary orders/ notification to this effect.

14. Scheme for the landless persons and artisans dependent upon agricultural operations over the acquired land:

- i) There is another category of landless people in the rural set-up who have traditionally been associated with the land-owning families. These comprise of the landless workers engaged in the agricultural operations for generations (under the jajmani custom) and the rural artisans e.g. the blacksmiths, the carpenters, the potters, the masons, the barbers etc. which together constitute the village society. It is a well recognised fact that there is an association between landowners and the families of landless persons (in above categories) for generations and such association is well known in the village set-up. The Government is fully conscious of the adverse impact caused by acquisition of land for non-agriculture purposes on these dependant categories of people. It has, therefore, been decided to lay a special focus on the creation and up-gradation of skill-sets of these people/ their dependents so as to improve their employability in the organised sector.
- ii) The Government has decided to take the following measures for the rehabilitation/ resettlement of these affected persons;
 - a) The Government would impart free technical education to the dependents of these categories of people in the Government run industrial Training Institutes and Polytechnics;
 - b) HSIIDC, HUDA and the HSAMB would set apart a fund equal to 1 % of the compensation amount for creating adequate skill-sets among the dependents of land oustees and the affected landless persons;
 - c) HSIIDC would stipulate a condition for the allottees of industrial plots to give preference to these people in employment in their industrial projects;
 - d) Wherever land is acquired for the Private Developers, they would be required to make arrangements for creation and up-gradation of the skill-sets of the affected persons and preference in employment of the affected persons/ their dependants in the projects set-up over such land.

15. Admissibility of benefits under the R & R Policy – exclusion of entrants after issue of Section 4 Notification:

It takes anywhere between 3 to 6 months before a Notification under Section 4 is issued for acquisition of land as the acquiring departments/ agencies start the process of ground survey in advance. As such, it becomes known in the area that the Government is in the process of acquiring land in a specific locality. The

Government is also conscious that certain unscrupulous persons may, with the intention of availing un-earned and undeserved benefits of this Policy, which are meant for the landowning farmers, purchase the land (i) after it is known in the area that the land is proposed to be acquired by the Government, or (ii) even after issue of Section 4 Notification under the Act. In order to take care of any such misadventures, it has been decided that the benefits under this policy, including the Scheme of Annuity, would be admissible only for such of the landowners who own the title of land at least three months prior to the date of issue of Section 4 Notification or acquire the title by way of natural inheritance. Any person becoming an interested party or acquiring interest in the land through sale/purchase of the subject land within three months prior to the date of issue of Notification under Section 4 of the Act, save by way of natural inheritance, shall not be entitled to any of these benefits, including the payment of Annuity.

16. Information to the Landowners and implementation of the Scheme

While a copy of this policy would be available on the web-sites of the Departments of (i) Revenue & Disaster Management, (ii) Town & Country Planning Department, (iii) Industries & Commerce, (iv) HUDA, and (v) HSIIDC for the information of general public, the Land Acquisition Collector may, in addition, also inform the landowners about their entitlements under the R & R policy along with the notices under Section 9 of the Act as per **Appendix-3**. However, non-communication of the same by the LAC would not in any manner vitiate any such proceedings by him. Further action in respect of each of the benefits would be taken as follows:

- i) The landowners, opting to accept the amount of compensation and avail of the 'No Litigation Incentive' would normally be required to make an application to the LAC within a period of 30 days of the announcement of Award and furnish an undertaking to that effect in the prescribed format (Application Form-1). A claim for the 'No Litigation Incentive' could also be entertained if filed after 30 days provided the landowner has not filed a reference under Section 18 qua the compensation amount, or if filed, undertakes to withdraw the same before receipt of the Incentive amount. However, no such claim would be entertained after a period of six months of the announcement of the Award. It may be noted that once the landowners agree to avail of the said incentive, they would not be entitled to seek a reference under Section 18 of the Act for enhanced compensation and to that extent the Award would be deemed to have announced under Section 11 (2) of the Act. No references under Section 18 of the Act qua the amount of compensation would be competent in these cases;
- ii) As for the allotment of residential plots/ commercial sites/ industrial plots, the landowners would be required to submit their claim- applications in the prescribed formats (Application Forms- 4/5/6) to the acquiring departments/ agencies within a period of six months of the date of announcement of Award along with the requisite details and supporting documents. No claims on this account would be entertained after the expiry of six month period;
- iii) Wherever a landowner is entitled to employment/government job under para 11 of this Policy, he would submit his claim-application in the prescribed format (Application Form-7) to the acquiring department within a period of six months of the announcement of Award, along with the supporting documents, and the concerned Government Department/organisation would process his claim within a further period of six months. On finding the claim valid, a letter of entitlement would be issued in favour of the applicant and the Government would provide a job to such valid claimant within the shortest possible time.
- iv) As regarding the payment of Annuity/ payment of commuted value of the Annuity, the landowner would submit his claim application in the prescribed format (**Application Form-2/3**) to the designated officer of the Acquiring Department along with all the supporting documents/ verification, whereupon, the Acquiring Department would process the same within a period of next six months and ensure commencement of payment of the Annuity at the earliest;

- v) The acquiring departments/ agencies shall process such claims and issue a certificate of entitlement (**Appendix-5**) in favour of the eligible beneficiary within a period of further six months of the last date of receipt of claim-application. In matters of allotment of residential/ commercial/ industrial plots, the allotments under the R & R policy would precede the general allotments.

17. Investment Advisory Services

It has been observed that the landowners are invariably unable to make proper investment of the amount received as one-time compensation due to lack of their education and exposure, and familiarity with various investment opinions. As a result, they end-up exhausting these resources in meeting their consumption needs which has an adverse bearing on their long-term sustenance. In order to fill this knowledge gap, the Government would arrange for engagement of professional agencies to advise the landowners on various investment options of the compensation amount so as to enable them to utilise the resources in a prudent and productive manner. These services would be purely advisory in nature and it is ultimately for the landowners to decide their own investment options. The professional agencies engaged by the Government for this purpose would hold 2-3 days camps at sites at the time announcement of Award by the land Acquisition Collector.

18. Social & Community infrastructure facilities:

- i) Wherever land is acquired by the Government for development by HUDA, HSIIDC, and HSAMB, an amount equal to 2% of the Compensation Amount will be set apart by the respective organisations for creation of community development/ infrastructure works in the respective villages.

Further, area in the close vicinity of the village will be set apart not only for rehabilitation, but also for necessary village level social infrastructure. The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.

- ii) Similarly 1% of the Compensation amount will be set apart and expended on skill development initiatives for the dependents of oustees and other landless persons dependent on agriculture operations over the acquired land.

19. Acquisition of Land for Railways/ NHAI/ other Central Government Ministries/ Central PSUs:

- i) This policy shall also be applicable for any land acquisition for the Central Government (including the Ministry of Defence)/ its PSUs,/ the NHAI/ Railways in the state of Haryana and an undertaking to this effect would be obtained in advance from such indenting agencies before initiation any land acquisition proceedings. The amount of Annuity Policy will be charged upfront from such agencies in addition to the compensation paid to the landowners;
- ii) In addition to the above, wherever land is acquired for any of the Central Government Ministries/their PSUs/ NHAI/Railways by the State Government machinery, administrative charges @ Rs.1.00 lakh/acre, as revised from time to time, would be charged from the concerned towards the administrative expenses involved in the entire exercise, inclusive of the expenses incurred on publication of the Notifications in the media/newspapers.

20. Capital Gains Tax on Land Acquisition- a reference to the Gol

Capital Gains Tax is payable on the compensation amount paid in respect of land acquired within 8 kms of the Municipal Limits with 1981 as the base year for arriving at the Capital gains. The interest component in any case attracts the CG Tax. Since taxation is a Central Government subject, the State Government has decided to make a reference to the Ministry of Finance, Government of India, for exemption of the Compensation amount for the land acquired under the Statute from the purview of Capital Gains Tax where the land is Dadalahi (i.e. acquired by the grandparents) or owned by a person in his own name or in his father's/ mother's name for a period of 10 years or more.

21 Nodal Department

The Revenue & Disaster Management Department would be the nodal department of the State for the implementation, interpretation, review and monitoring of this R & R Policy of the State.

22. Grievances/ Dispute Resolution Mechanism

Though every effort has been made to introduce clarity in respect of all the features and the process of implementation of this Policy, the possibility of some grievances/ disputes arising in the course of implementation of the policy cannot be ruled out. The Government has decided to establish an institutional mechanism to address all such grievances/dispute with a view to settlement of such grievances and minimising any litigation on this account. A separate Notification would be issued shortly in this behalf.

-sd/-

NARESH GULATI, I.A.S.

Financial Commissioner & Principal Secretary
to Government of Haryana,
Revenue & Disaster Management Department

Indicative total amount payable to a landowner including the 'No Litigation' Incentive

S r . No	Particulars	Min.Floor Rate	Solatium @30 %	Amount under Section 23(1A) for 30 months on col. 3	No Litigation incentive @ 20 % of the Floor Rate	T o t a l amount / Acre
1	Land situated within the notified limits of Gurgaon Municipal Corporation.	40.00 lakh	12.00 lakh	12.00 lakh	8.00 Lakh	72.00 Lakh
2	Land situated within the notified limits of Faridabad and Panchkula Municipal Corporations; Areas forming part of the Development Plans of Gurgaon-Manesar Urban Complex (excluding the areas falling within the limits of Municipal Corporation Gurgaon) Sohna, and Sonepat-Kundli Urban Complex.	30.00 lakh	9.00 lakh	9.00 lakh	6.00 lakh	54.00 lakh
3	Area situated within the Development plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal, and Panipat towns.	25.00 lakh	7.50 lakh	7.50 lakh	5.00 lakh	45.00 lakh
4	Rest of the National Capital Region, areas situated out side the limits of Panchkula Municipal Corporation in Panchkula District, and the land situated within the Development Plans of all other district headquarters outside the NCR.	20.00 lakh	6.00 lakh	6.00 lakh	4.00 lakh	36.00 lakh
5.	Remaining parts of the State	12.00 Lacs	3.60 Lacs	3.60 Lacs	2.40 Lacs	21.60 Lacs.

Notes:

- The figures given under Column 5 are indicative only as the actual period for payment of 12 % amount per annum u/s 23(1A) would vary from case to case
- 'No Litigation incentive would be admissible only in the cases where the landowners execute an agreement to this effect and accept it as an agreed settlement compensation. .

Calculation of the size of plot/ entitlement for co-sharer in the oustee category

1. Scale of entitlement for residential plot (Para 8): illustration:

Sr. No.	Total land Acquired	Particulars of land Acquired khasra No. etc.)	No. of co-sharers (along with names)	Share of land acquired	Size of plot entitled
1.	0A-4K-0M	To be filled-up	Say 04	1/4 th each	150 sqm each
2.	0A-4K-0 M	To be filled-up	Say 10	1/10 th each	90 sqm each
3.	0 A-4K-0 M	To be filled-up	Say 20	1/20 th each	A maximum of 11 plots of 90 sqm each; or 06plots of 150 sqm each and one plot of 90 sqm; or 05 plots of 200 sqm each; Or 03plots of 300 sqm each and one plot of 90 sqm; or 02 plots of 350 sqm and 1 plot of 300 sqm; or 2 plots of 450 sqm each and 1 plot of 90 sqm (As a total of 1000 sqm, being 50% of the acquired land, is the upper admissible limit).
4.	5A-0K-00M	To be filled-up	Say 01	Single	One plot of 450 sqm
5	5A-0K-00M	To be filled-up	Say 02	½ share	One plot of 450 sqm for each of the two co-sharers
6.	5A-0K-00M	To be filled-up	Say 05	1/5 th share	One plot of 350 sqm for each of the 05 co-sharers
7.	5A-0K-00M	To be filled-up	Say 08	1/8 th share	One plot of 300 sqm to each of the 08 co-sharers

2. Commercial Site/ Industrial Plot (Para 9):

Sr No.	Total Land Acquired	Particulars of Land Acquired (Khasra No. etc.)	No. of co-sharers (along with names)	Share of land acquired	No. of Commercial sites
1.	0 A7K-00 M	To be filled-up	Say 04	1/4 th each	None, land being less than one acre
2.	1A-4K-00M	To be filled-up	Say 03	1/3rd each	One site for all the 0-3 co-sharers
3.	2A-0K-00M	To be filled	Say 04	1/4 th each	02 sites for all the 04 co-sharers
4.	2A-0K-00M	To be filled-up	Say 02	1/2nd each	One site each
5.	2A-0K-00M	To be filled-up	Say 01	Single	One site

Information regarding entitlements of a landowner/ co-sharers under this Policy

Dear Landowner,

As the Award for acquisition of your land is likely to be announced soon pursuant to the declaration issued 'under Section 6 of the Act, you may please note that you are entitled to the following special benefits under the R & R Policy of the State Government:

1. No litigation Incentive:

You are entitled to claim a 'No Litigation Incentive' equal to 20 % of the amount of basic rate of your land, in case you accept the compensation amount and execute an agreement to this effect. Acceptance of the compensation is entirely at your option. Once you agree to accept the Compensation amount, you may collect the prescribed format for the 'Undertaking' from the LAC Office and furnish the same duly executed within a period of 30 days of the announcement of the award. Your incentive money will be given to you simultaneously with the submission of the agreement. Please also note that in case you accept the compensation amount, you will not be eligible for seeking a reference to the District Court for increase in the compensation amount under Section 18 of the Land Acquisition Act, 1894.

2. Payment of Annuity:

You are entitled to payment of Annuity @ 21,000/-per acre/per annum, which will be increased by a fixed amount of Rs. 750/- every year. The rates of Annuity and yearly increase in case of land acquired for the Private Developers are double that of above. In case your acquired land/ share is less than one acre, you have the option of getting the Annuity upfront in one instalment @ 30 % of the total amount payable during 33 years period. You are required to submit your claim-application in the prescribed form within a period of 6 months of the Award.

3. Allotment of Residential Plot on account of acquisition of your self –occupied residential house (if applicable)

In case your self-occupied built-up house/residential structure, as existing on the date of Section 4 notification has been acquired, you are entitled to apply for a residential plot as per the scale prescribed under para 5. You may like to apply for a residential plot under this category. If you decide to avail of this benefit, please apply for the same within a period of 90 days in the prescribed format, copy of which may be obtained from the LAC/ nodal officer of the acquiring department.

4. Allotment of Residential plot on account of acquisition of your land under the 'land Oustee Scheme':

In case your land has been acquired for HUDA or HSIIDC or HSAMB, you are entitled to the allotment of a residential plot under the "land Oustee Scheme" as per the prescribed scale. You may like to apply for allotment of a residential plot under this category. In case you decide to avail of this additional benefit, please apply for the same within 6 months (180 days) in the prescribed format, copy of which may be obtained from the LAC/ the nodal officer from the acquiring department.

5. Allotment of Commercial Site/Industrial plot in case 100 % of your land has been acquired for HUDA, HSIIDC or HSAMB:

In case 75 % of your land in a revenue estate, subject to a minimum of one acre, has been acquired for HUDA, HSIIDC, and the HSAMB, you are entitled to allotment of a commercial site (or an industrial plot in the case of HSIIDC, at your option) as an additional benefit under this Policy. You may like to avail of this additional benefit. In case you decide to avail of this additional benefit, you may submit your application within a period of 06 months in the prescribed format.

6. Provision of a 'Group-C or 'Group-D' job in the Government or its Boards and Corporations:

In case 75 % of your land in revenue estate has been acquired for Government infrastructure Projects, other than those for HUDA, HSIIDC or HSAMB, subject to a minimum of 2 acres, your one dependent would be considered for a job in Group 'C' or Group 'D' subject to fulfilment of qualifications prescribed for the post. In case you fall in this category, you may submit your application in the prescribed format within a period of 06 months in the prescribed format.

(Land Acquisition Collector,____)

METHOD OF CALCULATION OF THE AREA UNDER A SELF-OCCUPIED RESIDENTIAL HOUSE

(REFERENCE PARA 5 (V) OF THE POLICY)

- As per the practice followed by the Urban Estates Departments and the Industries, efforts are made to exclude the self-occupied residential houses, especially the clusters, from acquisition, subject to the feasibility thereof. Some of these exclusions take place pursuant to the settlement of objections filed under Section 5-A of the Act. Normally, the area under the house is released as such. Wherever the adjoining open space is much larger than the built-up area, open area equal to the plinth area is taken into consideration while releasing the land in respect of built-up houses. For instance, there could be following scenarios:

Sr. No	Plinth Area of the house	Abutting Open Area	Total Area	Area considered for release
1.	200 sq. yards	150 sq. yards	350 sq. yards	350 sq. yards
2.	200 sq. yards	300 sq. yards	500 sq. yards	400 sq. yards (200+200)
3.	200 sq. yards	500 sq. yards	700 sq. yards	400 sq. yards

- Following the above principle, it has been decided that while considering the area under a built-up house for the purposes of allotment of a plot under Para 5 (v) of the policy, the actual area under the built-up portion (i.e. the Plinth Area) + equal open area will be taken into account.
- Accordingly, the entitlements would be worked out as per the following illustrations:

Sr. No	Plinth Area of the House	Abutting open Area	Total area	Area to be reckoned for determining the entitlement	Plot Area to be allotted
1.	50 sq. yards	30 sq. yards	80 sq. yards	First block (i.e. up to 150 sq. yards)	90 sq. mtrs
2.	90 sq. yards	70 sq. yards	160 sq. yards	160 sq. yards (i.e. above 150 but up to 200 sq. yards)	150 sq. mtrs.
3.	90 sq. yards	200 sq. yards	290 sq. yards	90+90 = 180 sq. yards (i.e. Above 150 but up to 200 sq. yards)	150 sq mtrs.
4.	150 sq. yards	120 sq. yards	270 sq. yards	270 sq. yards (i.e. 250 to 300 sq. yards)	250 sq. mtrs.
5.	200 sq. yards	300 sq. yards	500 sq. yards	200+200= 400 sq. yards (i.e. above 300 up to 400 sq. yards)	300 sq mtrs.
6.	250 sq. yards	225 sq. yards	475 sq. yards	475 sq. yards (i.e. above 400 up to 500 sq. yards)	350 sq. mtrs.
7.	300 sq. yards	225 sq. yards	525 sq. yards	525 sq. yards (i.e. above 500 sq. yards)	450 sq. mtrs.
8.	300 sq. yards	300 sq. yards	600 sq. yards	600 sq. yards (i.e. above 500 sq. yards)	450 sq. mtrs.

Certificate of Entitlement for allotment of a Residential Plot/ Commercial Site/ Industrial Plot/ payment of Annuity/Employment in accordance with the R & R, Policy 2010

From

(HUDA/HSIIDC/HSAMB/ any other Dept.)

To

(The designated officer of the Department/ organisation)

No. _____ Dated _____

Subject: Certificate of Entitlement for allotment of a Residential plot/ Commercial Site/ Industrial plot-reg

Dear Sir,

1. Kindly refer to your application dated _____ for payment of Annuity/ commutation of Annuity/allotment of a residential plot/ commercial site/ industrial plot/ grant of employment on account of acquisition of your land measuring _____ [_____ (Location) under the R & R Policy, 2010 of the Government.
2. Having found your above said application in order, it has been found that you are eligible for the allotment of a residential plot measuring _____ sqm/ commercial site measuring 12 sqm (3 mtr x 4 mtrs)/ industrial plot measuring 450 sqm/ payment of Annuity/provision of employment (strike out whichever is not applicable) Accordingly this certificate of Entitlement is being issued in your favour. The formal letter of allotment/ instrument of Annuity/ appointment letter would be issued in due course before which you will also be required to deposit 25% of the tentative price of the plot. We would let you know about the same and give you a notice of 30 days for the purpose.
3. Please keep this letter of entitlement in safe custody as you would be required to produce this letter at the time of issue of a Regular Letter of allotment.

Thanking You,
Yours faithfully,
XYZ

NOTE: The certificate may be suitably modified as per the entitlement /benefit.

APPLICATION FORM-I

(Application for grant of 'No Litigation Incentive' Ref. Para 2 of the Policy)

From

(The Landowner)

To

(The Act)

Dated: _____

Subject: Application for grant of 'No Litigation Incentive' and Undertaking.

Sir,

1. My land (as per description given below) has been acquired by the Government vide Award announced by you on _____

Sr. No	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. As per the Award, following amount of compensation has been determined in respect of my subject land:

S r . No	Basic Rate of Land/ Acre	Amount under Section 23(1A)	30 % Solatium	Total Amount/ Acre

3. This is to submit that the amount of compensation determined by you is acceptable to me and I wish to avail of the 'No Litigation Incentive' amount of Rs _____ / acre, which is equal to 20 % of the Basic Rate of land. Accordingly in terms of the R & R Policy of the State Government, I request you to kindly disburse the amount of 'No Litigation Incentive' to me.
4. I/we are fully conscious that having opted to accept the amount of compensation and availed of the amount of 'No Litigation Incentive', I/We would have no right, whatsoever, to seek a reference under Section 18 of the Act in so far as the amount of compensation in respect of acquired land I s concerned. I/we undertake to abide by this provision of the Government Policy.

Yours Faithfully,
(Landowner/ Name/ Signature)
Witness: _____

The entitlement of above said claim has been verified by the Revenue Patwari and accordingly, an amount of Rs. _____/- has been disbursed to the claimant.

(Land Acquisition Collector, _____)

APPLICATION FORM-2
(APPLICATION FOR PAYMENT OF 'ANNUITY: REF. PARA 4)

From

(The landowner)

To

(The Designated Officer of the Acquiring Department)

Dated:

Subject: Application for the payment of Annuity as per the R & R Policy of the State of Government.

Sir,

1. The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____.

S r . No	Name of Landowner/ Applicant	R e c t a n g l e No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.
3. It is further submitted that I am entitled to receive the Annuity as per the R & R Policy of the State Government. I have opened my account with the Bank, particulars of which are as under:

Name of the Applicant	Account No.	Date of Birth	Bank

4. Further, the particulars of my nominee(s) to receive the Annuity amount, after my demise, are as under:

S r . No	Name(s) Nominee(s)	of	Date of birth	Relationship with the landowner/applicant	Share of the Annuity

5. The photograph of my nominee(s) duly attested, are also enclosed herewith. My above said nominee(s), unless changed by me before my death, will be submitted their Bank Account details at the appropriate time to the Authority disbursing the Annuity. Accordingly, you are requested to consider my claim and disburse the Annuity amount to me as per the Policy.

Yours faithfully,

Verification by the Revenue Patwari:

(_____)

Countersigned by the Land Acquisition Collector:

APPLICATION FORM-3

[APPLICATION FOR PAYMENT OF COMMUTATION VALUE OF THE ANNUITY: REF .PARA4(VII)]

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for payment of commuted value of Annuity as per the R & R Policy of the State Government.

Sir,

1. The Government has acquired my land situated in the Revenue state_____ with the following description vide Award No._____dated_____ announced by the Land Acquisition Collector,_____:

Sr. No	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.
3. It is submitted that my share in the land acquired by the Government works out to less than one acre. As such, I wish to exercise the option of availing the commuted value of the Annuity upfront. Accordingly I request that the amount of commuted value of the Annuity may kindly be paid to me as per the policy at the earliest.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

APPLICATION FORM-4
[APPLICATION FOR ALLOTMENT OF A PLOT ON ACCOUNT OF ACQUISITION OF A
RESIDENTIAL HOUSE)
(REF. PARA 5)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for allotment of a plot in lieu of acquisition of a self-occupied House/Residential Structure)

Sir,

1. The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. Our self-occupied residential house situated in Khasra No. _____ since before issue of Section 4, over an area of _____ sq. yards has also been acquired through the aforesaid Award. I certify that I have been staying in the said house since _____ and I have no other residential house in the revenue estate. This residential house is being used for our own bona-fide residence purposes and has been constructed on the land in our title/ ownership. The following documents are enclosed in support of the above claim:
- I) A copy of the Jamabandi/ Revenue Records in support of above;
- II) A photograph of the residential structure/house.
- III) A copy of the Ration Card/ Electricity bill/ voter Identity Card indicating the above address as my place of residence.
3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R & R Policy of the Government. You are requested to consider my claim and allot a residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Verification by the Revenue Patwari:

Yours faithfully,
(_____)

Countersigned by the land Acquisition Collector:

APPLICATION FORM-5

(APPLICATION FOR ALLOTMENT OF AN 'OUSTEE CATEGORY' RESIDENTIAL PLOT: REF. PARA 8)

From

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for allotment of an "Oustee Category Residential Plot" under the R & R Policy of the State of Haryana.

Sir,

1. The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____

Sr. No	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.
3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R & R Policy of the Government. You are requested to consider my claim and allot the residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

APPLICATION FORM-6
(APPLICATION FOR ALLOTMENT OF A COMMERCIAL SITE/ INDUSTRIAL PLOT:
REF. PARA 9)

From

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for allotment of a Commercial Site/ Industrial Plot under the R & R Policy of the State of Haryana.

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	marla

A copy of the Jamabandi/ Revenue Records in support of above is enclosed herewith for ready reference.

It is further submitted that 75 % of my land situated in this Revenue Estate, and the same being more than one acre, has been acquired by the Government. Accordingly, I am entitled to the allotment of a commercial site/ industrial plot(strike out which is not applicable) in accordance with the R & R Policy of the Government. You are requested to consider my claim and allot the commercial site/ industrial plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,
(_____)

Verification by the Revenue Patwari:

It is verified that 75 % of the land in the name of the applicant/ in his share in this Revenue Estate as per the above details, has been acquired by the Government.

(Patwari)
**Countersigned by the Land Acquisition
Collector:**

APPLICATION FORM-7
(APPLICATION FOR EMPLOYMENT: REF. PARA 11)

From

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for job under the R & R Policy of the State of Haryana on account of acquisition of land.

Sir,

1. The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____

Sr. No	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	marla

2. My total land holding in the Revenue Estate is _____ acre _____ kanal _____ marlas and more than 75 & of the same has been acquired by the Government for a public purpose i.e. _____. Further, my acquired land is more than 2 acres. We are the following co-sharer in the above said land:

Sr. No.	Name of the Landowner/ Applicant	Total Land-holding of the Applicant in the Revenue Estate			Land Acquired		
		Khasra No.	Kanal	Marla	Khasra No.	Kanal	Marla

3. I am enclosing a copy of the jamabandi/revenue records in support of the above claim.
4. I would like to avail the opportunity of applying for a job in Group 'C'/'D' in the Government/ its PSUs for myself/ my son/ daughter as per the R & R Policy of the Government. The application for job, along with a copy of my/his/her educational qualifications/ certificate is enclosed for ready reference. Accordingly, you are requested to consider this application for a job in the Government/ its PSUs as per the R & R Policy of the Government.

Yours faithfully,
Verification by the Revenue Patwari:
(XYZ)

Countersigned by the Land Acquisition Collector

FORMAT FOR THE ENCLOSURE TO APPLICATION FORM-7 (REF. PARA 11)

From

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for job under the R & R Policy of the State of Haryana on account of acquisition of land.

Sir,

1. Kindly refer to the application submitted by me/my father/ mother for provision of employment for me under the R & R Policy of the Government. I am the real son/ daughter/ brother/ sister of the saied landowner and dependent upon him.
2. I have studied up to _____ and my education qualifications are as under

Sr. No.	Board/ University	Name of S c h o o l / College from where studied	Examination passed/ year	Subject	Marks	Division/ % of marks

3. A copy of my school/ college leaving certificate, duly attested, is enclosed.
4. Sir, I am eligible for a post in Group 'C'/ 'D' in the Organisation/ Department/ Government and as such I request that I may be provided a suitable job as per the R & R Policy of the Government.

Yours faithfully,
(XYZ)

Certification by the Landowner:

I _____, son/ daughter of _____, resident of _____, certify that the above Applicant _____ is my son/ daughter/ brother/ sister and is dependent upon me and his name is recommended for the purposes of grant of employment under the R & R Policy of the Government. It is further certified that there would be no other claimant for this purpose from my family.

(Landowner)

[Extract from Haryana Government Gazette (Extra.), dated the 22nd November, 2010]

HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
CORRIGENDUM

THE 22ND NOVEMBER, 2010

No. 3303-R-5-2010/12621.-In the Haryana Government, Revenue and Disaster Management Department, Notification No. 3212-R-5-2010/12140, dated the 9th November, 2010, published in the Haryana Government Gazette (Extraordinary), dated the 9th November, 2010, at page 7588, in Appendix-3, in item 5, for the figure “100%, read ”75%”.

NARESH GULATI, I.A.S.
Financial Commissioner and Principal Secretary
to Government Haryana, Revenue and Disaster
Management Department

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

The Administrator, HUDA, Rohtak.

Memo no. A-NK-2009/UB-II/ 1006-10

Dated 09/01/2009

Sub: Regarding Oustees Policy for land owners whose land has been acquired for Rajeev Gandhi Education City, Sonapat.

The State Government has decided that the land owners affected by Education City Project at Sonapat may be given the freedom to opt either for the general rehabilitation policy or for relief specially decided for education city.

Thereafter, the matter was placed before the Council of Minister in its meeting held on 23.12.08 for consideration and approval regarding Oustees Policy for land owners whose land has been acquired for Rajiv Gandhi Education City, Sonapat the copy of approved memorandum along with its enclosures are enclosed for taking further necessary action.

You are, therefore, requested to take immediate necessary action as per decision taken in the CMM meeting held on 23.12.08 & compliance report in the matter may be submitted to this office at the earliest.

DA/As Above

-sd/-

(Nadim Akhtar)

Incharge Urban Branch –II,

For Chief Administrator, HUDA

Dated:

Endst .No A-NK-2009 /UB-II/

A copy of the above along with copy of approved memorandum is ordered to the following for information and necessary action

1. Chief Controller of Finance, HUDA Panchkula.
2. Chief Engineer –I, HUDA Panchkula.
3. Chief Town Planner, HUDA Panchkula.
4. Estate Officer, HUDA Sonapat.

DA/As Above

-sd/-

(Nadim Akhtar)

Incharge Urban Branch –II,

DA/As Above For Chief Administrator, HUDA

MEMORANDUM

Minister – in Charge
Administrative Secretary

Chief Minister, Haryana.
Financial Commissioner & Principal Secretary to Govt.,
Haryana Urban Estates Departement

Subject: -Regarding Oustees Policy for land owners whose land has been acquired for Rajiv Gandhi Education City, Sonapat.

- 1 Land measuring 2007 .60 acres has been acquired for setting up of Rajiv Gandhi Education City, Sonipat by the Department of Urban Estates on 02.03.2006 from the area belonging to villages Badhkhalsa, Sewli, Patla, Jakhoully, Ferozpurkhadar, Assawarpur, Khewra , Bahalgarh, Badhmalik in District Sonipat. The land of these villages is very fertile and falls in the Basin of Yamuna River. The water level is comfortable and quality of the same is suitable for growing crops particularly variety of cash crops. The newly introduced commercial vegetable crops like sweet corn, baby corn, broccoli and other short period crops and other supporting professions like growing of mushrooms/fisheries/dairy farming etc are also important in this area. The acquisition of the land for Rajiv Gandhi Education City, Sonipat has deprived the land owners of the above benefits. The land owners of the above mentioned villages represented for a special scheme for allotment of plot under Oustees Quota.

Sr.No	Area of the Land Acquired under Education City	Size of the Plot to be Allotted to the Oustees
1	Above 1,000 square yards and less than one acre	100 square yards
2	Above one acre to 5 acre	500 square yards
3	Above 5 acres	Two Plots of 500 square yards.

2. A decision was taken in the meeting held under the chairmanship of Hon'ble Chief Minister, Haryana on 18th November , 2006 Annexure –I) that a separate policy be formulated for allotting plots to all the Oustees whose land has been acquired for Rajiv Gandhi Education City, Sonipat. It was mooted in the meeting that following sizes of the plots may be considered for allotment to the Oustees under the policy to be formulated as mentioned above.
3. While the matter was being considered and examined by the Haryana Urban Development Authority as mentioned above a new policy, namely, "Rehabilitation and Resettlement of Land Owners-Land Acquisition Oustees Policy on the subject was notified by the Revenue & Disaster Management Department, Govt. of Haryana on 7th December , 2007, Eventually, the ibid policy was adopted in HUDA also. The above policy envisages for the allotment of plots of different sizes to each of the co sharers depending upon his share in the land holding as well as one commercial booth to all the co –sharers plus annuity @ Rs .15,000/- per acre per annum for a period of 33 years over and above the usual land compensation. The annual annuity will be increased by a fixed sum of Rs .500/ per acre every year. A copy of the said policy of 2007 is annexed as annexure –II.
- 4 In view of the changed senario as mentioned in para3 above, it was pointed out that if a different criteria was adopted in case of Oustees of Rajiv Gandhi Education City as decided in the meeting held on 18th November, 2006 referred to above, it would give rise to multiple litigations since other Oustees from the rest of the State might complain of discrimination .Hence, the matter was re – examined. It has now been decided that the land owners affected by the Rajiv Gandhi Education City Project may be given the freedom to opt either for the general rehabilitation policy, namely, 'Rehabilitation and Resettlement of Land Owners –Land Acquisition Oustees Policy 'mentioned above or opt for relief specifically decided for Oustees of Rajeev Gandhi Education City as mentioned in para 2 above Hence, in pursuance of the above decision, the Administrator, HUDA, Rohtak was asked vide memo no. 29485 dated 18th August, 2008 to serve individual notices to all the Oustees of Rajiv Gandhi Education City for giving their option in writing.

5. The Estate Officer, HUDA Sonipat vide his report dated 16th October, 2008 has intimated that about 778 applicants have submitted their applications for allotment of plots under oustees quota. Out of these, 679 applicants have opted for allotment of plot under special scheme framed for oustees of Rajiv Gandhi Education City, Sonipat and only 99 applicants have opted for allotment of land under “ Rehabilitation and Resettlement of Land Owners –Land Acquisition Ousteas Policy”.
6. The “ Rehabilitation and Resettlement of Land Owner – Land Acquisition Ousteas Policy ‘was notified by the Revenue and Disaster Management Department , Government of Haryana with the prior approval of the council of Ministers . Hence , the matter requires approval of the Council of Ministers since a deviation from the policy notified by the Government on 7th December, 2007, is being made in the case of Ousteas of Rajiv Gandhi Education City.
7. The matter is , therefore, placed before the Council of Ministers as required under item no 15 of Schedule appended to the Rules of Business of Government of Haryana , 1977 for consideration and approval of the decision , as mentioned in para 4 above.

Approval of Chief Minister has been obtained for placing the matter before the Council of Ministers Chandigarh.

-sd/-

(D.S. Dhesi, I.A.S.)

Financial Commissioner & Principal
Secretary to Govt., Haryana , Urban
Estates Department Haryana.

**MOST URGENT
DATE BOUND**

From

The Financial Commissioner & Principal Secy, to Govt.
Haryana Town & Country Planning Department.

To

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

Memo No. 7/14/2008-2TCP

Dated, Chandigarh, the 31.12.2008

Sub: Guidelines for implementing the rehabilitation and resettlement policy notified vide Haryana Government Gazette notification no. 5451-R-V-2007/13258 dated 7th, **December, 2007.**

Reference on the subject cited above.

1. It is intimated that Council of Ministers, Haryana in its meeting held on 23.12.2008 has approved the above mentioned proposal of the department. In this regard, a copy of U.O No .9/253/2008-2 Cabinet dated 23.12.2008 received from the Secretary, Council of Minister, Haryana is enclosed here with for taking immediate necessary action for implementation of the decision of CMM.
2. Concerned file (Page 1-227)of Haryana Urban Development Authority is also returned here with .You are requested to send implementation report of the decision of CMM at the earliest , so that Secretary , Council of Ministers, Haryana could be intimated accordingly.

-sd/-

Superintendent

for Financial Commissioner & Principal Secy.,
to Govt., Haryana, Town & Country Planning
Department.

**IMMEDIATE CONFIDENTIAL
COUNCIL OF MINISTERS**

Subject: Regarding Oustees Policy for land owners whose land has been acquired for Rajiv Gandhi Education City, Sonapat.

Will the Financial Commissioner & Principal Secretary to Government Haryana, Town & Country Planning and Urban Estates Department, Kindly refer to his/her U.O. No 7/14/2008-2 TCP, dated 22.12.2008, on the subject noted above?

1. The Council of Ministers in its meeting held on 23.12.2008 has taken the following decision in this matter:-
“The **Proposal was approved.**”
2. The Administrative, Department is requested to kindly implement the decision of the Council of Ministers at the earliest and to send a copy of the orders issued in this regard, if any , to the Cabinet Section, within a fortnight, positively.
3. It is requested to keep in view the Government instructions contained in U.O. No. 5/313- Cabinet -88 dated 2. 7.1991 while implementing the decision of the Council of Ministers

Superintendent Cabinet
For Secretary , Council of Ministers, Haryana,

To

The Financial Commissioner & Principal Secretary to Govt., Haryana,
Town & Country Planning and Urban Estates Department.

UO No 9/253/2008-2 Cabinet,

Dated, Chandigarh the 23rd December, 2008

GUIDELINES FOR REHABILITATION AND RESETTLEMENT POLICY

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Zonal Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.
3. All the Land Acquisition Officers in the State.

Memo No. UB-AU3-2008/

Dated : 13th August, 2008

Subject: GUIDELINES FOR IMPLEMENTING THE REHABILITATION AND RESETTLEMENT POLICY NOTIFIED VIDE HARYANA GOVERNMENT GAZETTE NOTIFICATION NO. 5451-R-V-2007/13258 DATED 7th December, 2007.

In continuation of this office letter no. UB-1-AU III/2008/16290-300 dated 28th April, 2008 whereby the adoption of the ibid Policy notified by the Revenue and Disaster Management Departments in HUDA was circulated.

The operational guidelines for implementing the above Policy in HUDA have been formulated as under-

1. After the announcement of the Award, the Land Acquisition Collector will send the details of the land owners including their area acquired for determining the eligibility and entitlement of the land owners. These details will be sent to the concerned Estate Officers within one month of the announcement of the Award.
2. The Estate Officer will issue a public notice through two news-papers inviting the Oustee's Claim for allotment of residential plot and / or commercial booth as the case may be. The period for inviting the claims will be 30 days from the date of publication of the above notice.
3. The applicants will have to deposit a tentative amount of Rs. 50,000/- with their applications. This amount will be deposited against the price of the plot. Those Oustees who do not prefer their claims within the stipulated period alongwith the requisite application amount will have no right for consideration subsequently.
4. The Zonal Committee headed by the Administrator and consisting of Estate Officer and Land Acquisition Collector will determine the eligibility and entitlement of the applicants within 60 days of the last date for receipt of the applications. Each applicant will be informed about the eligibility and entitlement as per the decision of the Zonal Committee.
5. Before the floatation of the Sector, the Oustees will be asked to submit their applications under Oustees' Quota as per their entitlement determined by the Zonal Committee. Each applicant will deposit 10% of the amount so demanded after adjusting the amount of Rs. 50,000/- already paid by the Oustees at the time of submission of application. The actual plots will be given through draw of lots by the Estate Officer. After the draw of lots, the remaining plots will be floated to the general public.
6. If the Zonal Committee finds the claims are unacceptable under the policy, the amount will be refunded to the applicants within 30 days of the decision taken by the Zonal Committee. Any appeal against the decision of the Zonal Committee can be made to the Chief Administrator. The period for such an appeal will be 30 days from the date of communication of the decision of the Zonal Committee.
7. Those Oustees who do not apply against the flotation will be refunded the amount of application money without any interest within 60 days of the holding of draw for the Oustees.

ANNUITY

For the payment of annuity to the land owners whose land has been acquired, the tenders from various firms on a year to year basis will be called by the Chief Administrator. However, in case a uniform rate is decided by the Government (in Revenue Department), the work may be allotted at that rate instead of calling tenders. The annuity will be purchased by HUDA once a year. The firm will pay the amount to the land owners for the period as mentioned in the Rehabilitation and Resettlement Policy.

These guidelines are being issued with the prior approval of the Chief Minister-cum-Chairman, HUDA.

These instructions may be brought to the notice of all concerned for strict compliance.

An acknowledgment of these guidelines may be furnished to the HQ within 15 days of the receipt thereof.

-sd/-

(T.C.Gupta, I.A.S.)

Chief Administrator, HUDA

Dated : 13th August, 2008

Endst. No.UB-AU3-2008/

A copy of the above is forwarded to the following for information and necessary action:-

1. The Financial Commissioner & Principal Secretary to Govt. Haryana, Revenue & Disaster Management Departments.
2. The Director, Urban Estates Department, Haryana, Panchkula.
3. The Chief Town Planner, HUDA Panchkula.
4. The Chief Controller of Finance, HUDA Panchkula.
5. The Legal Remembrancer, HUDA Panchkula.
6. The Enforcement Officer, HUDA (HQ) Panchkula.
7. The Dy. ESA HUDA Panchkula.
8. All the Assistants in Urban Branch (HQ) HUDA Panchkula.

-sd/-

(A.K.Yadav, I.A.S.)

Administrator (HQ)

For Chief Administrator, HUDA

Internal Distribution-

PS/FCTCP

PS/CA, HUDA.

Chief Engineer

Chief Engineer-I

From

The Chief Administrator
HUDA, Panchkula.

To

1. All the Zonal Administrators HUDA
2. All the Estate Officers HUDA.

Memo No. UB-I/AU-III/2008/16290-300

Dated 28.04.08

Subject:-Policy for Rehabilitation and re-settlement of Land Owners-Land Acquisition Oustees – 7th, December, 2007.

This is in supersession of all the policy guidelines on the subject circulated from time to time.

The State Government has notified a Rehabilitation and Resettlement policy vide notification No. 5451-R-V-2007/13258 dated 07.12.2007 (Copy enclosed). This policy is applicable to Haryana Urban Development Authority also w.e.f. the date mentioned in the notification. The detailed Procedure /guidelines shall follow.

This has been issued in anticipation of approval of the Authority.

DA/As Above

-sd/-
(KRISHAN LAL)
Administrative Officer,
For Chief Administrator, HUDA
Dated

Endst. No. UB-I/AU-III/2008/

A copy along with the copy of notification No. 5451-R-V-2007/13258 dated 07.12.2007 is also forwarded to the following for information and necessary action:-

1. The Chief Town Planner, HUDA Panchkula.
2. The Chief Controller of Finance, HUDA Panchkula
3. The Secretary, HUDA Panchkula
4. The Enforcement Officer, HUDA HQ's Panchkula.
5. District. Attorney HUDA Panchkula
6. Deputy ESA, HUDA Panchkula
7. All the Assistants in Urban Branch I & II, HUDA HQ's

DA/As Above

-sd/-
(KRISHAN LAL)
DA/As Above Administrative Officer,
For Chief Administrator, HUDA

[Extract from Haryana Government Gazette, dated the 18th December, 2007]

HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 7th December, 2007.

No. -5451-R-V-2007/13258.- The Governor of Haryana is pleased to formulate a policy for rehabilitation and resettlement of landowners- land acquisition oustees. The policy is given in Annexure “A”

The operational details, keeping in view the above policy, would be worked out by the respective department and agencies.

This policy issues with the concurrence of the Finance Department conveyed vide their U.O. No. 1/17/2007-4FG-II/2395 dated 28th November, 2007.

The above policy may be brought to the notice of all concerned for compliance.

-sd/-

Dharam Vir

Financial Commissioner & Principal Secretary
to Government of Haryana, Revenue
& Disaster Management Department.

POLICY FOR REHABILITATION AND RESETTLEMENT OF LAND OWNERS - LAND ACQUISITION OUSTEES.

ANNUITY

The land owners will be paid annuity for 33 years over and above the usual land compensation. The amount of annuity will be Rs. 15,000/- per acre per annum.

Annuity of Rs. 15,000/- will be increased by a fixed sum of Rs. 500/- every year.

In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/ Technology Cities, Technology Parks, in addition to rehabilitation and resettlement package notified by Industries and Commerce Department vide No. 49/48/2006-41IBI, dated 4th May, 2006, a sum of Rs. 30,000/- per acre per annum will be paid for a period of 33 years by private developers and this annuity will be increased by Rs. 1,000/- every year.

The policy of paying annuity will be applicable to all cases of land acquisition by Govt. except land acquired for defence purposes.

Allotment of plots by Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited.

- (i) The allotment will be made to each co-sharer depending upon his share in the land acquired for Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited as per scale mentioned in the entitlement.
- (ii) Plots under this policy would be offered if the land proposed to be acquired is under the ownership of oustees on the date of publication under Section-4 of Land Acquisition Act and if 75% or more of the total land owned by the owner in that Urban Estate is acquired. Only one time benefit of this policy will be given to the land owners whose land is acquired in pocket at different times. In case, the land owner becomes entitled for a bigger size plot due to subsequent acquisition of his land then differential of the plot already allotted to him shall be allowed to him.
- (iii) This benefit will not be allowed to the applicant whose land has been released and he will not make such request to the Government for release of his land.
- (iv) No litigation should be pending except that of enhanced compensation in any Court.

The maximum size of the plot to be allotted will be restricted to 350 sq yards. Since livelihood of the farmers predominantly depends upon his agriculture income and shops, in order to provide the affected land owners/farmers a long terms sustains able source of income, in addition to the resident plot, commercial sites, measuring 2.75 x 2.75 mtrs. may be allotted in Haryana Urban Development Authority sectors. Such allotments shall be made to each co-sharer provided his share exceeds 2.5 acres, otherwise all the co-shares will be allotted a single site. Director, Town and Country Planning, Haryana will allow additional component of commercial use in the Sector if the booths are separately provided. In respect of Haryana State Infrastructure Development Corporation limited, mixed land use of residential and commercial will be allowed for which a detailed scheme shall be worked out by Haryana State Infrastructure Development Corporation limited.

In case the land is acquired for purposes other than residential sector, the plots as mentioned in para (v) above will be allotted in the residential sector to be developed next in that urban estate.

The development agency will earmark a separate chunk of land preferably close to the village as part of the Toshi Abadi. Area in the close vicinity of the village will be set apart not only for rehabilitation but also for necessary village social infrastructure.

The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.

The sale price of residential plots will be kept as the issue price of the respective plot. In the case of commercial area of kiosks i.e 2.75 mtrs., X 2.75 mtrs., the sale price will be 3 times of the nodal price of the residential plot.

The Rehabilitation Policy will be applicable to those land owners whose residential structure/ houses/ dwelling units fall within alignment of essential infrastructure services and is acquired under urgency clause.

The plot sizes for allotment are given as under:

In case where only land is acquired:-

Land / area acquired (each allotment)	Size of residential plot to be allotted
100 to 500 sq.yd	3 marla
501 to 1000 sq.yd.	4 marla
1001 sq.yd to 1/2 acre	6 marla
Above 1/2 acre to 3/4 acre	8 marla
Above 3/4 acre to 1 acre	10 marla
One acre and above	14 marla

Or

In case of constructed residential structure acquired, the plots sizes will be as under:-

Size of the residential house acquired	Size of residential plot to be allotted
Up-to 100 sq.yd	50 sq.yd.
Above 100 sq.yd and upto 200 sq.yd.	100 sq.yd.
Above 200 sq.yd and upto 300 sq.yd.	150 sq.yd.
Above 300 sq.yd and upto 400 sq.yd.	200 sq.yd.
Above 400 sq.yd and upto 500 sq.yd.	250 sq.yd.
Above 500 sq.yd	350 sq.yd

Oustees will have choice to opt for either (a) or (b) above which he will have to communicate to concerned Land Acquisition Officer 30 days of the announcement of award otherwise it will be decided by the concerned agency.

1. Haryana State Industrial Infrastructure Development Corporation Limited and Haryana Urban Development Authority would take steps for creation of social infrastructure and/or employment in the Village falling within the acquired land under their policy.
2. The policy for allotment of plots will be applicable only for lands acquired for Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited
3. This policy will be applicable with effect from 5th March, 2005 and cover all those cases of acquisition in which awards of compensation were announced on or after 5th March, 2005.

-sd/-

Dharam Vir, I.A.S.
Financial Commissioner
& Principal Secretary to Government of
Haryana, Revenue & Disaster Management
Department.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

All the Zonal Administrators/ Estate Officers, HUDA.
Memo No.UB-1/DS-08/9129-33 Dated: 12/3/2008

Subject: Regarding rejection of claims/applications of **oustees** for allotment of plots under oustees quota without issuance of advertisements wherever applicants failed to apply dispute issuance of advertisements in the past – **mandatory to invite claim through advertisement.**

Reference on the subject cited above.

Hon'ble High Court vide its order dated 10.12.2007 in CWP No. 5706 of 2005–Rattan Lal and others V/s State of Haryana and others has held that any allotment of plot to any oustee without due advertisement in any case would be viewed seriously as the existing process without advertisements is likely to be misused and the writ petition has been dismissed. Copy of Hon'ble High Court judgment dated 10.12.2007 is enclosed for your ready reference.

In view of above, it has been decided that wherever Ousteas / land owners are claiming allotment of plot under oustees quota without issuance of advertisement and wherever they have failed to apply despite issuance of advertisement in the past, there claims should be rejected straightway.

Therefore as and when oustees plots are available for allotment proper advertisement may be issued for inviting applications for allotment of plots under oustees quota.

The above instructions should be compiled with in letter and spirit and any deviation in this regard shall be viewed seriously.

-sd/-
(Krishan Lal)
Enforcement Officer,
For Chief Administrator, HUDA, Panchkula.

Endst. No. UB-1/DS-08/9134-38

Dated: 12/3/2008

A copy of the above is forwarded to the following for information and necessary action :-

1. Chief Town Planner, HUDA, Panchkula.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Secretary, HUDA, Panchkula.
4. Legal Remembrancer, HUDA, Panchkula.
5. Dy. ESA, HUDA, Panchkula.

-sd/-
(Krishan Lal)
Enforcement Officer,
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.A-5-2007/10218-39

Dated: 20.03.2007

Subject: Regarding **Rehabilitation** of occupants of houses allotted under **State/Centre Govt. Schemes**, while acquiring their land/houses for the development of a sector/Urban Estates by HUDA – **EWS Plots to society/ occupants of houses.**

This is with reference to the subject cited as above.

The State/Centre Govt. under its aided/sponsored schemes have been allotting land /houses to the members of the under privileged society from time to time. Sometimes, their land/houses are acquired by HUDA for the development of a sector/Urban Estate. The matter regarding formulation of a specific policy for the rehabilitation of occupants /residents of such Bastis/colony has been engaging the attention of the Authority, for the past some time.

The Authority has considered the above matter in its meeting held on 12.12.2006. It has been decided that the members of the under privileged society who have been allotted sites/houses under any State Govt/Centre Govt aided scheme and their land/house is acquired for the development of a sector/urban estate by HUDA they shall be offered plots of 2 Marla each (in case the land under valid occupation of each members is less than 100 Sq.yds.) and of 3 Marla each (in case the land is 100 Sq.yd. or more). The allotment under this scheme shall be made at the prevalent EWS rates. Enhancement in compensation, if any shall however be payable extra. No compensation in lieu of the acquired land shall be paid. However, the cost of structures raised by them from their own sources, if any, shall be reimbursed as per the assessments made by LAC, as per policy.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Dated:20.03.2007

Endst No. A-5/2007/10240-48

A copy of the above is forwarded to the following for information and necessary action:

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The L.R. HUDA, Panchkula.
5. The Secretary HUDA, Panchkula.
6. The CVO & EO, HUDA (HQ), Panchkula.
7. The Deputy Economic & Statistical Advisor, HUDA, Panchkula.
8. Senior Manager /IT, Panchkula.
9. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA

Memo No. A-1-2006/31523-38

Dated 30.8.2006

Subject : Allotment of residential plots/sites to the oustees in the Urban Estates set up by HUDA – clarification.

Your attention is invited to HQs Memo. No.Dy.ESA(HUDA)-2006/15261-97 dated 4.5.06 vide which proceedings of the review meeting held on 16.03.06 under the Chairmanship of Chief Administrator, HUDA were circulated. As per agenda item No.7(ii), it was decided & circulated that **“if an applicant makes an application for allotment of plot of smaller category, his request may acceded to, if the plot of the category for which he is eligible is not available. This may be done with the consent of the applicant.”** Since the matter requires approval of Authority, before the same is implemented, therefore the above decision may be treated as withdrawn till it is approved by the Authority.

You are requested to take further action accordingly.

-sd/-
Administrative Officer
for Chief Administrator, HUDA.

Endst.No.A-1-2006/31523-38

Dated 30.8.2006

A copy of the above is forwarded to the following for information & necessary action :-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. All the Land Acquisition Officer, Urban Estates Deptt.
6. The Chief Vigilance Officer-Cum-Enforcement Officer, HUDA, Panchkula.
7. The Dy.Economic & Statistical Advisor, HUDA (HQ), Panchkula.
8. All the Assistants/Record Keeper of Urban Branch(HQ), Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrator, HUDA.
2. All the Estate Officer, HUDA.

Memo. No.A-1-2006/30937-58

Dated 25.08.2006

Subject : Allotment of **residential plots/sites** to the **oustees** in the various Urban Estates set up by HUDA
Clarification thereof.

This is in continuation of this office Memo. No.A-2-92/2076 dated 18.03.1992 & A-11P-93/7996-8013 dated 12.03.1993 on the subject cited as above.

Clause (i) of the policy for allotment of plots to oustees issued vide Memo. No.A-2/92/2076 dated 18.03.1992 reads as follows.

“Plots to the oustees would be offered if the land proposed to be acquired is under the ownership of the oustees prior to the publication of the notification under sector 4 of the Land Acquisition Act and if 75% or more of the total land owned by the land-owners in that sector is acquired.”

A clarification was sought regarding kind of land owned by an oustee to be counted for calculation of percentage of land acquired.

In this regard it is clarified that since the shares of land with in Lal Dora are not established through revenue record, therefore, we may interpret 75% land within the sector except land falling within Lal Dora for the purposes of determining claim under oustees policy.

The above clarification may be brought to the notice of all concerned.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

Dated 25.08.2006

Endst.No.A-1-2006/30959-68

A copy is forwarded to the following for information and necessary action :-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. All the Land Acquisition Officer, Urban Estates, Haryana.
6. The CVO, HUDA, (HQ), Panchkula.
7. The Distt.Attorney, HUDA, Panchkula.
8. The Dy.Economic & Statistical Advisor, HUDA, Panchkula.
9. All the Assistants/Record Keepers, Urban Branch HUDA (HQ) Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6 Panchkula

To

1. All the Estate Officers, Haryana Urban Development Authority, (In the State)
2. All the Estate Officers, Haryana Urban Development Authority, (In the State)

Memo No . A-1-2006/9598-9608 Dated 23-3-2006

Subject: Allotment of **residential plots/commercial sites** to the **oustees** in the various Urban Estates set up by
HUDA – **clarification of procedure.**

This is continuation of the policy guidelines, on the subject circulated vide Memo No. A-11-P/93/7996-8013 dated 12.3.1993.

The subject cited policy guidelines states that:-

“Benefit under oustees policy shall be restricted to one plot according to the size of the holding irrespective of the number of co-shares”

- i) In case the application is made by one or more co-sharers, but for and on behalf of all co-shares should be accepted and processed further. However, allotment letter shall be made in the joint name of all co-sharers.
- ii) In case one or more co-sharers make an application, in their individual name(s) then the co-shares shall have to submit along with application, “No objection Certificate” from other co-sharer(s). You are requested to take further action accordingly.

-sd/-
Administrative Officer,
Chief Administrator, HUDA.

From

The Chief Administrator,
C-3, Sector 6, HUDA,
Panchkula.

To

1. All the Administrators, Haryana Urban Development Authority
2. All the Estate Officer(s)/Asstt. Estate Officer(s), Haryana Urban Development Authority.

Memo. No.A-1-2003/36860-80

Dated 8.12.2003

Subject : Allotment of plots to the **oustees** in the various Urban Estates set up by HUDA-**Clarification** thereof
(**exclusion of commercial site**).

This is in continuation of this office Memo. No.A-11-P-98/24402-22 dated 28.08.1998 on the subject cited as above.

The amendment in the oustees policy approved by the Authority, for allotment of plots to the oustees in the various Urban Estates developed by HUDA, as circulated vide Memo./circular referred to above specifically states that if the plot under the oustees policy cannot be offered to the oustees in the same sector (developed as "Non-residential") then they shall be offered only a residential plot, in the next residential sector of the Urban Estates which may be floated & developed by HUDA. Meaning thereby, the land owner whose land is acquired for the development of a sector shall be entitled for a residential plot only, as per laid down eligibility/entitlement criteria". The word commercial wherever figured in the circular dated 28.08.1998 referred to above, inadvertently, may be treated as withdrawn.

The above clarification may be brought to the notice of all concerned.

-sd/-
Administrative Officer
for Chief Administrator, HUDA.

Endst.No.A-1-2003/36881-89

Dated 8.12.2003

A copy of the above in continuation of this office Endst.No.A-11P-98/24423-38 dated 28.08.1998 is forwarded to the following for information and necessary action :-

1. The Joint Director (Law), HUDA, (HQ), Panchkula.
2. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. The Dy.Economic & Statistical Advisor, HUDA (HQ), Panchkula.
8. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ) Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All Administrators, HUDA.
2. All the Estate Officers/Asstt.Estate Officer, HUDA.

Memo. No.A-1(P)-2002/16931-16952 Dated 10.07.2002

Subject: Allotment of **residential** plots – **Clarification of left out plots.**

As per existing procedure oustees claims for allotment of residential plots are invited at the time of floatation of the Sector/balance left out plots. Sometimes against the left out plots. In such cases, first preference in the allotment is given to the oustees and no plot of general category remains available. Therefore, it has been decided that in case of left out plots, the oustees claims should be invited first by the concerned Estate Officers and after reserving the equal number of plots for the oustees, the remaining plots should be advertised for General category etc. In case of floatation of full sectors, it has been decided that while advertising for new plots, oustees should specifically be requested to apply and take benefit of oustees claim and it should also be mentioned in the advertisement that after adjusting the oustees claim, the balance plots would be available for allotment as per reservation policy. Some time less number of applications are received against the reserved category as compared to the number of available plots, therefore, it has been decided that the remaining plots in respective category may once again be advertised for the same categories and if still some plots are left then the same should be converted into general category. The matter was placed before the Authority in its 85th meeting held on 26.06.2002 for consideration and decision vide agenda item No.A-85(11) and the same has been approved by the Authority. This amendments/provisions shall be made applicable prospectively.

These instructions may be brought into the notice of all concerned.

-sd/-
Administrative Officer
For Chief Administrator, HUDA

Endst.No.A-1(P)-2002/16953-68

Dated 10.07.2002

A copy of the above is forwarded to the following for information and necessary action :-

1. The Joint Director, (Legal) HUDA, Panchkula.
2. The Chief Engineer/Addl. Chief Engineer, HUDA, Panchkula.
3. Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Dy. Economic & statistical Advisor, HUDA, Panchkula.
7. All the Assistants/Record Keepers in Urban Branch of HQs.

-sd/-
Administrative Officer
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

1. All the Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.

Memo. No.A-11P-2000/6621-41 Dated 27.03.2000

Subject : Partial modification of existing oustees policy- Extending scope thereof.

This is in continuation of Headquarters Memo. No.DDA-93-29966-82 dated 01.10.1993.

The existing policy lays down that only those land owners, whose land was acquired on or after 10.09.1987 are eligible to acquire a residential plot.

As a follow up to the decision of Hon'ble Punjab & Haryana High Court given in CWP No.14708 of 1990 titled as "Suman Aneja Vs. State of Haryana" circulated vide memo. referred to above, the matter was placed before the Authority in its 77th meeting held on 24.02.2000. It has accordingly been decided that in view of the judgment of the Punjab & Haryana High Court, where the land was acquired prior to 10.09.1987 and plots are still available. While floating the plots on such land, the oustees claims shall also be invited and they will have the prior right for the allotment of plots.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst.No.A1P-2000/6642-61

Dated 27.03.2000

A copy of the above is forwarded to the following for information and necessary action :-

1. The Additional Director, Urban Estate Department, Haryana, Panchkula.
2. The Joint Director, (Legal) HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. All the Land Acquisition Officers, Urban Estates in the State.
6. All the Assistants/Record Keepers in Urban Branch of HQs.

-sd/-
Administrative Officer
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrator(s),
Haryana Urban Development Authority.
2. All the Estate Officer(s)/Asstt. Estate Officer(s).
Haryana Urban Development Authority.

Memo No.A-11P-98/24402-22

Dated: 28.08.1998.

Subject: Allotment of plots to the **oustees** in the various Urban Estates set up by HUDA-amendment thereof – **to enlarge scope.**

This is in continuation of memo No.A-2-02/2078 dated 18.3.92 and No.A-11P-93/7996-8013 dated 12.3.93.

The present policy on the subject, in force envisages that the allotment of residential/commercial plots under oustee policy shall be restricted to the allotments within the Sector for which the land has been acquired. This stipulation of the policy has been creating a practical problem at the implementation stage, Sometimes, the acquired land belonging to the land owners/oustees is developed by HUDA for the purposes other than for residential/commercial like recreational Sector, institutional zones, group housing societies and industrial purposes etc. etc. Then the land owners/oustees of the particular Sector are totally out of the purview of the policy and the land owners are not entitled for allotment of residential plot in lieu of their acquired land.

After careful consideration, the Authority in its 74th meeting held on 20.8.98, vide agenda item No.A-74(7) in partial modification of the policy on the subject in force have decided that “if the plot under the oustees policy cannot be offered to the oustees in the same Sector then they should be offered residential/commercial plots in the next residential Sector of that Urban Estate, which may be floated and developed by HUDA”. This amendment/provisions will be made applicable prospectively. All other terms and condition, shall however remain the same.

These instructions may be brought to the notice of all concerned.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

Dated: 28.8.1998.

Endst.No.A-11(P)-98/24423-38

A copy is forwarded to the following for information and necessary action.

1. The Chief Engineer, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The District Attorney, HUDA, Panchkula.
6. The Asstt. Research Officer, HUDA (HQ), Panchkula.
7. All the Assistants/Record Keepers of Urban Branch.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

All the Administrators in HUDA.

Memo. No.A-11P-97/34990-93

Dated 22.10.1997

Subject : Allotment of **residential plot/commercial sites to the oustees** in the various Urban Estates set up by HUDA – **competent authority**.

Kindly refer to policy guidelines bearing No.A-11P-93/7996-8013 dated 12.3.93 on the subject cited above.

The matter with regard to the speedy disposal of pending claims of the oustees has been engaging attention for quite some time. After careful consideration it has been decided with the approval of Chairman, HUDA that the Zonal Administrator shall henceforth will be the accepting authority of the claims of the oustees under the guidelines referred to above. The above decision is in anticipation of the approval of the Authority.

You are requested to decide all the pending cases expeditiously strictly in accordance with the policy/ guidelines issued from time to time by this office.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

Endst.No.A-11P-97/34994-35011

Dated 22.10.1997

A copy is forwarded to the following for information and necessary action :-

1. Chief Town Planner, HUDA, Panchkula.
2. All the Estate Officers, HUDA
3. All the Asstt.Estate Officers, HUDA.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Mani-Majra, UT, Chandigarh.

To

All the Administrators, HUDA, All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-11P-93/7996-8013

Dated: 12.3.1993

Sub: Allotment of **residential plots/ commercial sites to the oustees** in the various Urban Estates set up by HUDA – **procedure of oustees claims.**

Sir,

I am directed to address you on the subject cited above and to inform that pursuant to the review of the oustees policy by the Authority in its meeting held on 20.2.92 revised instructions were circulated on the subject vide Memo. No.S-II 92/2071 dated 18.3.92. While the said policy laid the guidelines to determine the eligibility of claimant oustees for allotment of residential/commercial sites, the procedure to examine such claims remained open-ended.

The matter has been engaging the attention of management for quite sometime. After careful consideration of various aspects of the matter, the Authority in its 55th meeting held on 29.1.93 has approved the procedure for inviting, scrutinizing and finally accepting the claims of oustees. A copy of the procedure approved is attached as Annexure 'A' to this communication.

Further, to it, Authority while laying down the procedure to settle such claims, have decided, in partial modification of the earlier policy as under :-

1. Benefit under oustees policy is not to be allowed to those oustees who have got residential/commercial plots from HUDA in that Urban Estate. However, this restriction will not apply to those oustees who might have acquired property there otherwise.
2. Benefit under oustees policy shall be restricted to one plot according to the size of the holding irrespective of the number of co-sharers.

In the aforesaid context and the instructions issued from time to time on the subject cited above, the screening committees should settle the claims within the time frame as indicated in the procedure. A monthly progress report may also be sent to the Head Office by the respective Administrators, in respect of each Urban Estate on the proforma attached to this communication. It may also be ensured that future claims are settled promptly to ward-off un-necessary correspondence and litigation in the matter.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

Dated 12.03.1993

Endst.No.A-11-0-93/8014-22

A copy is forwarded to the following for information and necessary action :-

1. Legal Remembrancer, HUDA, Manimajra.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Manimajra
4. Secretary, HUDA, Manimajra.
5. All Land Acquisition Officers in State.
6. Dy.ESA, HUDA, Panchkula

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

(FORMAT OF APPLICATION FOR CLAIM)

To

The Estate Officer,

Subject : Application for allotment of plot/shop under Oustees Policy.

Sir,

The applicant beg to apply for allotment of plot/shop under the Oustees Policy. The particulars are as under :-

1. Name of the Claimant(s)
2. Father's Name
3. Address
4. Full particulars regarding the land/building acquired :-
 - a) Area of the land/building acquired(in Kanals and Marlas).
 - b) Land/building acquired (in Kanals and Marlas).
 - c) Applicant's land/buildingIn the same Revenue Estate(in Kanals and Marlas).
 - d) Area of land/buildings, ifAny, released after Notification U/S (in Kanals and marlas)
 - e) In case of joint holding, Share of each Joint-HolderMay be given.

(Note) In proof of above information, the certified copy of relevant review record may be appended.
5. The details of plot, if any, allotted earlier under Oustees Policy whether severally or jointly.

Dated : _____

Signature of the Applicant/
Claimant.

(i) **Filing of Claims**

LAO concerned will prepare a list of eligible oustees at the time of announcement of award and send the same to the Estate Officer for reference and record. The Estate Officer concerned shall invite the claims through press/News-papers for allotment of plots under the oustees policy much before floatation of the sector. Each applicant would be required to send the application in the prescribed proforma, alongwith the supporting documents and earnest money equivalent to 10% of the cost of the plot of the sector in question and if the price has not been determined till then, of the previous sector floated in the same urban estate.

- (ii) The allotment of plots under oustees policy be restricted to the claimants within the sector for which the land has been/is being acquired.
- (iii) The past claims which have also been received in different offices of HUDA/Urban Estates for allotment of residential plots under Ousteas Policy be scrutinized by the proposed Committee in terms of the policy applicable at the relevant time. Such past claims will be considered and got decided within a time-frame of 4 months, as one time measure.
- (iv) The onus to file the claims under Ousteas Policy shall rest with the claimants and Estate Officer concerned will publish a public notice through Press/Newspaper regarding possession of the land. However, the record of LAO/s officer will be consulted for verification of these claims by a Screening Committee, constituted for the purpose.

(v) **Scrunity and acceptance of claims**

The documents received with the application will be scrutinized with reference to the record supplied by LAO. For the purpose a Screening Committee is proposed to be constituted, which will make its recommendations within one month of the last date of filing of the claims :-

Zonal Administrator (concerned)	Chairman.
Land Acquisition Officer of the Area	Member
District Town Planner of the area	Member
Estate Officer of the Urban Estate	Member Secretary

The committee shall forward its recommendations to the Chief Administrator for accepting the claims of such applicants.

(vi) **Mode of Allotment**

After the claims have been finally accepted by the Competent Authority the appellant claims will be kept in live register and applicant shall be asked to deposit the earnest money equivalent to 10% of the cost of the plot as and when sector scheme is to be floated. The allotment of plots to such claimants shall normally be done prior to or atleast alongwith other applicants, who have been declared successful in the draw of lots after the floatation of the scheme. By doing so, the number of plots, which are to be offered in general draw will be identified after the claims of the oustees are earmarked for the general draw. Those allottees who do not prefer their claims within the stipulated period alongwith requisite information will have no right for consideration of their claims after the general draw is over in respect of that sector.

From:

The Chief Administrator,
Haryana Urban Development Authority
Manimajra (UT), Chandigarh.

To

1. All the Administrator,
Haryana Urban Development Authority
2. All the Estate Officer/ Gurgaon Asstt. Estate Officers in
Haryana Urban Development Authority

Memo No.S-2-92/2082

Dated: 18-03-1992

Subject: Allotment of residential plots/ commercial sites in the oustees in the various Urban Estates set up by HUDA - clarification.

I am directed to address you on the subject cited above and to inform you those formalities of policy for allotment of plots to the oustees has been engaging attention of HUDA since long. Thus, after due consideration the Haryana Urban Development Authority in its meeting held on 20-02-92 under the Chairmanship of Hon'ble Chief Minister, Haryana have decided that the plots to the oustees will only be offered if they were owners of land proposed to be acquired on the following terms and conditions.

- I) Plots to the oustees would be offered if the land proposed to be acquired is under the ownership of oustees prior to the publication of the notification under section 4 of the Land Acquisition Act and if 75% or more of the total land owned by the Land Owners in that sector is acquired.
- II) Ousteas whose land acquired is :
 - a) Less than 500 sq yd should be offered 50 sq yd plot.
 - b) Between 500 sq yd and one acre should be offered a plot of 250 sq yd.
 - c) From 1 acre above could be allotted a plot of 500 sq yd or where 500 sq yd plots are not provided to the layout plan. Two plots of 250 sq yd each may be given.
- III) The above policy shall also apply in case there are a number of co-sharers of the land which has been acquired. If the acquired land measures more than one acre. Then for the purpose of granting benefits under this policy, the determining factor should be the area owned by each co-sharer respectively as per his/ her share in the joint holding. In case the acquired land of the co-sharer is less than one acre, only one plot of 250 sq yd would be allotted in the joint name of the co-sharers.
- IV) If the land of any land owners is released from acquisition, he/ she would not be eligible to avail of any benefit under this policy (irrespective of the area of land released).
- V) As per the policy the oustees shall be entitled to a developed plot/ plots, the size of which would depend upon the area of his acquired land subject to a maximum of 500 sq yd. The oustee shall be entitled to this benefit under this policy only once in the same town where the land of a person situated/located. However, in cases where the land of a person situated in the same town is acquired in pockets at different times. The owner shall be entitled to claim the benefit on account of the entire area acquired at different times for purposes of claiming the benefit under this policy.
- VI) Claims of the oustees for allotment of plots under this policy shall be invited by the Estate Officer, Haryana Urban Development Authority concerned before the sector is floated for sale.

VII) The commercial sites/ building are sold by auction. The sites/ buildings be also allotted to oustees on reserve price as and when the auction of the same is held. While putting such sites/ buildings to public auction, the oustees who want to purchase the sites/ buildings could represent before hand for them. However, if the area acquired of the commercial site is equivalent or less to the area of booth/ shop-cum-flat being auctioned by HUDA, they may be given a booth/ SCO sites keeping in view the size of acquisition under this policy.

These instructions may be brought to the notice of all concerned.

-sd/-
Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh

Endst.No.S-2-92/2082

Dated: 18-03-1992

A copy is forwarded to the following for information and necessary action :-

1. Additional Director, Urban Estates, Haryana, Manimajra, Chandigarh.
2. Administrator (HQ), HUDA, Manimajra, Chandigarh.
3. Chief Town Planer, HUDA, Panchkula.
4. Controller of Finance, HUDA, Manimajra, Chandigarh..
5. Secretary, HUDA, Manimajra.
6. All Land Acquisition Officers in Haryana.

-sd/-
Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh

From

The Chief Administrator,
Haryana Urban Development Authority
Manimajra (UT), Chandigarh

To

All the Estate Officers & Asstt. Estate Officers
Haryana Urban Development Authority in the State
Memo No.A-11-(P)-91/5678 Dated : 18-3-1991

Subject: Revised allotment of residential plots/ commercial sites to the oustees in the various Urban Estates set up by HUDA- **clarification.**

Sir,

I am directed to invite your attention to the instructions issued by this office letter No.A-11-87/29034-44 dated 10-09-87 vide which the decision taken by the Authority with regard to allotment of plot to oustees was conveyed. It was also intimated vide memo No.A-11-(P)-76-78/17778 dated 17-05-88 that the above policy would be applicable in the future sectors only and the old applications were not to be considered. In order to remove the ambiguities in the above instructions, the same were amended and circulated vide this office memo no.A-11-(P)-90/9721 dated 09-05-90. it was pointed in the above circular that the claims of the oustees shall be invited before the sector is floated for sale. You are therefore, requested that the claim received be processed in the light of the above policy and sent to this office in a consolidated form so that the requisite No. of plots be reserved accordingly.

The copy of the enclosed public notice be exhibited in the office for inviting the claim of such whose land is already acquired for setting up of Urban Estates.

-sd/-
Dy. Economic & Statistical Adviser,
for Chief Administrator, HUDA

Endst. No. A-11-(P)-91/5679

Dated: 18-03-1991

A copy of the above is forwarded to all the Administrator, HUDA for information and necessary action.

-sd/-
Dy. Economic & Statistical Adviser,
for Chief Administrator, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY

PUBLIC NOTICE

It is notified for the information of general public that the Haryana Urban Development Authority have already formulated the policy for allotment of residential plots to the oustees whose land is acquired for the development of Urban Estates at various places in the State. The policy in the direction was formulated in the year 1987 and the same was published in the various newspapers. The said policy has further been elaborated and the eligibility is ascertained on the basis of following guidelines:-

- i) Plots to the oustees may be offered if the land proposed to be acquired is under the ownership of oustees for a continuous period of 5 years before the publication of notification under section 4 of the Land Acquisition Act and if 75% of the total land owned by the Land Owners in that Urban Estate is acquired.
- ii) Ousteers whose land acquired is :
 - a) Less than 500 Sq yd should be offered 40 Sq yd Plot.
 - b) Between 500 Sq yd and one acre should be offered a plot of 250 sq yd.
 - c) More than one acre should be offered a plot of 350 Sq yd.
- iii) In case these are a number of co-sharer for the land acquired such co-sharer be accommodated by offering one plot each of 250 sq yd subject to the condition that land acquired is at least one acre. In case acquired land of the co-sharer is more than one acre then only one plot of 250 sq yd may be allotted in the joint name of co-sharers.
- iv) Such plots should be offered to the oustees only if he does not own any house/ shops/ plot in any of the Urban Estates of that town.
- v) The persons whose house or part of land has been released from acquisition shall not be considered under this category for allotment of such plots.
- vi) Allotment of plots to the oustees will be made at the normal sector rate of HUDA.

The person who is eligible for allotment of residential plots in view of the above conditions and whose land was acquired may apply to the respective Estate Officers. In support of their claims, they are required to submit the copy of the award, Nakal Jamabandi or registry as the case may be.

-sd/-

Chief Administrator,
Haryana Urban Development Authority,
SCO No.841, Manimajra (UT)
Chandigarh

From

The Chief Administrator,
Haryana Urban Development Authority,
Mani-Majra (UT) Chandigarh.

To

1. All the Administrators, Haryana Urban Development Authority
2. All the Estate Officers/Assistant Estate Officers in Haryana Urban Development Authority.

Memo. No.A-11-P-90/9721

Dated 9.5.1990

Subject : Allotment of **residential plots/ commercial sites to the oustees** in the various Urban Estates set up by
HUDA – revised policy.

Sir,

I am directed to address you on the above subject and to say that on scrutiny of the instructions issued vide this office Memo. No.A-11-87/29034-44 dated 10.9.87, there appears to be an ambiguity in the instructions of the Authority to give a plot in lieu of oustees land acquired on certain conditions. In order to remove these ambiguities, the Authority has amended the decision taken on 14.8.1987 as under :-

1. Plots to the oustees may be offered if the land proposed to be acquired is under the ownership of oustees for a continuous period of 5 years before the publication of notification under section 4 of the Land Acquisition Act and if 75% of the total land owned by the Land Owners in that Urban Estate is acquired.
2. Ousteers whose land acquired is :
 - a. Less than 500 sq.yds. should be offered 40 sq.yds.plots.
 - b. Between 500 sq.yd. and one acre should be offered a plot of 250 sq.yds.
 - c. More than one acre should be offered a plot of 350 sq.yd.
3. In case there are a number of co-sharers for the land acquired such co-sharers be accommodated by offering one plot each of 250 sq.yd. subject to the condition that the land acquired is at least one acre. In case acquired land of the co-sharer is more than one acre then only one plot of 250 sq.yd. may be allotted in the joint name of co-sharers.
4. Such plots should be offered to the oustees only if he does not own any house/shops/plot in any of the Urban Estates of that town.
5. The persons whose house or part of land has been released from acquisition shall not be considered under this category for allotment of such plots.
6. Allotment of plots to the oustees will be made at the normal sector rate of HUDA.

As regards allotment of commercial sites to the oustees the matter is under re-examination and the decision as and when arrived at would be communicated. Claims of the oustees shall be invited before the sector is floated for sale.

These instructions may be brought to the notice of all concerned.

Yours faithfully,

-sd/-

Administrative Officer,

For Chief Administrator, HUDA

Dated 9.5.1990

Endst.No.A-11-P-90/9722

A copy is forwarded to the following for information and necessary action :-

1. Controller of Finance, HUDA, Mani-Majra.
2. Secretary, HUDA, Manimajra
3. Deputy ESA, HUDA, Manimajra
4. PA to Chief Administrator, for information of the Chief Administrator, HUDA, (Two copies).
5. PA to Administrator, (HQ), for information of the Administrator, (HQ), HUDA, Manimajra.

-sd/-

Administrative Officer,

For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Mani-Majra (UT) Chandigarh.

To

The Estate Officer,
HUDA, Gurgaon.

Memo. No.A-5-88/34077

Dated 30.9.1988

Subject : Allotment of plot out of **oustees quota** at Gurgaon - **Clarification.**

Reference your letter No. 3619 dated 18.02.88 and 3646 dated 18.02.88 on the subject cited above.

In this context, it is to inform you that as per policy clarification vide this office letter No.5-11-(P)-76-88/17778 dated 17.5.88 governing the allotment of plots to such oustees whose land was acquired during the year 1982 can not be considered for allotment of plot. The policy to offer plots for allotment is only applicable in respect of the land which will be acquired in future for development earlier. Further action in such case be taken accordingly.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

A copy of the above is forwarded to the following for information and necessary action :-

1. The Joint Director, (Legal), HUDA, Panchkula.
2. The Chief Engineer/Addl.Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. Dy.Economical & Statistical Advisor, HUDA, (HQ), Panchkula.
7. All the Assistants/Record Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

प्रेषक

मुख्य प्रशासक
हरियाणा शहरी विकास प्राधिकरण
मनीमाजरा (यू.टी.) चण्डीगढ़

सेवा में

सम्पदा अधिकारी - 11
हरियाणा शहरी विकास प्राधिकरण
रोहतक
यदि क्रमांक: स-11-पी-76-88/17778 दिनांक: 17-5-1988

विषय: - विस्थापितों को प्लॉट नियतन करने बारे
उपरोक्त विषय पर आपके पत्र क्रमांक 192 दिनांक 11.1.88 के सन्दर्भ में।
सूचित किया जाता है कि विस्थापितों को प्लॉट नियतन करने बारे जो नीति इस कार्यालय के
यदि क्रमांक ए-11-87/29034-44

दिनांक 10-9-87 को जारी की गई है वह पुराने प्रार्थना पत्र पर लागू नहीं है, वह केवल भविष्य में
बनाये गये सैक्टरों पर लागू होगी।

- हस्ता -
प्रशासक (मुख्यालय)
कृते: मुख्य प्रशासक, हुडा
मनीमाजरा।

पृ. क्रमांक: स-11-पी-76-88/17779-98 दिनांक: 17-5-1988

उपरोक्त की एक प्रति हरियाणा शहरी विकास प्राधिकरण में सभी प्रशासकों/सम्पदा अधि
कारियों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

- हस्ता -
प्रशासक बद्धमुख्यालय
कृते: मुख्य प्रशासक, हुडा
मनीमाजरा।

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT) Chandigarh.

To

1. All The Administrators in Haryana Urban Development Authority.
2. All the Estate Officers in Haryana Urban Development Authority,
3. All the Land Acquisition Officers in Urban Estates Department.

Memo No.:A-11-87/29034-44

Dated: 10.9.1987

**Subject : Allotment of residential plots/ commercial sites to the oustees in the various Urban Estates set up by
HUDA – Introduction of Ousteas policy.**

Sir,

I am directed to address you on the subject cited above and to inform you that formulation of policy for allotment of plots to the oustees has been engaging attention of HUDA since long. Thus after due consideration the Haryana Urban Development Authority have decided that the plots to the oustees will only be offered if they were owners of land proposed to be acquired for one year before the issue of notification U/S 4 of the Land Acquisition Act of 1984 and the plots will be made available only if 75% of the total land owned by the land owners is acquired. The plots will be allotted to such persons as under :-

1. Among others, those who own lands upto 500 sq.yds. should be offered a plot of 100 sq.yds. those who own land more than 500 sq.yds. to one acre should be offered plot of 250 sq.yds. & owners of larger lands should be offered plots of 350 sq.yds.
2. If there are a number of owners for particular land efforts should be made to accommodate them subject to the limit of one plot of 250 sq.yds. for every acre of land acquired. Such plot should be offered to the person when he files an affidavit to the effect that he does not hold any house/shop or plot in that town. This condition will be in conformity with the decision of the Hon'ble Supreme Court in Pista Devi's case.

The land owners will be given compensation for their land which is acquired while they will have to pay for these plots at the normal allotment rate of Haryana Urban Development Authority. Those, whose constructed Houses are released will pay Development cost for their portion of land.

The persons whose part of the land or some houses have been released from the acquisition and the remaining land acquired, should not be considered in the category of oustees for allotment of plots under this category.

The Hon'ble Supreme Court has also decided in a number of cases that land should be allotted for a house/ shop to all those persons whose land has been acquired. Legally, it becomes the responsibility of Haryana Urban Development Authority to allot/reserve some commercial sites for oustees. The commercial sites/buildings are sold by auction and under these circumstances such sites/buildings could be considered for allotment of oustees on reserve price as and when the auction for the same is held. As and when these sites/buildings are put to auction the oustees who want to purchase the sites/buildings could represent fore-hand for allotment so that requisite number could be reserved for them.

These instructions may be brought to the notice of all concerned.

-sd/-

Administrator, (HQ)
for Chief Administrator, HUDA.

Dated 10.9.1987

Endst.No.29045-46

A copy is forwarded to the Dy.ESA-HUDA, Manimajra for information and necessary action. He is requested that in order to the advertisement highlighting the main policy decision contained in the instructions be prepared and manage to release the same as soon as possible.

A copy is forwarded to the PA/CA for the information of Chief Administrator, HUDA, Chandigarh (Two copies).

-sd/-

Administrator, (HQ)
for Chief Administrator, HUDA.

2. INDUSTRIAL POLICY (EMP)

To

1. The Administrator,
HSVP, Faridabad.
2. The Estate Officer,
HSVP, Faridabad.

Memo No. A-4-UB-2019/134989

Dated: 26.07.2019

Subject: - Amendment in HUDA EMP-2016 regarding allowing Commercial activities in Industrial Belt, Sector-15A as per final development plan 2031-AD of Faridabad – **mixed land use**.

This is with reference to notification dated 14.03.2018 on the subject cited above.

The Town & Country Planning Department vide its notification dated 14.03.2018 has published the Final Development Plan 2031 A.D. of Faridabad along with restrictions and conditions. As per this gazette notification, the mixed land use has been allowed in the industrial belt Sector-15-A, Faridabad, therefore, a clause to the effect to allow mix land use in the industrial belt, Sector-15-A, Faridabad (wherein residential, commercial and industrial activities shall be permissible) shall be incorporated in the HSVP EMP-2016.

After examination, it has been decided that an amendment to this effect may be incorporated in the Estate Management Procedure-2016 commensurate with the provision of mixed land use of industrial belt, Sector-15-A, Faridabad in the FDP-2031 AD. The proposed amendment shall be made in Chapter-3 of HSVP EMP-2016 under the head of “Allotment of industrial plots” below the clause 3.3 (d) as under:-

1. *3.3 (dd) As per gazette notification dated 14.03.2018 issued by Urban Local Bodies and Town & Country Planning Department, the mixed land use(residential, commercial & industrial) has been allowed in industrial belt, Sector-15-A, Faridabad. The conversion charges/fees shall be levied as prescribed in the notification.*

The above matter was placed before the Pradhikaran in its 118th meeting held on 10.07.2019 vide Agenda item No. 118th (12) for consideration and decision. The Pradhikaran has approved the proposal with the modification that usage as per development plan and also mixed land use as per TOD policy may be allowed to every site falling on 18 mtr. wide road after charging prescribed conversion charges. A copy of Agenda alongwith extract of the decision of the Pradhikaran is sent herewith.

You are requested to take further action in the matter accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned.

DA/As above

-sd/-

Administrator (HQ),
HSVP, Panchkula.

A copy of above is forwarded to the following for information & necessary action:

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer-1, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
3. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
4. The District Attorney, HSVP (HQ), Panchkula.
6. The District Town Planner, Faridabad.

-sd/-

Administrator (HQ),
HSVP, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2017/11869

Dated:19.01.2017

Subject: HUDA Estate Management Procedure (EMP) 2016 – **Approval of authority.**

1. This is continuation of this office memo no. A-6-UB-2016/117900-902 dated 25.11.2016.
2. The subject cited matter was placed before the Authority in its 112th Meeting held on 10.01.2017, for seeking an ex-post facto approval to the HUDA Estate Management Procedure 2016. The Authority has accorded its ex-post facto approval.
3. A copy of an Agenda Note and extract of decision taken by Authority is enclosed herewith for your reference and records.
4. You are requested to take further action accordingly. The follow up action taken in the matter be also sent to this office.
5. The receipt of this communication may also be acknowledged.

-sd/-

Administrator (HQ's)

for Chief Administrator, HUDA

Endst. No. UB-A-6-2017/11874

Dated:- 19.01.2017

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)

for Chief Administrator HUDA

To

1. All the Administrator(s) HUDA, in the State.
2. All the Estate Officer(s) HUDA, in the State.

Memo No.UB-A-6-2016/117900-01

Dated:25.11.2016

Subject: HUDA Estate Management Procedure (**EMP-2016**) – **procedure of allotment.**

This is supersession of all the Estate Management Procedure(s) formulated and circulated in the past from time to time.

2. The Enterprises Promotion Policy-2015 (EPP-2015) announced by the State Government vide notification No. 49/43/2015-41B1 dated 14.08.2015, provides that the Haryana Urban Development Authority (HUDA) would announce its liberalized Estate Management Procedure in line with the economic environment and aspirations of the industry and notify its Estate Management Procedure to be known as HUDA EMP-2016 which would address the parameters for allotment, reservation and priority in allotment of industrial plots and other related matters concerned with management of industrial estates.
3. In line with the policy decision of the State Government in this behalf, HUDA has reviewed the existing Estate Management Procedure and the revised guidelines shall come into operation from the date of issue, and, are hereafter referred to as “HUDA Estate Management Procedures (HUDA EMP)-2016”.
4. The provisions of HUDA EMP-2016 shall be applicable to all the existing as well as future allottees of industrial plots/sheds in various Industrial Estates / Sectors developed by HUDA, Haryana, transferred to HUDA and shall be uniformly applicable from the date of issue.
5. All service requests to be received after implementation of HUDA EMP-2016, shall be dealt as per the provisions of HUDA EMP-2016, including charging of fee/processing fee, wherever applicable. As regards the pending applications, received before coming into force of HUDA EMP-2016, the same shall be considered to have been filed on issue of HUDA EMP-2016 i.e. the date of implementation of HUDA EMP-2016 and shall be dealt under the relevant provisions of HUDA EMP-2016. However, in all cases, the minimum investment criteria for prestigious projects shall be as applicable at the time of allotment. Notwithstanding anything contained in these procedures, all cases decided in the past as per earlier Estate Management Procedures (EMPs)/Policies, shall, however, not be re-opened.

You are, requested to follow the provisions laid down in HUDA EMP 2016 in true letter and spirit. This issues with prior approval of Hon’ble CM Haryana-cum-Chairman, HUDA, and in anticipation of approval of Authority.

The receipt of this communication may also be acknowledged.

DA/As Above

-sd/-
Administrator (HQ's)
for Chief Administrator HUDA

Endst. No. UB-A-6-2016/117900-01

Dated:25.11.2016

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrator (HQ's)
for Chief Administrator HUDA

HUDA
Estate Management Procedure-2016

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Introduction

1. The Enterprises Promotion Policy-2015 (EPP-2015) announced by the State Government vide notification No. 49/43/2015-41B1 dated 14.08.2015, provides that the Haryana Urban Development Authority (HUDA) would announce its liberalized Estate Management Procedure in line with the economic environment and aspirations of the industry and notify its Estate Management Procedure to be known as HUDA EMP-2016 which would address the parameters for allotment, reservation and priority in allotment of industrial plots and other related matters concerned with management of industrial estates.
2. In line with the policy decision of the State Government in this behalf, HUDA has reviewed the existing Estate Management Procedures and the revised guidelines shall come into operation from the date of issue and are hereafter referred to as “HUDA Estate Management Procedures (HUDA EMP)-2016”.

Applicability

3. The provisions of HUDA EMP-2016 shall be applicable to all the existing as well as future allottees of industrial plots/sheds in various Industrial Estates / Sectors developed by HUDA, Haryana, transferred to HUDA and shall be uniformly applicable from the date of issue.

All service requests to be received after implementation of HUDA EMP-2016, shall be dealt as per the provisions of HUDA EMP-2016, including charging of fee/processing fee, wherever applicable. As regards the pending applications, received before coming into force of HUDA EMP-2016, the same shall be considered to have been filed on issue of HUDA EMP-2016 i.e. the date of implementation of HUDA EMP-2016 and shall be dealt under the relevant provisions of HUDA EMP-2016. However, in all cases, the minimum investment criteria for prestigious projects shall be as applicable at the time of allotment. Notwithstanding anything contained in these procedures, all cases decided in the past as per earlier Estate Management Procedures (EMPs)/Policies, shall, however, not be re-opened.

Chapter 1

Development of Industrial Infrastructure and the Estates/Parks

- 1.1 The process of development of Industrial Infrastructure necessarily involves acquisition of land, planning, execution of basic amenities e.g. metalled roads, wholesome water, sewerage and electrification. This is followed by provision of facilities such as the STP/CETP, development of plantation/green belts, commercial and institutional sites, common parking facilities, etc.
- 1.2 The scope and scale of amenities so provided may vary across the industrial estates depending upon the size of the estate and may not be uniform in all the Industrial Estates. The effort always remains to develop the basic infrastructure facilities in an industrial estate before initiating the process of allotment of industrial plots. However, there could be exceptions in strict adherence to this approach. These exceptional circumstances could arise from a number of factors such as:
 - i) HUDA may not be in undisputed possession of certain parcels of land on account of litigation which impede the completion of works at certain places;
 - ii) There is overwhelming demand for plots pressing for early allotment and the State may lose out on the potential projects/ investment, if allotments are not made on immediate basis;
 - iii) Certain applicants are in urgent/ immediate need of land and are in a position to start work on their projects without waiting for completion of these facilities.
- 1.3 Further, there could also be a plan for phased development of the infrastructure facilities. For instance, it has been observed that the WBM roads provide unhindered access to the plots for carriage of construction material whereas the tar-felt roads get damaged during the spurt of construction activities. In addition to the problems associated with settlement of roads in the initial stages (at least one rainy season), frequent road cuts necessitated for cross-connections for water supply and sewage call for restoration of these cuts.

It is keeping these conditions in view that the HUDA has planned for provision of the bituminous macadam after a gap of one to two years of the initial allotment. Similarly, the Estate infrastructure relating to drainage and sewerage works though an essential part of development does not impede the start of construction activity. On the other hand, it is recognized that availability of access to the plots, water-supply and electrical infrastructure constitute the basic facilities for any entrepreneur to start working on his project.

- 1.4 For the purpose of implementation of the HUDA EMP-2016, various industrial estates developed by the HUDA throughout the State are categorized as under:-

Sr. No.	Category	Industrial Estates Developed By HUDA
1	'A'	Gurgaon, Faridabad, Bahadurgarh, Murthal, Sonapat, Panipat and Panchkula.
2	'B'	-----
3	'C'	All Estates other than those mentioned above

- 1.5 The above categorization of estates may be reviewed by the Haryana Urban Development Authority (HUDA) Department.

Chapter-2

Pricing of Plots

- 2.1 The pricing of plots in any industrial estate is a function of the cost of acquisition of raw land, administrative costs, survey and demarcation, payment of Government fees, planning, development and provision of various amenities like roads, water supply systems including the water-works, sewage, drainage, STP/CETP, final disposal of effluents, etc. as necessary infrastructure related amenities. The overall costs so incurred are then loaded on to the net saleable area.
- 2.2 Normally, at the time of initial floatation of an industrial Sector/Plot, the HUDA allots industrial plots on cost basis to the eligible applicants, however, in case the number of such applicants are more than the number of offered plots, the allotment shall be made through e-auction process. Thus, the HUDA generates revenue by way of allotment of plots as well as by way of disposal of commercial/institutional sites/residential plots. The revenue so generated by the HUDA is ploughed back in meeting investment and administrative requirements of the Authority as defined under Section 21 (2) of HUDA Act, 1977.
- The broad policy in pricing of plots is governed by the following considerations:

- i. As per Regulation 3 (c) of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, the plots are given either by allotment or by auction.

Procedure in case of sale by allotment is governed by Regulation 5 of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978. The allotment is made on the tentative price worked out on costing method on basis of acquisition cost of land, prescribed under Regulation 4 Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1977.

Procedure in case of sale by auction is governed by Regulation 6 of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978. The reserve price for auction is determined based on either costing method or any higher amount determined as a result of bidding in open auction.

- ii. Industrial plots may be allotted for mega projects involving fixed capital investment of `100 crore or above, or projects involving employment generation of more than 500 persons, at special promotional rates, with the approval of the Haryana Enterprise Promotion Board (HEPB), so as to attract large size anchor

industrial units at these locations with potential for creation of ancillaries. The pricing under this provision is decided by the HEPB on case to case basis. Further, preferably, not more than 15% to 20% of the plotted area is to be allotted under this special dispensation, any exceptions thereto resting with the HEPB.

2.3 Treatment of enhancement in the compensation paid to the landowners:

i. Allotment of industrial plots/sheds made before coming into force of HUDA EMP-2016:-

The landowners whose land is acquired under the Land Acquisition Act, have a statutory right to file references under Section 18 of the Act seeking higher compensation as compared to what has been determined by the Land Acquisition Collector and paid to them at the Award stage. Notwithstanding the Government Policy of minimum floor rates, scheme of Annuity payments and the R & R Policy, the amount of compensation is often enhanced by the Courts of competent jurisdiction. A finality in this behalf is a long drawn process. As such, the pricing of industrial plots at the initial stage did not take into account any component of enhancement allowed by the courts subsequently. It is for this reason that the enhanced cost of the land announced subsequently by the competent courts was being recovered proportionately from the allottees separately as per the terms of allotment & applicable policy guidelines. The component of enhanced compensation shall continue to be passed on to the allottees of the industrial plots/sheds where the allotment has been made by HUDA in case of sale by allotment. The allottee shall be required to pay the Additional Price on account of enhanced compensation as per Regulation of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.

Wherever any litigation pertaining to enhancement in land compensation U/s 18 of the Land Acquisition Act is pending or is initiated in the Industrial Association of the respective Estate/Allottees shall be made aware of the same, so that they can also defend the cases.

The allottee, if so desirous, shall have the option to deposit the tentative enhanced cost during the pendency of the court case/raising of actual demand by the Corporation, so as to save the interest cost liability of the allottees.”

ii. Allotment/Sale of industrial plots/sheds by HUDA:-

In case of sale by auction, allotment is made to the highest bidder by auction under Regulation 6 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978. As per the existing provisions, in the case of sale by auction, the allottee is not required to pay any amount on account of enhanced compensation.

2.4 The prices of plots/sheds shall be revised on first of April each year by the Authority. In case there is no demand in any industrial estate against two consecutive advertisements, with a view to maintain marketability of the plots, the Chief Administrator, HUDA may consider downward revision of prices maximum up to 20% at a time in line with the market price. But the price shall not be lowered down, than the original price (first reserved price).”

Chapter 3

Allotment of Industrial Plots

- 3.1 For the purpose of allotment, such industrial sector shall be declared as saturated where 90% of the area of carved out industrial plots has been allotted.
- 3.2 Reservation of industrial plots:-
- i. The reservation of industrial plots shall be available only in unsaturated estates as under:
 - a) Up to 10% of the plots/sheds will be reserved in each Estate for allotment to NRIs/ PIOs and for units with 33% or more FDI in total investment. In case of NRI Plots, the entire amount towards the price of the plot has to be remitted through NRI Account of the applicant or in remittances from abroad/ foreign exchange. In the case of FDI, at least 33% of the Project Cost has to come from the FDI route. However, the 10% limit would not preclude allotment of plots in the FDI category as a part of the general scheme of allotment;
 - b) Preferential allotment up to 2% of the plots/sheds in each Estate has been prescribed by the Government for allotment to persons with disabilities as defined in the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995. The Government has also prescribed a differential rate of interest on instalments for this category (For complete details in this regard, Haryana Government Notification No. 49/40/07/4IBI dated 13.03.2007 may be referred). However, in case no applications are available from the eligible category, the un-allotted plots may be utilized under the general category.
 - c) Any other reservation of industrial plots/sheds as may be decided by the State Government/HUDA from time to time.
 - ii. In saturated estates, there will be no reservation for these categories and their applications shall be considered as general category applications.
 - iii. Irrespective of number of industrial plots allotted under the above categories in the past, the number of plots reserved for future allotment in unsaturated areas, shall be worked out on the basis of total number of plots available for allotment as on the date issue of EMP 2016.
- 3.3 Subject to the above, the allotment of Industrial plots shall be governed as under:
- i. On an on-going basis in the following cases:
 - a) Mega Projects involving fixed capital investment (i.e. land, building, machinery & misc. fixed assets) of ` 100 crore and above or projects involving employment generation of more than 500 persons and serving as anchor units for proliferation of ancillaries.
 - b) Prestigious projects involving fixed capital investment (Land, Building, Plant and machinery & misc. fixed assets) as mentioned hereunder:-

Category 'A' Estates - ` 50 crore and above.

Category 'B' Estates - ` 40 crore and above.

Category "C" Estates - ` 30 crore and above.

The investment in the project under this category shall commensurate to the land size and normally the investment in land should not exceed 60% of the total fixed capital investment.

- c) Allotment under fast track scheme to Central/State Government PSUs;
- d) Applications for general, FDI/NRI and persons with disability category shall be accepted by the HUDA on an ongoing basis till 60% of carved out area of industrial plots of an industrial estate /sector/ phase are sold out.
- e) Any proposal for allotment of land to set up a project by any reputed foreign investor through 100% FDI route anywhere in the State, not falling under any other provision of EMP.”

The scope of existing clause has been widened and the above two categories, besides mega projects, prestigious project and fast tracks, have been added wherein the applications shall be accepted in toto.

The HUDA would display the availability of industrial plots under above categories on its website and the applications in respect of all these categories can be submitted on an on-going basis to the HUDA.

- ii. The applicants other than those under above categories shall be invited through advertisement.

3.4 Process of Allotment:

- i. General / NRI I FDI / Persons with Disability Category Allotment:
 - a) Applications received under clause 3.3. i.(d) above shall be considered for allotment by the Chief Administrator, HUDA on regular basis on fortnightly basis. However, in case, at any stage the applications received are more than the number of plots available for allotment under this category, the same shall be allotted through e-auction.
 - b) After sale of plots earmarked under clause 3.3.i.(d) above, the HUDA shall invite applications for allotment of industrial plots of various sizes and one month period shall be given for submission of applications. The process of allotment of industrial plots, in respect of applications received in a particular month shall be finalized preferably in the next two months. The number of plots against which applications are to be invited shall be decided by Chief Administrator/HUDA;
 - c) In case, the numbers of applications received are less than the number of plots offered, all the applicants may be considered for allotment by the industrial Plot Allotment Committee and where the number of applications is more; the allotment shall be made through limited e-auction amongst the applicants.
 - d) In case of saturated estates where the number of applications received are more than the number of plots offered, the allotment shall be made through limited e-auction amongst the applicants. However, in case the numbers of applications received are less than the number of plots offered for allotment, the same may be re-advertised/the time period for submission of applications may be extended by the Chief Administrator, HUDA. In saturated estates, normally 25% - 50% of the available plots shall be offered for allotments in one go; however, Chief Administrator/HUDA will take a final view in this regard. In case of re-advertisement, the number of offered plots may be reduced by the Chief Administrator, HUDA.
 - e) The applications for allotment of adjacent plots to the existing running units in unsaturated industrial estates shall be received by the Corporation along with other general category applications and allotment shall be made, irrespective of size of plot, at the weighted average auction price of the respective lot, in case there is more than one application for allotment of the same plot, the allotment shall be made through e-auction between the applicants.

- f) The applications for allotment of adjacent plots to the existing running units in unsaturated industrial estates shall be received by HUDA along with other general category applications and allotment shall be made, irrespective of size of plot, at the weighted average auction price of the respective lot. In case there is more than one application for allotment of the same plot, the allotment shall be made through e-auction between the applicants.
- ii. Prestigious Projects Category:
 - a) The applications under this category shall be received by the HUDA on an on-going basis. The HUDA will display the availability of Industrial plots for prestigious projects category on its website.
 - b) The allotment under this category shall be made at allotment rate(s) fixed/revised by the HUDA from time to time, by Higher Level Plot Allotment Committee comprising of Administrative Secretary of the Industries Department, Chief Administrator, HUDA and Director of Industries & Commerce, Haryana.

Administrative Secretary of the Industries Department shall be Chairman of the Committee.
 - c) In case the number of applications received in respect of any plot-size category is more than the number of available plots, the allotment shall be made through limited e-auction.
 - iii. Mega Projects Category:
 - a) Applications for allotment of plots under this category shall be received by the HUDA on 'on-going' basis;
 - b) The allotment of industrial plots under this category involving concessional rates with other incentives (a customized package) shall be made by Haryana Enterprise Promotion Board under the Chairmanship of Hon'ble Chief Minister, Haryana.
 - iv. Central/State Government PSUs Category:
 - a) The allotment of industrial plots to set up permissible projects by well-known Central / State Govt. Public Sector Undertakings shall be made on fast track basis. The applications for allotment of plots under this category shall be received by the HUDA on on-going basis.
 - b) The allotment under this category shall be made by Chief Administrator, HUDA at allotment rate fixed/revised from time to time.
 - v. Specific Industry Clusters Category:

In case the HUDA receives proposal from any cluster/group of industrial units falling under a particular industry category seeking allotment of land for setting up/re-location of their units engaged in a specific trade, in HUDA Industrial estates as a cluster, involving aggregate investment of at least ` 100 crore, the HUDA may carve out a special cluster for such industrial units. The procedure for allotment of industrial plots in such cluster shall be the same as for general category allotment.
 - vi. 100% F.D.I. projects by reputed foreign investors: The applications received for allotment of land under clause 3.3.1.e above shall be considered by the Higher Level Plot Allotment Committee or Empowered Executive Committee (EEC).
 - vii. For allotment of industrial plots under all the above categories, the land requirement shall be justified and the value of land shall preferably not exceed, 60% of the total fixed capital investment (Land, building, Plant & Machinery and Misc. Fixed Assets) Further, the investment in plant & machinery shall not be less than 20% of the total fixed capital investment and the project processed to be setup shall be falling under the permissible project proposed to be setup shall be falling under the permissible activities.

3.5 Committees appointed for the purpose:

- i. For Mega projects having fixed capital investment (land, building, machinery and misc. fixed assets) of ` 100 crores & above or projects involving employment generation of more than 500 persons and serving as anchor units for proliferation of ancillaries, seeking allotment of plots at concessional rates with other incentives (a customized package), allotment of industrial land/ plot shall be made on ongoing basis by the Haryana Enterprise Promotion Board (HEPB) under the Chairmanship of Chief Minister, Haryana.
- ii. Allotment of Plots for prestigious projects involving specified fixed/tangible capital investment (` 50/40/30 crore or above) as mentioned at 3.3 (i) (b) above, will be made by the following committee:

1	Administrative Secretary of the Industries Department	Chairman
2	Chief Administrator, HUDA	Member- convener
3	Zonal Administrator, HUDA	Member
4	Director, Industries	Member

- iii. For categories of applications received under Para 3.3(ii) above, allotment will be made by the following Committee:

1	Chief Administrator, HUDA	Chairman
2	Administrator, HUDA(HQ)	Member- convener
3	Zonal Administrator, HUDA	Member
4	Director of Industries, Haryana	Member
5	Managing Director, HARTRON	Member

Note: The Senior-most member will act as Chairman of the Committee. At-least one member, besides CA, HUDA should be present in all meetings to complete the quorum. Substitution can be made in extreme exigencies with an officer of the concerned Department/ Organization.

3.6 Payment Terms

- i. In case of sale by allotment, the payment terms shall be as prescribed in the allotment letter issued under Regulation 5 (3) of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.
- ii. In case of sale by auction, the payment terms shall be as prescribed in the allotment letter issued under Regulation 6 (2) of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.

Note: In case the plot is allotted under the NRI/PIO categories, funds towards the price of the plot should come from his/ her NRE account/ remittances from abroad/ foreign exchange.

3.7 Processing Fee

- i. For allotment of plot:-

The applicant, besides earnest money, shall also be required to deposit, along with application, the non-refundable processing fee as hereunder:

Size of Plot (Sq. mtr.)	Category 'A' Estates	Category 'B' & 'C' Estates
Up to 500	₹ 5,000/-	₹ 3,000/-
501-1050	₹ 7,500/-	₹ 5,000/-
1051-4050	₹ 10,000/-	₹ 7,500/-

4051-8100	₹ 15,000/-	₹ 10,000/-
8101 and above	₹ 25,000/-	₹ 15,000/-

- ii. For all other services_

Processing fee for other services, where ever payable as per HUDA EMP-2016, shall be charged at following rates:

Category of Estate	Processing fee
A	₹ 10,000
B & C	₹ 5,000

Note: The processing fee will be inclusive of service tax, if applicable.

3.8 Service Sector Enterprises_

Considering the importance of service sector enterprises, it has been decided to allow activities of service sector enterprises directly providing services to the manufacturing enterprises. The following services which support the manufacturing activities in industrial estate/sectors shall be eligible for allotment of industrial plots:

1	Repair, Maintenance and parking of machineries/equipment used for industrial activities.
2	Industrial/Technical Test lab.
3	Industrial photography.
4	Bulk courier services.
5	Weigh bridge.
6	Blue printing/drawing/computer designing facilities/drafting facility/ CAD-CAM
7	"Research and Development in any field"
8	Tool room for facilitation of industry
9	Media houses, printing, publishing services
10	Industrial kitchens/catering services
11	Engineering & Design services
12	Repair & maintenance, servicing of vehicles without any provision of showroom/ display of new vehicles

Up to 25% of the industrial plots may be earmarked by HUDA for service sector enterprises in its industrial estates, at its sole discretion.

In case of sale by allotment the payment terms shall be as prescribed in the allotment letter in Form 'C' under Regulations 5 (3) and in case of sale by auction the allotment letter will be issued in the Form 'CC' under regulation 6 (2) of the Haryana Urban Development Authority (Disposal of Land and buildings) Regulations 1978.

Chapter 4

Offer of Possession

- 4.1 As per Regulations No-13 of Haryana Urban Development Authority (Disposal of Land & Building) Regulations-1978 the possession of the land shall be delivered to the transferee or lessee as soon as the “basic amenities” within the area where the land is situated are completed: Provided that in the case of sale/ lease of undeveloped land/building, possession there of shall be delivered within 90 days of the date of allotment.
- 4.2 Before a decision is taken to offer the possession in an estate, the Concerned Execute Engineer/Sub-Divisional Engineer (Survey), HUDA shall furnish a certificate to the Estate Officer; HUDA concerned certifying the completion of such basic amenities. On such certificate from the Execute Engineer / Sub-Divisional Engineer (Survey), the Estate Officer shall carry out a plot-by-plot verification so as to ensure that the plots, in respect of which the possession is proposed to be offered, are free from any encumbrances.
- 4.3 On completion of the above exercise, the Estate Officer shall obtain the Zoning Plan in respect of each plot from the District Town Planner, concerned. Only, thereafter:
- i. The Estate Officer of HUDA shall offer possession of industrial plots to the allottees by way of a formal communication at the correspondence address given by the allottee. Letters for ‘offer of possession’ shall be issued by Dasti/registered/speed post / email in order to track the delivery of the communication to the addressee;
 - ii. The offer of possession shall be accompanied with a copy of the ‘Zoning Plan’ as applicable to the said category of plots;
 - iii. An allottee can represent against the ‘offer of possession’ within a period of 30 days of the issue of offer letter in case his plot is not free from all encumbrances or absence of the provision of basic amenities, along with the supporting documentary/ visual evidence satellite imagery.
 - iv. On receipt of any such representation, a representative from the Estate office shall visit the site, preferably along with the allottee or his representative, within 7 working days and submit a report to the Estate Officer, who will take an appropriate decision, by a reasoned order, accepting or rejecting the grounds of representation. In case the representation is found to contain merit, the Estate Officer will direct the offer of possession to be held in abeyance till the deficiency is addressed and rectification is carried out and allow all consequential benefits to the allottee. He shall simultaneously fix the responsibility for wrongful offer of possession made in the first instance. The offer of possession shall be revived as soon as the cause of suspension thereof is rectified.
- 4.4 Consequences of ‘Offer of Possession’ by HUDA:
- i. Once the Estate office has offered the possession of plots, the allottee shall be liable to pay interest @12% p.a. on the unpaid balance amount of the tentative price of the plot;
 - ii. Any default in payment of instalments in time shall entail a penal interest of 3% p.a. over and above the normal interest on the amount of default for the period of default, compounded half yearly;
 - iii. The period allowed for completion of each stage of the project and final implementation of the project shall count from the date of ‘offer of possession’.
- 4.5 Suo Moto request for Physical Possession :
- i. There may be cases where an allottee is in a hurry to establish his project due to his business commitments and he is not in a position to wait for the completion of the basic amenities. The allottee can request for taking physical possession of the site at an early stage in such cases, i.e. before completion of basic infrastructure amenities. In such an event, he assumes the risk of undertaking execution of his project and meets

all consequential costs on this account. Based on this clear understanding, the Estate Officer may allow physical possession of the plot to the allottee upon receipt of a request from him to this effect and facilitate provision of the Zoning Plan;

- ii. As an incentive to such an allottee, interest shall not be charged from him on the outstanding amount till such time the Estate Office formally offers the possession on completion of basic amenities i.e. approach road internal water supply internal sewerage and electrification work up to his plot, but in case of any default in payment of instalments on due dates, interest as applicable will be charged on the amount of default for the period of default. However, counting of the time period for completion/ implementation of the project shall start from the date the allottee is allowed physical possession of the plot in these cases.

Chapter 5

Period Allowed for Completion of the Project

- 5.1 The allottee shall be required to complete the project on the industrial plot within a Period of three years from the date of offer of possession of the plot.
- 5.2 The period for completion of the project beyond the initial period of three years would be deemed extended on payment of prescribed extension fee through on-line mode for a further period of three years on year to year basis.
- 5.3 In case of sheds/ flatted factories, the allottee shall be required to complete the project within two years from the date of offer of physical possession of shed/ flatted factory by HUDA. The period for completion of the project beyond the initial period of two years would be deemed extended for a further period of three years on year to year basis on payment of prescribed extension fee through on-line mode.”
- 5.4 Second extension of one year for completion of project i.e. after four years from the date of offer of physical possession of plot by HUDA or actual possession of the plot, whichever is earlier may be granted on payment of prescribed extension fee in case the allottee has constructed the building up to the plinth level with the approval of Zonal Administrator.
- 5.5 Third extension of one year for completion of project i.e. after five years from the date of offer of physical possession of plot by HUDA or actual possession of the plot, whichever is earlier, may be granted with the approval of Zonal Administrator, HUDA on payment of prescribed extension fee in case the construction of building is at an advanced stage of completion i.e. at least structure of the building with roof having covered area of 50% or more of the minimum construction coverage norms has been achieved.
- 5.6 In case of sheds/flatted factories, the allottee shall be required to complete the project within two years from the date of offer of physical possession of shed/flatted factory by HUDA. The period for completion of the project may be extended by HUDA for a further period of three years on year to year basis, on payment of the prescribed extension fee with the approval of Zonal Administrator, HUDA.
- 5.7 The allottee shall be required to pay the extension fee, wherever permissible, at the rate(s) prescribed for that area and the payment shall be due with effect from the date the extension is applicable and for any delayed payment, interest as applicable shall be charged on the amount due for the delayed period.
- 5.8 The extension beyond six years (five years in case of shed/ flatted factory) shall be granted by the Estate Officer, HUDA on year to year basis by charging fee equivalent to 1.5 times the fee applicable for the previous year.

The allottee shall apply for extension in the prescribed format indicating various steps taken by him towards implementation of the project along with payment of applicable fee. The Estate Officer, HUDA shall convey his decision with regard to the extension within 30 days. In case no reply is received by the allottee within the prescribed time, the extension shall deem to have been granted by the HUDA.”

5.9 Extension fee shall be charged at following rates:

Sr. No.	Category of Estate	Plots (in ₹ per sq. mtr.)		
		1st Year	2nd Year	3rd Year
1	Category 'A'	75	150	250
2	Category 'B'	40	80	150
3	Category 'C'	15	30	50

In case of shed, the extension fee shall be payable on the area of the plot under shed. However, in case of flatted factory, extension fee shall be payable on the plinth area basis.

5.10 Completion of Project (General/NRI/FDI/Persons with Disability Category):

i. An industrial project would qualify the criteria for completion in the following manner:

a) Construction norms:

For the purpose of completion of the project, the allottee shall be required to construct the building having minimum construction coverage as under:

- i) Upto the size of one acre : 25% of the PCA
(4050 sq. mtr.)
- ii) Above one acre upto five acres : 20% of the PCA
- iii) Above five acres : 15% of the PCA

The Permissible covered area (PCA) as applicable for different industries as per the norms of Town and country Planning Department, Haryana/ HSIIDC shall be adhered.

b) Installation of Plant and Machinery and implementation:

The unit has gone into commercial production after installation of plant and machinery to the extent of at least 30% of the value prescribed for allotment of plot. Further, where the allottees have already implemented the projects under the previous policies applicable from time to time, their cases shall not be re-opened.

5.11 Project Implementation and project completion for the Plots allotted under on-going scheme - Guidelines regarding prestigious projects involving investment of `50/40/30 Crore (earlier ` 30/20/10 crore) and Mega Projects:

- i. The project shall be considered as complete after the allottee has started commercial production after obtaining occupation certificate as per minimum construction norms as mentioned in clause 5.10 (i) a and b has made fixed capital investment in the project to the extent of at least 75% of the projected fixed capital investment subject to minimum benchmark investment, as applicable at the time of allotment/ execution of agreement.
- ii. Part completion of project:

The project shall be considered as partly completed provided the allottee has started commercial production, after obtaining occupation certificate/part occupation certificate with construction coverage at least to the extent of 50% of the minimum construction coverage norms and after installation of plant and machinery as stated in the project report for 1st phase of the project or to the extent of at least 30% of total plant & machinery for the project as a whole, as stated in the project report, whichever is lower.

iii. Period allowed for completion of project:

The allottee shall be required to complete the project on the industrial plot within a period of three years from the date of offer of possession. Extension for completion of project can be considered in these cases with extension fee as applicable in the case of general allotment.

- iv. In case the allottee has partly completed the project as per clause 5.11(1)(b), no extension fee shall be required to be paid by the allottee for completion of project till the sixth year. In case the allottee fails to complete the project within six years, he shall be liable to pay extension fee for 7th year onwards at the rates applicable for general category plots, for each year of delay or part thereof.
- v. In case the allottee of the industrial plot under prestigious project category intends to lease out a part of the premises, after part completion of the project as stated in clause 5.11(i)(b) above, the same may be allowed by the Committee under the Chairmanship of Administrative Secretary of the Town & Country Planning Deptt., Govt. of Haryana, considering merits of the case.
- vi. Exit route for allottees of prestigious project category:

In case, the allottee has implemented/partly completed the project but is not in a position to complete the project within the stipulated period and intends to exit the scheme, the fee/penalty will be payable in the following manner:

Sr. No.	Investment achieved	*Fee/Penalty (as % of current allotment price)	
		Min. Construction norms achieved	Min. Construction norms not achieved
i)	Above 25% but up to 50% of proposed investment	30%	35%
ii)	Above 50% but up to 75% of proposed investment	25%	30%
iii)	Above 75% but less than the minimum investment of ₹50/40/30 crore (earlier ₹30/20/10 crore), as the case may be	15%	20%

*or double the normal fee, as applicable for transfer of plot, whichever is higher. Service tax as applicable shall be payable extra. Upon payment of the above mentioned penalty, the project shall be treated as general category project and shall be considered to have been completed subject to fulfillment of minimum construction coverage norms.

Note:* All pending applications, received before coming into force of HUDA EMP-2016, shall be considered to have been filed on the date of approval i.e. the date of implementation of HUDA EMP-2016 and shall be dealt under the provisions of HUDA EMP-2016. In such cases, allotment rate mentioned in Annexure-2.1 shall be considered as the current allotment price for such pending applications.

5.12 Project Completion Certificate

It will be obligatory on the part of the original allottee to obtain 'Part Completion Certificate' / 'Project Completion Certificate' as the case may be from the concerned Estate Officer, HUDA concerned which will be conclusive evidence with regard to part completion/completion of the project. For this purpose, the allottee shall:

- i. Submit an application to the concerned Estate officer, HUDA within 15 days of part completion/completion of the project along with any three of the following documents:-

- a. Copy of receipt of any taxes (Excise or VAT) paid;
- b. Copy of customs Shipping bill;
- c. Proof of payment of electricity bill for industrial connection;
- d. Copy of receipt of PF/ESI paid;
- e. Copy of first raw material purchase bill & sale/job- work bill;
- f. List of machinery installed with certified copies of machinery purchase bills;
- g. CA certificate of investment made in the project;
- h. Copy of workers attendance register & wages payment record;

The documents as above shall be in respect of the unit set up on the plot bearing the plot address;

- ii. Upon receipt of request from the allottee as above, the Estate Officer, HUDA shall inspect the Unit or cause the same to be inspected by a team of his officers within a period of 15 days with prior intimation to the allottee & preferably in the presence of the applicant / allottee. The inspection report shall be got duly countersigned from the allottee along with photographs/videography of the site;
- iii. The Estate Officer, HUDA shall issue the 'Part Completion Certificate/'Project Completion Certificate' within 30 days of receipt of application, where the allottee's claim is found to be in order after verification of the information provided by the allottee. In case no reply is received by the allottee within the prescribed period of 30 days, the 'Part Completion Certificate/'Project Completion Certificate' shall be deemed issued;
- iv. In case, the Estate Officer, HUDA is not satisfied with the claim of the applicant-allottee with regard to part completion/completion of the project, the request for issuance of part completion/ Project Completion Certificate shall be declined in writing within 30 days of the receipt of application, clearly stating the reasons for such rejection;
- v. For the purpose of issuance of Part Completion/Project Completion Certificate, reliance shall be made upon the Part Occupation Certificate/Occupation Certificate, the documents prescribed under clause 5.12.i above and the site inspection as provided above.
- vi. Upon issuance of Part Completion / Project Completion Certificate, the allottee shall be expected to file an annual information with the Corporation with regard to performance of the unit viz annual turnover, export turnover, employment in the unit, taxes paid, products manufactured etc. in the prescribed format to facilitate future planning of HUDA/State Government.

5.13 Building plans and Occupation Certificate_

- i. The building plans shall be got certified by the allottee from an empanelled Architect before starting any construction activity on the plot. The building plans must be as per the Haryana Building Code – 2016, as well as the zoning plan of the plot. A copy of the building plans duly certified by the Registered Architect must be filed by the allottee in the office of concerned Estate Officer, HUDA before start of construction activity. No acknowledgement of the same shall be required to be issued by the office of concerned Estate Officer, HUDA.
- ii. Before occupying the building, the allottee shall obtain the occupation certificate of the building from an empanelled Architect and shall submit a copy of the same in the office of concerned Estate Officer, HUDA within 15 days.
- iii. The concerned Estate Officer, HUDA shall get such occupation certificate verified any time thereafter but not later than six months of its submission with prior intimation to the allottee and preferably in the presence of the allottee. In case any violation of the building bye laws/zoning regulations is observed, the compoundable violations shall be compounded by charging compounding fee at double the normal rate and non-compoundable violations shall have to be compulsorily rectified by the allottee.

5.14 Minimum construction coverage norms in old cases_

The existing allottees who were allotted plots on or after 07.01.2008 shall also be eligible to avail the revised minimum construction coverage norms as mentioned in clause 5.10(1)(a). As regards, the other allottees that were allotted plots prior to 07.01.2008 and obtained occupation certificate as per the then applicable norms and their terms of allotment, shall be considered to have fulfilled the minimum construction norms notwithstanding the norms prescribed in EMP-2016.

Chapter 6

Surrender/Resumption of Plots/Sheds

6.1 Surrender of Plots/ sheds:

- i. Keeping in view that a number of factors impact the establishment of a business in a dynamic business environment, it is recognized that the plans for establishment of a business may undergo a change and the allottee may review and reconsider his plans to carry on with the establishment of the intended business. In such situations, the allottees will have the option to surrender the plots/sheds allotted to them at any point of time. In such an eventuality, the payment deposited by the allottee towards the price of the plot including interest and penal interest, if any, deposited by the allottee on instalments, would be refunded, without any interest by HUDA, after deducting 10% of the consideration money, interest and other dues payable in respect of the plot. In addition to the above, maintenance, water/sewer charges, in default, if any, shall also be deducted from the refundable amount.

In case of surrender of the plot either due to death of the allottee or before offer of possession by the HUDA or the HUDA is not in a position to offer possession of the plot free from encumbrances or offer alternate similar plot to the satisfaction of the allottee, the refund would be made without any deduction. Further, along with surrender request, the allottee shall submit details of his bank account for payment through electronic mode. The cases decided in the past where request for surrender has been received by the HUDA before implementation of these amendments, shall not be re-opened..

- ii. The procedure regarding surrender of plots/sheds will be as follows:.

The allottee will submit his request for surrender of the plot/shed to the Estate Officer concerned along with complete details of payments made to HUDA towards the price of plot/shed, who will process the case and decide the same within a period of 30 days, in accordance with the guidelines under Para 6.1(a) above.

6.2 Resumption of Plots/ Sheds

- i. The plots/sheds allotted by HUDA are liable to resumption in the following circumstances:
- ii. Non-payment of the dues of HUDA towards the price of the plot/shed, enhanced cost, extension fees, transfer fees, leasing fee or any other penalties imposed on account of any compoundable violations, other dues;
- iii. Construction of the factory buildings in violation of the FAR norms or non-compoundable zoning violations at any stage.
- iv. Utilisation of the premises for an unauthorized activity, or indulgence in polluting or causing any nuisance activities as are not conducive to the neighbourhood environment within the estate.
- v. Violation of any other terms and conditions of allotment.
- vi. In the event of any or all of the above conditions existing, the Estate Officer shall issue a notice to the allottee for rectification of the breach/ violation within a period of one month. In case the allottee does not take the corrective action within the said prescribed period, the Estate Officer shall take action & decide

the case as per HUDA Act, 1977 and terms & conditions as well as Industrial Policy guidelines.

- vii. Upon resumption of a Plot/ built-up premises/shed, the allottee would be entitled to refund of the amount deposited towards the price of the plot including interest and penal interest, if any, deposited by the allottee on instalments, without any interest by HUDA, after deducting 10% of the consideration money, interest and other dues payable in respect of the plot. In addition to the above, maintenance, water/sewer charges, in default, if any, shall also be deducted from the refundable amount. In cases where the plot is resumed along with the structure constructed thereon, the allottee shall be at liberty to remove such structure from the plot at his own cost within a reasonable time of three months, failing which HUDA may get the cost of construction of the building assessed from approved Engineer Wing of HUDA and pay this amount to the erstwhile allottee. In such cases, the cost of the structure shall be recoverable from the subsequent allottee of the plot.

6.3 Restoration of Resumed Plots:

- i. An appeal against the order of resumption passed by the Estate Officer shall lie before the Zonal Administrator, HUDA. Such Appeal shall be made within ninety days of passing of resumption order in the office of the Zonal Administrator.
- ii. The Zonal Administrator may examine the appeal and also grant an opportunity of personal hearing to the appellant. The Zonal Administrator may pass appropriate orders on the appeal after considering all the facts and circumstances of the case while following the principles laid down in the EMP.
- iii. A revision petitions can be filed against the orders of the Zonal Administrator by the allottee before the Administrative Secretary, Town & Country Planning, Haryana within 90 days of passing of the orders by Zonal Administrator. The revisional authority shall have the sole discretion to offer re-allotment of plot/shed at the current rates of allotment in all the estates including saturated estates, considering merits of each case. In such cases, the amount paid by the allottee towards price of the plot including interest and penal interest deposited by the allottee towards installment(s), if any, shall be adjusted against the revised price of the plot to be calculated at current rates, after deducting arrears towards maintenance, water/sewer charges etc.; and the allottee shall be allowed fresh three years period for completion of project in such cases. However, no interest shall be paid by the HUDA on the payments deposited by the allottee, while carrying out the adjustment of payments received in the past.

6.4 The Process: _

The allottee is obliged to complete his project on the industrial plot/shed within the time-frame indicated in the letter of allotment and the agreement executed by him/ her with the HUDA. His failure to fulfill this obligation, leading to any of the conditions mentioned under Para 6.2(a) above, empowers the HUDA to resume the plot/shed.

6.5 Procedure in cases pursuant to the completion of the project: _

Once the allottee has completed his project as per the criteria laid down in para 5.10/5.11, the HUDA shall always be supportive of his peaceful enjoyment of the property subject to continued adherence to the terms and conditions of allotment and subject to the condition that he does not indulge in any activity listed under Para 6.2(a) of the EMP.

Chapter 7

Leasing / Renting of Premises constructed on Industrial Plots/Sheds

- 7.1 Leasing of the premises constructed on industrial plots/sheds will be allowed for permissible activities in order to ensure optimum utilization of the built-up industrial space subject to the condition that the allottee has obtained the occupation certificate from an empanelled Architect and submitted a copy of the same to the concerned Estate Officer, HUDA (except in case of prestigious category projects, where leasing shall be permissible after part completion/project completion).

1	Repair, Maintenance and parking of machineries/equipment used for industrial activities
2	Industrial/Technical Test lab
3	Industrial photography
4	Bulk courier services
5	Weigh bridge
6	Blue printing/drawing/computer designing facilities/drafting facility/CAD-CAM
7	Research & Development in any field
8	Tool room for facilitation of industry
9	Media houses, printing, publishing services
10	Industrial kitchens/catering services
11	Engineering & Design services
12	Repair & maintenance, servicing of vehicles without any provision of show-room/ display of new vehicles
13	ATM
14	Documentation/typing centres/STD/ISD/Tele printer/Fax/Internet facilities for industries
15	Renting/leasing of industrial/construction equipment

- 7.2 With a view to giving impetus to the technical training/ skill development for meeting requirement of skilled manpower for the industry in Haryana, leasing of industrial premises to technical training /skill development centres providing hands on training on industrial machines, leading to capacity build-up for the industrial sector shall be permissible, subject to prior written permission of HUDA.
- 7.3 In order to be eligible for leasing, the allottee/applicant should have obtained the occupation certificate in respect of the premises from an empanelled Architect and submitted a copy of the same to the concerned Estate Officer, HUDA (Part Completion Certificate/Project Completion Certificate in case of prestigious category projects). The plots/ sheds on which project has been implemented by any of allottee(s)/lessee(s) shall also be eligible for leasing. Further lease instruments exceeding 11 months period should be registered as per legal requirements.”
- 7.4 Leasing Fee and Processing Charges:
- The leasing fee will be @ 50% of the normal transfer fee applicable for the plot area, and shall be chargeable only once in respect of the plot/ premises irrespective of the period of lease and the number of leases. In case of shed, the leasing fee shall be payable on the area of the plot under shed. However, in case of flatted factory, leasing fee shall be payable on the plinth area basis. The leasing fee shall be payable on the basis of FAR availed in the following manner:-

FAR availed	Leasing fee payable
Up to 125%	Leasing fee rate x plot area
Above 125% & up to 150%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 150}{125}$
Above 150% & up to 175%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 175}{125}$
Above 175% & up to 200%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 200}{125}$
Above 200 & up to 250%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 250}{125}$

- ii. In case of bigger size plots of two acres and above, where the allottee had not availed complete FAR (125%) and leases out a part of the building, the formula for charging one time leasing fee for such allottees of industrial plots shall be as under:

(a) Plot area : _____ sq. Meters

(b) %age built-up area : $\frac{\text{Builtup area}}{\text{Plot area}} \times 100$

(c) Leased out plot area : $\frac{\text{Leased out plot area}}{100} \times \text{Leased out built up area}$
%age of built up area

(d) Leasing fee to be paid : Leased out plot area x rate of applicable leasing fee.

- iii. No leasing fee shall be charged in cases where premises is leased out to a concern/firm owned by the original allottee/his family members with minimum 51% share, subsidiary or holding company of the allottee company or a firm/ company owned by original promoters of allottee firm/company. Further, no leasing fee shall be payable in case the premises is leased out, after running the industrial unit on the plot/premises by the original allottee/subsequent allottees, combined together, for a period of five years or more. Wherever, the leasing fee (excluding interest and penalty) equal to 50% of the current transfer fee or more has already been paid in the past in respect of that plot/shed by the present allottee/ earlier allottee(s), under previous EMPs, no fresh leasing fee would be payable now. In other cases, the allottee will be required to pay the difference between the amount due under this policy and the amount already paid.

No leasing fee shall be charged in cases where conveyance deed has been executed in favour of the allottee. Wherever leasing fee is not payable for first leasing, the allottee shall be required to pay the applicable processing fee. However, for subsequent leasing/change of lessee/ extension of lease period no processing fee shall be payable where fee equivalent to one time leasing fee as per clause 7.4.(i) & (ii), wherever applicable, has been received by the HUDA in the past.

Lease fee to be charged wherein conveyance deed has been executed, have been exempted. However, applicable processing fee shall be charged. Further where one time leasing has been charged earlier, no leasing fee in subsequent leasing shall be charged.

- iv. Notwithstanding anything contained in the above mentioned clauses, the leasing of premises for service sector enterprises shall entail payment of leasing fee as prescribed under clause 7.4.(i) & (ii) unless fee equivalent to one time leasing fee as per clause 7.4.(i) & (ii) has been paid in the past.”
- v. The Leasing Fee, wherever applicable, would become due from the effective date of lease. Payment of

Leasing fee/processing fee shall have to be made along with request for first leasing permission. Interest @ 12% p.a. shall be payable on the due amount from the due date till the date of payment.

7.5 Number of permissible leases:

There shall be no limit/ restriction on the number of leases permissible in any premises subject to the condition that the premises is leased out only for the permissible activity and meets the normal safety conditions.

7.6 Procedure:

i. First Leasing:

The allottee, after fulfilling the eligibility criteria as defined in clause 7.3 above, shall be at liberty to lease out the premises for permissible activities conforming to that area/ plot and shall file an intimation thereof with the concerned Estate Officer, HUDA within 30 days of such leasing, along with payment of prescribed leasing fee/processing fee.

ii. Second/Subsequent Leasing:

For second/subsequent lease or change in lessee, no permission is required from the HUDA. The allottee shall submit the requisite information pertaining to second/subsequent lease or changed lessee, preferably within 15 days of such change.

iii. In case the first lease was allowed without charging any leasing fee, in favour of a concern/firm owned by the original allottee/his family members with minimum 51% share, subsidiary or holding company of the allottee company or a firm/ company owned by original promoters of allottee firm/company as per clause 7.4(iii), for subsequent lease in favour of a third party, the allottee shall be liable to pay one time leasing fee as defined under clause 7.4(i).

iv. The allottee shall file an annual certificate/return, by 30th April each year in the prescribed format as under:

Sr. No.	Particulars	Remarks
1	No. of units operating at site	
2	Name of the units	
3	Products being manufactured	
4	Turnover of the previous FY (₹ in Cr. For each unit)	
5	Export turnover of the previous FY (₹ in Cr. For each unit)	
6	Employment in each unit – Haryana domicile Outsiders	

7.7 Consequences of un-authorized leasing

i. A premises is deemed to have been leased out unauthorizedly if the allottee:

- (a) Leases out his premises or part thereof without complying with the eligibility criteria as defined in the EMP.

- (b) Leases out the premises for an activity which is not permissible.
- ii. In case of any instance of unauthorised use/leasing of premises, the allottee will be given a period of three months, with a provision for one more extension of three months (a maximum of six months) to discontinue the lease/ rectify the breach. In case the allottee fails to comply with the directions so issued, the Estate Officer, HUDA will take recourse to resumption of the plot. Additionally, the allottee will be liable to pay leasing fee at three times the normal fee as penalty for compounding the violation during such period. In case of commercial use of the premises, the penalty shall be six times the normal leasing fee rate.
- iii. Further, overall compliance of the terms and conditions of allotment of the plot will be the responsibility of the Allottee qua the HUDA and the Department will not enter into any correspondence with the lessee on this account.

Chapter 8

Transfer of Plots/ Sheds

- 8.1 Notwithstanding that the plots/sheds are allotted by the HUDA on free-hold basis, the allotment/ management of the industrial estates are being regulated by the HUDA with the sole objective of industrialization in the State of Haryana. To meet this end, the allotment of industrial plots/sheds is made to the prospective entrepreneurs for setting up their industrial ventures, after following due procedure, involving inviting applications, evaluation on the basis of pre-determined criteria, personal interviews in case of prestigious category projects and thereafter selection of the applicant. As such, the allottee is required to utilize the plot/ shed by implementing the industrial project within a stipulated period. To that extent, the expression 'Free-hold' is restrained by the attendant conditions.
- 8.2 What constitutes a Transfer?

A plot/shed allotted by the HUDA amounts to transfer in the following circumstances:

 - i. In case of individual allottees, there is a change of ownership, by whatever means, i.e. through a sale deed, an agreement with the intent of transfer on a future date, or by way of Power of Attorney (except in favour of family members);
 - ii. In the case of Partnership Firms and Limited Liability Partnerships (LLPs), there is a change in the partners whereby the majority stake (51% or above) gets transferred in favour of third party through exit of any of the partner(s) at the time of allotment and /or induction of new partner(s) and the share of the original remaining partner(s) is diluted below 51%;
 - iii. In the case of Private Limited Companies, there is a change in the promoters/directors whereby the majority stake (51% or above) gets transferred in favour of third party through exit of the shareholders at the time of allotment and /or induction of new shareholders and the share of the original remaining shareholders is diluted below 51%;
 - iv. In the case of a Listed Company, where the shareholders having largest shareholding as well as management control have changed their hands;
 - v. In the case of a Government Company, the change in ownership through dis-investment of shareholding of 51% or more or by way of divestment;
 - vi. In case of Merger/ Amalgamation/ Take-over of the allottee company, consequent upon the orders of the Competent Court/Central Govt., where the majority stake of the equity shareholders/ management control gets transferred in favour of third party.

8.3 Effective date of transfer:

The effective date of transfer shall be the date of registration of sale deed with the concerned Sub-Registrar. In case the transfer is being effected by way of transfer of 51% or more of the share/paid up capital, the effective date of transfer shall be the date of transfer of share/shareholding as per the record of the allottee firm/company.

8.4 Due diligence and warning to purchasers:

Although, the industrial plots/sheds allotted by HUDA are freely transferable after completion of the project by the allottee in terms of clause 5.10/5.11, however, third party who purchases or acquires interest in any manner, in a plot/shed before completion of the project, without prior written permission of the HUDA, bears the risk of its resumption notwithstanding that he may plead ignorance about the rules and the facts about the property at the time he entered into the sale-purchase agreement. Hence, it is the duty of any purchaser to carry out due diligence, verify the transferability of the plot/shed and the amount outstanding and payable to the HUDA at the time of entering into any agreement. The information in this respect can be gathered from the Estate Offices of the HUDA. It is clarified that first/each of the subsequent transfer of plot/shed shall require prior written permission of the HUDA.

8.5 Eligibility Criteria for the First Transfer:

- i. The original allottee shall be eligible to transfer the plot subject to the following:
 - a) Has deposited full price of the plot, including enhanced cost, if any and got the conveyance deed of the plot/shed executed in his/her/its favour;
 - b) For all allotments made prior to applicability of HUDA EMP-2016, the allottee should have obtained occupation certificate and completed the project in terms of clause 5.10 & 5.11, provided that the cases where project has already been accepted as implemented/completed as per provisions of the policies applicable from time to time, shall not be re-opened;”
 - c) There should not any default towards payment of other dues of the HUDA like; enhanced cost, maintenance charges, water/sewer charges, EDC, any fee, etc.
 - d) In cases, where premises is leased out after obtaining occupation certificate but without implementation of the project by the allottee, the plot shall be eligible for transfer after implementation of the project by the lessee.”
- ii. The transfer of plot/shed will be allowed without any pre-condition in case of inheritance, will or within the family members of the allottee (except in case of allotment in favour of NRI / person with disability), succession due to death of the allottee/majority shareholders or takeover by Banks/ Financial institutions. The transferee allottee under this category shall be required to implement the approved project and will be treated as original allottee.

8.6 Subsequent transfers:

In case of subsequent transfer of industrial plot/shed, where the first/earlier transfer was effected after completion of the approved project, there will be no pre-conditions, except that there shall not be any violation with respect to FAR, zoning norms as well as other building bye-laws; further there shall be no default towards payment of any dues of the HUDA like; enhanced cost, maintenance charges, water/sewer charges, EDC, any fee, etc. However, the transferee shall be required to pay applicable processing fee (provided transfer fee in respect of first/earlier transfer was already paid) and enter into an agreement with the HUDA to adhere to the rules & regulations of the HUDA qua allotment of the plot, as the transferee allottee would be stepping into the shoes of original allottee. Every subsequent transfer would entail payment of processing charges and execution of a Registered Sale Deed/other documents as per provisions of the Transfer of Property Act/other laws. No Bifurcation of plots are allowed in any stage of transfer without prior permission of HUDA.

8.7 Transfer fees:

- i. Wherever transfer is permissible, save exempted categories as mentioned under Para 8.8 below, the transfer fee shall be payable as under:

Sr. No.	Category of Estates	Plots (₹ Per Sq. Mtr)
1	Category 'A'	300/-
2	Category 'B'	150/-
3	Category 'C'	50/-

In case of shed, the transfer fee shall be payable on the area of the plot under shed. However, in case of flatted factory, transfer fee shall be payable on the plinth area basis. The Service Tax as applicable shall be extra.

- ii. Transfer of General category plots without completion of the approved project:-

In case of general category plots, the allottee may transfer the industrial plot without completion of the approved project (including vacant/partly constructed plot) after he/she/it has deposited full price of the plot, including enhanced cost, if any and got the conveyance deed of the plot/shed executed in his/her/its favour, subject to payment of transfer fee as under:-

Sr. No.	Particulars	Transfer fee
1	After obtaining occupation certificate but without implementation of project as defined in EMP	Double the normal transfer fee
2	Vacant/unutilized plots (including cases where OC has not been obtained)	10% of current allotment price
3	Subsequent transfer of plot after completion of the project by the transferee	Processing fee
4	Subsequent transfer of plot without implementation of project by transferee	Normal transfer fee

- iii. Transfer of Prestigious Category plots:

In case of prestigious category projects, transfer shall be permissible on payment of normal transfer fee, only after completion of the project by the allottee, as defined in clause 5.11(i)(a) of HUDA EMP-2016.

- iv. Transfer fee, wherever applicable, would be payable along with interest @ 11 % p.a. from the effective date of transfer. However, in cases where transfer fee is linked to current allotment price, interest @ 11 % p.a. shall be applicable from the date of submission of transfer request. The allottee shall be required to obtain prior permission of the Corporation before effecting any transfer, failing which penalty equivalent to the normal transfer fee shall be payable.
- v. In case of non compliance of conditions of Provisional Transfer Letter (PTL) within a period of 120 days, penalty equivalent to 25% of normal transfer fee as per HUDA EMP-2016 shall be charged for regularizing the delay beyond 120 days, in compliance of PTL conditions.

- vi. In case the transfer of plot/shed was affected through registered sale deed, there shall be no requirement of personal appearance of the transferor before the Estate Officer, HUDA to confirm the sale transaction. In case the transfer is effected through transfer of majority equity shares in a company, such transfer should be filed/registered in the MCA records and the allottee shall be required to submit a copy of the MCA records along with resolution of the Board of Directors/ general body for change of management/transfer of majority shareholding, duly certified by the Statutory/Secretarial Auditors of the Company and in such cases also there shall be no requirement of personal appearance of outgoing directors/ shareholders.

Further, in case of transfer through changes in partners in a registered partnership firm or changes in the shareholders in a company, there shall be no requirement of execution of sale deed in such cases.

8.8 Categories exempted from payment of Transfer Fee:

No transfer fee will be payable in the following cases:

- i. Transfer of plot after the allottee has run his industrial unit for a period of more than five years; it is clarified that once the allottee or the re-allottee has run the unit for a period of five years or more, no transfer fee shall be applicable in case of subsequent transfers.
- ii. Transfer by way of inheritance, will or within the family members of the allottee;
- iii. Succession due to death of owner/allottee/ majority shareholders;
- iv. Takeover by bank/financial institutions.
- v. Second or all subsequent transfers, provided the first/earlier transfer was made after completion of the project on payment of normal transfer fee, and otherwise eligible for transfer as per clause 8.6.
- vi. Transfer of plot in favour of another company promoted by the same promoters / shareholders.
- vii. All allotments made under HUDA EMP-2016, provided the conveyance deed of the plot/shed has been executed.

In the cases covered under above categories, only the applicable processing fee/Administrative Charges will be payable along with the transfer request. However, dues of the HUDA, if any, shall be required to be cleared by the allottee/proposed transferee before any such transfer.

8.9 Consequences of unauthorized transfers:

A transfer is un-authorized where the transfer of plot/shed is not permissible as per provisions of the HUDA EMP-2016. Any transfer, which is otherwise permissible, but effected without prior written permission of the HUDA shall also constitute as un-authorized transfer. The allottee/successor-in-interest, as the case may be, will have to bear the consequences of such un-authorized transfer, including payment of penalties as defined in EMP as well as resumption of the plot/shed.

8.10 Procedure:

- i. An application for transfer of plot/shed containing relevant information along with payment of applicable transfer fee/processing fee shall be required to be made to HUDA as per the prescribed procedure, by the authorized person, as detailed below:
 - a) The allottee himself in the case of an individual/ sole proprietorship or the lawful successor in case of inheritance/ will/ death of the original allottee;
 - b) One of the partners with authorization from other partners in the case of a partnership firm;
 - c) One of the Directors, along with certified copy of the resolution passed by the Board of Director of the company, in the case of a Private Limited Company;

- d) The Company Secretary/Manager duly authorized through a resolution of the Board of the Company, in the case of a Public Limited Company.
- ii. The Estate Officer, HUDA shall verify the completeness of the application, the purpose for which the proposed transferee would be utilizing the premises and other prescribed parameters within a period of 07 working days. In case the application/request is found to be in order, the Estate Officer, HUDA shall issue a Provisional Transfer Letter (PTL) containing the terms and conditions for such permission within 18 days. In case the application is found incomplete or deficient in any respect, the applicant will be informed of the same along with the deficiencies within a period of 18 working days;
- iii. The terms and conditions of Provisional Transfer Letter (PTL) will be complied with by the transferor / transferee within a period of 90 days from the date of issue of the PTL;
- iv. Pursuant to the completion of formalities contained in PTL, the Estate Officer would, execute agreement with the transferee, issue the letter of re-allotment in favour of the transferee, whereupon the proposed transferee shall become an allottee/re-allottee of the HUDA.

Chapter 9

Change in Constitution/Shareholding

- 9.1 Change in constitution from individual/Joint holders to a Partnership Firm/ company or from Partnership Firm to a Company shall be permissible at any stage provided the entire shareholding/ ownership of the firm/company/project is with the original allottee and/or his/her family members (spouse, son, daughter, parents, brothers, sisters, grandson, granddaughter and their spouses). Applicable processing fee shall be payable in such cases. Prior written permission of HUDA shall be mandatory. In case of allotment in favour of NRI/ person with disability, the allottee must retain at least 51% stake till project completion.
- 9.2 In case the change in constitution involves induction of a third party, other than family members as defined in clause 9.1, into the firm/company/project, the same can be allowed on payment of fee equivalent to 50% of a normal transfer fee, as defined in Para 8.7(i) of EMP, for dilution of equity up to 26% and 100% of transfer fee for dilution of equity above 26% and up to 49%, subject to the condition that the original allottee/his family members retain at least 51% share in the firm/company/ project. Applicable service tax and interest on fee @ 12% p.a. shall be payable from the date of dilution of equity till the date of payment. In case the share of the original allottee/partners/shareholders and their family members in the firm/company/ project falls below 51%, it shall amount to transfer and the provisions of chapter 8 of HUDA EMP-2016 related to transfer of plot shall be applicable.
- 9.3 In cases where a Private Limited Company becomes a Public Limited Company listed with recognized stock exchange, the change in constitution may be allowed on payment of the applicable processing fee subject to the condition that the allottee or his associates (family members), retain the largest share holding with management control, otherwise it will be treated as a case of transfer.
- 9.4 In case the allottee is a company and intends to implement the proposed project through its subsidiary company, such a request can be considered by the Chief Administrator, HUDA subject to the condition that the entire paid up capital of the subsidiary company is held by the allottee company and its shareholders/ promoter Directors. Similarly, implementation of project through holding company of the allottee company as well as through a concern/company promoted/owned by the original allottee / partners of allottee firm / promoter/directors of Allottee Company and their family members shall also be covered under this clause. Applicable processing fee shall be payable in such cases.
- 9.5 In case of change in constitution where the conveyance deed is already executed in favour of the original allottee, the title of the plot shall be got transferred in the name of new entity by way of registered deed.

Chapter 10

Change of Project

- 10.1 The allottee may change the project at any stage for permissible activities conforming to that area/plot only, provided the ratio of fixed capital investment (land, building Plant & Machinery including misc. fixed assets) is maintained at the Ratio of 60:20:20. Though no prior approval shall be required from HUDA for any such change of project, however, the allottee shall be required to intimate the same to the concerned Estate Officer, HUDA within 60 days of such change. Further, while undertaking any such change of project, factors such as nature of pollution, high water consumption/ effluent, availability of requisite infrastructure facilities in the concerned industrial estate to meet the proposed project parameters etc. shall be considered by the allottee, and, any approvals in this regard, if required, from State/Central Government, Pollution Control Board, Other Regulatory Bodies / authorities and compliance of their norms, shall be the responsibility of the allottee. The period for implementation of the changed project shall remain the same as per terms of allotment. No fee shall be payable for any such change of project. In case of prestigious category projects, where there is reduction in fixed capital investment, change of project shall require permission of the HUDA.
- 10.2 In the case of allotment of plots/sheds in product specific Industrial Estates/Sectors e.g. Food Park, Technology Park, Electroplating Zone & Dying Zone & Textile park etc., the change of project can be undertaken only for specified activities in that particular Estate/ Sectors.
- 10.3 Due diligence and warning to the allottees:

Although, there are no restrictions on change of project by the allottees lessee and no prior permission is required from the HUDA for the same, however, if the premises are found to be utilized for any non-permissible activity, the allottee bears the risk of its resumption notwithstanding that he may plead ignorance about the rules. Hence, it is the duty of the allottee to carry out due diligence before undertaking any change of project.

Chapter 11

Bifurcation/Fragmentation of Plot

- 11.1 Bifurcation of industrial plots of only two acre size and above will be permitted provided the project has been completed after obtaining occupation certificate as per prevalent Estate Management Procedure. Plots measuring two to five acres can be bifurcated in not more than two plots subject to the condition that none of the sub-divided plots is less than one acre, subject to planning parameters. In case the plot size is more than five acres, none of the bifurcated portion should be less than two acres. The bifurcation will be permitted only for permissible activities. Applicable processing fee shall be payable for such permission. In case the allottee transfers the bifurcated plot to some other person, then provisions of transfer as contained in EMP shall be applicable.
- 11.2 Normally bifurcation of plots at the initial stage before completion of project shall not be allowed. However, the committee constituted under clause 12.14 of HUDA EMP-2016 may consider the bifurcation of the plot and utilization of the bifurcated portion by the subsidiary/ group company with majority equity shares owned by the allottee company, its share holders/ promoter directors with family members, subject to payment of bifurcation fee equivalent to transfer fee. The other conditions of the bifurcation/ fragmentation as well as terms of allotment shall be applicable in such cases.
- 11.3 Bifurcation of clubbed plots/sheds shall be permissible provided they have been shown as a separate units/ plots in the approved layout plan and meet the zoning parameters.

Chapter 12

Residual Matters

- 12.1 In case the project is not implemented/ completed within the stipulated period on account of death of the original allottee, the Estate Officer, HUDA shall be competent to extend the period and allow implementation of the project within two years of transfer of plot in favour of legal heir(s) of the allottee without extension fee.
- 12.2 The benefit of reduction in rate of interest from 12% p.a. to 11% p.a. and delayed interest from 15% p.a. to 13% p.a. wherever applicable shall be available to the existing allottees on the existing liabilities as on the date of notification of HUDA EMP-2016.
- 12.3 As per clause 3.6 (ii), in case of allotment of plot/shed, the allottee is required to convey acceptance of terms and conditions of allotment and remit 15% payment within a period of thirty days of issuance of Regular Letter of Allotment (extendable by another thirty days on payment of interest @ 15% p.a. for the delayed period). On expiry of sixty days, the allotment of plot/shed stands lapsed. In cases of extreme hardship, Chief Administrator, HUDA shall be competent to revive the allotment and accept the 15% payment within 120 days of issuance of Regular Letter of Allotment, on payment of interest @ 15% p.a. for the delayed period. Administrative Secretary of the TCP Department, Govt. of Haryana may further consider condonation of delay beyond 120 days on payment of interest @ 15% p.a. for the delayed period, depending up on merits of the case.
- 12.4 While handing over physical possession of plot, in case, the actual area of the plot on ground is found to be higher than the tentative allotted area, as mentioned in Regular Letter of Allotment (RLA), the excess area up to 10% of the original size shall be handed over to the allottee by charging original allotment rates as mentioned in RLA, along with interest @ 12% p.a., from the date of handing over possession. In case the excess area is more than 10% of the original size, such excess area may be handed over to the allottee on payment of price of excess area at the current allotment rates, as applicable on the date of handing over physical possession of the plot. In case the actual area of the plot at the time of handing over physical possession is found to be less than the allotted area, the cost of the plot shall be recalculated & the schedule for payment of balance cost of the plot, after adjusting the 25% allotment money received from the allottee as per RLA, shall be revised from the beginning & interest shall be calculated accordingly.
- 12.5 It has also been decided to allow industrial warehousing in the existing industrial estates. The guidelines/ criteria for the same shall be as under :-
- i. The Industrial Warehousing Activities shall be allowed on the plots having maximum size of five acres. Further, the plot must be located on a minimum 30 meter wide road or a separate service road. The allottee must have implemented its own project and obtained project completion certificate.
 - ii. The industrial plot should be located in the general industrial estates and not in a product/ service specific estates like Textile Park, Electroplating Zone, Dying Zone, I.T./ Technology park etc. Further, the plots allotted under ongoing scheme for prestigious projects with commitment to have minimum fixed capital investment of `50/40/30 crore (earlier `30/20/10 crore) shall be eligible for such Industrial warehousing activities only after completion of the project by the allottee with stipulated investment as per terms of allotment.
 - iii. The permissible FAR shall be up to 125%. In case the building has been constructed with FAR of more than 125%, then such facilities shall not be permissible.
 - iv. In the existing industrial estates, not more than 5% of the total plotable area of that Estate or 20% of the area of plots measuring up to 5 acres, whichever is less, in each phase, shall be allowed to carry on such activities.

- v. The request of the existing allottees for change of their project to Industrial Warehousing shall be considered by the Chief Administrator on merits of each case. The applications received by the HUDA shall be considered by the competent authority on six monthly basis on 30th September & 31st March of each year or any other date as may be decided by the Chief Administrator. In case the numbers of applications who intend to change their project to warehousing activity are more than the maximum 5% of the total plotable area, the selection shall be made through draw of lots out of the eligible applicants.
- vi. The existing allottees shall be required to remit fee/ payment equal to 25% of the current allotment price as fee/charges for such conversion.
- vii. The allottees shall be required to submit an undertaking that the vehicle/ trucks transporting the material shall be parked within the parking area to be provided by the allottees within its own premises and maximum of two vehicles at a time shall be allowed to be parked for loading/ unloading in front of the premises of the unit. Idle parking of truck / vehicle shall not be allowed on the road and/or in the front of the industrial plot/unit. In case of violation on this account, penalty as decided by HUDA on year to year basis, shall be payable, besides taking corrective action.
- viii. The allottee shall implement the Industrial warehousing project either of its own or through some professional agency for operation & maintenance, with prior written permission of the HUDA and subject to payment of one-time fee, which shall be equivalent to applicable transfer fee. No sub-lease shall be allowed in such cases. Further, only one warehouse operator/ agency shall be allowed in one plot/premises. Storage of inflammable/ hazardous/ petroleum products etc. shall not be permissible.
- ix. After allowing Warehousing Activities on an industrial plot, no other activities, including manufacturing, shall be permissible and the said plot shall have to be utilized only for the prescribed Industrial Warehousing Activities. In case the allottee intends to revert to the manufacturing activity on the plot at a later stage, the same shall be allowed with the prior written permission of the HUDA, subject to submission of revised project report. In case such allottee again approaches for allowing warehousing activities, the same shall be considered by the concerned Estate Officer, subject to the criteria mentioned above and on payment of processing fee of ` 10,000/- only.
- x. The other terms and conditions of allotment shall remain unchanged.

12.6 Permissible use for ancillary facilities.

The Industrial plots are allotted for the permissible activity only and not for any commercial, residential or industrial use. However, in the zoning plans of various Industrial sectors of HUDA, up to 10% of the permissible covered area is allowed for ancillary building. It has been decided to permit the industrial plots to utilize up to a maximum of 4% of the permissible covered area for subsidiary facilities e.g. cafeteria, canteen, gym, etc. for the captive use of the employees working in such Industrial unit without any additional charge. However, it may be clarified here that this entitlement would be corresponding to the actual covered area constructed at any point of time. Provision of such facilities for general public on commercial basis would not be permissible under any circumstances and shall be considered as an unauthorized use of the premises entailing the consequential action.

12.7 Infrastructure augmentation charges.

The FAR admissible for the general industry as on date is 125%. In addition, for certain categories of industries like IT/ITES, garments, footwear etc., as circulated by HUDA vide memo no. 22093 dated 04.12.2015, special provisions have been made for enhanced FAR. The admissibility of enhanced FAR in all these categories is allowed on payment of infrastructure augmentation charges. Higher FAR for general industry shall be made applicable, as per the norms of HUDA.

12.8 Mortgage of plots/sheds with Banks/Financial Institutions:.

The allottee shall have the right to mortgage the plot in favour of banks/financial institutions, subject to the condition that the HUDA shall have first paramount charge on the plot for recovery of its dues and the charge of the bank/financial institutions shall be second/sub-serviette. Further, the allottee shall get the deed of conveyance executed in its favour before creating mortgage of the plot/shed. The mortgage to be created by the allottee in favour of Bank/Financial institution shall be without prejudice to the rights of the HUDA in terms of the Regular letter of allotment /deed of conveyance in respect of the plot/shed in question. In the event of auction of the property by the bank/Financial institution for recovery of its dues, the Bank/auction purchaser shall be required to clear the dues of the HUDA in respect of the plot as the purchaser shall be stepping into the shoes of the allottee. The auction purchaser shall utilize the plot/premises for permissible activities only and in case the project was not completed by the allottee, the auction purchaser shall be required to complete his project within two years of re-allotment of plot in its favour, failing which the provisions relating to grant of extension as provided in chapter 5 of EMP shall be applicable.

The above provision shall be applicable to existing allottees as well, notwithstanding anything contrary contained in this regard in the RLA/deed of conveyance executed in their favour.

12.9 Treatment of general extension for implementation of the project on industrial plots/sheds announced in the past.

(i) HUDA has granted general extensions to its allottees in the past, without charging any extension fee for implementation of the project, as described hereunder:

- a) In July 2009, one year general extension, without fee, was granted to the existing allottees where the implementation period including extended period expired after 11.07.2008. It is clarified that henceforth the period from 11.07.2008 to 10.07.2009 shall be treated as zero period for all intent and purposes.
- b) The existing allottees, who are entitled to general extensions, shall continue to avail the same and after expiry of the available implementation period (including general extension/paid extension) further extension, if permissible, shall be considered as per the provisions of HUDA EMP-2016.

12.10 In the event of any encumbrance(s) arising out of any other issues not finding a mention in HUDA EMP-2016, such matters will be referred by the Estate Officer of HUDA to the Chief Administrator, HUDA / Anomaly Committee as referred in clause 12.11 of EMP, for decision on any such issues(s).

12.11 Anomaly Committee:

In case any of the matter/issue is not covered by the above procedures, the Anomaly Committee headed by Administrative Secretary of the T & CP Department, Govt. of Haryana, Chief Administrator, HUDA, Administrator(HQ), HUDA, Director of Industries Haryana, & Zonal Administrator HUDA shall be as its members shall decide the same on merits, equity and justice.

Note: The provisions of Chapter-12 of HUDA EMP-2016, under the head “Residual Matters” shall be applicable for all types of allotments by the HUDA i.e. industrial, technology Park and industrial workers’ housing etc.

Chapter 13

Allotment of plots to the SPV under Cluster Scheme

The allotment of industrial plots to the special purpose vehicle under the cluster development scheme shall be made by the Higher Level Plot Allotment Committee under the Chairmanship of Administrative Secretary of the T & CP Department, Govt. of Haryana considering merits of each case. The terms and conditions of allotment of plots to the Special Purpose Vehicle (SPV) under the said scheme shall be as under:

13.1 For allotment on free hold basis:

- i. In case the project is not approved by the Government of India within four months of allotment of plot, the allotment shall stand cancelled.
- ii. The allottee shall start construction at site within six months of allotment/ offer of possession.
- iii. The plot shall be used only for the approved project of Common facility Centre for use of units falling in the particular Cluster category.
- iv. The plot shall not be transferred in favour of any third party at any stage.
- v. The original cluster members shall maintain their shareholding pattern and management control of the SPV. The HUDA may, however, consider dilution of equity maximum up to 49% in favour of the firms/ companies running their units in that particular industry category, provided prior permission is sought from the HUDA for the same, and the same should be subject to the provisions of HUDA EMP-2016.
- vi. In case of disbandment of the SPV/Cluster project, the plot shall revert back to the HUDA.
- vii. Other terms and conditions as per EMP-20015 shall be applicable.

13.2 For allotment on lease hold basis:

- i. The plot shall continue to be utilized for Common Facility Centre (CFC) and in case of discontinuance of the said project; the lease deed shall stand terminated.
- ii. The annual lease rental shall be equivalent to 3.5% of the current allotment price with 10% increase after every five years.
- iii. The lease period shall be initially twenty years with subsequent extension/renewal for a period of ten years.
- iv. The annual lease rental shall be payable in advance within seven days of the commencement of the lease; thereafter, the annual lease rentals shall be payable by 7th of the month in which the same fall due. In case of default, interest @ 15% p.a., compounded half yearly shall be applicable.
- v. After successful running of CFC project for a period of at least ten years, the SPV may with the permission of the HUDA convert the allotment of the plot from lease hold to free hold basis, subject to the payment of allotment price applicable at the time of allowing such conversion.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators in HUDA.
2. All the Estate Officers/Assistant Estate Officers in HUDA.

Memo. no.22093

Dated :04.12.2015

Subject:- Policy regarding allowing higher **FAR in Industrial Plots** allotted for **information Technology** and Information Technology Enabled Services, **Apparel & Footwear Industry, Biotechnology etc.**

It is intimated that vide notification dated 26.07.2001, in HUDA (Erection of Buildings), 1979, in Regulation 13, in the clause (b) under heading (ii) Industrial, the following table and note there under was inserted :-

Maximum coverage on ground (Percentage of site area)	Maximum permissible floor area ratio (percentage)	Maximum height of the building (In meters)
40% for new units and 60% for existing industry converting into INFORMATION TECHNOLOGY units.	250	30

Note:- Twin level basement shall be allowed only for parking under the zoned area.

Subsequently, vide memo. no. 17336-40 dated 05.05.2008, instructions were circulated wherein it was clarified that change of project to IT /ITES may be allowed provided there is no increase in FAR viz-a-viz the FAR permissible under the original allotment. It was also clarified that in case of new allotments which will be made in future, the decision to allow IT/ITES related Industry in the existing Urban Estates shall be taken by Chairman, HUDA on the recommendation of the respective allotment Committees.

The Town & Country Planning Department, Haryana vide notification no.PA/2009/Misc.-32/575 dated 20.01.2009 and the Industries & Commerce Department, Govt. of Haryana vide notification no. 49/100/2010-41B1 dated 31.12.2010 amended their respective provisions pertaining to IT & ITES, Apparel & Footwear, Biotechnology and Pharmaceuticals. The definitions of Apparel Industries, Biotechnology Industry, Footwear Manufacturing Industry etc. have also been defined in the said amendments. However, these notifications have not been adopted by HUDA so far resulting into an anomalous situation of such Industrial units viz-a-viz HUDA Industrial Estates. In order to streamline the matter and to bring the policies of HUDA at par with the policies of T&CP Department, Haryana and Industries & Commerce Department, Haryana, it has been decided that IT/ITES/ Technology Projects, Apparel & Footwear, Biotechnology and Pharmaceuticals shall have the following provisions:-

Table

1	2	3	4	5	6	7
Sr. No.	Type of industry	M a x i m u m G r o u n d Coverage	Permissible Basement	Maximum Permissible Floor Area Ratio	Maximum Permissible Height	Remarks
(A)	For the existing Industrial Estates					
1.	General	60%	Single level	125	30 Meters	-
2.	Apparel and Footwear					
(i)	Vertical expansion of existing Building	60%	As existing at site	175	40 meters	Subject to structure safety/capacity certificate from the Architect and subject to the condition that the industrial units availing of higher on roads with a right of way of 15 meters and above.
(ii)	Fresh construction of building after demolition of the existing structure	50%	Single level	200	50 meters	Subject to 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.
3.	Biotechnology other than Pharmaceuticals	40%	Upto three levels	200	50 meters	Subject to condition that the industrial units availing of higher floor area ratio are located on roads with a right of way of 18 meters above.

4.	<p>(a) Information Technology / Information Technology Enable Services</p> <p>Plot size 450 to 20,000 sq.mts.</p>	40%	Up to three levels	200	50 meters	<p>Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads with a right of way of 18 meters above.</p> <p>Upto 4% of the permissible covered area of 200% can be used for provision of supporting facilities for the captive use of employees without any additional charges. These facilities could include a canteen/ cafeteria, gym, entertainment facilities. No commercial use of such facilities for outsiders is permissible.</p> <p>No separate commercial or residential uses shall be allowed.</p>
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	<p>(b) Information Technology / Information Technology Enable Services</p> <p>Plot size 20,000 sq.mts. to 40,000 sq.mts.</p> <p>(5.0 to 10.0 acres)</p>	40%	Up to three levels	200	50 meters	<p>Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads having minimum ROW of 30.0 mts. or ROW of 60.0 mts. with provision of the service road.</p> <p>Upto 4% of the permissible covered area of 200% can be used for provision of supporting facilities for the captive use of employees without any additional charges. These facilities could include a canteen /cafeteria, Gym, entertainment facilities. No commercial use of such facilities for outsiders is permissible.</p>
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	(c) Information Technology / Information Technology Enable Services Plot size 40,001 sq.mts. to 2,00,000 sq.mts. (10.0 to 50.0 acres)	40%	Up to three levels	200	50 meters	<p>Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads having minimum ROW of 60.0 mts. with provision of the service road.</p> <p>Upto 10% of area with an FAR of 175% is allowed for Group Housing purposes,</p> <p>upto 4% of the permissible covered area of 200% can be use for provision of a captive use of employees without any additional charges. These facilities could include a canteen/ cafeteria, Gym, entertainment facilities. No commercial use of such facilities for outsiders is permissible.</p>
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5.	Technology park on campus norms Plot size 40,001 sq.mts. to 2,00,000 sq.mts. (10.0 to 50.0 acres)	40%	Up to four levels	200	50 meters	Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads having minimum ROW of 60.0 mts. with provision of the service road. Upto 10% of area with an FAR of 175% for Group Housing purposes, upto 4% of the area for Commercial use with an FAR of 175% and upto 2% of the area for recreational use with FAR of 150% allowed without any additional charges.
1	2	3	4	5	6	7
Sr. No	Type of industry	M a x i m u m G r o u n d Coverage	Permissible Basement	Maximum Permissible Floor Area Ratio	Maximum Permissible Height	Remarks
(B)	For the new Industrial Estates and Expansion Phases of the existing Industrial Estates.					
1	General	60%	Single level	125	30 meters	-
2.	Apparel and Footwear	40%	Up to three levels	250	60 meters	Subject to condition that the industrial units availing of higher floor area ratio are located on roads with a right of way of 18 meters above.
3	Biotechnology other than Pharmaceuticals	40%	Up to three levels	250	60 meters	Subject to condition that the industrial units availing of higher floor area ratio are located on roads with a right of way of 18 meters above.

4.	<p>(a) Information Technology / Information Technology Enable Services</p> <p>Plot size 450 to 20,000 sq.mts.</p>	40%	Up to three levels	250	60 meters	<p>Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads with a right of way of 18 meters above.</p> <p>Upto 4% of the permissible covered area of 250% can be used for provision of supporting facilities for the captive use of employees without any additional charges. These facilities could include a canteen/ cafeteria, gym, entertainment facilities. No commercial use of such facilities for outsiders is permissible.</p> <p>No separate commercial or residential uses shall be allowed.</p>
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	<p>(b) Information Technology / Information Technology Enable Services</p> <p>Plot size 20,000 sq.mts. to 40,000 sq.mts.</p> <p>(5.0 to 10.0 acres)</p>	40%	Up to three levels	250	60 meters	<p>Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads having minimum ROW of 30.0 mts. or ROW of 60.0 mts. with provision of the service road.</p> <p>Upto 4% of the permissible covered area of 250% can be used for provision of supporting facilities for the captive use of employees without any additional charges. These facilities could include a canteen /cafeteria, Gym, entertainment facilities. No commercial use of such facilities for outsiders is permissible.</p>
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	(c) Information Technology / Information Technology Enable Services Plot size 40,001 sq.mts. to 2,00,000 sq.mts. (10.0 to 50.0 acres)	40%	Up to three levels	250	60 meters	<p>Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads having minimum ROW of 60.0 mts. with provision of the service road.</p> <p>Upto 10% of area with an FAR of 175% is allowed for Group Housing purposes,</p> <p>upto 4% of the permissible covered area of 250% can be use for provision of a captive use of employees without any additional charges. These facilities could include a canteen /cafeteria, Gym, entertainment facilities. No commercial use of such facilities for outsiders is permissible.</p>
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5.	Technology park on campus norms Plot size 40,001 sq.mts. to 2,00,000 sq.mts. (10.0 to 50.0 acres)	40%	Up to four levels	250	60 meters	Subject to condition that the industrial units availing of higher Floor Area Ratio are located on roads having minimum ROW of 60.0 mts. with provision of the service road. Upto 10% of area with an FAR of 175% for Group Housing purposes, upto 4% of the area for Commercial use with an FAR of 175% and upto 2% of the area for recreational use with FAR of 150% allowed without any additional charges.
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Notes:-

- (i) “apparel industries” means the industrial units primarily engaged in design, cutting and sewing of garments from fabrics, processed leather and its variants.
- (ii) “bio-technology industry” means the industrial units primarily engaged in research in micro-organism and its software developments. No hardware manufacturing unit of pharmaceutical industry will be included.
- (iii) “footwear manufacturing industry” means the industrial units primarily engaged in the design, cutting, assembly and manufacturing of footwear from finished leather, fabric, rubber and their variants and shall include other similar product such as belts, purses, bags, suit-cases, brief cases etc. but shall not include the processing and tanning of leather and its variants.
- (iv) The basement not exceeding the maximum permissible zone on ground floor and intended to be used for parking, services and storage shall be allowed, if it satisfies the public health, fire safety and structural requirements and shall not be considered in floor area ratio. Ramps shall be permitted within the zoned area (building line) to keeping the setback area uninterrupted.
- (v) The industrial units shall abide by the policy for parking of vehicles as notified by the concerned development agency. Parking in the stilted floor at ground floor level shall be permissible free from floor area ratio if the height from the finished ground floor to the bottom of the hanging beam is not lower than 2.5 meters and not more 2.8 meters.
- (vi) The built area required for labour welfare, within the premises, under the provisions of the Factories Act, 1948 such as dispensary, dining area, canteen, lavatories, crèche etc. shall not be counted for parking requirement.

- (vii) The facility for enhanced floor area ratio beyond the general level of 125 shall be permissible on payment of infrastructure strengthening charges as prescribed by the Government/Development Agency.

The above policy shall come into force with immediate effect and all the requests for increase in FAR for IT/ITES projects shall be dealt as per above provisions, subject to the approval of Chief Administrator, HUDA, Panchkula.

This issues with the approval of Hon'ble CM-cum-Chairman HUDA.

-sd-

(B.B. Taneja)

Dy. Superintendent,
for Chief Administrator, HUDA

Endst. 22093

Dated :04.12.2015

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director General, Town & Country Planning Department, Haryana.
2. The Managing Director, HSIIDC, Sector-6, Panchkula
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. The General Manager (IT), HUDA, Panchkula for hosting the policy on HUDA website.
8. The Dy. ESA, HUDA,HQ, Panchkula.
9. All Assistants in Urban Branch, HUDA, HQ, Panchkula.

-sd-

(B.B. Taneja)

Dy. Superintendent,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrators, HUDA
All the Estate Officers,/Asstt. Estate Officer, HUDA.

Memo No. A-4(VKS)-UB-2011/28751-73 Dated 02.09.2011

Subject: Formulation of new Estate Management Procedure (**EMP-2011**) of HUDA – **procedure of allotment.**

Reference on the subject cited above.

I have been directed to inform you that HUDA has formulated its own Estate Management Procedure, 2011. A copy of EMP-2011 is sent herewith for reference and records. It shall be made applicable from 01.09.2011.

DA/As above.

-sd-

Assistant Estate Officer,
for Chief Administrator, HUDA.

Endst. No. A-4(VKS)-UB-2011/28774-91

Dated 02.09.2011

A copy of the above along with a copy of new Estate Management Procedure, 2011 is forwarded to following for information and necessary action.

1. The Director of Industries and Commerce, Haryana, Chandigarh.
2. The Chief Engineer-I & II, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula
7. The District Attorney, HUDA, Panchkula.
8. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
9. All the Assistants/Record Keepers of Urban Branch, HUDA, HQ, Panchkula.

-sd-

Assistant Estate Officer,
for Chief Administrator, HUDA.

HARYANA URBAN DEVELOPMENT AUTHORITY

ESTATE MANAGEMENT PROCEDURE (EMP-2011) OF HUDA

INTRODUCTION

The Industrial Policy 2011 announced by the State Government provides for the laying of guidelines for the management of estates, allotment, transfer, leasing, renting etc. of plots & other assets by the State Developing Agency.

In line with the decision of the State Government, the Haryana Urban Development Authority shall be governed by the following Estate Management Procedure hereinafter referred to as “EMP-2011”.

For the purpose of implementation of the EMP-2011 the various industrial estates developed by HUDA are being categorized as under:-

- Block ‘A’ : Industrial Estates Gurgaon, Faridabad, Ballabgarh, Panipat, Sonapat, Murthal Kundli.
- Block ‘B’ : Panchkula, Bahadurgarh, Hisar, Dharuhera, Roz-ka- Meo.
- Block ‘C’ : Rewari, Kurukshetra, Bhiwani, Hathin, Hansi, Ratia, Sirsa, Pehowa, Dabawali, Kalanwali, Fatehabad, Adampur.

1.1 Allotment of Plots

Subject to availability, the allotment of Industrial plots will be governed as under:

- i) On an on-going basis in respect of Mega Projects involving a fixed capital investment (i.e. land, building, machinery & misc. fixed assets) of Rs. 100 crore and above or projects involving employment generation of more than 500 persons and serving as anchor units for proliferation of ancillaries.
- ii) On a quarterly basis in the following cases:
 - a) Prestigious projects involving fixed capital investment as mentioned hereunder:
 - i) Category ‘A’ Estates - Rs. 30 crore and above.
 - ii) Category ‘B’ Estates - Rs. 20 crore and above.
 - iii) Category ‘C’ Estates - Rs. 10 crore and above.
 - b) Projects being set up by NRIs / PIOs;
 - c) Units with 33% or more FDI in total investment;
 - d) Projects being set up by persons with disabilities

The applications in respect of all these categories can be submitted on an ongoing basis to the HUDA and processed by HUDA.

- iii) For all other categories, allotments will be made after inviting applications through advertisements in leading newspapers.

1.2 Steps involved:

- i) The applicants will be required to submit their applications to the HUDA in the prescribed format (available on the web-site of the HUDA) along with 10% of the tentative price of the plot and a non-refundable processing fee. However, the rates of processing fee are subject to revision from time to time and may be checked on the website of HUDA for regular updates;
- ii) The applications so received will be scrutinized/ processed in-house in the HUDA for their completeness;
- iii) The applicants will be invited for interviews before the Committees appointed, as applicable, with a reasonable notice of no less than 7 days dispatched by way of registered post/speed-post/ courier services;

1.3 Committees appointed for the purpose:

- i) For Mega projects having fixed capital investment (land, building, machinery and misc. fixed assets) of Rs. 100 crore & above or projects involving employment generation of more than 500 persons and serving as anchor units for proliferation of ancillaries, seeking allotment of plots at concessional rates with other incentives (a customized package), allotment of industrial land/ plot shall be made on ongoing basis by the Haryana Investment Promotion Board (HIPB) under the Chairmanship of Chief Minister, Haryana.
- ii) Allotment of Plots for prestigious projects involving specified fixed/tangible capital investment (Rs. 30/20/10 crore or above) as mentioned at 1 (ii) (a) above, will be made by the following committee:

1.	Principal Secretary, Industries	Chairman
2.	Chief Administrator, HUDA	Member
3.	Director, Industries	Member
4.	MD, HSIIDC	Member
5.	MD, Haryana Financial Corporation	Member

For other categories the allotment will be made by the following committee.

1.	Chief Administrator, HUDA	Chairman
2.	Zonal Administrator, HUDA	Member
3.	Director, Industries	Member
4.	Administrator, HUDA, HQ	Member Secretary

Note: Substitution can be made in extreme exigencies with an officer of the level of at-least Joint Director, in case of D.I., Haryana, and Administrator, HUDA, Panchkula, in case of Administrator, HUDA (HQ).

1.4 Reservation of Plots:

- i) Upto 10% of the plots/sheds will be reserved in each Estate for allotment to NRIs/ PIOs and for units with 33% or more FDI in total investment. In case of NRI Plots, the entire amount towards the price of the plot has to be remitted through NRE Account of the applicant or in remittances from abroad/ foreign exchange. In the case of FDI, at least 33% of the Project Cost has to come from the FDI route. However, the 10% limit would not preclude allotment of plots in the FDI category as a part of the general scheme of allotment;
- ii) Preferential allotment up to 2% of the plots/sheds in each Estate has been prescribed by the Government for allotment to persons with disabilities as defined in the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995. The Government has also prescribed a differential rate of interest on instalments for this category (*For complete details in this regard, Haryana Government Notification No. 49/40/07/4IBI dated 13.03.2007 may be referred*). However, in case no applications are available from the eligible category, the un-allotted plots may be utilized under the general category.

1.5 Preference:

Preference will be given to the following categories of applicants:

- i) For prestigious projects involving specified fixed capital investment (Rs.10/20/30 crore and above):
 - a) Projects involving creation of ancillaries and large employment opportunities of more than 300 persons;
 - b) Existing industrial units for meeting their expansion/ re-location requirements;
 - c) Projects involving introduction of state-of-the art/ new technology;
 - d) New Investments by promoters with established credentials/ experience;
- ii) For all other categories:
 - a) Ex-servicemen;

- b) Women entrepreneurs;
- c) Unemployed Engineering Graduates/ polytechnic/ ITI trained candidates/first generation/new entrepreneurs who display exceptional entrepreneurial ability/skills;

1.6 Overall guiding principles/ criterion:

Among other things, the Committees, while considering applications for various categories, shall take into account:

- i) The credentials of the applicant as an entrepreneur;
- ii) Educational qualifications or experience in the line to successfully execute and manage the proposed project;
- iii) Understanding or knowledge of the project;
- iv) Net worth of the promoter(s);
- v) Marketing details;
- vi) Working results of existing operations, if any;
- vii) Resource position;
- viii) Financial details and
- ix) Performance during the interview etc.

1.7. Process of Allotment:

- i) Applicants seeking allotment of Industrial Plots developed by the HUDA shall submit their applications in the form prescribed along with the following:
 - a) The application form duly filled-in;
 - b) Photograph of the applicant, managing partner in case of a partnership firm, and the authorized director in case of a company;
 - c) An amount equal to 10% of the tentative price of the plot along with applicable processing fee in the form of Bank Draft drawn in favour of Chief Administrator, HUDA payable at Panchkula as earnest money;
 - d) A copy of the Partnership Deed in the case of a Partnership Firm, Memorandum & Articles of Association in case of Pvt./ Public Limited Company along with a copy of certificate of incorporation of the company and details of the promoters and their share-holding in the company;
 - e) A copy of the Project Report with details of the Project, costing, net worth of the applicant(s), means of financing of the project, implementation schedule, basic details of plant & machinery, employment generation and profitability projections, etc.;
 - f) Land utilization plan to justify the requirement of land;
 - g) An undertaking to the effect that the applicant shall, as far as possible, employ 75% of unskilled work force and for other categories give preference to candidates from among the Haryana Domiciles in the proposed unit;
 - h) Any other information to be specified by the developing agency.
- ii) The applications, complete in all respects, will be processed for consideration by the appropriate Committee;
- iii) The HUDA will fix dates for interviews with the applicants and the intimation to that effect shall be sent to the applicants to appear before the Committee on the given days by way of registered post/ speed post/ courier services;
- iv) The Committee may decide to offer plots of smaller sizes to the applicants, if it is of the opinion that a smaller size plot would be sufficient for the establishment of the project, or depending upon availability of the sizes of plots;

- v) The recommendations made by the Allotment Committee, shall be got approved from the Chairman, HUDA. Thereafter the applicants recommended by the Allotment Committee will be issued Regular Letter of Allotment (RLA) indicating the plot number, size, dimensions and rate of allotment alongwith the schedule and terms of payment, by the respective Estate Officer, HUDA. The specific plot number to be offered shall be determined by holding draw of lot except in the cases, wherein allotment of specific plot number has been approved.
- vi) Non-communication of any acceptance or rejection of the allotment within the prescribed time would be treated as non-acceptance of the allotment. Similarly, any conditional acceptance of the allotment would not be acceptable;
- vii) The earnest money, deposited with the application, will be refunded to the unsuccessful applicants within a period of 60 days of publication of the list of the successful applicants, without any interest. Similarly, the earnest money in case of applicants who turn down the offer of allotment will also be refunded to the applicants without any interest within a period of 60 days of the receipt of communication to that effect;
- viii) The successful allottees shall also inform about the address at which the HUDA offices should send all communications to them. Non-communication of the Correspondence Address and the resultant non-availability of any communication by the allottee shall be squarely to the account of the allottee and will not be the responsibility of HUDA. Any change in Correspondence Address should be duly notified.

1.8 PAYMENT TERMS

- i) 10% alongwith application (earnest money)
- ii) 15% within a period of 30 days, from the date of issue of allotment letter. This period can be further extended as under provided the allottee send its acceptance to the offer of allotment within a period of 30 days alongwith his request for granting further extension ;

Sr.No.	Period of condonation	Concerned Officer who can condone the delay	Rate of surcharge leviable on 15% amount.
1.	Upto 30 days	Estate Officer	5%
2.	Upto 60 days	Administrator	7.5%
3.	Upto 90 days	Chief Administrator	10%

Besides surcharge the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment.

- iii) Remaining 75% can be paid, either in lump sum within a period of 60 days

OR

In five equal half-yearly installments, along with 11% interest p.a.

- iv) The interest @ 11% p.a. on the balance outstanding amount shall however accrue from the date of offer of possession of plot.

Default in payment of installments shall entail penal interest @ 14%p.a. for the defaulted period on the defaulted amount.

Note: In case the plot is allotted under the NRI/PIO categories, funds towards the price of the plot should come from his/ her NRE account/ remittances from abroad/ foreign exchange.

1.9 Processing Fee

A) For allotment of plot

The applicant shall be required to deposit application form along with the nonrefundable processing fee as hereunder:

Size of Plot (Sq. mtr.)	Category 'A' Estates	Category 'B' & 'C' Estates
Up to 500	Rs. 5,000/-	Rs. 3,000/-
501-1050	Rs. 7,500/-	RS.5,000/-
1051-4050	Rs. 10,000/-	Rs. 7,500/-
4051-8100	Rs. 15,000/-	Rs. 10,000/-
8101 and above	Rs. 25,000/-	Rs. 15,000/-

b) For all other services

Processing fee for other services, where ever payable as per EMP-2011, shall be charged at following rates:

Category of Estate	Processing fee
A	Rs. 10,000
B & C	Rs. 5,000

Note: The processing fee will be inclusive of service tax, if applicable.

2. PERIOD ALLOWED FOR COMPLETION OF THE PROJECT AND COMMENCEMENT OF BUSINESS

- 2.1** The allottee shall be required to implement the project on the industrial plot within a period of three years from the date of offer of possession. Implementation of the project would mean commencement of commercial production. However, the allottee should, as far as possible, take following steps within a period of two years of the offer of possession:
- Taking over physical possession of the plot;
 - Submission/ Approval of building plans;
 - Closure of financial tie-ups (Promoter's capital and loans etc.);
 - Commencement of Construction at site;
 - Technical and marketing tie-up.
 - Placement of orders of machinery and other capital goods.
- 2.2** No extension in period of completion beyond the initial period of three years counted from the date of offer of possession of plot by HUDA would be allowed in cases where the allottee has failed to submit building plans to HUDA. In such cases, the plot would be liable to be resumed by HUDA and the payments deposited by the allottee towards the price of the plot (principal cost) would be refunded (without interest) by HUDA after deducting 10% of the price of the plot.
- 2.3** The period for implementation of the project can be extended by HUDA for a period of one year on payment of the prescribed extension fee subject to the allottee (i) having taken over physical possession of the plot, (ii) got the building plans approved from the competent authority and (iii) commenced construction activities on the plot within 3 years from the date of offer of possession.
- 2.4** **Second extension** of one year for completion of project i.e. after four years from the date of offer of possession of plot by HUDA may be granted on payment of prescribed extension fee in case the allottee has taken effective steps for implementation of project including construction of building, at least up to the DPC level within 4 years from the date of offer of possession.
- 2.5** **Third extension** of one year, permissible in case of plots of one acre and above only, for completion of project i.e. after five years from the date of offer of possession of plot by HUDA may be granted on payment of prescribed extension fee in case the allottee has completed construction of building as per approved building plans and applied for occupation certificate to the competent authority.

- 2.6** In case of sheds, the allottee shall be required to implement the project within two years from the date of offer of possession of shed by HUDA. The period for starting production may be extended by one year, on payment of the prescribed extension fee, in those cases where the allottee has installed/ placed firm orders for substantial part of plant and machinery and depending on merits of each case.
- 2.7** The allottee shall be required to pay the extension fee, wherever permissible, prescribed for that area and the payment shall be due with effect from the date the extension is applicable and for any delayed payment, surcharge @ 10% p.a. shall be charged on the amount due for the delayed period.
- 2.8** The allottee shall apply for the first, second or the third extension, as the case may be, in steps taken by the allottee alongwith Demand Draft for the applicable extension fee and submit the same to the concerned Estate Officer before the expiry of the stipulated period. The Estate Officer shall satisfy himself on the merits of the case and convey his decision with regard to extension within 30 days. In case no reply is received by the allottee within the prescribed time, the extension shall be deemed to have been granted by the HUDA. In case no application/request is received from the allottee for extension within the prescribed time for implementation of the project, action will be taken by the HUDA for resumption of plot in terms of allotment.
- 2.9** Extension fee shall be charged at following rates:

Sr. No.	Category of Estate	Plots (in Rs. per sq. mtr.)		
		1st Year	2 nd Year	3 rd Year (applicable for plot sizes of one acre and above)
		75	150	250
1.	Category 'A'	75	150	250
2.	Category 'B'	40	80	150
3.	Category 'C'	15	30	50

In case of shed, the extension fee shall be payable on the area of the plot under shed. However, in case of flatted factory, extension fee shall be payable on the plinth area basis.

2.10 Completion of Project

Normally, an industrial project is considered to be completed only after the allottee commences trial/ commercial production from the facility. However, it has been observed that this aspect needs further detailing keeping in view the current requirements. Accordingly, an industrial project would qualify the criteria for completion in the following cases:

1. The allottee has constructed the building as per norms fixed below as regards permissible covered area (PCA) and the unit has gone into commercial production within the specified period after installation of plant and machinery.

1.	Up to the size of one Acre	40% of the PCA
2.	Above one acre	25% of the PCA

Note:

For the purposes of clarity, one acre would mean 4050 sq. mtrs.

2. The allottee has completed the construction equivalent to 100% of the total permissible covered area and has not been able to commence the commercial production, for whatever reasons, but has obtained occupation certificate from the competent authority and has informed the concerned Estate Officer within fifteen days of obtaining such occupation certificate.

2.11 Project Implementation and commencement of business for the Plots allotted under on-going scheme -

Guidelines regarding prestigious projects involving investment of Rs. 30/20/10 crore and other categories allotted plots under the ongoing scheme:

A separate standard of performance is expected in the case of plots allotted under the on-going schemes. While achievement of the benchmarked level of investment is permissible in a phased manner, Phase-I of the project is expected to be completed within the normal permissible period of three years from the date of offer of possession while the second phase could be completed within a total of six years' time. In these cases, the allottee shall:

1. Be required to take possession of plot, submit building plans and start construction at site within two years of offer of possession of plot by HUDA .
2. Implement the project within a period of three years of offer of possession of plot by HUDA after obtaining occupation certificate.
3. Extension for implementation of project can be considered in these cases also as in the case of normal allotment with applicable extension fee.
4. As regards completion of investment level of the requisite amount in the project by the allottee, (as mentioned in the approved project report -minimum Rs. 30/20/10 crore, as the case may be), a further period of three years beyond the initial stipulated period of three years may be allowed to the allottee to achieve the projected level of investment without payment of fee, provided the first phase of the project has been implemented after obtaining occupation certificate and installation of plant and machinery. In case, the allottee fails to achieve the requisite amount of investment within six years, the fee/penalty will be payable in the following manner:

Sr. No.	Investment achieved	Fee/ Penalty (as % of the current allotment price)
i)	Above 50% but up to 75% of proposed investment	50%
ii)	Above 75% but less than the minimum investment of Rs. 30/ 20/ 10 crore, (as the case may be)	25%

5. In case no investment is made in the project within the initial period of 3 years or the investment made is below 25% of the projected investment, the plot shall be liable to be resumed.

2.12 Project Completion Certificat

It will be obligatory on the part of the original allottee to obtain 'Project Completion Certificate' from the concerned Estate Officer which will be conclusive evidence with regard to completion/ implementation of the project. For this purpose, the allottee shall:

- i) Submit an application to the concerned Estate Officer (on the prescribed proforma alongwith all the relevant documents/information) within 15 days of completion of the project;
- ii) The Estate Officer shall inspect the Unit or cause the same to be inspected by a team of his officers within a period of 10 days, preferably in the presence of the applicant/allottee;
- iii) The Estate Officer shall issue the 'Project Completion Certificate' within 15 days of receipt of application, where the allottee's claim is found to be in order after verification of the information provided by the allottee;
- iv) In case, the Estate Officer is not satisfied with the claim of the applicant allottee with regard to completion of the project, the request for issuance of Project Completion Certificate shall be declined in writing within 15 days of the receipt of application, clearly stating the reasons for such rejection.

2.13 OCCUPATION CERTIFICATE

Building can be occupied on self-certification that the building is constructed as per approved building plan. The self-certification on occupation must be submitted not less than 15 days before the expiration of validity of sanctioned plan. In case self-certification is found contrary to the ground reality, double the compounding rates

will be charged in case of compoundable violations. However non-compoundable violations will necessary to be removed by allottee. A complaint against the Architect shall be sent to the Council of Architects and the Architect will be barred for future from practice in any of Estates developed by HUDA.

2.14. RESUMPTION/SURRENDER OF PLOTS

HUDA will be competent to resume plots in case an allottee defaults in complying with the terms & conditions of allotment/transfer/leasing etc., in accordance with the provisions laid down in HUDAAct, rules & regulations framed there under. Upon resumption/surrender, the amount deposited by the allottee will be refunded after deducting 10% of the price of plot without any interest. The interest paid by the allottee shall also be forfeited.

In the event of the lease/allotment of site being cancelled/ resumed, the lessee/allottee shall remove the structures at his own expenses within such reasonable time, not exceeding three months, as may be prescribed by the Estate Officer, and restore possession of the site on the condition in which he took the same at the commencement of the allotment/lease. If the allottee/lessee fails to remove the structures within the period mentioned above, the Estate Officer HUDA shall be competent to remove the same and recover the expenses incurred in doing so from the allottee, whose lease/allotment has been cancelled.

OR

Re-auction/re-allot the site alongwith the structure after deducting the market value of the site, refund the balance to the lessee/allottee. The amount so refunded shall not be more than the assessed value of the structure of the building. The Estate Officer shall determine the prevailing market value and his decision shall be final & binding subject to right of appeal.

The Estate Officer may get the value of the structure(s) assessed from Engineering Deptt., HUDA. While assessing the cost of the structure(s) following elements shall not form part of assessed value.

- f. Fitting and fixtures of any kind.
- g) The construction raised over and above the approved standard plan/zoning/ building bye-laws.

The re-allotment/re-auction shall be made at the current reserve price. The amount of structures shall be refunded to ex-allottee/lessee only after the Estate Officer decides to auction/allot the resumed/cancelled site, and successful bidder/allottee/lessee accepts the allotment and deposits 25% of the cost/premium.

2.15. RESOTRATION OF RESUMED PLOTS

No restoration of resumed plots shall be allowed. However, an appeal against the resumption orders passed by EO, HUDA concerned shall lie before the Administrator, HUDA concerned (exercising the powers of Chief Administrator, HUDA U/s 17(5) of HUDA Act. An allottee aggrieved by the orders/decision of the Appellate Authority may file revision before the FCTCP.

2.16. FIXATION AND REVISION OF RATES OF PLOTS

The revised rates of plots shall be worked by the Standing Committee of HUDA and approved by the Chairman HUDA. The rates of the plots will be revised w.e.f. 1st April of the year and shall be valid for one year.

3. Leasing / Renting of Premises constructed on Industrial Plots/Sheds

- 3.1** Leasing of the premises constructed on industrial plots/sheds will be allowed for permissible industrial activities in order to ensure optimum utilization of the built-up industrial space subject to the condition that the allottee has completed the project as defined in para 2.10 of the EMP and has obtained 'Project Completion Certificate' as defined in para 2.12 of the EMP. The allottee once allowed to lease out his premises under the previous policies can continue to lease out the premises. Leasing of Industrial Plots as such (i.e. where a building has not been constructed thereon) will not be permitted under any circumstances.
- 3.2** With a view to giving impetus to the technical training/ skill development for meeting requirement of skilled manpower for the industry in Haryana, leasing of industrial premises to technical training /skill development centres providing hands on training on industrial machines, leading to capacity build-up for the industrial sector shall be permissible, subject to prior written permission of HUDA. It is clarified that the academic institutions which grant degree/diploma courses shall not be permissible.

3.3 In order to be eligible for leasing, the allottee/ applicant should have obtained the occupation certificate in respect of the premises, Project Completion Certificate, must not be a defaulter in payment of any dues of the Estate Officer and also must not have committed any violation of the building bye-laws after obtaining the occupation certificate. The plots/sheds on which project has been implemented by any of the previous allottee(s)/ lessee(s) shall also be eligible for leasing. Further, lease instruments exceeding 11 months period should be registered as per legal requirements.

3.4 Leasing Fee and Processing Charges:

i) The leasing fee will be @ 50% of the Transfer Fee applicable for the plot area, and shall be chargeable only once in respect of the plot/ premises irrespective of the period of lease and the number of leases. In case of shed, the leasing fee shall be payable on the area of the plot under shed. However, in case of flatted factory, leasing fee shall be payable on the plinth area basis. The leasing fee shall be payable on the basis of FAR availed in the following manner:-

FAR availed	Leasing fee payable
Upto 125%	Leasing fee rate x plot area
Upto 125% & upto 150%	$\frac{\text{Leasing fee rate} \times \text{plot area} \times 150}{125}$
Above 150% & upto 175%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 175}{125}$
Above 175% & upto 200%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 200}{125}$
Above 200 & upto 250%	$\frac{\text{Leasing fee rate} \times \text{Plot area} \times 250}{125}$

No leasing fee shall be charged in cases where premises is leased out to a concern/ firm owned by the original allottee/ his family members with minimum 51% share, subsidiary or holding company of the allottee company or a firm/ company owned by original promoters of allottee firm/company and no lease rental is charged by the allottee. Further, no leasing fee shall be payable in case the allottee leases out the premises after running his unit for more than five years. Wherever, the leasing fee (excluding interest and penalty) equal to 50% of the current transfer fee or more has already been paid in the past in respect of that plot/shed by the present allottee/ earlier allottee(s), under previous EMPs, no fresh leasing fee would be payable now. In other cases, the allottee will be required to pay the difference between the amount due under this policy and the amount already paid. However, the processing fee shall be payable in all cases where leasing fee is not applicable.

ii) While the processing fee would be payable upfront along with the request/ information (as the case may be), the Leasing Fee would become due from the date of signing of Lease Agreement. Payment of Leasing fee can be made within a period of 90 days from the due date with interest @ 11% p.a. on the amount from the due date till the date of payment. However, in case the leasing fee is not paid within a period of 90 days of the due date, interest @ 14% p.a. shall be charged for the entire period (from due date till the date of payment). Any default in payment of the Leasing Fees within a period of 180 days along with penal interest would amount to a default in terms of para 5.14 of the EMP and may attract consequential action. Any such breach would be compoundable only upon payment of double the leasing fee, along with applicable interest.

3.5 Number of permissible leases:

There shall be no limit/ restriction on the number of leases permissible in any premises subject to the condition that the premises is leased out only for the permissible industrial activity and meets the normal safety conditions.

3.6 Procedure:

- i) The allottee, after having fulfilled the eligibility criteria as defined in the EMP, shall apply for the first leasing permission in the prescribed format alongwith the applicable leasing fee / the processing charges to the concerned Estate Officer, who shall examine the eligibility of the applicant and issue the requisite permission within a period of 30 days of the receipt of application. In case the applicant is found to be ineligible, the Estate Officer shall communicate the same to the applicant within a period of 15 days stating the reasons therefore and decline the permission.
- ii) Once the applicant has been permitted to lease out his premises, he may enter into the lease agreement for the permissible industrial activities and inform the HUDA alongwith the date of commencement of lease, particulars of the lessee, leased out area and the activity of the lessee alongwith the applicable fees / processing charges.
- iii) For every subsequent lease or change in lessee, the allottee will be required to inform the Estate Officer about such change, preferably 15 days in advance of signing the lease agreement but not later than 15 days of execution of the lease deed alongwith requisite details.
- iv) In the event a plot/shed is transferred and the transferee proposes to lease out the premises, he will have to deposit the applicable processing fee and submit details w.r.t. date of commencement of lease, particulars of the lessee, leased out area, proposed activity of the lessee etc., preferably 15 days in advance of signing the lease agreement but not later than 15 days of execution of the lease deed.
- v) The allottee shall file an annual certificate/ return (by 30th April each year) confirming the number and name of lessee(s), area leased out and uses of premises leased out during the year and status as on date.

3.7 Consequences of un-authorised leasing

- i) A premises is deemed to have been leased out unauthorisedly if the allottee:
 - a) Leases out his premises or part thereof without complying with the eligibility criteria as defined in the EMP.
 - b) Leases out the premises for an activity which is not permissible e.g. an industrial plot can be leased out only for an Industrial activity and not for any office/ bank or commercial activity.
 - c) Leases out any part of the premises to a third party (Bank/ Food joint etc.) on rental basis under the garb of facility provided for the employees.
- ii) In case of any instance of unauthorised use/leasing of premises, the allottee will be given a period of three months, with provision for one more extension of three months (a maximum of six months) to discontinue the lease/ rectify the breach. In case the allottee fails to comply with the directions so issued, HUDA will take recourse to resumption of the plot. Additionally, the allottee will be liable to pay 50% of the lease rentals received by the allottee or six times the leasing fee, whichever is higher, as penalty for compounding the violation during such period.
- iii) In case of any instance of unauthorised use/leasing of premises, the allottee will be given a period of three months, with provision for one more extension of three months (a maximum of six months) to discontinue the lease/ rectify the breach. In case the allottee fails to comply with the directions so issued, HUDA will take recourse to resumption of the plot. Additionally, the allottee will be liable to pay 50% of the lease rentals received by the allottee or six times the leasing fee, whichever is higher, as penalty for compounding the violation during such period.
- iv) Further, overall compliance of the terms and conditions of allotment of the plot will be the responsibility of the Allottee qua the HUDA and HUDA will not enter into any correspondence with the lessee on this account.

4. Transfer of Plots/ Sheds

- 4.1** Notwithstanding that the plots/sheds are allotted by HUDA on free-hold basis, the allotment/ management of the industrial estates are being regulated by HUDA with the sole objective of industrialization in the State of Haryana. To meet this end, the allotment of industrial plots/sheds is made to the prospective entrepreneurs for

setting up their industrial ventures, after following due procedure, involving inviting applications, personal interviews and thereafter selection of the applicant. As such, the allottee is required to utilise the plot/shed by implementing the industrial project within a stipulated period. To that extent, the expression 'Free-hold' is restrained by the attendant conditions. It is for this reason that transfer of unutilised/ vacant plot/shed is not permitted.

4.2 What constitutes a Transfer?

A plot/ shed allotted by the HUDA amounts to transfer in the following circumstances:

- (i) In case of individual allottees, there is a change of ownership, by whatever means, i.e. through a sale deed, an agreement with the intent of transfer on a future date, or by way of Power of Attorney (except in favour of family members) ;
- (ii) In the case of Partnership Firms and Limited Liability Partnerships (LLPs), there is a change in the partners whereby the majority stake (51% or above) gets transferred through exit of any the partner(s) at the time of allotment and /or induction of new partner(s) and the share of the original remaining partner(s) is diluted below 51%;
- (iii) In the case of Private Limited Companies, there is a change in the promoters/directors whereby the majority stake (51% or above) gets transferred through exit of the shareholders at the time of allotment and /or induction of new shareholders and the share of the original remaining shareholders is diluted below 51%;
- (iv) In the case of a Listed Company, where the shareholders having largest shareholding as well as management control have changed their hands;
- (v) In the case of a Government Company, the change in ownership through disinvestment of shareholding of 51% or more or by way of divestment;
- (vi) In case of Merger/ Amalgamation/ Take-over of the allottee company, consequent upon the orders of the Competent Court/Central Govt., where the majority stake of the equity shareholders/ management control gets transferred in favour of third party.

4.3 Due diligence and warning to purchasers:

Transfer of an unutilized / vacant plot/shed is not permissible under any circumstances. In case any third party purchases or acquires interest in a plot/shed before completion of the project in any manner, without prior written permission of HUDA, he bears the risk of its resumption notwithstanding that he may plead ignorance about the rules and the facts about the property at the time he entered into the sale-purchase agreement. Hence, it is the duty of any purchaser to carry out due diligence, verify the transferability of the plot/shed and the amount outstanding and payable to the HUDA at the time of entering into any agreement. The information in this respect can be gathered from the Estate Offices of the HUDA. It would be advisable that such information is also sought in writing from the HUDA Estate Office. As a general rule, transfer request through Power of Attorney shall not be accepted. However, Chief Administrator may accept such request in exceptional circumstances, for reasons to be recorded in writing.

4.4. Eligibility Criteria for the First Transfer:

- (i) A first-time allottee is eligible to transfer his/her/its plot/ property only after one year of project completion as defined under para 2.10 of the EMP- 2011, and obtained 'Project Completion Certificate' as defined under para 2.12;
- (ii) A first-time allottee is also allowed to transfer the property if he/it has been allowed to lease out the complete property under the provisions of policy in force from time to time and the lessee having already implemented the project on the premises;
- (iii) The transfer of plot/shed will be allowed without the condition of completion of project in case of inheritance, will or within the family members of the allottee (except in case of preferential allotment in favour of NRI / person with disability), succession due to death of the allottee/ majority shareholders or takeover by Banks/ Financial institutions.

4.5 Subsequent transfers:

Once an allottee has been allowed to transfer the plot/ property, the transferee is expected to use it for permissible industrial activity. However, there will be no preconditions on subsequent transfers by the re-allottees so long as:

- i) the applicable processing charges are paid to HUDA.
- ii) the property is used for carrying out permissible industrial activity;
- iii) no violation of building bye-laws, FAR and zoning regulations are made at any stage;
- iv) the dues of the HUDA are paid in time;
- v) the transfer is effected with prior written permission of the HUDA.

No transfer fee would be charged by the HUDA in case of subsequent transfers, provided the first transfer has been made with the permission of HUDA. However, every subsequent transfer would entail payment of processing charges and execution of a Registered Sale Deed as per the law.

4.6 Transfer fees and Processing charges:

- i). Wherever transfer is permissible, save exempted categories as mentioned under para 4.7 below, the transfer fee shall be payable as under:

Sr. No.	Category of Estates	Plots (Rs. Per Sq. Mtr)
1.	Category 'A'	300/-
2.	Category 'B'	150/-
3.	Category 'C'	50/-

In case of shed, the transfer fee shall be payable on the area of the plot under shed. However, in case of flatted factory, transfer fee shall be payable on the plinth area basis.

- ii) In case the transfer is made within one year of project completion, the fee charged will be 50% of the difference of the current allotment price and original allotment price of the plot/shed or double the transfer fee, whichever is higher.
- iii) Transfer fee, wherever applicable, would be charged at double the normal rate in case the transfer request is received by the HUDA (i) beyond 60 days from the date of agreement to sell or (ii) after execution of sale deed in favour of proposed transferee. Besides, interest @ 11% p.a. shall be payable from the date of agreement to sell/ sale deed till the date of payment of fee to HUDA. Further, in case of substantial delay in submission of transfer request, a penalty equivalent to 10% of the applicable transfer fee, shall be payable for each year of delay or part thereof, in addition to double the normal transfer fee.
- iv) In case of non compliance of conditions of Transfer Permission within a period of 60 days, penalty equivalent to 25% of normal transfer fee as per EMP-2011 shall be charged for regularizing the delay beyond 60 days, in compliance of Transfer Permission conditions.

4.7 Categories exempted from payment of Transfer Fee:

No transfer fee will be payable in the following cases:

- i. Transfer of plot after the allottee has run his industrial unit for a period of more than five years;
- ii. Transfer by way of inheritance, will or within the family members of the allottee;
- iii. Succession due to death of owner/allottee/ majority shareholders;
- iv. Take over by financial institution where mortgage permission has been granted by HUDA.
- v. Second or all subsequent transfers, with prior permission of HUDA.

In the cases covered under above categories, only the applicable processing fee will be payable along with the transfer request. However, prior written permission of HUDA is required in all cases of transfers. Dues of HUDA, if any, shall be required to be cleared before permitting any such transfer. It may also be clarified that every transfer, including the first transfer, will be allowed only after registration of Conveyance Deed.

4.8 Consequences of unauthorized transfers:

A transfer is unauthorised where the transfer of plot/shed is not permissible as per provisions of the EMP-2011. Any transfer, which is otherwise permissible, but has taken place without prior written permission of HUDA, also constitutes an unauthorised transfer. The allottee/ successor-in-interest, as the case may be, will have to bear the consequences of such unauthorised transfer. The consequences of unauthorised transfers would be as under:

- i) In case the vacant/ unutilized plot/ shed has been transferred without completion of the project, HUDA will take recourse to the resumption proceedings.
- ii) In cases where the allottee/ successor-in-interest comes before HUDA for regularisation of the transfer after a substantial part of the building (minimum 75 % of PCA) has been constructed or the project stands implemented, for which the parties had entered into an agreement at the back of the HUDA at a time when the transfer was otherwise not permissible, it may be compounded by charging (i) the difference between the allotment price and the current price, or (ii) double the transfer fee, whichever is higher.
- iii) Wherever, the transfer is otherwise permissible without payment of any transfer fee, but the same has been effected without prior permission of HUDA, the same may be regularized on payment of the applicable transfer fee as mentioned under para 4.6(i), along with interest payable from the due date.

4.9 Procedure:

- i) An application for transfer can be made by the authorized person as detailed below:
 - The allottee himself in the case of an individual/ sole proprietorship or the lawful successor in case of inheritance/ will/ death of the original allottee;
 - One of the partners with authorization from other partners in the case of a partnership firm;
 - One of the Directors, alongwith copy of the resolution passed by the BoD of the company, in the case of a Private Limited Company;
 - The Company Secretary/Manager, duly authorized through a resolution of the Board of the Company, in the case of a Public Limited Company.
- ii) The allottee/ transferor shall have to obtain a 'Letter of eligibility for Transfer' of plot/shed from the concerned Estate Officer by submitting prescribed application form containing the relevant information/documents alongwith demand draft for the applicable processing fee;
- iii) The Estate Officer shall verify the contents of the application, the applicant's 'no-default' and 'compliance' status in all respects which shall include (a) project completion as per clause 2.10 of EMP; (b) Completion certificate as per clause 2.12 of EMP; (c) clearance of all dues, and (d) execution of conveyance deed. In case of any default on any account, the Estate Officer shall inform the applicant of such default, within 15 working days requiring him to take corrective steps;
- iv) Once it is established on verification that the applicant is eligible for in principle transfer permission and there is no outstanding default, the Estate Officer shall issue the 'Letter of eligibility for Transfer' within 15 working days;
- v) After receipt of 'Letter of eligibility for Transfer', as soon as the applicant allottee/ re-allottee identifies the buyer, he/it shall approach the Estate Officer concerned for transfer permission in the prescribed format containing the relevant information/ documents along with demand draft towards the applicable transfer fee/ processing charges;
- vi) The Estate Officer shall verify the completeness of the application, the purpose for which the proposed transferee would be utilizing the premises and other prescribed parameters within a period of 07 working days. In case the application/request is found to be in order, the Estate Officer shall issue Transfer Permission containing the terms and conditions for such permission within 15 working days. In case the application is found incomplete or deficient in any respects, the applicant will be informed of the same along with the deficiencies within a period of 15 working days;

- vii) The terms and conditions of Transfer Permission will be complied with by the transferor /transferee within a period of 60 days from the date of issue of the Transfer Permission;
- viii) Pursuant to the completion of formalities contained in Transfer Permission, the Estate Officer would facilitate the execution of conveyance/sale deed, issue the letter of re-allotment in favour of the transferee, whereupon the proposed transferee shall become an allottee/ re-allottee of HUDA. 6

5. CHANGE IN CONSTITUTION/ SHAREHOLDING

- 5.1** Change in constitution from individual/Joint holders to a Partnership Firm/company or from Partnership Firm to a Company shall be permissible at any stage provided the entire shareholding/ ownership of the firm/ company/project is with the original allottee and / or his/her family members (spouse, son, daughter, parents, brothers, sisters, grand son, grand daughter and their spouses). Applicable processing fee shall be payable in such cases. Prior written permission of HUDA shall be mandatory. In case of preferential allotment in favour of NRI / person with disability, the allottee must retain at least 51% stake till one year after project completion.
- 5.2** In case the change in constitution involves induction of a third party (other than family member as defined in clause 5.1) into the firm/ company/ project, before completion of the project, the same can be allowed on payment of fee equivalent to 50 % of transfer fee, as defined in para 4.6 (i) of the EMP, for dilution of equity upto 26% and 100% of transfer fee for dilution of equity above 26% and upto 49%, subject to the condition that the original allottee/ his family members retain minimum 51% share in the firm/company/project till one year after completion of the project as defined in clause 2.10 Prior written permission of HUDA shall be mandatory. In case the share of original allottee/partners/shareholders in the firm/company/project falls below 51%, it shall amount to transfer and shall be dealt under the relevant provisions.
- 5.3** In cases where a Private Limited Company becomes a Public Limited Company listed with recognized stock exchange, the change in constitution may be allowed on payment of the applicable processing fee subject to the condition that the allottee or his associates (family members), retain the largest share holding with management control, otherwise it will be treated as a case of transfer.
- 5.4** In case the allottee is a company and intends to implement the proposed project through its subsidiary company, such a request can be considered by the Chief Administrator, HUDA subject to the condition that the entire paid up capital of the subsidiary company is held by the allottee company and its shareholders/promoter Directors. Similarly implementation of project through holding company of the allottee company as well as through a concern/company promoted/owned by the original allottee / partners of allottee firm /promoter/ directors of allottee company and their family members shall also be covered under this clause. Applicable processing fee shall be payable in such cases.

6- Change of Project

- 6.1** The allottee may be allowed change of project, other things being equal, by HUDA without prejudice to the size of the plot and the prescribed schedule for implementation of the project. However, while permitting change of project, factors such as its nature of pollution, high water consumption/ effluent shall be considered.
- 6.2** The transferee, on re-allotment, will also be required to submit his brief Project Report and require approval of the Project from the Estate Officer. Change of Project will also be permissible in the same manner as in the case of a first-time allottee.
- 6.3** Applicable processing fee shall be payable on each request. Prior written permission of HUDA shall be mandatory.

Note: The provisions of this Estate Management Procedure-2011 relating to transfer, leasing etc. shall also be applicable for industrial plots/sheds already allotted under the previous policies/procedures.

From

The Chief Administrator,
Haryana Urban Development Authority Panchkula.

To

The Administrator, HUDA, Rohtak.

Memo No. A-Pwn-UB-2008/12088 Dated 02.04.2008

Subject: Implementation of announcements of Hon'ble Chief Minister, Haryana regarding transfer of ownership of **Industrial Plot** which have been constructed and commercial production is going on for the last five years w.e.f. 01.01.2003 – **Clarification for transfer of industrial plots Bahadurgarh.**

It is to inform you that as a special case a decision regarding transfer of Industrial plots in MIE Bahadurgarh the name of persons who are actually running the industries on the plots for the last 5 years w.e.f 01.01.2003 has been taken by the Competent Authority. For the purpose of deciding the individual cases of transfer of plots a committee of the following officers is constituted.

- | | | |
|------|-----------------------------|-------------------|
| i. | Administrator, HUDARohtak. | Chairman. |
| ii. | Concerned XEN | Member. |
| iii. | GM/DIC | Member. |
| iv. | Representative DC Jhajjar | Member. |
| v. | Estate Officer, Bahadurgarh | Member Secretary. |

Besides the usual charges for the transfer of Industrial plots, a penalty at the rate of Rs. 500/- per sq. mtr. will also be charged from the applicants. The documentary proof as regard the running of factories for the last 5 years may be demanded before transferring the individual plots.

You are requested to take further action accordingly. This office may also be apprised of the progress achieved in the matter from time to time.

-sd/-
(Krishan Lal)
Administrative Officer,
for Chief Administrator, HUDA
Dated .02.04.2008

Endst. No. A-Pwn-UB-II-2008/12088- 93

A copy of the above is forwarded to the following for information and necessary action:-

1. Deputy Commissioner, Jhajjar .
2. Estate Officer, HUDA, Rohtak.
3. General Manger, Distt. Industries, Centre, Jhajjar.
4. Executive Engineer, HUDA, Rohtak.
5. President, Bahadurgarh-124507.

-sd/-
(Krishan Lal)
Administrative Officer,
for Chief Administrator, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY

ESTATE MANAGEMENT PROCEDURE (EMP-2005) OF HUDA

1. INTRODUCTION :

The Industrial Policy 2005 announced by the State Government provides for the laying of guidelines for the management of estates, allotment, transfer, leasing, renting etc. of plots & other assets by the State Developing Agency and be governed by its own laid down policies/guidelines.

In line with the decision of the State Government, the Haryana Urban Development Authority shall be governed by the following Estate Management Procedure hereinafter referred to as “EMP-2005”.

For the purpose of implementation of the EMP-2005 the various industrial estates developed by HUDA are being categorized as under:-

Hyper Potential Zone	:	Industrial Estate Gurgaon.
High Potential Zone	:	Industrial Estate Faridabad/Ballabhgarh complex, Sonapat, Kundli, Multi functional Urban Complex, Panipat & Panchkula.
Medium Potential Zone	:	Bahadurgarh, Hisar, Rewari, Dharuhera.
Low Potential Zone	:	All other industrial Estates developed by HUDA.

2. ALLOTMENT OF PLOTS

In the Industrial Estate developed by HUDA, the following provisions shall be made.

- 1) There shall be a 10% reservation of plots by the concerned Agency/Department in each estate etc. for allotment to NRIs/PIOs and for units with 33% or more FDI in total investment.
The allotment of plot will be made ongoing basis by a Committee consisting of Director Industries, Managing Director HSIDC and Managing Director, Haryana Financial Corporation, and chief Administrator, HUDA.
- 2) The allotment of plots to projects having investment of more than Rs.30 crores shall be made on ongoing basis by committee headed by Principal Secretary Industries and consisting of Director, Industries, Managing Director HSIDC and Managing Director Haryana Financial Corporation & CA, HUDA.
- 3) The applications in respect of all these categories shall be made to and processed by IPC.
- 4) The rate of plots and revision thereof shall be finalized by the Committee mentioned in (2) above and approved by the State Government.
- 5) 2% of industrial plots up to 500 Sq. mts shall be reserved for allotment to the entrepreneurs with disabilities. 10% subsidy shall also be provided in the rates of allotment.

For other categories, allotments will be made after inviting applications through advertisements in leading news papers. The allotment will be made by the following committee:-

a) CA, HUDA	Chairman
b) Admn, HUDA concerned	Member
c) Director of Industries	Member
d) Admn, HUDA (HQ's)	Member Secretary

Substitution can be made in extreme exigencies with an officer of the level of at-least Joint Director, in case of D.I., Haryana, and Administrator, HUDA, Panchkula, in case of Admn, HUDA (HQ).

Preference will be given to the following categories of entrepreneurs.

Ex-Servicemen

Women

Unemployed Engineering Graduates/polytechnic/ITI trained candidates.

Expansion/shifting of existing units.

Oustees on account of acquisition of land for that particular Estate within the terms & conditions of EMP.

3. PAYMENT TERMS

i) 10% alongwith application (earnest money)

ii) 15% within a period of 30 days, from the date of issue of allotment letter. This period can be further extended as under provided the allottee send its acceptance to the offer of allotment within a period of 30 days alongwith his request for granting further extension ;

S.N.	Period of condonation	Concerned Officer who can condone the delay.	Rate of surcharge leviable on 15% amount.
1.	Upto 30 days	Estate Officer	5%
2.	Upto 60 days	Administrator	7.5%
3.	Upto 90 days	Chief Administrator	10%

Besides surcharge the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment.

i) Remaining 75% can be paid, either in lump sum within a period of 60 days

OR

In five equal half-yearly installments, along with 11% interest p.a.

ii) The interest @ 11% p.a. on the balance outstanding amount shall however accrue from the date of offer of possession of plot.

Default in payment of installments shall entail penal interest @ 14%p.a. for the defaulted period on the defaulted amount.

Note : In case of NRIs/PIOs, the funds towards the price of the plot should come from his/her NRI account.

The application form duly filled-in will be received by the Administrator HUDA, (HQ), as well as well as concerned Estate Officer, HUDA alongwith the following particulars/documents:-

- * An undertaking to the effect that the applicant shall as far as possible employ 75% of unskilled work force and give preference for other categories to candidates from among the Haryana domiciles in the proposed unit.
- * 10% price of the plot in the form of bank draft drawn in favour of Chief Administrator, HUDA, Panchkula payable at Panchkula/ Chandigarh as an earnest money, or in favour of concerned Estate Officer, HUDA, payable at the city/town of his location.
- * Copy of the project report with details of plant & machinery, means of financing, profitability projections, implementation schedule etc.
- * Copy of the partnership deed in case of partnership firm or Memorandum & Articles of Association in case of Pvt./Public limited company alongwith a copy of certificate of incorporation of the company and details of the promoters and their holding in the company.
- * Land utilization plan to justify the requirement of land.

- * Photograph of the applicant, managing partner in case of a partnership firm and authorized director in case of a company.
- * Any other information to be specified by the developing agency.

4. **LETTER OF ALLOTMENT**

The recommendations made by the Allotment Committee, shall be got approved from the Chairman, HUDA. Thereafter the applicants recommended by the Allotment Committee will be issued Regular Letter of Allotment (RLA) indicating the plot number, size, dimensions and rate of allotment alongwith the schedule and terms of payment, by the respective Estate Officer, HUDA. The specific plot number to be offered shall be determined by holding draw of lot except in the cases, wherein allotment of specific plot number has been approved.

5. **PERIOD ALLOWED FOR GOING INTO PRODUCTION**

The allottee shall be required to implement the project on the industrial plot within a period of 3 years from the date of offer of possession. Implementation of the project would mean commencement of commercial production. However, the allottee should, as far as possible, take following steps within a period of two years :-

1. Taking over possession of the plot.
2. Submission of building plans.
3. Placement of orders of machinery and other capital goods.
4. Financial tie-ups.
5. Technical and marketing tie-up.

The period for implementation of the project can be extended by the respective Estate Officer, HUDA for a period of one year subject to the allottee having completed construction equivalent to 20% of Permissible Covered Area (PCA) in case of plot size is up to one acre and 10% of PCA in case plot size is more than one acre. Further, the allottee will satisfy the Authority that he could not go into production within three years from the date of offer of possession for reasons beyond his control and he took effective steps for implementation of the project.

Second extension of one year for completion of project i.e. after four years from the offer of possession will be granted only in exceptional circumstances with the approval of Zonal Administrator, HUDA.

The allottee shall be required to pay proportionate extension fee prescribed for that area and the payment shall be made w.e.f. the date, extension is applicable and for any delayed payment interest @ 14 % p.a. shall be charged.

Extension fee at following rates shall be charged :-

Sr.No.Category	Plots	
	(Rs. Per Sq.mtr.)	
	1 st year	2 nd year
1. Hyper Potential Zone	100	200
2. High Potential Zone	75	150
3. Medium Potential Zone	40	80
4. Low Potential Zone	15	30

The procedure to grant extension in implementation of projects for industrial plots allotted under the previous policies shall be governed as per their respective agreements/RLAs subject to payment of extension fee as mentioned above in case there is no deviation. No extension fee shall be charged upto three years from the date of offer of possession.

6. **COMPLETION OF PROJECTS**

The allottee will be deemed to have completed the project if he constructs the building as per the norms fixed

below permissible covered area and starts commercial production within specified period as mentioned above, after installation of the plant and machinery. The construction coverage are as under:-

- i) Upto 1 acre 25% of total permissible covered area
- ii) Above 1 acre upto 5 acres 20% of –do-
- iii) Above 5 Ac. & upto 10 Ac. 15% of –do-
- iv) Above 10 acres 10% of –do-

7. TRANSFER OF PLOTS/SHEDS

Transfer of plots shall be allowed only if the project has been completed and construction of building is as per the laid down norms and after expiry of one year from the date of commencement of commercial production. The transferee shall not be allowed to further transfer the plot for at least one year from the date of transfer of the plot in his name.

****Substituted vide HQ's circular no. A-I(P)-2007/27868-89 dt.07.08.2007. as under:**

“The allottee shall have to complete the project (*) within the period prescribed under EMP-2005. In case after the completion of project the allottee is not able to continue to run the project for any reasons whatsoever, he will be eligible to transfer the plot in favour of third party with prior permission of HUDA.”

(*) Completion of project means that if the allottee constructs the building as per norms fixed minimum permissible covered area and starts the commercial production.

However, the transfer of plot will be allowed without the above conditions in case of inheritance, succession due to the death of the owner/majority shareholders or take over by public financial institutions. The change of management by transfer of majority shareholding shall also be treated as transfer under the policy. All transfers covered under the above provision shall entail payment of transfer fee prescribed as under:-

Sr.No.	Category	Plots
		(Rs. Per Sq.mtr.)
1.	Hyper Potential Zone	400
2.	High Potential Zone	300
3.	Medium Potential Zone	100
4.	Low Potential Zone	50

No transfer fee will be levied in cases of industrial units,

- i) which have been in commercial production for more than five years and are free from encumbrances.
- ii) In cases of transfers necessitated on account of inheritance, family transfer or take over by a financial institution.
- iii) In the cases, wherein transfer of ownership is being effected through execution of conveyance deed/sale deed. Only a processing fee of Rs.5000/- will be charged in all such cases. However, prior permission is mandatory. For transfer of plots, the transferor will apply to the respective Estate Officer, HUDA concerned with the following documents :
 - a) Original letter of allotment.
 - b) Agreement to sell.
 - c) Project report of the transferee, in case of any change of project.
 - d) Statement of means of financing of the transferee.

The allottee is required to submit his request for transfer within a period of 30 days from the date of agreement to sell, failing which penalty equivalent to the transfer fee will be imposed.

All transfer requests received by the HUDA after coming into force EMP-2005, shall be considered under the new guidelines. However, the requests for transfer of plots received before implementation of EMP-2005 shall be dealt with in accordance with the previous Estate Management Procedures/Policy. However, revised fee as mentioned in the EMP-2005 shall be applicable.

Change in share holding will be allowed only if the original allottee or his family members (spouse, son daughter, wife, parents, brothers, sisters) retain a minimum of 51% share in the project/company/firm. In case the original allottee and his family fail to retain the prescribed share holding of 51%, it would amount to transfer and dealt with under the relevant provisions. In case where a private limited company becomes a public limited company listed with recognized stock exchange, the change in constitution may be allowed subject to the condition that the allottee or his associates (family members), retain the largest share holding and having management control, otherwise it will be treated as a case of transfer, processing fee of Rs.5000/- shall be charged in all such cases.

The allottee may be allowed change of project, other things being equal, by HUDA without prejudice to the size of the plot and the prescribed schedule of implementation of the project. However, while permitting change of project factors such as pollution, high water consumption/effluent shall be considered. Processing fee of Rs.5000/- shall be charged.

(i) In order to ensure optimum utilization of the industrial areas/industrial estates, leasing/renting of the balance 75% of premises of the building will be allowed if the allottee has made construction as per the standard norms and has remained in production for one year provided he retains 25% of the premises for his own manufacturing activities. Such permission will be granted on payment of processing fee as prescribed hereunder :

(ii) In case the allottee, plans to lease out the entire plot/constructed area, the same shall be permitted if the allottee has made construction as per the standard norms and has remained in production for one year, subject to payment of the processing fee as prescribed hereunder :

iii) The fee shall be calculated proportionately on the basis of the built up area/plot area, whichever is higher and shall be payable from the date of lease as prescribed at that time with interest. The allottee is required to obtain prior approval of the Estate Officer, HUDA concerned.

Plot size (square meters)	Maximum number of leases
Upto 500	1
More than 500 and upto 1500	2
Above 1500	3

The permission for leasing once granted shall be valid for the period specified in the permission letter. The allottee shall be at liberty to change in tenants within the period specified in the permission letter subject to the allottee keeping the respective Estate Officer, HUDA informed about any change made in the tenants and getting the project of the lessee/tenant approved. In case of change of lease within the prescribed period, processing fee of Rs.5000/- will be charged.

All requests received by the HUDA after coming into force of EMP-2005, shall be considered under the new guidelines.

11. All the cases, concerning, transfer of plot/change in constitution/share holding/change of project/leasing/renting out of Industrial plots, shall be processed by the respective Estate Officer, HUDA and placed before the committee headed by Zonal Administrator, HUDA. Estate Officer concerned, DTP concerned, GM, DIC concerned will be other members of the committee. This committee shall be final accepting authority in these matters.

12. BIFURCATION/FRAGMENTATION OF PLOT

Bifurcation of industrial plots of only five acres size and above will be permitted. Such plots can be bifurcated in not more than two plots subject to the condition that the sub-divided plots shall not be less than one acre, keeping in view the zoning regulations & fire safety. The bifurcation will be permitted only for industrial purpose and there will not be more than two tenants on the original plot, meaning thereby that only one tenancy each will be permissible on the sub divided plots. The said bifurcation will be subject to payment of bifurcation fee equivalent to transfer fee applicable in the concerned area, and the same will be chargeable on the bifurcated portion of the plot. Further, in case the allottee transfers the bifurcated plot to some other person, then separate transfer fee will also be leviable on the same.

13. GENERAL EXTENSION TO I.T. CASES

In terms of the provision in the amendment of IIDP of October 2003, general extension for two years was allowed to the IT units which could not be implemented by 25.09.2003. All such IT units are being allowed time upto 31.12.2005 as general extension without any construction norms without payment of any fee. Further extension beyond three years shall be considered on the basis of the guidelines given above.

14. OCCUPATION CERTIFICATE

Building can be occupied on self-certification that the building is constructed as per approved building plan. The self-certification on occupation must be submitted not less than 15 days before the expiration of validity of sanctioned plan. In case self-certification is found contrary to the ground reality, double the compounding rates will be charged in case of compoundable violations. However non-compoundable violations will necessary to be removed by allottee. A complaint against the Architect shall be sent to the Council of Architects and the Architect will be barred for future from practice in any of Estates developed by HUDA.

15. RESUMPTION/SURRENDER OF PLOTS

HUDA will be competent to resume plots in case an allottee defaults in complying with the terms & conditions of allotment/transfer/leasing etc., in accordance with the provisions laid down in HUDA Act, rules & regulations framed there under.

Upon resumption/surrender, the amount deposited by the allottee will be refunded after deducting 10% of the price of plot without any interest. The interest paid by the allottee shall also be forfeited.

In the event of the lease/allotment of site being cancelled/ resumed, the lessee/allottee shall remove the structures at his own expenses within such reasonable time, not exceeding three months, as may be prescribed by the Estate Officers, and restore possession of the site on the condition in which he took the same at the commencement of the allotment/lease. If the allottee/lessee fails to remove the structures within the period mentioned above, the Estate Officer HUDA shall be competent to remove the same and recover the expenses incurred in doing so from the allottee, whose lease/allotment has been cancelled.

OR

Re-auction/re-allot the site alongwith the structure after deducting the market value of the site, refund the balance to the lessee/allottee. The amount so refunded shall not be more than the assessed value of the structure

of the building. The Estate Officer shall determine the prevailing market value and his decision shall be final & binding subject to right of appeal.

The Estate Officer may get the value of the structure (s) assessed from Engineering Deptt., HUDA. While assessing the cost of the structure (s) following elements shall not form part of assessed value.

- e) Fitting and fixtures of any kind.
- ii) The construction raised over and above the approved standard plan/zoning/ building bye-laws.

The re-allotment/re-auction shall be made at the current reserve price. The amount of structures shall be refunded to ex-allottee/lessee only after the Estate Officer decides to auction/allot the resumed/cancelled site, and successful bidder/allottee/lessee accepts the allotment and deposits 25% of the cost/premium.

16. RESOTRATION OF RESUMED PLOTS

No restoration of resumed plots shall be allowed. However, an appeal against the resumption orders passed by EO, HUDA concerned shall lie before the Administrator, HUDA concerned (exercising the powers of Chief Administrator, HUDA U/s 17(5) of HUDA Act. An allottee aggrieved by the orders/decision of the Appellate Authority may file revision before the FCTCP.

17. FIXATION AND REVISION OF RATES OF PLOTS

The revised rates of plots shall be worked by the Standing Committee of HUDA.

The rates of plots and revision thereof so proposed will be finalized by a Committee headed by Principal Secretary Industries and consisting of Director Industry, MD/HSIDC and MD/HFC and approved by the State Government. The rates of the plots will be revised w.e.f. 1st April of the year and shall be valid for one year.

- * *The provisions of this Estate Management Procedure-2005 relating to transfer, leasing etc. shall also be applicable for industrial plots/sheds already allotted under the previous policies/procedures.*
- * *These guidelines shall be effective w.e.f. 1.11.2005.*

3. DISCRETIONARY QUOTA (DQ)

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. All the Administrators, in HUDA.
2. All the Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority
Memo No. Auth-2006/20108-29 Dated : 02.06.2006

Subject: Regarding condonation of delay in **DQ** cases.

Please refer to the subject noted above.

Consequent upon the decision of the Apex Court dated 28.09.2001 in Harish Dhingra and others Vs. State of Haryana and others, the DQ plots of eligible allottees as per this office letter No.Auth-2002/4036-57 dated 25.02.2002 had been restored by your offices and the due amount from the eligible allottees was asked by your offices, but some of the allottees failed to deposit the same within stipulated period as given in the Restoration Letter. The some of the Estate Officers have sought advice “Whether the allotment letter may be issued or not, as the allottee has not deposited the demanded amount in the restoration letter within stipulated period”.

The matter has been examined in detail and it has been decided that the HUDA policy dated 09.04.1999 dealing with condonation of delay occurred in depositing 15% amount will also be applicable in such cases. However, the allottee shall have to pay the penal interest as is applicable from time to time from the date of restoration to the date of deposit amount besides 10% surcharge will also be charged on the payable amount.

You are requested to take action in the matter accordingly.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

All the Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority in the State.

Memo No. Auth-2002/32027-043 Dated : 31.10.2002

Subject Clarification regarding **DQ** plots where **25 % cost of plot not deposited** by the applicants within stipulated period

Reference on the subject noted above.

It is intimated that this office has received a number of representations of the persons in whose cases the offer of allotment had been issued but they did not deposit required 25% cost of the plot within stipulated period of 30 days and now they are requesting to allow them to deposit said 25% amount and restoration of plot.

The matter has been examined at length and it has been decided that keeping in view the condition of offer of allotment and also in view of instructions issued vide this office letter No.4036-57 dated 25.02.2002 the applicants who have not deposited required 25% cost of the plot within stipulated period are not entitled to the allotment of plot. However, keeping in view the principle of natural justice, before withdrawing offer of allotment, the persons affected may be given an opportunity of being heard.

You are, therefore, directed to take action on such representations/requests accordingly.

-sd/-

Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

The Administrator,
Haryana Urban Development Authority,
Panchkula/Faridabad/Gurgaon, Hisar.

Memo No. Auth-2002/25915-18

Dated : 24.09.2002

Subject Implementation of Hon'ble **Supreme Court's order** dated 28.09.2001 passed in SLP's filed by the allottees of the **DQ** quota plots against the order passed by Hon'ble High Court in CWP no. 5851 of 1996- Anil Sabharwal Vs. State of Haryana and others- **Alternate plots**

Your attention is invited to this office letter No.Auth-2002/4036-57 dated 25.02.2002 and subsequent reminder dated 07.03.2002 and 26.03.2002 vide which you were directed to issued the restoration letters to all the eligible allottees of discretionary quota plots immediately. But it has come to the notice that there are some cases where restoration letters have not been issued by some of the Estate Officers to the allottees so far under your jurisdiction.

Now, it has come to the notice of this office that in some cases, the original plots allotted from DQ are not available, because in some cases DQ plots were given as alternative plots in case of disputed plots and some allottees have constructed the houses thereon and in some cases plots allotted from DQ are not available. In such cases, it has been decided that alternative plots may be given to them as per policy of HUA by holding a draw of lots for allotment of alternative plots subject to their eligibility for allotment of DQ plot as intimated vide letter under reference and proceeding of draw may be sent to this office for obtaining necessary approval.

You are requested to take further necessary action in the matter immediately and compliance report may be sent to the office within a week's time to avoid contempt proceedings.

-sd/-

Chief Administrator,
HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. The Administrator,
Haryana Urban Development Authority,
Panchkula/Faridabad/Gurgaon & Hisar.
2. All the Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority in the State.

Memo No. Auth-2002/9503-24

Dated : 30.04.2002

Subject Implementation of Hon'ble **Supreme Court's order** dated 28.09.2001 passed in SLP's filed by the allottees of the **DQ** quota plots against the order passed by Hon'ble High Court in CWP no. 5851 of 1996- Anil Sabharwal Vs. State of Haryana and others **clarification regarding transfer** of discretionary quota plots

Reference this office memo No.Auth-2002/4036-57 dated 25.02.2002 on the subject noted above.

Some of the Estate Officers of Haryana Development Authority are requested to advice whether the plots of discretionary quota may be transferred to third party or not.

It is intimated that as per orders dated 28.09.2001 of Hon'ble Supreme Court of India, the decision of the High Court in Anil Sabharwal's case has been made effective from a prospective date i.e. 23.04.1996 meaning thereby the judgment dated 21.03.1997 of Hon'ble Punjab and Haryana High Court given in Anil Sabharwal's case has no effect on the allotments made under discretionary quota upto 22.04.1996. Therefore, the ban imposed on transfer of discretionary quota plots for a period of 5 years in the judgment dated 21.03.1997 of Hon'ble Punjab and Haryana High Court will not be applicable on the allotments made upto 22.04.1996 and such plots can be transferred after the expiry of a period of three years as mentioned in the allotment letters. However, it is also made clear that the Govt. has already taken a decision to treat the litigation period as "Zero Period" for all intents and purposes. Therefore, the period during which the discretionary quota plots remained under litigation is to be treated as "Zero Period" for transfer purposes also.

You are, therefore, advised to take action accordingly.

-sd/-

Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

All the Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority in the State.

Memo No.Auth—2002/ 9190-9206 Dated: 23.04.2002

Subject Implementation of Hon'ble **Supreme Court's order** dated 28.09.2001 passed in SLP's filed by the allottees of the **DQ** quota plots against the order passed by Hon'ble High Court in CWP no. 5851 of 1996- Anil Sabharwal Vs. State of Haryana and others (**Zero period policy**)

Reference this office letter No.4036-57 dated 25.2.2002 on the subject noted above.

It has been observed that the allottees of discretionary quota plots are not given full benefit of "Zero Period" and put to undue harassment whereas it was clearly mentioned in the letter under reference that the litigation period is to be treated as Zero Period. Penal interest on delayed payment of instalments, enhanced compensation and extension fee from the date of cancellation of plot to the date of restoration of plots is not to be charged and in cases, where schedule of payment had already expired on or before the date of cancellation, action is to be taken as per HUDA policy after giving full benefit of "Zero Period".

You are, therefore, directed to implement the direction dated 25.2.2002 carefully and it may also be ensured that no harassment is caused to the allottees.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

Endst.No.Auth—2002/9207-10

Dated : 23.04.2002

A copy of the above is forwarded to all Administrators in HUDA with the request to ensure that no such harassment is caused to the allottees under their respective jurisdiction.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. The Administrator,
Haryana Urban Development Authority,
Panchkula/Faridabad/Gurgaon, Hisar.
2. All the Estate Officers,
Haryana Urban Development Authority.

Memo No. Auth-2002/4036-57

Dated : 25.02.2002

Subject Implementation of Hon'ble **Supreme Court's order** dated 28.09.2001 passed in SLP's filed by the allottees of the **DQ** quota plots against the order passed by Hon'ble High Court in CWP no. 5851 of 1996-
Anil Sabharwal Vs. State of Haryana and others- **Restoration**
Reference on the subject cited above.

As you are aware that some allottees of discretionary quota plots whose plots have been cancelled in the light of Hon'ble Punjab and Haryana High Court's judgment dated 21.03.1997 had filed SLPs in Supreme Court of India. The Hon'ble Supreme Court of India has announced its judgment on 28.09.2001 in Harsh Dhingra and others vs. State of Haryana and others. The order made by the Hon'ble Supreme Court will have a general application and the decision of the Hon'ble High Court in Anil Sabharwal's case shall be made effective from a prospective date, the date on which interim order had been passed i.e. on 23.04.1996. Thus the allotments made upto 22.04.1996 have been validated. However, to implement the above judgment, the decision on the following points have been approved by the Govt. as under:-

1. Regarding cut of date of order of allotment of plot made under discretionary quota.

As per procedure, order for allotment of plot was made by the Government. Thereafter a letter was issued by Secretary, HUDA asking the applicant to submit the requisite affidavit. After submission of affidavit and finding the applicant eligible for allotment of a plot, Secretary, HUDA issued letter to applicant asking him to deposit 25% cost of the total tentative price of the plot. Thereafter, Estate Officer of concerned Urban Estate issued the allotment letter on deposit of the aforesaid tentative price. The date of letter issued by Secretary, HUDA intimating the applicant regarding allotment of plot and requiring him to deposit 25% of the tentative price of plot may be treated as the date of order of allotment provided the applicant had deposited the amount within stipulated period i.e. 30 days,

2. Cases where the amount deposited by the allottees have been refunded to them (on their request) under the orders of Hon'ble Punjab and Haryana High Court in CWP No.5851 of 1996.

It has been decided that the allottees who had taken refund of their deposits from HUDA in the light of decision dated 21.03.1997 of Hon'ble Punjab and Haryana High Court are entitled to restoration of their plots. It is also made clear that benefit of not charging the interest on withdrawn amount deposited earlier be given to all the allottees after withdrawal date. This benefit should be given for the period from the withdrawal date till the date on which it is intimated to the individual allottees by the Estate Officers regarding restoration of such plots. Further in case of non depositing of due amount within 30 days of the demand notice, the interest for the delayed period may be charged from the allottees (only in DQ regularization cases) as per existing HUDA policy.

3. Regarding litigation period and payment of dues.

It has been decided that the litigation period may be treated as Zero Period. Penal interest on delayed payment of instalments, enhanced compensation and extension fee from the date of cancellation of plot to the date of restoration of plots may not be charged. In case, schedule of payment had already expired on or before the date of cancellation, action may be taken as per HUDA policy after giving full benefit of zero period.

4. Regarding alternative plots.

In those cases, where the allottees have taken refund of their deposits from HUDA in the light of Hon'ble High court order dated 21.3.1997 and their plots have been allotted as alternative plot in lieu of other disputed plots under the decision of various courts, it has been decided that: the decision dated 28.9.2001 of Hon'ble Supreme Court would prevail over decisions of various other courts and such plots have to be restored to the original allottees, if they are otherwise eligible.

5. Regarding allotment of plots made on or after 23.4.1996.

It has been decided that in view of decision dated 28.9.2001 of Hon'ble Supreme Court of India, such allotments have to be in-conformity with the judgment in dated 21.03.1997 given by the Hon'ble High Court in CWP No.5851 of 1995 Anil Sabharwal vs. State of Haryana and others.

6. Regarding discretionary quota plots carved out in green belt/non conforming area.

It has been decided that no plot should be allotted in green belt/non conforming area. Therefore, it is made clear that you should check up the status of the plot in each case before restoring the, same to the allottee and in case it falls in the green belt/non conforming area, the case should be referred to this office with complete details.

You are requested to take action as per details given above. Further, correspondence with the allottees be made on their latest and correct address available in the office record so that no delay/harassment is caused to the allottees.

-sd/-

Secretary

For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

All the Estate Officers,
Haryana Urban Development Authority.

Memo No. Auth-2001/4003-19

Dated : 12.02.2001

Subject Waiving of **penal interest** on the **late payment** of the enhancement compensation in the allotment of DQ quota.

Please refer to the subject cited above.

As you are aware that all allotments made through discretionary quota from 31.10.1989 onwards were cancelled vide orders dated 21.03.1997 of the Hon'ble Punjab and Haryana High Court passed in CWP No.5851 of 1996 – Anil Sabharwal Vs. Stae of Haryana & Others. Certain exemption categories were carved out in the above said orders and allotments made to allottees of these categories were to be regularized after these were scrutinized by a Review Committee headed by a retired High Court Judge. The Review Committee had to scrutinized those cases as per instructions/guidelines contained in the said judgement.

Earlier a clarification was sought by the Field Officers on the representation of the allottees regarding not charging the interest on late payment of installments as well as extension fee for the period these plots remained under litigation or were cancelled by the orders of the High Court. As per the advice of Ld. L.R. Haryana, the case was got approved from the Government as well as Authority in its meeting held on 30.09.1999 and instructions for not charging the interest on delayed payment of installments and not charging of extension fee w.e.f. 22.03.1997 till the date on which it was intimated to individual allottee/concerned E.O. the factum of unconditional regularization of such plots based on the recommendation of the Review Committee vide letter No.22411-27 dated 29.06.1999.

Now, some of the allottees as well as our subordinate offices represented/sought clarification on waiving of interest on late payment of enhancement compensation on the ground that allotment of these plots had been cancelled because of which no installment/extension fee/enhancement compensation was accepted by the Estate Officers, therefore, the same benefit should also be given in the case of Enhancement Compensation.

It is felt that non payment of the Enhancement Compensation in such cases is not the fault of the allottees in any way and hence they should not be penalized for non payment of enhancement compensation by charging the penal interest on delayed payment of Enhancement Compensation, therefore, no interest may be charged on late payment of enhancement compensation as per the decision taken earlier for not charging the interest on delayed payment of installments and extension fee during the period such plots remained under litigation or were cancelled by the orders of the Hon'ble High Court. Therefore, the matter has been examined in detail and it has been decided that:-

- i) If the Enhancement Compensation demand notice already conveyed to the allottees prior to cancellation of plot, the benefit of not charging the penal interest on the late payment of enhancement compensation be given to all the DQ allottees after 22.03.1997. This benefit should be given for the period from 22.03.1997 till the date on which it was intimated to the individual allottee/concerned Estate Officer the factum of unconditional regularization of such plots based on the recommendation of the Review Committee.
- ii) In case the Enhancement Compensation demand notices has not been issued prior to cancellation then updated rates as per the policy of HUDA may be charged from the allottee for the period for which plot remained allotted to him.

- iii) This decision will be applicable on all sizes of DQ plots which were cancelled and later on regularization of such plots based on the recommendation of the Review Committee as per the direction of the Hon'ble High Court. you are, therefore, requested to take necessary action in accordance with above instructions in respect of all the Discretionary Quota allottees whose allotments has been regularized by the Review Committee.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.
Dated: 12.02.2001

Memo No.Auth./2001/4020-23

A copy of the above is forwarded to all the Administrators, HUDA for information and further necessary action.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

All the Estate Officers/Asstt. Estate Officers,
Haryana Urban. Development Authority.
Memo No. Auth-2000/31443-59 Dated 20.11.2000

Subject Waiving of penal interest on the refunded amount of such allottee who had withdrawn the amount deposited earlier in view of the decision of the Hon'ble High Court in CWP no. 5861/96- Anil Sabharwal Vs. State of Haryana and others.

Please refer to the subject cited above.

As you are aware that all allotments made through discretionary quota from 31.10.1989 onwards were cancelled vide orders dated 21.03.1997 of the Hon'ble Punjab and Haryana High Court passed in CWP No.5851/96 Anil Sabharwal Vs State of Haryana & Others. Certain exemption categories were carved out in the above said orders and allotment made to allottees of these categories were to be regularized after these were scrutinized by Review Committee headed by a retired High Court Judge. The Review Committee had to scrutinized those cases as per instructions/guidelines contained in the said judgment.

It is felt that the allottees of discretionary quota plots who had got refund of their amount deposited earlier, in view of the decision of the Hon'ble High Court and lateron allotment of their plots had been regularized based on the recommendation of the Review Committee. It would be just and in the interest of natural justice that the following facility is also granted to DQ allottees who were allotted plots after 31.10.1989 and whose plots had been regularized lateron they were deemed to be cancelled by the orders of the High Court. Therefore, the matter has been examined in detail and it has been decided that:-

- i) The benefit of not charging the interest on withdrawn amount deposited earlier be given to all the allottees after withdrawal date. This benefit should be given for the period from the withdrawal date till the date on which it was interested to individual allottee/Estae Officers the factum of un-conditional regularization of such plots in case of below six marla categories and also in the above six marla categories which have been regularized based on the recommendation of the Review Committee.
- ii) Further in case of non-depositing of due amount within 30 days of the demand, the delay interest may be charged from the allottees (only in DQ regularization cases) as per existing HUDA policy.

You are, therefore, requested to take necessary action in the accordance with above instructions in respect of all the discretionary quota allottees whose allotment has been regularized by the Review Committee.

-sd/-
Secretary
For Chief Administrator, HUDA, Panchkula.

Memo No.Auth./2000/31460-64

Dated: 20.11.2000

A copy of the above is forwarded to all the Administrators, HUDA for information and necessary action.

-sd/-
Secretary
For Chief Administrator, HUDA, Panchkula.

Memo No.Auth./2000/31465

Dated: 20.11.2000

A copy of the above is forwarded to all the Chief Controller of Finance HUDA for information and necessary action.

Secretary
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

All the Estate Officers/Asstt. Estate Officers,
Haryana Urban. Development Authority.

Memo No. Auth-2000/12583-99 Dated 24.05.2000

Subject:-Allotment of residential plots allotted under **DQ** quota – **Dispossession of plot.**

Please refer to the subject cited above.

It is intimated that Hon'ble Supreme Court of India in its orders dated 13.04.2000 has directed that:—

“There will be stay of dispossession. Stay to continue wherever stay has been granted earlier. List altogether after the service is complete.”

You are, therefore, requested that all the allottees of Discretionary Quota plots above 6 Maria from 31.10.89 may not be dispossessed from such plot till the decision of the Hon'ble Supreme Court of India.

This may be treated as MOST URGENT.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

Memo No.Auth./2000/12600-03

Dated: 24.05.2000

A copy of the above is forwarded to all the Administrators, HUDA for information and necessary action. They are requested to direct the Estate Officers/Assistant Estate Officers falling under jurisdiction for compliance of the orders of Hon'ble Supreme Court of India.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

All the Estate Officers/Asstt. Estate Officers,
Haryana Urban Development Authority.

Memo No. Auth- 99/23449-65

Dated: 08.07.1999

Subject Regarding issuing of allotment letter to the allottees who had **deposited the 25 % cost of the plot** or submitted the bank draft in the category 2 to 6 marla.

Please refer to the subject cited above.

It is intimated that as per the judgement of the Hon'ble High Court of Punjab and Haryana dated 21.03.1997 passed in CWP No.5851/1996 titled Anil Sabhawl VS State Of Haryana and others exemption has been granted to those allottee who have been allotted plots under discretionary quota measuring 2 to 6: marlas. The clause dealing with these allotments in the judgement is reproduced below, and is in clause (ii). of the operative portion of the judgement:—

“The persons to whom plots measuring 2 to 6 marlas have been allotted shall be allowed to retain the plots only if their family does not own a house in the State of Haryana/Chandigarh. The condition against alienation to third party shall also apply in their case”.

In pursuance to the above orders the Review Committee Discretionary Quota allotments constituted by the Haryana Govt., on the basis of affidavits filed before it, has also regularised allotments in those cases who have deposited 25% cost of the plot with concerned Estate Offices but allotment letter could not be issued. You are, therefore, requested to afford an opportunity to such allottees/applicants to file their affidavit in the, case where the allottees/applicants had deposited 25% cost of the plot or submitted the Bank Drafts within stipulated period and lying pending with your offices. You are also requested to kindly grant exemption and regularise the allotment of plots if the wording of the affidavit given by the allottees is as per specimen enclosed and after completing the necessary formalities laic in the offer letter issued by the Headquarter earlier in each case. A weekly progress report may also be sent to this office till all allotments of 2 to 6 marlas from discretionary quota 31.10.89 are either regularised or cancelled on the grounds of non submission of affidavit by the allottee.

DA/As, above.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

Endst No. Auth-99/23466-69

Dated 08.07.1999

A copy of the above is forwarded to all the Administrators, HUDA, for- information and necessary action.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

All The Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority,
Memo No. Auth.99/22411-27 Dated, 29.06.1999

Subject : Waiving of penal interest on late payment of the installments and charging of the extension fee in the allotment of **DQ** plots.

Please refer to the subject noted above.

As you are aware that all allotments made through discretionary quota from 31.10.1989 onwards were cancelled vide orders dated 21.03.1997 of the Hon'ble Punjab and Haryana High Court passed in CWP No.5851/1996 titled Anil Sabharwal Vs State of Haryana. Certain exemption categories were carved out in the above said orders and allotment made to allottees of these categories were to be regularized after these were scrutinized by a Review Committee headed by a retired High Court Judge. The Review Committee had to scrutinize those cases as per instructions/guidelines contained in the said judgement.

It is felt that non construction on the plots and non payment of the installments of these plots are not the fault of the allottees in any way and hence they should not be penalized for non construction or non payment of annual installments by charging extension fee or penal interest on delayed payment of the installments. Therefore, the matter has been examined in detailed and it has been decided that :-

- i) The benefits of not charging the penal interest on late payment of the installments be given to all the allottees after 22.03.1997. This benefit should be given for the period from 22.03.1997 till the date on which it was intimated to individual allottee/concerned Estate Officer the factum of un-conditional regularization of such plots based on the recommendations of the Review Committee.
- ii) Non extension fee should be charged w.e.f. 22.03.1997 to the date the allottees/Estate Officers has been informed about the factum of un-conditional regularization of the concerned plots based on the recommendations of the Review Committee.

You are therefore, requested to take necessary action in accordance with above instructions in respect of all the discretionary quota allottees whose allotment has been regularized by the Review Committee.

-sd/-
Secretary,
For Chief Administrator, HUDA,
Panchkula .
Dated 29.06.1999

Endst. No. Auth-99/22428--32

A copy is forwarded to all the Administrators in Haryana Urban Development Authority for information and necessary action.

-sd/-
Secretary,
For Chief Administrator, HUDA,
Panchkula.
Dated 29.06.1999

Endst. No. Auth-99/22433

A copy is forwarded to all the Chief Controller of Finance, HUDA (HQ) Panchkula in Haryana Urban Development Authority for information and necessary action.

-sd/-
Secretary,
For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

All The Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority,
Memo No. Auth.99/21192-21208 Dated, 15.06.1999

Subject :Regarding issuing of allotment letter to the plots referred out of **DQ** quota measuring from **2 to 6 marla**.
Please refer to the subject noted above.

It is intimated that as per the judgement of the Hon'ble High Court of Punjab and Haryana dated 21.03.1997 passed in CWP No.5851/96 titled as Anil Sabharwal Vs. State of Haryana and others, exemptions has been granted to those allottees who have been allotted discretionary quota plots measuring 2 to 6 Marlas, which is given below :- (Class (ii) of operative portion of judgement).

1. "The persons to whom plots measuring 2 to 6 marlas have been allotted shall be allowed to retain the plots only if their family does not own a house in the State of Haryana/Chandigarh. The condition against alienation to the third party shall also apply in their cases."
2. In pursuance to the above orders the Review Committee Discretionary Quota allotments constituted by the Haryana Govt. has regularized the allotments of plots measuring 2 to 6 marla of those allottees who have submitted their affidavits before the Review Committee. The Chairman, Review Committee Discretionary Quota allotments has also passed the orders that where the allottees have not filed their affidavits for some reason or the other, the concerned Estate Officers will himself afford an opportunity to the allottee to file affidavit and there upon will grant exemption under clause (ii) quoted above.
3. The State Government/Haryana Urban Development Authority has accepted this recommendation.
4. You are, therefore requested to give the opportunity to such allottees to file their affidavits (copy enclosed for ready reference). You are also requested to kindly grant exemption under clause (ii) quoted in the judgement and regularize the allotment of plots if the wording of affidavit given by allottee is as per specimen enclosed and after completing other necessary formalities. A weekly progress report may be sent to this office till all allotments of 2 Marla to 6 Marla from DQ w.e.f. 31.10.1989 onwards have been dealt with and other regularized or cancelled.

-sd/-
Secretary,
For Chief Administrator, HUDA,
Panchkula .

Endst. No.Auth-99/21209-12

Dated 15.06.1999

A copy is forwarded to all the Administrators in Haryana Urban Development Authority for information and necessary action. They are requested to kindly direct the Estate Officers falling in their jurisdiction for compliance of the orders of the Review Committee Discretionary Quota allotments/Haryana Govt.

-sd/-
Secretary,
For Chief Administrator, HUDA, Panchkula .

Most Urgent

From

The Chief Administrator,
HUDA ,Panchkula..

To

All the Estate Officers,
Haryana Urban Development Authority

Memo No.Auth—99/3962-81

Dated : 04.02.1999

Subject : Review of allotment of DQ Quota – exemption category.

After the decision dated 21.03.1997 was declared by the Hon'ble High Court in CWP No.5851/96 titled Anil Sabharwal VS State of Haryana and others, a large number of plots allotted through discretionary quota from 31.10.89 onwards were cancelled by the respective Estate Officers. As per the provisions contained in the judgment of the Hon'ble High Court and also as per the exemption category carved out in the, said judgement, the cases of the allottees falling in the exemption categories were referred to the Review Committee and the decision in most of these cases have been conveyed to the respective Estate Officers.

A reference from the Estate Officer, HUDA, Karnal has been received for taking decision on the following issues:—

- i) Whether the interest on late payment is to be charged from the allottees for the litigation/cancellation period.
- ii) Whether extension fees is to be charged from allottees for the litigation period.
- iii) Whether possession of such plots is to be given to such allottees and building plans/completion certificate can be issued in cases.
- iv) Whether transfer of these plots are to be allowed or not.

Regarding the issue of transfer, your attention is invited to memo No. 37396—417 dated 17.12.98 vide which it was intimated that no transfer of plots so regularised is to be allowed for a period of 5 years from 21.03.97 onwards. You are directed to comply with these instructions which were also contained in the judgement of the High Court which was sent to you in March, 1997.

Regarding handing over possession and allowing them to raise construction on their plots, after getting the building plans approved, it is clarified that allotments in all such cases have been regularised. Such allottees are regular allottees of HUDA. Consequently possession of their plots can be handed over to them and they may be allowed to raise construction on their plots if they so desire, after completion requisite formalities of getting the building plans approved.

To decide on the other issues, you are all requested to intimate by return post as to from which date the instalments were refused by you from discretionary quota allottees of your Urban Estate as well as the date from which the building plans were not accepted by your office in respect of these allottees.

-sd/-

Secretary

For Chief Administrator, HUDA, Panchkula.

Dated 04.02.1999

Endst. No Auth—99/ 3982-85

A copy of the above is forwarded to all the Administrator, Haryana Urban Development Authority for information and necessary action.

-sd/-

Secretary

For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. The Administrator,
Haryana Urban Development Authority,
2. All the Estate Officers,
Haryana Urban Development Authority.

Memo No. Auth-98/37396-417

Dated : 17.12.1998

Subject Regularization of **DQ** quota allotment made from 31.10.1989 onwards on the recommendation of Review committee- **impose condition of transfer.**

Kindly refer to letters issued by this office for regularizing all discretionary quota allotments on the recommendations of Review Committee in accordance with the judgment of the Hon'ble High Court in CWP 5851/96 titled Anil Sabharwal Vs State of Haryana and others.

Attention is also invited to memo No.PS-CA, HUDA-97/36-39 dated 31.03.1997 vide which the operative part of the judgement was sent to all of you. Another copy is being enclosed herewith for reference.

The formation of the Review Committee and its subsequent recommendations are as per the guidelines/ conditions imposed in the above said judgment. All the plots so regularized on the recommendations of the Review Committee are strictly in accordance with the terms and conditions contained in the operative part of the judgement. One of the main condition of regularizing is that any allottee in whose name the regularizing has been recommended shall not be entitled to transfer the said plot for a period of 5 years from 21.03.1997.

You are, therefore, directed that the above condition alongwith other conditions contained in the judgment (which has already been sent to you) should be strictly complied with.

-sd/-

Secretary

For Chief Administrator, HUDA,
Panchkula.

Date Bound

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

The Estate Officer,
HUDA, Faridabad.

Memo No.Auth—98/21001

Dated : 03.08.1998

Subject : Allotment of residential plots through discretionary quota **(DQ)** in continuation of this office memo No. Auth—98/17089 dated 29.06.1998 on the subject noted above – **sanction of building plan - Clarification.**

1. It has been brought to the notice by the allottees of discretionary quota plots holder whose allotment was made prior to 31.10.89 that inspite of instructions issued on the subject by Headquarter, your office is not accepting the building plans upto the extent of 10% of these allottees on the plea that no instructions in this regard has been received from Head Office so far. A copy of the above said instructions is again enclosed herewith for ready reference.
2. You are, therefore, again requested to comply these instructions in letter and sprit and take action accordingly to avoid undue harassment of our allottees and any further litigation on this count.

DA, As above

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

Endst N o. Auth- 98/21002-09

Dated : 03.08.1998

A copy of the above is forwarded alongwith letter dated 29.06.1998 to the Estate Officers, HUDA, Gurgaon, Hisar, Panchkula, Karnal, Kurukshetra, Sonipat, Panipat and Rohtak for information and necessary action.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators,
Haryana Urban Development Authority.
2. The Estate Officers,
Haryana Urban Development Authority,
3. All the Assistant Estate Officers,
Haryana Urban Development Authority,

Memo No. Auth. 98/17088-109

Dated, 29-06-1998

Sub:- Allotment of residential plots through **DQ** prior to 31.10.1989, CWP No. 5851/91- Anil Sabharwal Vs. State of Haryana and others- **sanction of building plans.**

1. In continuation of this office memo No. Auth-98/8067-87 dated 26.3.1998 on the subject cited above.
2. As you are aware that in the CWP No. 5851/96 titled Anil Sabharwal v/s State of Haryana and others, the Hon'ble High Court vide their order dated 13.5.97 had restrained HUDA from alienating and sanctioning any building plans in respect of all discretionary quota plots allotted from 14.7.71 onwards. Consequently these allottees could not undertake any construction on their plots. The Hon'ble High Court vacated this stay on 5.2.98 in respect of discretionary quota allotments made from 14.7.71 to 31.10.89 and instructions in this regard withdrawing earlier stay order has been issued on 18.3.1998.
3. Attention is also invited to the decision of the Authority in respect of allowing extension to various allottees of HUDA which was circulated vide NO. A-11(P)- 97/39001-22 dated 1.12.1991. In this decision of Authority, it was incumbent on all the allottees to raise a minimum specified construction on their plots by 31.12.1998 failing which the plots allotted to them could be resumed and allotments in their name could be cancelled.
4. The Instructions for not charging the extension fee from such allottees have been issued vide Memo No. Auth-98/8067-87 dated 26.3.1998 mentioned in para-1 above. In the interest of natural justice and equity, it has now been decided that the facility of raising construction on such discretionary quota allottees on their plots of a full dwelling unit upto to the extent of 10% may be given for the further period upto 31.10.98. The building plans upto 10% of such discretionary quota allottees may be accepted for the purpose of sanctioning. The building Plans upto this limit of 10% should not be accepted after 31.10.98 under any circumstances. While granting sanction of such building plans sought is for an area less than 25% of the permissible covered area then the validity of such building plans should be upto 31.10.98 only. These instructions may be benefit of such discretionary quota allottees who could not get their building plans sanctioned prior to 16.5.1997. You may also get a news item published in the local News paper for the benefit of such allottees in case the need is so felt.

-sd/-

Secretary,
for Chief Administrator,
Haryana Urban Development Authority,
Panchkula

**TO BE SUBSTITUTED FOR THE LETTER BEARING SAME NUMBER AND SAME
DATE**

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. All the Administrators,
Haryana Urban Development Authority.
2. All the Estate Officers,
Haryana Urban Development Authority.

Memo No. Auth-98/8067-87

Dated— 26.03.1998

Subject Allotment of residential plots through **DQ** prior to 31.10.1989, CWP No. 5851/91- Anil Sabharwal Vs. State of Haryana and others - **exemption of extension fee.**

1. Please refer to this office U.O. No. 640—PA—CA—97 dated 16.5.97 and Auth—98/7217—18 dated 18.3.98 on the subject cited above.
2. As you are aware that in the CWP No. 5851/96 titled - Anil, Sabharwal VS State of Haryana & Others, the Hon'ble High Court vide their order dated 13.05.97 had restrained HUDA from alienating and sanctioning any building plans in respect of all discretionary quota plots allotted from 14.07.1971 onwards. Consequently these allottees could not undertake any construction on their plots. The Hon'ble High Court vacated this stay on 05.02.1998 in respect of discretionary quota allotments made from 14.07.1971 to 31.10.89 and instructions in this regard withdrawing earlier stay order has been issued on 18.03.1998.
3. Attention is also invited to the decision of the Authority in respect of allowing extension to various allottees of HUDA which was circulated vide No, A-11P-97/39001-22 dated 01.12.97. In this decision of the Authority, it was incumbent on all the allottees to raise a minimum specified construction on their plots by 31.12.98 failing which the plots allotted to them could be resumed and allotment in their name could be cancelled.

As the allottees of discretionary quota plots from 14.07.1971 to 31.10.1989 were unable to undertake any construction on their plots from 13.05.1997 to 18.3.1998 the issue to give extension in the existing time limit by a period equivalent to the period the relevant restraint order remained operative and in existence, has been considered and it has been decided that the allottees of discretionary quota plots from 14.07.1971 to 31.10.1989 may not be charged any extension fee of the year 1998 from 01.01.1998 to 31.10.1998, i.e. for a period of 10 months for which the stay remained operative. All such allottees of discretionary quota who are unable to complete their construction on the plots allotted to them by 31.10.1998 would be given a further extension of one year from 01.11.1998 to 31.10.1999 at the extension fee applicable the year 1998.

-sd/-

Secretary,
For Chief Administrator, HUDA,
Panchkula .

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators, Haryana Urban Development Authority.
2. All the Estate Officers, Haryana Urban Development Authority.

Memo No. Auth-98/7217-18

Dated: 18.03.1998

Subject : Allotment of residential plots through DQ prior to 31.10.1989, CWP No. 5851/91- Anil Sabharwal Vs. State of Haryana and others **to allow transfer of DQ plots.**

1. Please refer to this office UO.No. 40—PS—C.A—97/dated 16.5.1997 on the subject noted above.
2. Vide letter referred to in para—I, instructions were issued for not sanctioning any building plan of the D.Q. plots allotted from 14.07.1971 onwards, and also not to allow transfer of these plots. These instructions were issued in pursuance to the stay granted by the Hon'ble High Court in CWP No. 5851/96, titled ' Anil Sabharwal v/S State of Haryana and others'.
3. This case was heard by the Hon'ble High Court on 05.02.1998 and it was ordered by the Hon'ble High Court"..... .that in view of the clarification made by the apex court in the said order, no proceedings are required to be taken in pursuance of the notice issued by this Court on 13.05.1997. Therefore, the proceeding initiated by the order dated 13.05.1997, shall be treated as dropped".
4. In view of the above orders, the stay granted by the Hon'ble High Court in respect of D.Q. allotments made from 14.07.1971 upto 31.10.1989 may be treated as withdrawn. You are, therefore, requested to entertain the requests of the such allottees for sanctioning of their building plans or for transferring their plots in accordance with the existing policies of HUDA. Instructions issued vide U.O. 40—PS—CA—97 dated 16.05.1997 be treated as having been withdrawn.

-sd/-

Secretary

For Chief Administrator, HUDA,
Panchkula.

Dated : 18.03.1998

Endst. No. Auth—98/7219

A copy of the above is forwarded to All the Deputy Commissioners, Haryana with the request that all Sub—Registrar may be informed that instructions issued vide this office letter No.40—PS--CA—97/ dated 16.05.1997 should be treated as withdrawn.

-sd/-

Secretary

For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

All the Administrators,
Haryana Urban Development Authority.

Memo No. Auth.97/334-38

Dated, 22nd October, 1997

Sub:- Allotment of DQ plots – exemption clauses.

1. Attention is invited to this office memo No. Auth/97/19 dated 13.8.1997 addressed to all the Estate Officers on the subject cited above.
2. Vide letter mentioned above all the Estate Officers were requested to obtain the affidavit from the allottees of sizes of 6 marla and below as per the judgement dated 21.3.1997 of Hon'ble High Court.
3. You are requested to get the latest information in this regard from all the Estate Officers under your jurisdiction and send it to this office through special messenger. The information should contain the number of individual notices sent by Estate officers to various allottees of D.Q. plots of sizes 6 marla and below. The number of affidavits filled by allottees. All these affidavits should be sent in a sealed cover to the undersigned. In case no affidavit has been received from any such allottee, and the time specified in the notice is over, then individual cancellation notices in respect of allotment of such allottees should be sent to them, and the number of such cancellation notices should also be intimated to this office within two days.
4. Kindly ensure that the number of cancellation notices issued in respect of allottees who have not submitted their affidavits to date plus number of affidavits received from such allottees should tally with the total number of plots allotted of sizes of 6 marla and below in the concerned urban estate to avoid any confusion.

THIS SHOULD BE GIVEN TOP PRIORITY.

-sd/-
Secretary,
for Chief Administrator,
Haryana Urban Development Authority,

Enst No. Auth 97/339-55

Dated: 22-10-1997

A copy is forwarded to all the Estate Officers Haryana Urban Dev. Authority for information and necessary action.

-sd/-
Secretary,
for Chief Administrator,
Haryana Urban Development Authority,

From

The Chief Administrator,
HUDA, Panchkula,

To

All the Estate Officers,
Haryana Urban Development Authority,

Memo.No.Auth.-97/ 26185-201

Dated - - 08.08.1997

Subject CWP No. 5851 of 1996 **Anil Sabharwal** Vs. State of Haryana others regarding **exceptional clause**

Please refer to the subject noted above.

It is intimated that as per the judgement of the Hon'ble High Court the allottees have made representations to the Committee for considering their cases under the exceptional clauses. The list of these allottees are enclosed herewith. These cases have to be examined by Hon'ble Mr. Justice K.S.Verma retired Judge of Allahabad High Court who would start sittings from Monday, i.e. 11.08.97.

You are, therefore requested to send the original files/relevant record of these cases to the undersigned within 3 days, through special messenger, and to keep the notices of cancellation of plots, if issued, in abeyance till the final decision is taken by the One Man Committee formed by the State Government.

DA/As above.

-sd/-

Secretary

For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra.

To

1. The Administrators,
Haryana Urban Development Authority,
Panchkula/Faridabad/Gurgaon & H.O. Manimajra,
2. The Estate Officers,
Haryana Urban Development Authority,
Panchkula/Karnal/Faridabad/Gurgaon/Rohtak/Hissar/Ambala/Kurukshetra/Sonepat/
Panipat/Jind & Sirsa.

Memo No.ADA(R)-90/3111

Dated 16.02.1990

Subject : Clarification of certain points raised in connection with **revocation of cancellation order** in respect of **DQ plots**

Sir,

Consequent upon the issuance of letter No.ADA(R)—89/30460 dated 31.10.1989 by which the status quo ante as on 29.06.89 was restored in respect of Discretionary Quota plots, certain queries were raised by the Administrators/Estate Officers. These points were discussed in the meeting of officers held on 14.12.1989 and decisions taken in that meeting have been confirmed by the Govt. The position in regard to various queries is as follows:-

1. Cases in which 25% earnest money received in response to the officer was returned to the allottees.
It has been decided that the offer to such allottees be revived by writing letters to them in which they should be asked to deposit the earnest money alongwith the installments which have so far become due, within a period of 90 days failing which interest @ 18% will be charged from them. A specimen of the letter is enclosed.
2. Cases in which offer was given but the cancellation orders were issued before the expiry of stipulated period of 30 days.
It has been decided to revive the offer to such allottees also on the conditions mentioned in para-I above, and write letter to them also on the lines suggested in specimen.
3. How to recover the installments which have become due?
It has been decided that the allottees may be asked to deposit the amount of all the installments which have so far become due from them within a period of 90 days failing which interest @ 18% P.A. on the amount due will be charged after the expiry of the period.
4. Whether the period during which the plots remained cancelled is to be counted in the stipulated period allowed for construction of building/house or not?
It has been decided to give allowance of this period to the allottees for the purpose of calculating the period of construction of a house on the plot.

Action on the pending cases may be taken accordingly.

-sd/-
Secretary,
for Chief Administrator,
Haryana Urban Development Authority,
Manimajra.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra(UT), Chandigarh.

To

All Estate Officers,
Haryana Urban Development Authority.

Memo No. ADA(R) -89/30460

Dated, 31st October, 1989

Subject : Allotment of plots out of DQ review of position

Consequent upon the decision of S.D.P. Haryana State Vs S.R. Dass by the Supreme Court of India on the 12th September in respect of plots allotted out of discretionary quota and recommended to the Government to revoke the cancellation orders issued on 29.6.87 and 8.9.87 and revert to status- quo ante as on the 29th June, 1987.

After careful consideration of the proposal, the State Government have decided to withdraw the cancellation orders of the allotment of plots out of discretionary quota since the 1st April, 1977 and revert to status-quo ante. In compliance of this decision, please inform the allottees of discretionary quota plots accordingly. A specimen of the letter to be addressed to the allottee is enclosed.

-sd/-

Chief Administrator,
Haryana Urban Development Authority

Endst. No.ADA(R) -89/30461

Dated 31-10-1989

A copy is forwarded to all Administrators, Haryana Urban Development Authority, for information and further necessary action.

-sd/-

Chief Administrator,
Haryana Urban Development Authority

4. EXCHANGE OF PLOT

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

1. Administrator(HQ)
2. All the Administrators, HUDA
3. All the Estate Officer, HUDA
4. All Branch Heads at HQ

Memo No. 1407-1440

Dated 21.05.2015

Subject:- Regarding floatation of encumbrance free and clear plots for allotment- CWP No. 23270 of 2014 titled as Arjun Kumar Tuteja Vs. State of Haryana and others.

1. In Continuation of instructions bearing Memo no. HUDA-Acctts-Acctt-I-2007/2912-47 dated 25.01.2007 regarding payment of interest. In the ibid instructions it was provided that in order to avoid problem of alternative plots, in future the plots will be advertised only after having been demarcated on the site. A committee under the Chairmanship of concerned filed Administrator comprising of SE, DTP and EO was constituted to verify the clear number of plots available on the site which could be advertised for sale. Block of plots was to be marked, road was also to be marked on the ground before this verification in order to ensure that only clear plots i.e. free from litigation and free from encroachment are advertised. The clear plots were to be advertised and allotted to the oustees and thereafter, balance plots were to be advertised and allotted to the oustees and thereafter, balance plots were to be advertised for sale amongst the general public. But despite ibid instructions disputed and encumbered plots are being included in the floatations by the field offices. Further, in some cases where alternative plots were allotted, disputed and encumbered plots were included in the mini draw of lots and possession of even alternative plots could not be given.
2. In some cases, the Hon'ble High Court has observed that floatation/allotment of encumbered plots by HUDA to the allottees in a fraud with the public as possession cannot be delivered but the money is taken from the allottee. The Hon'ble High Court has further observed in such cases that the concerned officers who were instrumental in floating encumbered plots are liable to be prosecuted by the HUDA Authorities and such allottees are entitled for the damages from HUDA in addition to the allotment of clear and unencumbered alternative plot. For instance, in COCP No. 2417 of 2012 the Hon'ble High Court vide order dated 09.04.2013 observed that offer of plots which were under litigation at the time when they were offered for sale amounts to cheating.
3. Instances are there that the Hon'ble High Court summoned the Chief Administrator, HUDA, Panchkula in a few cases taking a serious view that the alternative plots/clear alternative plots are not being allotted inspite of lapse of years and allottees have to indulge in rounds of legal battle. The concern of the Hon'ble High Court seems to be genuine and therefore, the following instructions are hereby being issued:-
 - a) The members of committee constituted vide instruction dated 25.01.2007 shall be charge sheeted if the plots are advertised without having been demarcated on the site and without ensuring that the plots are clear, vacant & free from all types of encumbrances and the possession of the same can be given immediately on allotment. Further, if the Hon'ble Courts grant damages to the allottees in case of default, the damages shall be recovered from the salary of the committee members.
 - b) Where the allotment of alternative plots has become imperative due to the floatation and allotment of disputed plots resulting in non delivery of possession due to omission/litigation/encroachment/irregular shape of the plot etc., the Administrator/Estate Officer shall refer the matter to the Chief Administrator (UB) immediately with the comprehensive proposal for the allotment of alternative plots only after ensuring that the plots to be included in the mini draw of lots are clear, vacant and free from all encumbrances, and possession thereof can be delivered forthwith. In fact, in some

cases where alternative plots were allotted, disputed and encumbered plots were included in the mini draw of lots and possession of even alternative plot could not be given. In case of default, the Administrator/Estate Officer shall be charge sheeted and if the Hon'ble Courts grant damages to the allottees, the damages shall be recovered from their salary.

- c) The Urban Branch shall put up the case for the allotment of alternative plots on the proposal of the Administrator/Estate Officer expeditiously to avoid the possibility of filing of writ petitions/ COCPs in the Hon'ble High Court which cannot normally be defended and the cases are disposed of only with the allotment and delivery of possession of the alternative plot to the petitioner. The embarrassment and litigation expenses in such cases are avoidable and therefore, litigation expenses, costs imposed by the Courts if any etc. Shall be recovered from the salary of erring officials of the Urban Branch who are found responsible for the delay and embarrassment.

- 4. The receipt of the instructions be acknowledged and complied with meticulously.

--sd--

Chief Administrator,
HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority, Panchkula.

To

1. All the Zonal Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.U.B.-A-6-2013/7934-57 Dated. 18.02.2013

Subject: Policy relating to **exchange of plots – revised policy.**

This is in supersession of this office memo No. A-1/2004/23855 dated 25.06.2004, CVO/AU/-1/2007/43162-84 dated 10.12.2007 & UB-A-3/09/786-94 dated 06.01.2010 on the subject cited above.

The policy for allotment of alternative plots was last amended vide letter No. UB-A-3/09/786-94 dated 06.01.2010. In the policy dated 06.01.2010 it was mentioned that the instructions already issued vide memo No. A-1/2004/23855 dated 25.06.2004, memo No. CVO/AU/-1/2007/43162-84 dated 10.12.2007 shall continue to remain in force. Later on need was felt to issue a comprehensive policy relating to allotment of alternative plots. In the meantime the Hon'ble Punjab & Haryana High Court in CWP no. 21726 of 2012 has ordered to include certain additional provisions relating to allotment of alternative plots. In view of this it has been decided to issue a comprehensive policy which shall also include the provisions as ordered by the Punjab & Haryana High Court in the above said writ petition:-

The revised policy is as under:-

a) Conditions to be fulfilled for preventing allotment of a disputed plot:

1. A Committee consisting of concerned Administrator, Superintending Engineer, Estate Officer, District Town Planner and Executive Engineer, HUDA will verify at site the availability of plots provided in the approved layout/demarcation plan. Only thereafter, the available plots shall be floated for inviting applications.
2. If it comes to the notice of concerned Estate Officer before issuance of Allotment Letter that a plot is under litigation, the said plot shall not be allotted at all.

b) Conditions under which allotment of alternative plot shall be considered:

1. Where HUDA could not deliver the possession of plots due to litigation pending in the court by the original land owners.
2. Where the plot is not actually available on the ground as per layout plan.
3. Where dimension of the plot are not uniform and it is not feasible to regularize the shape of the plot as of a regular sized plot provided that:
 - a) The dimension of front/rear/of the two sides of the plots differ atleast by 20%.
 - b) The actual area of the plot is increased or decreased more than 20% of the allotted area.

c) Terms and Conditions of allotment of alternative plot:-

1. The alternative plot should be given in the same sector out of the balance available vacant plots. In case unallotted plots of required category/size are not available in the same sector, then plots shall be carved out in any unplanned pocket or plots shall be carved out by re-planning of available unsold plots of smaller/bigger sizes and category, if found technically feasible. The alternative plots so carved out shall be allotted on the same terms and conditions on which original plot was allotted.
2. In case it is not possible to make available the plot of same size and category within the sector by adopting measures as aforesaid in (1) above, following option shall be available to allottee:
 - a. The allottee may wait till area falling under his plot, becomes available for allotment.
 - b. The allottee may seek refund of the amount deposited by him towards cost of plot. The amount shall be

refunded along with simple interest @ 9% per annum or interest rate. as decided by the Authority from time to time.

- c. The allottee may be offered an alternative plot in the adjoining sectors out of the available plots of the category or by carving out additional plots in the vacant pockets of land. If that is not possible, then an alternative plot may be offered to him in the next sector to be floated. In both the eventualities, the alternative plots shall be allotted on the same terms and conditions on which original plot was allotted. The amount deposited by the allottee against earlier allotted but disputed plot, shall be adjusted towards the cost of alternative plot along with simple interest @ 9% per annum. The interest shall be calculated on deposited amount after 3 years of the original allotment or from the date on which other allottees of that sector were offered possession, whichever is later.
3. The specific plot number of alternative plot to be allotted in lieu of disputed plot shall be determined by draw of lots.
4. The plot size, category of the plot will not be changed in any case. However, in case of P, GP and SP plots the alternative plot of P, GP and SP category shall be considered if available and in case such plots are not available then ordinary plot will be considered for allotment and additional amount of special category plots charged shall be refunded.
5. In case the allottee accepts allotment of alternative plot and the original plot of the allottee becomes available, after finalization of litigation or after the removal of encroachment, the same shall be allotted by HUDA through auction or on the updated price of that sector.
- d. Power to sanction allotment of alternative plot.**
 1. The Chief Administrator, HUDA shall be Competent Authority to allot alternative plot in the same sector.
 2. In case of allotment of alternative plots in sectors other than the sector in which original plot was allotted, approval of Chairman HUDA shall be required.

This has been issued with the approval of Hon'ble C.M.-cum- Chairman HUDA.

-sd/-

Administrator (HQ)

For Chief Administrator, HUDA, Panchkula.

Endst. No.A-6-UB/2013/7958-93 Dated. 18.02.2013

A copy of the above is forwarded to the following information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner HUDA, Panchkula.
4. All The Superintending Engineers, HUDA.
5. The District Attorney, HUDA, Panchkula.
6. The General Manager (IT) HUDA, Panchkul
7. All The District Town Planners.
8. Dy. ESA, HUDA, Panchkula.

-sd/-

Administrator (HQ)

For Chief Administrator, HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

1. All the Administrator(s), HUDA
2. All the Estate Officer(s), HUDA.

Memo No. UB-A-3-09/786-94

Dated: 06.01.2010

Subject:- Policy for **exchange of plots – modification** thereof.

1. This is in continuation of this office memo No. A-1-2004/23847 dated 25.06.2004 and No. CVO/AU-I/2007/43162-84 dated 10.12.2007 on the subject cited above.
2. The existing policy dealing with exchange of plots circulated vide memo referred to above states that the allotment of an alternative plot can be considered under the following situation:-
 - i) Where HUDA could not deliver the possession of plots due to litigation pending in the Court.
 - ii) Where plot is not actually available on the ground as per layout plan.
3. It has now been decided that henceforth allotment of alternative plots may also be considered under the following situations:-
 - i. Where the dimension of the plot are not uniform and it is not feasible to regularize the shape of the plot as of a regular sized plot Provided;
 - ii. The dimension of front/rear/of the two sides of the plots differ atleast by 20%.
 - iii. The actual area of the plot is increased or decreased more than 20% of the allotted area.

The Chief Administrator, HUDA shall be Competent Authority to allot an alternative plot under above [3(i) to (iii)] situations in the same sector.

All other terms and conditions circulated vide memo No. A-1-2004/23847 dated: 25.06.2004 and No. CVO/AU-1/2007/43162-84 dated 10.12.2007 shall remain the same.

This issue with the prior approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA.

-sd/-

(Krishan Lal)

Administrative Officer, UB-I
HUDA, Panchkula

A copy of the above is forwarded to the following for information and necessary action:-

1. The Secretary, HUDA, Panchkula.
2. The Chief Engineer-Chief Engineer-I, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Legal Remembrance, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, HQ's, Panchkula
7. The Dy. ESA, HUDA, Panchkula.
8. All the Assistants/Record Keepers of Urban Branch-I/II, HQ, HUDA.

-sd/-

(Krishan Lal)

Administrative Officer, UB-I
HUDA, Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrator(s), HUDA
2. All the Estate Officer(s), HUDA.

Memo No. E.O. (H.Q.)/A.U.-1-2008/6500-6522

Dated: 15.02.2008

Subject:- Policy regarding allotment of **alternative plots** in lieu of disputed plots – **delegation of powers.**

Reference on the subject cited above.

As per policy guidelines on the subject in force, the Authority in its 51st meeting held on 09.10.1991 had authorized the Chairman, HUDA to approve the allotment of alternative plots in lieu of disputed plots in Urban Estates set up by HUDA. The matter has been reconsidered and its has been decided by Hon'ble C.M./Chairman HUDA that henceforth the allotment of alternative plots in the same sector, on same terms and conditions in lieu of plots under litigation shall be made by Chief Administrator, HUDA.

You are, therefore, requested to take action in the matter accordingly.

-sd/-

(Rakesh Kumar)
Enforcement Officer,
for Chief Administrator, HUDA
Panchkula

Endst. No. E.F.-21591Q.)/A.U.-1/200/6523

Dated: 15.02.2008

A copy of the above is forwarded to the following for information and necessary action:-

1. The Legal Remembrance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Dy. ESA, HUDA, Panchkula.
6. The Administrative Officer, Urban Branch-II, HUDA, Panchkula.

-sd/-

(Rakesh Kumar)
Enforcement Officer,
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA
2. All the Estate Officers, HUDA.

Memo No. CVO/AU-1/2007/43162-84

Dated: 10.12.2007

Subject:- Policy for **exchange of plots – clarification regarding charge of rates.**

This is in continuation to this office memo No. A-1-2004/23847 dated 25.06.2004 on the subject cited above.

The matter regarding charging of original rate of alternative plots if the plot is not available in the same sector and alternative plot is given in the adjacent sector was under consideration due to the fact that courts are not agree to the proposition that updated floatation rate of that sector has to be charged. Therefore, it has been decided as under:-

- a) The alternative plot should be given in the same sector by carving out any unplanned pocket if possible, on the same terms and conditions as the original plot was allotted.
- b) If the plot is not available in the same sector than alternative plot may be given in the adjacent sector on the same rate, terms and conditions of the original plot.
- c) The original allottee will be paid simple interest @9% on the amount deposited by him after the expiry of 03 years of the original allotment if the possession of the plot is not offered within 03 years of the allotment and the future instalments will be paid only after the possession of alternative plot is offered.
- d) The size category of the plot will not change in any case.
- e) In order to compensate the loss due to difference of flotation rates of different sectors the plots which will be available after the finalization of litigation or after the removal of encroachment will be put on auction.

This policy will be made applicable with prospective effect but shall cover such cases which are pending before any Court/Consumer Forum.

Approval of Chairman, HUDA has been obtained on file, Ex-post-facto approval of Authority shall be obtain in the forthcoming meeting of the Authority.

-sd/-

(Rakesh Kumar)

Chief Vigilance Officer,

for Chief Administrator, HUDA

A copy of the above is forwarded to the following for information and necessary action:-

1. The Legal Remembrance, HUDA, Panchkula.
2. The Chief Engineer-I & II, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula
5. The Chief Vigilance Officer, (Vigilance & Enforcement Branch), HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The Dy. ESA, HUDA, Panchkula.
8. The Administrative, HUDA, Panchkula.

-sd/-

(Rakesh Kumar)

Chief Vigilance Officer,

for Chief Administrator, HUDA

For internal circulation to all Asstts. of Urban Brach-I.

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA
2. All the Estate Officers/Asstt. Estate Officers HUDA.

Memo No. A-1-2004/23847

Dated: 25.06.2004

Subject:- Policy for **exchange of plots - modification** thereof – **parameters/guidelines**.

This is in supersession of this office memo No. A-1-2003/31294-31314 dated 13.10.2003 on the subject cited above.

The matter under subject was placed before the Authority in its meeting held on 01.06.2004 vide agenda item No. A-91 (3-Suppl-II) for consideration and decision. The Authority has approved the following policy/guidelines, for allotment of alternative plot/exchange of plot.

Henceforth, the cases for exchange of plots shall be examined and decided in accordance with the following parameters/guidelines:-

Conditions where such exchange of plots/allotment of alternative plots is necessary:

- i) Where HUDA could not deliver the possession of plots due to litigation pending in the court.
- ii) Where the plot is not actually available on the ground as per layout plan.

To meet with such situation, it is proposed as under:-

- a) The alternative plot of the same category at site shall be allotted within the same sector. In case the plots of the required category/size are not available in the same sector, in which the disputed plots fall, then additional/afresh residential/commercial sites shall be carved out in the same sector on vacant sites, meant for other uses, or change the size/category of available unsold sites of smaller/bigger sizes and category.

Under this situation the rates and terms & conditions of allotment shall remain unchanged.

- b) In case it is not possible to make available the plot of same size and category within the sector by adopting measures as aforesaid (a) above,
 - i) The allottee may wait till area falling under his plot, becomes available for allotment.
 - ii) The allottee may seek refund of the amount deposited by him towards cost of plot along with interest at the rate of simple 10% per annum.
 - iii) Alternatively an alternative plot may be offered to him in the adjoining sectors out of the available plots of the category or by carving out additional plots in the vacant pockets of land. If that is not possible, then an alternative plot may be offered to him in the next sector to be floated. In both the eventuality, the allottee will have to pay the cost of alternative plot at the updated current floatation rate of that sector. The amount deposited by him against his earlier allotted/disputed plot shall be adjusted towards the cost of alternative plot along with simple interest @10% p.a. to be calculated after 03 years of allotment of the date of other allottees in that sector having been offered possession, whichever is later.
 - iv) The specific plot number shall be determined by draw of lots.

-sd/-

Administrative Officer

for Chief Administrator, HUDA

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director, (Legal), HUDA, Panchkula.
2. The Secretary, HUDA, Panchkula.
3. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. Dy. Economical & Statistical Advisor, HUDA (HQ), Panchkula.
7. All the Assistants/Record Keepers Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer

for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA
2. All the Estate Officers/Asstt. Estate Officers HUDA.

Memo No. A-1-2004/18073-93

Dated: 16.04.2004

Subject:- Policy for **exchange of plots - modification** of policy dated 13.10.2003.

This is in partial modification of the policy guidelines on the subject circulated vide HUDA, HQ's memo No. A-1-2003/31294-31314 dated 13.10.2003 on the subject cited above.

The matter has further been examined, and it has been decided that the para b(iii) of the policy dated 13.10.2003, referred to above, may be substituted as under:-

b(iii) Alternatively an alternative plot may be offered to him in the adjoining sectors out of the available plots of the category or by carving out additional plots in the vacant pockets of land. If that is not possible, then an alternative plot may be offered to him in the next sector to be floated. In both the eventuality, the allottee will have to pay the cost of alternative plot at the updated current floatation rate of that sector. The amount deposited by him against his earlier allotted/disputed plot shall be adjusted towards the cost of alternative plot along with simple interest @10% p.a. to be calculated after 03 years of allotment of the date of other allottees in that sector having been offered possession, whichever is later.

Accordingly, the policy dated 13.10.2003 as referred to above, shall stand modified to the above extent and remaining guidelines shall remain as such unchanged and inforce. This is in anticipation of approval of Authority.

--sd--

Administrative Officer
for Chief Administrator, HUDA

Endst. No. A-1-2004/18094-110

Dated: 16.04.2004

A copy of the above is forwarded to the following for information and necessary action in continuation of HUDA HQ's Endst. No. A-1-2003/31315-323 dated 13.10.2003.

1. The Joint Director, (Legal), HUDA, Panchkula.
2. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The CVO-cum-Enforcement Officer, HUDA, Panchkula.
7. Dy. Economical & Statistical Advisor, HUDA (HQ), Panchkula.
8. All the Assistants/Record Keepers Urban Branch, HUDA (HQ), Panchkula.

--sd--

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo. No. A-1-2003/31294-31314

Dated:- 13.10.2003

Subject:- Policy for **exchange of plots - modification**

This is in supersession of this office memo. no. A-1(P)-2002/17598-17618 Dated 15.07.2002 on the subject cited above.

The matter has further been examined and it has been decided that henceforth the cases for exchange of plots shall be examined and decided strictly in accordance with the following parameters/guidelines.

Conditions where such exchange of plots/allotment of alternative plots is necessary:-

- (i) Where HUDA could not deliver the possession of plots due to litigation pending in the court.
- (ii) Where the plot is not actually available on the ground as per layout plan.

To meet with such situation, it is proposed as under:-

- (a) The alternative plot of the same category at site shall be allotted within the same sector. In case the plots of the required category/size are not available in the same sector, in which the disputed plots fall, then additional/afresh residential/commercial site shall be carved out in the same sector on vacant sites, meant for other uses, or change the size/category of available unsold sites of smaller/bigger sizes and category.

Under this situation the rates and terms & conditions of allotment shall remain unchanged.

- (b) In case it is not possible to make available the plot of same size and category within the sector by adopting measures as aforesaid (a) above.
 - (i) The allottee may wait till area falling under his plot, becomes available for allotment.
 - (ii) The allottee may seek refund of the amount deposited by him towards cost of plot along with interest at the rate of simple 10% per annum.
 - (iii) Alternatively, an alternative plot may be offered to him in the next sector to be floated, under this situation, he shall have to pay the cost of alternative plot at the updated current flotation rate of that sector. The amount deposited by him against his earlier allotted/disputed plot shall be adjusted towards the cost of alternative plot along with simple interest @ 10% P.A. to be calculated after 3 years of allotment or from the date of other allottees in that sector having been offered possession, whichever is later.
 - (iv) The specific plot number shall be determined by draw of lots.

--sd--

Administrative Officer,
For Chief Administrator, HUDA

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Engineer/Addl. Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The CVO-cum-Enforcement Officer, HUDA, Panchkula.
7. Dy. Economical & Statistical Advisor, HUDA(HQ), Panchkula.
8. All the Assistants/Record Keepers, Urban Branch, HUDA (HQ), Panchkula.

--sd--

Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, (Town Planning Wing)
Panchkula

To

1. All Administrators HUDA.
2. All Senior Town Planners.
3. All District Town Planners.
4. All Estate Officers, HUDA.

Memo No. CTP-HUDA-DTP(N) 2841-2885

Dated: 06.05.2003

Subject:- Policy for **regularization of shape of residential plot** in urban estates of HUDA.

The matter pertaining to regularization of boundaries of irregular shaped plots was placed before the Authority in its 87th meeting held on 27.03.2003 and the same has been considered and approved by the Authority. Regularizing the shape of residential plot shall be governed by the following conditions:-

1. The proposal for regularization of plot boundaries shall be examined on merit after receipt of written request from the allottee and such request will be considered only in those cases where regularization of plots is possible.
2. The regularization of residential plot shall be done by making rectangular size of the plot as far as possible.
3. The left out area shall be earmarked as HUDA land which can be utilized by HUDA at any stage as per its requirement.
4. The allottee of the adjoining residential plot holder shall have no claim what so ever on the balance irregular shaped plot.

The above instructions shall be applicable from the date of issue of this letter and may be followed strictly for regularizing the boundaries of irregular shaped residential plots please.

-sd/-

District Town Planner
for Chief Administrator, HUDA,
Panchkula

Endst. No. CTP-HUDA-DTP(N)2886

Dated: 06.05.2003

A copy of the above is forwarded to the Chief Administrator, HUDA, Panchkula (Authority Branch for information) please.

-sd/-

District Town Planner
for Chief Administrator, HUDA,
Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators HUDA
2. All the Estate Officers/Asstt. Estate Officers HUDA.

Memo No. A-1(P)-2002/17598-17618

Dated: 15.07.2002

Subject:- Policy for **exchange of plots - modification thereof.**

This is in continuation of this office memo No. A-11(P)-98/9040-60 dated 15.04.1998 on the subject cited above.

It has come to the notice of this office that courts have started allotting commercial/ residential plots in better sectors in lieu of disputed sites in not so good sectors at original price inspite of successive revision/ appeals in few cases and our counsels could not arrange relief and this is likely to encourage more and more allottees/purchasers to go in for litigation before the Consumer Courts on flimsy ground. The matter was placed in the authority meeting held on 26.06.2002 vide agenda item No. A-85(12) and it has been decided that if the plots in the same sector are not available we should carved out fresh residential/commercial sites in the same sector on similarly situated sites meant for other uses or change the size of the sites of similar/bigger sizes to bring them at par with the sites of the old purchasers, where due to stay orders from courts, we could not give the possession in time. This will help us in discouraging profiteering tendencies amongst allottees/GPAs and court will also not be left with excessive discretion to re-allot in premium oriented sectors. It has also been decided that in case the alternative plots offered by HUDA in the same sector are not accepted by the allottees, the amount deposited by the allottees may be refunded with simple interest @12% p.a. from the date of deposit to the date of refund and he will have no claim for the plot.

This also disposes of Administrator, HUDA, Gurgaon memo No. PA-33 dated 24.05.2002 in cases the alternative allotments of SCO sites in Sector-12-A are not accepted, the amount deposited by the allottees may be refuned with 12% interest as stated above.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Endst. No. A-1(P)-2002/17619-627

Dated: 15.07.2002

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director, (Legal), HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The CVO-cum-Enforcement Officer, HUDA, Panchkula.
7. Dy. Economical & Statistical Advisor, HUDA (HQ), Panchkula.
8. All the Assistants/Record Keepers Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officer/Asstt. Estate Officer, HUDA

Memo No. A-1(P)-2002/3904-024

Dated 17.06.2002

Subject:- Policy for **exchange of plots - modification thereof.**

Reference this office memo no. A-11(P)-98/9040-60 dated 15.4.1998 on the subject cited above.

In this connection, it is intimated that in case alternative plot is allotted in the same sector as per policy dated 15.04.98, the same original rate will be made applicable and when the alternative allotment is offered in any other sector in the Urban Estate, the updated floatation rate of the sector or the rates at which the disputed plot was allotted, whichever is higher, should be charged from the allottee. In case of old sectors, left out plots have been floated at the current rates. Now, the matter was under consideration of this office, whether the updated floatation rate should be calculated on the basis of original floatation rate of the alternative sector or the current floatation rate of the sector. Now, after detailed deliberation, it has been decided that in case the alternative plot is allotted in the other sector, the updated current floatation rate may be charged. This also disposes of Administrator, HUDA, Faridabad memo no. 8044 dated 29.10.01.

-sd-

Administrator (HQ)
for Chief Administrator, HUDA

Endst. No. A-1(P)-2001/

Dated 17.06.2002

A Copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director(Legal), HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Dy. Economic & Statistical Adviser, HUDA, Panchkula.

-sd/-

Administrator (HQ)
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

1. All the Administrators in HUDA
2. All the Estate Officers/Asstt. Estate Officers in HUDA.

Memo No. A-1-(P)-2002/2739

Dated: 07.02.2002

Subject:- Policy for **exchange of plots** - modification thereof in court cases – **Clarification.**

This is in continuation of memo No. A-1-2001-30503 dated 20.11.2001 on the subject cited above.

It is made clear that the benefit of interest on deposited amount, in cases where HUDA could not deliver the possession of plot within a reasonable period and alternative plot has been given in the same sector, is not to be given in general cases. However, where the allottees have filed complaints and the courts have granted benefit to them, that cases shall be examined on merits and in case the orders of the court are found to be reasonable and in accordance with the principles of equity and natural justice, the benefit may be given to the complainant after obtaining approval of the Competent Authority.

You are requested to bring these instructions to the notice of all concerned.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Endst. No. A-1-(P)-2002/2740

Dated: 07.02.2002

A copy of the above is forwarded to the following for information and necessary action in continuation of memo No. A-1-2001/30503 dated 20.11.2001.

1. The Addl. Director, Urban Estate, Sector-6, Panchkula.
2. The Joint Director, (Legal), HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. All Assistants/Record Keepers of Urban Branch,

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

1. All the Administrators of HUDA
in the State.
2. All the Estate Officers of HUDA
in the State.

Memo No. A-1-2001/30503

Dated: 20.11.2001

Subject:- **Policy for exchange of plots** - modification thereof in court cases – **Clarification** of interest on deposited amount.

In continuation of this office endst. No. 21268-293 dated 15.06.1999 on the subject cited above.

With reference to clarification at sr. No. (i) & (ii) of the above, some Estate Officers of HUDA are seeking clarification whether interest is to be allowed on the deposited amount against plot, where HUDA could not deliver the possession to the allottee or encroachment/litigation has surfaced on the plot and subsequently alternative plot has been allowed in lieu of disputed plot in the same sector.

The matter has been examined and considered at length and it is reiterated that the policy as referred to above is not general policy to allow the interest on deposits against disputed plots.

It is further clarified that no interest is to be paid on the deposits of amounts against disputed plot and alternative has been given in the same sector of HUDA. You are requested to ensure the compliance of these instructions in letter & spirit.

Note: This will dispose of the reference of Estate Officer, HUDA, Faridabad made vide his office memo No. 1785 dated 07.08.2001. However, delay interest on instalment is to be recovered as per policy.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Endst. No. A-1-2001/30503

Dated: 20.11.2001

A copy of the above is forwarded to the following for information and similar action:-

1. The Addl. Director, Urban Estate, Sector-6, Panchkula.
2. The Joint Director, (Legal), HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. All the Assistants in Urban Branch, HUDA, Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA

Memo No. A-1-P-2000/26166-86

Dated: 04.10.2000

Subject:- Policy for **exchange of plots** – modification thereof – **competence for approval.**

In partial modification of this office memo No. A-NRI-25714 dated 12.12.1991, memo No. A-11P-98/9040-60, dated 15.04.1998 and memo No.18781-791 dated 13.07.1998 on the subject cited above.

It has been decided that henceforth all the cases of allotment of alternative plots in lieu of disputed plots will be decided at the level of Commissioner & Secretary, Town & Country Planning Department.

You are, therefore, requested that no alternative plots in lieu of disputed plots may be allotted at your own level and all the cases as per policy circulated on 15.09.1998 may be sent to headquarters for taking further necessary approval from Commissioner & Secretary to Govt. Haryana, Town & Country Planning Department.

This may be treated as **Most Urgent.**

sd/-

Administrative Officer
for Chief Administrator, HUDA

Endst. No. A-1P-2000/26187-98

Dated: 04.10.2000

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director, (Legal), HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula
5. The Secretary, HUDA, Panchkula.
6. PS/CTCP for the information of Commissioner & Secretary, Town & Country Planning Deptt. Chandigarh.
7. Assistant Research Officer, HUDA, Panchkula.
8. All the Assistants in Urban Branch, HUDA, Panchkula.
9. The District Attorney, HUDA, Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrators in HUDA
All the Estate Officers/Asstt. Estate Officers in HUDA.
Memo No. A-1-99/25677-97 Dated 30.07.1999

Subject: Allotment of **alternative plots** in lieu of disputed plots.

As per decision taken in the various Departmental Officers, meetings, it was decided that efforts be made to offer alternative plots, in lieu of disputed plots, in the same sector to avoid any sort of complications regarding rate etc. As such additional plots be got carved out accordingly in the same sector in which disputed plots exists, as far as possible.

It has come to the notice of this office that various courts allot specific plot number in other sectors on undertaking/information supplied by our offices, preferably in the sectors, in which market rate is much higher as compared to the original sector, in which original plot was located. This not only gives monetary benefit to such allottees but at the same time gives heart burning to other similar placed allottees.

Keeping in view this aspect, you are directed not to give any committee to the courts to give alternative plots in other sectors. Rather you should file affidavit while filing written statement to such plaintiffs giving undertaking to the fact that we are providing them alternative plots within the same sector as per policy of HUDA to ensure that no contrary orders against policy of HUDA are passed by the concerned courts. If it is not possible to carve out additional plots to accommodate disputed plots in the same sector, then before giving any undertaking to the court to the contrary, the Estate Officer concerned will seek prior approval of the Chief Administrator, HUDA, otherwise the concerned Estate Officers, HUDA will be personally responsible for this lapse.

These instructions may be noted for strict compliance.

-sd/-

Administrator(HQ),
Sec-6, HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

The Estate Officer,
HUDA, Gurgaon
Memo No. 21267

Dated: 15.06.1999

Subject:- Policy for **exchange of plots** - modification thereof in court cases – **clarification.**

Reference your memo No. 7281 dated 27.04.1999.

This is in continuation of this office memo No. A-11P-96/9040 dated 15.04.1998 and No. 18781-91 dated 13.07.1998 on the subject cited above.

The matter regarding allowing the interest on deposited amount towards cost of plot/land was under active consideration. After thorough examination the following decision have been taken:-

- 1) The alternative plot in lieu of disputed plot should be offered in the same sector out of additional carved out plots by draw of lots and further be informed to Hon'ble Forum/courts that alternative plots have been offered in the same sector on the same rates, terms & conditions, in accordance with the policy on the subject in force.
- 2) In cases where alternative plots is allowed even in the same sector, interest @10% p.a. may also be allowed on the actual deposits after 03 years of allotment or from the date of other allottee in that sector have been offered possession, whichever is later.

This issue with the approval of Hon'ble C.M., Haryana.

The above instruction may be brought into notice to all concerned.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Endst. No. 21268-293

Dated: 15.06.1999

A copy of the above is forwarded to the following for information and necessary action:-

The Administrators/Estate Officer/AEOs, HUDA.

1. The Chief Engineer, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The District Attorney, HUDA, Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector, 6 Panchkula.

To

1. All the Administrator, HUDA.
2. All the Estate Officer, HUDA.

Memo No. 18781 to 18791

Dated: 13.07.1998

Subject:- Policy for **exchange of plots** - modification thereof – **clarification**.

This is in continuation to HQ's communication bearing No. 4-11P/0040-60 dt. 15.04.1998. On the subject cited as above.

You are requested to proceed further in the matter as under:-

a) In case of allottees, who have already been allotted alternative plots in lieu of disputed plots, but consent from them regarding acceptance of the alternative allotment has not been received so far, It has been decided that:-

i) A notice to the effect that they should send their consent within a maximum period of 15 days from the date of issue regarding the acceptance of alternative plot already offered to them, be served upon them through Regd. Post with AD, Simultaneously a press notice giving reference to those specific allottees alongwith plots numbers shall also be released in two leading newspapers. These allottees shall be advised to respond to the Public Notice within a maximum period of 15 days from the date of publication of notice positively, failing which it shall be presumed that they are no longer interested for alternative allotment and the offer of allotment shall stand automatically withdrawn. Thereafter, the alternative plots already offered to them shall be treated/declared as vacant and these plots shall be included in the general pool and shall further be allotted by draw of plots as per the latest policy dt. 15.04.1999. It must be ensured that notices are issued, simultaneously with the public of notices in the press.

ii) The allottees, who were offered an alternative plot before the formulation of the latest policy dt. 15.04.1998 but refused the alternative allotment whatsoever may be reasons, shall be given another chance and they shall also be considered while holding draw of plots as per the latest policy. Obviously such allottees shall give an undertaking as land down in the latest policy on the subject inforce.

iii) The allottees who were offered alternative plots, but refused the alternative offer of allotment and even now they are no more interested to avail this second opportunity then they may either wait till the final decision or alternatively they may seek refund of their deposits made towards the price of the land

(b) i) In cases wherein, any judicial authority has passed orders to allot a specific plot number as an alternative allotment and these orders have attained finality should be implemented. The Estate Officer HUDA concerned should submit a formal consolidated proposal to this effect to the Headquarters for obtaining approval of the competent authority. There may be some cases, wherein one specific plot number have been ordered to be given to more than one persons under this situation order issued first in time shall be given priority.

ii) In cases, wherein a judicial authority has passed orders to allot alternative plot in a specified sector firstly, a draw of lots of such cases involving all vacant plots of the category available in that every particular sector shall be hold. Thereafter the left out plots in that particular sector if any shall be included in the general draw of plots.

iii) There may be some cases wherein the judicial authority has passed orders for allotment of specific plot number but these order have not attained finality so far. Under these circumstances these plot numbers earmarked shall not be disposed of till the litigation is finalized.

The allotment of alternative plots in all three situations Ib (i) (ii) (iii) shall be made subject to the condition that there are no orders to the contrary passed by any other Competent/Appellate judicial authority.

c) In cases courts have directed to allot alternative plot on original or floating rates, as already discussed & decided in issue (b) above, the orders passed by any judicial authority which have attained finality shall have to be implemented. For the purpose the Estate Officer HUDA concerned shall submit an appropriate proposal to the HQ's for seeking approval of the competent authority.

d) Plots allotted under the D.Q. category will not be considered for draw of plots till such time the litigation regarding D.Q. plots is finally settled.

The above clarifications/directions may be complied with strictly. After the draw of lots proceedings of draw may be sent to HQ's for approval of the Chairman, HUDA.

-sd/-

Administrator(HQ)
For Chief Administrator, HUDA
Panchkula.

Endst. No. A-14-98/18792-94

Dated: 13.07.1998

A copy is forwarded to the following for their information and strict compliance:-

1. The Estate Officers, HUDA, Gurgaon. Thus also disposes of his memo no. 10630 dt. 24.06.1998
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The District Attorney, HUDA Panchkula.

-sd/-

Administrator(HQ)
For Chief Administrator, HUDA
Panchkula.

From

The Chief Administrator,
HUDA, Panchkula

To

1. All Administrator, HUDA.
2. All Estate Officer/Asstt.
Estate Officer, HUDA.

Memo No. A-11-P/98/9040-60

Dated: 15.04.1998

Subject: Policy for **exchange of plots** - modification thereof – **detailed procedure**.

This is in continuation of this office memo No. A-NRI-91/25714 Dated 12.12.1991 and No. HUDA-Accts-95/5707-27 dated 01.03.1995 on the subject cited above.

The existing policy for giving alternative plots does not provide detailed procedure for the allotment of alternative plots in lieu of disputed plots. In order to streamline the procedure and to work out the modalities for allotment of alternative plots in lieu of disputed plots, the Authority in its 73rd meeting held on 31.03.1998 have approved the following procedure for allotment of alternative plots in lieu of disputed plots:-

The Estate Officer shall maintain a separate register in which all the disputed plots shall be entered category-wise in ascending order (on the basis of date of allotment). Simultaneously the list of vacant plots free from all encumbrances shall be prepared and entered in a separate register/Sector-wise and category-wise. The allottee shall give in writing that he would abide by the policy of allotment of alternative plots laid down from time to time and he will accept plot that would be offered by draw of lots before his particular are entered in the register otherwise the allottee can claim refund of the amount deposited by him as per the existing policy or he may give an undertaking that he will take the original plot as and when it is free from all encumbrances and shall have no right either of an alternative plot or for the interest on the amount deposited by him.

Every year, preferably in the months of January and July the draw of lots will be held for allotment of alternative plots in place of the disputed plots, out of the list available in the register, with the first preference going to the same sector. In case it is not possible to give plot in the same sector, then the draw will be for any of the developed sector in the Urban Estates as the second priority. In case even that is not possible, equal number of plots will be earmarked for allotment in lieu of disputed plots in the new sectors to be floated in that particular Urban Estate. To avoid such situation, in future, no allotment shall be made in any Urban Estate without demarcation of plot and approval of demarcation plan by the competent authority.

Regarding pricing of the alternative plots, when the offer is made in the same sector, the same original rate will be made applicable (as per the existing policy) and when the alternative allotment is offered in any other sector in the Urban Estate, the updated floatation rates of that sector or the rates at which disputed plots was allotted, whichever is higher should be charged from the allottee. In the cases where rates of allotment of alternative plot, works out to be higher than of original rates of allotment, then interest shall be allowed on the earlier deposits made by the allottee as per existing HUDA policy. The other terms and conditions of the original allotment shall however remain the same.

As and when the disputed plots (in lieu of which alternative plots have been allotted, as discussed above) are free from all encumbrances, the same shall be disposed off by way of auction.

It shall be ensured that the lists/registers/documents as per laid down procedure, as aforesaid are prepared immediately. A copy of the same shall be supplied to Head Quarters for reference and record. In future all the claims for allotment of alternative plot shall be disposed off strictly in accordance with the above laid down procedure.

You are therefore, requested to take further follow up in action accordingly and a comprehensive proposal in respect of all the disputed plots, in the Urban Estate, falling within your jurisdiction may be sent to Head Quarters within a month positively.

-sd/-
Administrator(HQ),
HUDA, Panchkula

Endst. No. A-11-P-98/9861-74

Dated: 15.04.1998

A copy of the above is forwarded to the following for information:-

1. The Chief Engineer, HUDA, Panchkula
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula
4. The Secretary, HUDA, Panchkula,
5. The District Attorney, HUDA, Panchkula. He is requested to circulate the above decision of the Authority amongst all DDA/ADA of HUDA and all the counsels on the panel of HUDA for their information and defending the cases in various courts accordingly.
6. The Asstt. Research Officer, HUDA, HQ, Panchkula.
7. All the Asstt. of Urban Branch, HUDA.

-sd/-
Administrator(HQ),
HUDA, Panchkula

Haryana Urban Development Authority Sector-6, Panchkula

Subject: Constitution of Committee to propose the **modalities/procedure for allotment of alternative plots** in lieu of disputed plots.

Office Order

A Committee of the following is hereby constituted to propose the modalities/procedure for allotment of alternative plots in lieu of disputed plots to the original allottee. The Committee will submit its report within 30 days positively. The first meeting of the Committee will be held on 03.11.1997 at 11:00 AM in the office of Administrator, HUDA(HQ), Panchkula.

- | | | |
|----|---------------------------------------|------------------|
| 1. | The Administrator, HUDA(HQ) | Chairman |
| 2. | The Chief Controller of Finance, HUDA | Member |
| 3. | The Chief Town Planner, HUDA | Member |
| 4. | The District Attorney, HUDA | Member |
| 5. | The Administrative Officer | Member Secretary |

Dated: 28.10.1997

-sd-

P. Raghavendra Rao
Chief Administrator, HUDA

Endst.No. A-14-97/35842

Dated: 29.07.1997

1. The Administrator, HUDA(HQ).
2. The Administrator, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA
4. The Chief Town Planner, HUDA
5. The District Attorney, HUDA

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Haryana Urban Development Authority Sector-6, Panchkula

To

1. All the Administrators
of HUDA (in the State).
2. All the Estate Officers,
HUDA (in the State).
3. All the Assistant Estate Officers,
HUDA (in the State).

Memo No. HUDA-Acctts-95/5707-27

Dated: 01.03.1995

Subject: Policy regarding allowing interest on the amount deposited by the plot holders in the case of exchange of plots.

The Authority in its 51st meeting held on 09.10.1991 has authorized the Chairman to allow exchange of plots where such exchange is necessary on account of following conditions:-

- i) Where HUDA could not deliver the possession of plot due to litigation pending in the court by the original land owners.
- ii) Where the plot is not actually available on the ground as per layout plan.
- iii) Where the land is under un-authorized encroachment which cannot be easily removed and HUDA cannot deliver the possession.

The change of site will be subject to the followings:-

1. The category of the plot holder will not be changed.
2. The size of the plot will not be changed.
3. The rates will be same if allotted in the same sector. Now prevalent rates will be charged for the changed plot if it is allotted in the other sector.

According to the above said policy, the rate of the alternative plot will be remain the same if allotted in the same sector. However, new prevalent rate will be charged for the changed plot if it is allotted in the other sector.

Estate Officer, HUDA, GURGAON vide his letter No. 6670 dated 29.04.1994 has raised the issue as to whether interest on the amount deposited by an allottee in respect of earlier allotment is to be allowed in the same manner in which the updated/prevalent rates of the alternative plot in other sector is charged.

Therefore, the aforesaid matter regarding allowing interest on the amount deposited by the allottee was submitted before the Authority in its 62nd meeting held on 24.01.1995.

The Authority has decided to allow interest on the amount deposited by the allottee in respect of earlier allotment in case the alternative plot is allotted in the other sector at the prevalent rate. The interest may be allowed in the same manner in which the updated/prevalent rate of the alternative plot in the other sector is charged. However, in case where the alternative plot is being allotted at the same rate in the same sector on the same terms & conditions interest will not be allowed on the amount deposited by the allottee.

You are, therefore, requested to take action accordingly.

-sd/-

Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula

Endst. No. HUDA-Acctts.-95/5728-37

Dated: 01.03.1995.

A copy of the above is forwarded to the following for information and necessary action:-

1. Administrative Officer, HUDA(HQ).
2. All the Branch Incharge of HUDA (HQ), Accounts Wing.

-sd/-

Accounts Officer,
for Chief Controller of Finance,
HUDA, Panchkula

**Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh.**

To

1. All the Administrators in HUDA.
2. All the Estate Officers of HUDA.

Memo No. A-NRI-91/25714

Dated: 12.12.1991

Subject: **Policy regarding exchange of plots.**

The Authority in its 51st meeting held on 09.10.1991, has authorised the Chairman to allow exchange of plots where such exchange is necessary on account of following conditions:-

- i. Where HUDA could not deliver the possession of plots due to litigation pending the court by the original land owners.
- ii. Where the plot is not actually available on the ground as per layout plan.
- iii. Where the land is under unauthorised encroachment which cannot be easily removed and HUDA cannot deliver the possession.

The change of site will be subject to the following:-

1. The category of the plot holder will not be changed.
2. The size of the plot will not be changed.
3. The rates will be the same if allotted in the same sector. New prevalent rates will be charged for the changed plot, if it is allotted in the other sector.

You may, therefore, ensure that only such cases of exchange of plots may be recommended to this office in future which are covered by the above conditions.

-sd/-

for Chief Administrator,
HUDA

Endst. No. A-NRI-91/25715

Dated 12.12.1991

A copy is forwarded to the following for information and necessary action:-

1. The Secretary, HUDA, Manimajra.
2. Dy. ESA, HUDA, HQ, Manimajra.

-sd/-

for Chief Administrator,
HUDA

5. EXTENSION POLICY

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/43461-62

Dated: 06.03.2019

Subject: **Extension** in time limit for construction of **residential/commercial plots** beyond the stipulated period of 2 years – **revised policy**.

This is in continuation of this office memo No. A-6-2013/18221-42 dated 12.04.2013 on the subject cited above.

1. As per existing policy, 12 years period beyond the stipulated period of two years has been allowed for construction of residential, commercial plots. After expiry of 12th year, further extension in period of construction is allowed on payment of extension fee at double the rates of the previous year. There is no upper limit of the time within which the allottee is required to complete the minimum required construction.
2. Now, the matter has been reviewed and it has been decided that after 12th year, further extension in the period of construction may be considered to be allowed on payment of 20% increase from 12th year to the next 3 years/5th block (rounded to next Rs. 10/-) & so on instead of double the extension fee of every year to the allottees of HSVP. The extension fee beyond the initial allowed period of 2 years would be charged as under:-

A) Residential Plots:-

Rates/Rs. Per Sq. Mtrs.

Year in which the plot falls after the expiry of the normal period of construction	Hyper Potential Zone	High Potential Zone	Medium Potential Zone	Low Potential Zone	In case of plots up to 100 sq. Mtrs. (Irrespective zone)
1st Block					
1 st Year	30.00	25.00	20.00	15.00	10.00
2 nd Year	30.00	25.00	20.00	15.00	10.00
3 rd Year	30.00	25.00	20.00	15.00	10.00
2nd Block					
4 th Year	60.00	40.00	30.00	20.00	15.00
5 th Year	60.00	40.00	30.00	20.00	15.00
6 th Year	60.00	40.00	30.00	20.00	15.00
3rd Block					
7 th Year	90.00	60.00	40.00	25.00	20.00
8 th Year	90.00	60.00	40.00	25.00	20.00
9 th Year	90.00	60.00	40.00	25.00	20.00
4th Block					
10 th Year	125.00	100.00	75.00	50.00	25.00
11 th Year	125.00	100.00	75.00	50.00	25.00

12 th Year	125.00	100.00	75.00	50.00	25.00
5th Block					
13th Year	150.00	120.00	90.00	60.00	30.00
14th Year	150.00	120.00	90.00	60.00	30.00
15th Year	150.00	120.00	90.00	60.00	30.00

3. The other terms & conditions of policy guidelines dated 12.04.2013 shall remain the same. This policy shall be made applicable retrospectively for all pending cases.

4. The matter was placed before the Pradhikaran in its 117th meeting held on 18.02.2019 vide Agenda item No. A-117th(20) for consideration and decision. The Pradhikaran has accorded its approval. A copy of agenda and extract of proceeding of the Pradhikaran is enclosed herewith for your reference and record.

You are requested to take further action accordingly and action taken report may be sent to this office immediately. This has the approval of CA, HSVP.

-sd/-

Administrator,HQ

HSVP, Panchkula

Endst. No. A-6-UB-2019/43461-62

Dated: 06.03.2019

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

-sd/-

Administrator,HQ

HSVP, Panchkula

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-3-UB-2018/42377-78

Dated:05.03.2019

Subject: Policy regarding charging of **extension fee** for **school sites allotted through auction** – clarification thereof – **clarification**.

This is in partial modification of this office memo No. A-1-2006/22666-87 dated 26.06.2006 on the subject cited above.

It has been observed that since the school sites were disposed of by way of auction, therefore it was decided vide letter under reference that school sites allotted through auction may be considered as “commercial venture” for all intent and purposes i.e. transfer of ownership, extension, condonation etc. and all these cases would be decided in accordance with the policy applicable to allotment of other commercial sites. Now, the matter has been considered and examined. It has been decided that educational institutions may be treated/considered as institutional sites, only for the purpose of charging of extension fee in terms of policy guidelines issued vide this office memo No. A-1-99/11199-219 dated 02.04.1999 & No. A-K.K.12/17346-68 dated 09.05.2012 whereas for other purposes i.e. transfer of ownership, condonation etc. they will continue to be treated as commercial ventures as per instructions dated 26.06.2006.

You are, therefore, requested to take further necessary action accordingly and action taken report may be sent to this office immediately.

This issues with prior approval of Hon’ble CM-cum-Chairman, HSVP and ex-post facto approval of the Pradhikaran will be taken in the next meeting.

-sd/-

Administrator,HQ

HSVP, Panchkula

Endst. No. A-3-UB-2018/42377-78

Dated:05.03.2019

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

-sd/-

Administrator,HQ

HSVP, Panchkula

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-3-UB-2018/247660-61

Dated: 20.12.2018

Subject: Grant of **extension** in time limit for construction on **institutional sites** - charging of extension fee thereof – **revised policy**.

This is in partial modification of this office memo No. A.K.K.12/17346-77 dated 09.05.2012 on the subject cited above.

The matter has been considered and examined. It has been decided that a period of additional three years may be granted to the allottees of institutional sites on payment of extension fee. The details of extension fee to be charged in respect of different categories of allotted institutional sites shall be as under:-

- i) **Sites allotted to Social/Charitable Trusts/Religious institutions/ Philanthropic institutions/Trusts.**

Zone	Year of extension	Social/Religious etc. i.e Category	
		(i) Rates in per Sq. mtr.)	
		Existing Rates	Proposed Rates
High Potential	1 st year	Rs. 10.00	Rs. 10.00
	2 nd year	Rs. 15.00	Rs. 15.00
	3 rd Year	Rs. 20.00	Rs. 20.00
	4 th year	Rs. 25.00	Rs. 25.00
	5 th Year	Rs. 30.00	Rs. 30.00
	6 th Year	--	Rs. 35.00
	7 th year	--	Rs. 40.00
	8 th year	--	Rs. 45.00

Medium Potential	1 st year	Rs. 5.00	Rs. 5.00
	2 nd year	Rs. 10.00	Rs. 10.00
	3 rd Year	Rs. 15.00	Rs. 15.00
	4 th year	Rs. 20.00	Rs. 20.00
	5 th Year	Rs. 25.00	Rs. 25.00
	6 th Year	--	Rs. 30.00
	7 th year	--	Rs. 35.00
	8 th year	--	Rs. 40.00
Low Potential	1 st year	Rs. 4.00	Rs. 4.00
	2 nd year	Rs. 6.00	Rs. 6.00
	3 rd Year	Rs. 10.00	Rs. 10.00
	4 th year	Rs. 15.00	Rs. 15.00
	5 th Year	Rs. 20.00	Rs. 20.00
	6 th Year	--	Rs. 25.00
	7 th year	--	Rs. 30.00
	8 th year	--	Rs. 35.00

In case the allottee fails to complete the construction within above mentioned extended period, then plot shall be resumed.

ii) **Sites allotted to institutions/organizations including Educational institutions except Sector-32 & 44, Gurugram.**

Zone	Year of extension	Category (ii) Rates in per Sq. mtr.)	
		Existing Rates	Proposed Rates
High Potential	1 st year	Rs. 20.00	Rs. 20.00
	2 nd year	Rs. 30.00	Rs. 30.00
	3 rd Year	Rs. 40.00	Rs. 40.00
	4 th year	Rs. 50.00	Rs. 50.00
	5 th Year	Rs. 60.00	Rs. 60.00
	6 th Year	--	Rs. 70.00
	7 th year	--	Rs. 80.00
	8 th year	--	Rs. 90.00

Medium Potential	1 st year	Rs. 15.00	Rs. 15.00
	2 nd year	Rs. 20.00	Rs. 20.00
	3 rd Year	Rs. 30.00	Rs. 30.00
	4 th year	Rs. 40.00	Rs. 40.00
	5 th Year	Rs. 50.00	Rs. 50.00
	6 th Year	--	Rs. 60.00
	7 th year	--	Rs. 70.00
	8 th year	-	Rs. 80.00
Low Potential	1 st year	Rs. 10.00	Rs. 10.00
	2 nd year	Rs. 15.00	Rs. 15.00
	3 rd Year	Rs. 20.00	Rs. 20.00
	4 th year	Rs. 30.00	Rs. 30.00
	5 th Year	Rs. 40.00	Rs. 40.00
	6 th Year	--	Rs. 50.00
	7 th year	--	Rs. 60.00
	8 th year	--	Rs. 70.00

In case the allottee fails to complete the construction within above mentioned extended period, then plot shall be resumed.

iii) Sites allotted in Sector-32 & 44, Gurugram.

Year of Extension	Existing Rates	Proposed Rates
1 st year	Rs. 40.00	Rs. 40.00
2 nd year	Rs. 60.00	Rs. 60.00
3 rd Year	Rs. 80.00	Rs. 80.00
4 th Year	Rs. 100.00	Rs. 100.00
5 th Year	Rs. 120.00	Rs. 120.00
6 th Year		Rs. 140.00
7 th year	--	Rs. 160.00
8 th year	--	Rs. 180.00

In case the allottee fails to complete the construction within above mentioned extended period, then plot shall be resumed.

iv) Sites allotted to Government Departments/ Organizations/Board & Corporations and Public undertakings.

Zone	Year of extension	Category (ii) Rates in per Sq. mtr.)	
		Existing Rates	Proposed Rates
High Potential	1 st year	Rs. 20.00	Rs. 20.00
	2 nd year	Rs. 30.00	Rs. 30.00
	3 rd Year	Rs. 40.00	Rs. 40.00
	4 th year	Rs. 50.00	Rs. 50.00
	5 th Year	Rs. 60.00	Rs. 60.00
	6 th Year	--	Rs. 70.00
	7 th year	--	Rs. 80.00
	8 th year	--	Rs. 90.00
Medium Potential	1 st year	Rs. 15.00	Rs. 15.00
	2 nd year	Rs. 20.00	Rs. 20.00
	3 rd Year	Rs. 30.00	Rs. 30.00
	4 th year	Rs. 40.00	Rs. 40.00
	5 th Year	Rs. 50.00	Rs. 50.00
	6 th Year	--	Rs. 60.00
	7 th year	--	Rs. 70.00
	8 th year	--	Rs. 80.00
Low Potential	1 st year	Rs. 10.00	Rs. 10.00
	2 nd year	Rs. 15.00	Rs. 15.00
	3 rd Year	Rs. 20.00	Rs. 20.00
	4 th year	Rs. 30.00	Rs. 30.00
	5 th Year	Rs. 40.00	Rs. 40.00
	6 th Year	--	Rs. 50.00
	7 th year	--	Rs. 60.00
	8 th year	--	Rs. 70.00

In case allottee fails to complete the construction within 10(2+8) years from the date of offer of possession, they will pay double the extension fee prescribed from the previous year and so on.

You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned/plot holders and due publicity be given at the local level.

This issues with prior approval of Hon'ble CM-cum-Chairman, HSVP and ex-post facto approval of the Pradhikaran will be taken in the next meeting.

-sd/-

Administrator, HQ
HSVP, Panchkula

Endst. No. A-3-UB-2018/247660-61

Dated: 20.12.2018

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

-sd/-

Administrator, HQ
HSVP, Panchkula

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2018/245151-52

Dated:17.12.2018

Subject: Policy regarding charging of extension fee for School sites allotted through auction-Clarification thereof.

This is in continuation of this office memo. No. A-1-UB-20106/22666-87 dated 26.06.2006 on the subject cited above.

It has been observed that since the school sites were disposed of by way of auction, therefore, it was decided vide letter under reference that school sites allotted through auction may be considered as “commercial venture” for all intent and purposes i.e. transfer of ownership, extension. Condonation etc. and all these cases would be decided in accordance with the policy applicable to allotment of other commercial sites. Now, the matter has been considered and examined. It has been decided that henceforth educational institutions may be treated/considered as institutional sites, only for the purpose of charging of extension fee in terms of policy guidelines issued vide this office memo No. A-K.K.12/17346-68 dated 09.05.2012 whereas for other purposes i.e. transfer of ownership, condonation etc. it will continue to be treated as commercial ventures as per instructions dated 26.06.2006.

You are, therefore, requested to take further necessary action accordingly and action taken report may be sent to this office immediately.

This issues with prior approval of Hon’ble CM-cum-Chairman, HSVP and ex-post facto approval of the Pradhikaran will be taken in the next meeting.

-sd--

Administrator(HQ),
for Chief Administrator, HSVP

Endst. No. A-6-UB-2018/245154

Dated:17.12.2018

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

--sd--

Administrator(HQ),
for Chief Administrator, HSVP

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No. A-4-UB-2014/ 23530

Dated:26.09.2014

Subject: **Extension** in time limit for construction of **residential/ commercial plots** beyond stipulated period of 2 years – **clarification** thereof.

Reference on the subject cited above.

Your attention is invited to HUDA, HQ's memo no. A-1-2007/23187-208 dated 02.07.2007 whereby it was decided that all such allottee in the cases wherein the calendar year 2007 is the 15th year may be allowed to get their building plan approved & complete at-least minimum required construction on their plots & apply for Occupation Certificate by 31.12.2008, on payment of prescribed extension fee. Similar facilities were given to the plots wherein period of 15 years or more expired by 31.12.2006 (Policy dated 13.10.2006 as modified on 29.01.2007). Such plots were allowed to complete the construction by 31.12.2007 & were given one time extension upto 31.12.2007 to raise/ complete at least minimum required construction provided they got the building plans approved by 31.12.2007. However vide policy dated 02.07.2007, slight amendment was done & these plots were also required to get their building plan approved by 30.06.2007 and apply for Occupation Certificate by 31.12.2007. In these cases, the extension fee for the year 2007 has been charged at the normal rate as per the policy dated 13.10.2006. On the contrary, in the case of plots where the period of 15 years expired during the year 2007 and one year period was allowed upto 31.12.2008 on the same terms & conditions that the allottee will complete at-least minimum required construction on their plots and apply for Occupation Certificate by 31.12.2008. But some field staff is charging double the extension fee for the plots wherein calendar year 2007 is the 15th year.

The intention of policy dated 02.07.2007 was to allow one time extension upto 31.12.2007 to the plots where 15 years or more period expired by 31.12.2006 and to allow extension upto 31.12.2008 where 15 years period expired during the calendar year 2007. In both the cases it allowed the allottee the period of one additional year to raise the minimum required construction on the payment of prescribed extension fee. Thus the charging of extension fee at double the rate for the year 2008 in such cases is against the spirit of the policy dated 02.07.2007.

It is therefore clarified that in all such cases, where calendar year 2007 is the 15th year, extension fee for the year 2008 will be charged at normal applicable rates instead of double the rates of extension fee.

This instruction/clarification may be brought to the notice of all concerned to implement in letter and spirit.

-sd/-

(B.B. Taneja)

Deputy Superintendent, UB

For Chief Administrator HUDA

A copy of above is forwarded to the following for information and necessary action:

1. The Principal Secretary to Govt., Haryana, Town and Country Planning Deptt., Chandigarh.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host these instructions on HUDA website.
6. The District Attorney, HUDA, Panchkula.
7. All the Assistants/Record Keepers Urban Branch, HUDA (HQ) Panchkula.

-sd/-

(B.B.TANEJA)

Deputy Superintendent.(U.B.),
for Chief Administrator, HUDA

From

Chief Administrator,
HSVP, Panchkula.

To

1. All the Administrators, HUDA,
2. All the Estate Officers, HUDA,

Memo No. A-6-UB-2013/399983

Dated: 10.10.2013

Subject:- Extension in time limit for construction of **residential/commercial plots – clarification of policy** dated 12.04.2013.

This is continuation of this office Memo No. A-6-UB-2013/18221-42 dated 12.04.2013 on the subject cited above.

A Copy of minutes of meeting (workshop on New Extension Policy circulated on 12.04.2013) held on 24.08.2013 at 11.00 A.M. under the Chairmanship of Chief Controller of Finance, HUDA in the Conference Hall of HUDA HQ, Sector-6, Panchkula is sent herewith for information and taking for further necessary action.

This issues with the approval of Chief Administrator, HUDA.

DA/As above

-sd/-

(B.B.Taneja)

Superintendent, U.B.

for Chief Administrator, HSVP

Endst. No. A-6-UB-2013/399983

Dated: 10.10.2013

A copy of above along with copy of minutes of meeting held on 24.08.2013 is forwarded to the General Manager (IT) with the request to make necessary changes in the system.

-sd/-

(B.B.Taneja)

Superintendent, U.B.

for Chief Administrator, HSVP

Agenda : **workshop on New Extension Policy circulated vide letter no. A-UB- 6/2013/18221-42 dated 12.04.2013.**

In Chair : CCF, HUDA.

Participants : As per Annexure 'A'

Date of Meeting: 24.08.2013 at 11.00 A.M.

Pursuant to the orders of CA, HUDA, a workshop was organized on 24.08.2013 at 11.00 A.M. to train the relevant staff of Estate Officer/Administrator offices throughout the State in respect of the New Extension Policy circulated by HUDA vide letter dated 12.04.2013. In this workshop Supdt./Dy.Supdt./Accounts Officers/Accountants of Estate Offices/Administrator offices were called. GM(IT) and Dy. Supdt. Urban Branch also attended the workshop.

During the discussions in the workshop, it was observed that there is lot of confusion amongst the employees of HUDA regarding the New Extension Policy. The employees of different offices are calculating the extension fees differently particularly in the cases where the earlier prescribed period of 15 years (i.e. 2+13years) has been exhausted. In order to make the New Extension Policy clear to the filed officers, the following points were discussed in detail and clarification was issued as under:

1. New Extension Policy has been notified on 12.04.2013 but for the convenience of calculation Policy may be made applicable from 01.04.2013.
2. There are two types of cases where the earlier prescribed periods of 15 years have been exhausted. In some case the period has been exhausted on 31.12.2007 or thereafter. In other cases the period has been exhausted on 30.11.2009. It was made clear that for the cases where the prescribed period has been exhausted on 31.12.2007. The rate of extension fee for the calendar year 2008 will be double the rate of the extension fees charged for the calendar year 2007. Similarly the rate of extension fees for the year 2009 shall be the double the rate of extension fees charged for the year 2008 and so on (Example 1 to 5).
3. In respect of plots where the prescribed period has been exhausted in Nov. 2009 the extension fees for one month i.e for Dec., 2009 (If not charged) may be charged at the same rate (proportionately for one month) at which the extension fees was charged for the year 2009. For the next calendar year i.e. for the year 2010, the rate of extension fees shall be double the rate at which the extension fee was charged for the year 2009 and so on.
4. This process will continue and no surcharge will be charged on the extension fees due from 01.01.2008 to 31.12.2013 in respect of the first category of plot and from 01.01.2010 to 31.12.2013 for the 2nd category of plots. Surcharge will be charged from 01.01.2014 on the total outstanding as on 31.12.2013.
5. The extension fee in respect of residential plots of size upto 4 marla plot will not be doubled and same rate will continue to be charged till 31.03.2013. However from 01.04.2013 the new rates of extension fee will be applicable i.e. for first 3 months of the calendar year 2013 the old rate will be applicable on proportionate basis and for the next 9 months of the calendar year 2013 the new rates will be applicable proportionately. After the expiry of prescribed period of 13 years and 12 years as per new extension Policy, the last rate charged or new rate as per New Extension Policy whichever is higher shall be applicable for the future years and it will not be doubled.

6. 50% rebate will be allowed in the extension fee to the Defence Personnel/Para Military Forces from 01.04.2013 i.e. the date of applicability of New Extension Policy. No such rebate will be allowed prior to the period 01.04.2013. In this case also the extension fee for the first 3 months for the calendar year 2013 will be charged at the old rate without any concession and for the balance 9 months of the calendar year 2013, it will be charged at the new rate as per New extension Policy with 50% rebate (Example 6).
7. The rebate on women and widows will continue to be given as per the previous policy.
8. Prior to the introduction of New Extension Policy, the rates of previous extension policy will be applicable in respect of all the plots. The new rates will only be charged from 01.04.2013. In this case also the old rates will be charged for 3 months for the calendar year 2013 on proportionate basis and for the balance 9 months of the calendar year 2013, the new rates will be charged proportionately. If a plot completes 12 years of extension during the calendar year 2013, in that case the extension fees charged during the year 2013, as per calculations stated above will be doubled for the year 2014 and so on. In case the 13 years period is going to exhaust on 31.03.2013, in that case the extension fees of first 3 months i.e. for the period from 01.01.2013 to 31.03.2013 will be charged as per the rates of previous policy and the double of this rate will be charged for balance – months of the year 2013 on proportionate basis (as there are no rates prescribed for 13th years in the New Extension Policy). For the year 2014, the extension fees charged for the year 2013 shall be doubled and so on. It is made clear that if the period of 13 years is expired in the year 2013 i.e. or after 31.03.2013, in that case the period allowed for payment of extension fee at the normal rate will be 31.03.2013.
9. 10% rebate shall continued to be given in the extension fees in case the total extension fees of the calendar year is paid in advance before 31st March of the calendar year. But in such case previous outstanding amount should be nil otherwise the amount paid will be adjusted towards the previous dues and no rebate will be given.

From

The Chief Administrator,
Haryana Urban Development Authority,
HUDA, Panchkula.

To

1. All the Administrators, HUDA,
2. All the Estate Officers, HUDA.

Memo No. A-UB-A6/2013/18221-42

Dated: 12.04.2013

Subject: **Extension** in time limit for construction on **residential/ commercial plots** beyond the stipulated period of 2 years- **revised policy**.

This is in supersession of all earlier references from this office on the subject cited above.

The time extension policy for construction on residential/commercial plots was last modified on 28.8.2009. The proposal to grant further extension in time limit has further been examined and it has been decided that the revised policy on the subject shall be as under:

- i) There shall be no upper limit of the time within which the allottee is required to complete the minimum required construction.
- ii) The extension fee beyond the initial allowed period of 2 years shall be as under:

A) RESIDENTIAL PLOTS

(RATES/RS. PER SQ. MTS)

Year in which the plot falls after the expiry of the normal period of construction.	Hyper Potential Zone	High Potential Zone	Medium Potential Zone	Low Potential Zone	In case of plots up to 100 Sq. mts (Irrespective of zone)
1st block					
1 st year	30.00	25.00	20.00	15.00	10.00
2 nd year	30.00	25.00	20.00	15.00	10.00
3 rd year	30.00	25.00	20.00	15.00	10.00
2nd block					
4 th year	60.00	40.00	30.00	20.00	15.00
5 th year	60.00	40.00	30.00	20.00	15.00
6 th year	60.00	40.00	30.00	20.00	15.00
3rd block					
7 th year	90.00	60.00	40.00	25.00	20.00
8 th year	90.00	60.00	40.00	25.00	20.00
9 th year	90.00	60.00	40.00	25.00	20.00
4th block					
10 year	125.00	100.00	75.00	50.00	25.00
11 th year	125.00	100.00	75.00	50.00	25.00
12 th year	125.00	100.00	75.00	50.00	25.00

Note: After expiry of 12th year, further extension in period of construction shall be allowed on payment of extension fee at double the rates of the previous year. However, this will not apply to plot sizes upto 100 sq. mts for which the rates will remain the same as in the 12th year unless and until increased by the Authority.

- B) COMMERCIAL PLOTS:-** In respect of commercial sites up to 2 storey/ more than 2 storey the rates for extension fee shall be two times/ three times of the rates for residential plots, respectively.
- iii) 50% rebate in the extension fee shall be allowed in case of plots allotted to defence personnel including paramilitary forces.
 - iv) The rebate in extension fee to women and widows provided in the circular issued vide memo no. A-1(P)-2007/3265-86 dated 29.01.2007 shall continue to remain in force.
 - v) The above rates of extension fee shall be applicable from the date of issue of this policy and the existing allottees will be required to pay the extension fee at the above revised rates for any extension to be sought after the coming into force of this policy. However, the allottees will not be required to pay any differential amount for the extension fee already paid by them before the date of issue of this policy.
 - vi) The policy shall be applicable to all the cases where resumption orders have been passed due to non construction but the allottees/ re-allottees have challenged the resumption orders and the litigation is pending in any Forum. In such cases, the Estate Officer shall inform the Court/Authority where the appeal of former allottee against the resumption order is pending, that the said Court/Authority may dispose off the appeal in terms of the new extension policy.
 - vii) The plots which have been resumed after 31-12-2007 but the allottee has not challenged the resumption order as on the date of issue of this policy shall be restored by the Estate Officer after prior approval of the Zonal Administrator.
 - viii) The policy shall not be applicable where the litigation has attained finality and resumption order has been upheld.
 - ix) The policy shall not be applicable where the allottee/re-allottee has executed SPA/GPA after the passing of the resumption order.

The above policy is being issued with the prior approval of Hon'ble Chief Minister Haryana.

-sd/-
(Surjeet Singh, I.A.S.)
Administrator (HQ)
for Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator
HUDA, Panchkula.

To,

1. All the Administrator (s), HUDA.
2. All the Estate officer (s)/ Asstt. Estate Officer(s), HUDA.

Memo. No. A-K.K.12 / **17346-68** Dated: **9.5.2012**

Subject: Grant of **extension** in time for construction on **institutional sites**-Charging of extension fee thereof – **revised policy**.

This is in partial modification of the policy guidelines issued on the subject vide memo no. A-1-99/11199-219 dated 2.4.1999, A-1(P)-2002/16787-16808 dated 10.7.2002 and A.K.K.-2009/21046-49 dated 9.6.2009.

The matter has been re-examined and it has been observed that the institutional sites allotted by HUDA can be categorized as under:-

- i) Sites allotted to Social/Charitable Trusts/Religious institutions/Philanthropic institutions/Trusts.
- ii) Sites allotted to institutions/organizations other than the ones mentioned at Sr. No. (i) including Educational Institutions.
- iii) Sites allotted in exclusive institutional sectors of HUDA.
- (iv) Sites allotted to Government Departments/organizations.

The following policy has been finalized for grant of extension in time for construction on institutional sites.

i) Sites allotted to Social/Charitable Trusts/Religious institutions/ Philanthropic institutions/Trusts.

As per the existing policy the allottees of institutional sites are required to complete the construction within a period of 2 yrs from the date of offer of possession. An extension of 3 years is permissible for completing construction on such institutional sites on payment of extension fee. Therefore, total period allowed for completing construction is 5 years (2+3 years) from the date offer of possession.

It has been decided that a period of **additional 2 years** be granted to the allottees on payment of extension fee. The rates of extension fee be revised as under:

Zone	Year of extension	Social/Religious etc. i.e. Category (i) (Rates in per Sq. mtr.)	
		Existing Rates	Revised Rates
<u>High Potential</u>	1 st year	Rs. 5.00	Rs.10.00
	2 nd year	Rs. 8.00	Rs.15.00
	3 rd year	Rs. 10.00	Rs.20.00
	4 th year	-	Rs.25.00
	5 th year	-	Rs.30.00
<u>Medium Potential</u>	1 st year	Rs.3.00	Rs. 5.00
	2 nd year	Rs.5.00	Rs.10.00
	3 rd year	Rs.8.00	Rs.15.00
	4 th year	-	Rs.20.00
	5 th year	-	Rs.25.00
<u>Low Potential</u>	1 st year	Rs. 2.00	Rs.4.00
	2 nd year	Rs.3.00	Rs.6.00
	3 rd year	Rs.5.00	Rs.10.00
	4 th year	-	Rs.15.00
	5 th year	-	Rs.20.00

In case the allottee fails to complete the construction within 7 years from the date of offer of possession then the Estate Officer shall initiate resumption proceedings under Section-17 of the HUDA Act.

(ii) Sites allotted to institutions/organizations other than the ones mentioned at Sr. No. (i) including Educational Institutions.

As per the existing policy the allottees of institutional sites are required to complete the construction within a period of 2 yrs from the date of offer of possession. An extension of 3 years is permissible for completing construction on such institutional sites on payment of extension fee. So the total period allowed for completing construction is 5 years (2+3 Years) from the date offer of possession.

It has been decided that a period of **additional 2 years** may be granted to the allottees on payment of extension fee. The rates of extension fee be revised as under:

Zone	Year of extension	Category (ii) (Rates in per Sq. mtr.)	
		Existing Rates	Revised Rates
<u>High Potential</u>	1 st year	Rs. 10.00	Rs.20.00
	2 nd year	Rs. 15.00	Rs.30.00
	3 rd year	Rs. 20.00	Rs.40.00
	4 th year	-	Rs.50.00
	5 th year	-	Rs.60.00
<u>Medium Potential</u>	1 st year	Rs. 8.00	Rs.15.00
	2 nd year	Rs.10.00	Rs.20.00
	3 rd year	Rs.15.00	Rs.30.00
	4 th year	-	Rs.40.00
	5 th year	-	Rs.50.00
<u>Low Potential</u>	1 st year	Rs. 5.00	Rs.10.00
	2 nd year	Rs. 8.00	Rs.15.00
	3 rd year	Rs.10.00	Rs.20.00
	4 th year		Rs.30.00
	5 th year		Rs.40.00

In case the allottee fails to complete the construction within 7 years from the date of offer of possession then the Estate Officer shall initiate resumption proceedings under Section-17 of the HUDA Act.

(iii) Sites allotted in exclusive institutional sectors of HUDA.

a) Sites allotted in exclusive Institutional sectors of HUDA except sector-32 & 44 Gurgaon.

As per the existing policy the allottees of institutional sites are required to complete the construction within a period of 2 yrs from the date of offer of possession. An extension of 3 years is permissible for completing construction on such institutional sites on payment of extension fee. So the total period allowed for completing construction is 5 years (2+3 years) from the date offer of possession.

It has been decided that a period of **additional 2 years** be granted to the allottees on payment of extension fee. The rates of extension fee be revised as under:

Zone	Year of extension	(Rates in per Sq. mtr.)	
		Existing Rates	Revised Rates
<u>High Potential</u>	1 st year	Rs. 10.00	Rs.20.00
	2 nd year	Rs. 15.00	Rs.30.00
	3 rd year	Rs. 20.00	Rs.40.00
	4 th year	-	Rs.50.00
	5 th year	-	Rs.60.00
<u>Medium Potential</u>	1 st year	Rs. 8.00	Rs.15.00
	2 nd year	Rs.10.00	Rs.20.00
	3 rd year	Rs.15.00	Rs.30.00
	4 th year	-	Rs.40.00
	5 th year	-	Rs.50.00
<u>Low Potential</u>	1 st year	Rs. 5.00	Rs.10.00
	2 nd year	Rs. 8.00	Rs.15.00
	3 rd year	Rs.10.00	Rs.20.00
	4 th year		Rs.30.00
	5 th year		Rs.40.00

In case the allottee fails to complete the construction within 7 years from the date of offer of possession then the Estate Officer shall initiate resumption proceedings under Section-17 of the HUDA Act.

(b) Sites allotted in sector-32 & 44 of Gurgaon.

In case of sector-32 & 44 of Gurgaon initial period of 5 years is allowed to the allottees for completing construction. This period is further extendable to another 3 years, making the total period available for completing construction as 8 years. It has been decided to grant extension of another 2 years, making total period available for completing construction as 10 years (5+3+2 years) on payment of extension fee revised as under:-

Year of extension	Existing rates	Revised rates
1 st year	Rs. 10.00	Rs 40.00
2 nd year	Rs. 15.00	Rs. 60.00
3 rd year	Rs. 20.00	Rs. 80.00
4 th year	--	Rs. 100.00
5 th year	--	Rs. 120.00

In case the allottee fails to complete the construction within 10 years from the date of offer of possession then the Estate Officer shall initiate resumption proceedings under Section-17 of the HUDA Act.

However, in the case of allottees whose period of construction has already expired on 31.12.2010, it has been decided that a period of **additional 2 years i.e. upto 31-12-2012** be granted to such allottees on payment of extension fee at the rates mentioned as under:-

Year of extension	Existing rates	Revised rates
Over & above 8 years upto 31-12-2010	Rs. 40.00	--
Upto 31-12-2011	--	Rs. 240.00
Upto 31.12.2012	--	Rs. 480.00

In case the allottee fails to complete the construction within above mentioned period then the Estate Officer shall initiate resumption proceedings under Section-17 of the HUDA Act.

(iv) Sites allotted to Government Departments/organizations

The institutional sites allotted to Govt. Departments are governed by the extension policy applicable in case of category (ii) above i.e. initial period up to two years from the date of offer of possession and extension of further 3 years on payment of extension fee at the rates prescribed by HUDA.

It has been decided that the Institutional plots allotted to Government Deptt., Board & Corporations and Public Undertaking may be given additional 5 years period for completing the construction on payment of double the extension fee prescribed for the previous year i.e. extension fee for the 6th year will be double the extension fee for 5th year and extension fee for 7th year will be double the extension fee of 6th year and so on.

In case the allottee of an Institutional plot allotted to department of Govt. or its Organizations fails to complete the construction within 10 years from the date of offer of possession then the case of further extension in the time limit upto 2 years only can be considered by the Authority if it is satisfied that such an extension is in the larger public interest. But such an extension can be granted on payment of the current price of the plot minus the price already paid by the allottee.

In case the allottee fails to complete the construction within 12 years from the date of offer of possession then the Estate Officer shall initiate resumption proceedings under Section-17 of the HUDA Act.

These instructions should be brought to the notice of all concerned/plot holders and due publicity be given at the local level.

These instructions issue with the approval of Hon'ble Chief Minister cum Chairman, HUDA.

-sd/-
(Nadim Akhtar)
Senior Town Planner
for Chief Administrator, HUDA.

Endst. No. A-K.K.12 / **17369-77**

Dated: **9.5.2012**

A copy is forwarded to the following for information and necessary action:-

1. The Chief Engineer-1 & 11. HUDA, Panchkula
2. The Chief Town Planner. HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary HUDA, Panchkula.
5. G.M.I.T., HUDA, Panchkula with the request to host at HUDA website.
6. The Distt. Attorney, HUDA, Panchkula.
7. Dy. ESA. HUDA, Panchkula.
8. The PS/FCTCP and CA, HUDA.
9. All the Asstt. /Record Keepers of Urban Branch.

-sd/-
(Nadim Akhtar)
Senior Town Planner
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
(Urban Branch-I), Sector 6, Panchkula.

To

1. All the Administrators HUDA in the State of Haryana.
2. All the Estate Officers HUDA in the State of Haryana.

Memo No.A-UB-Supdt-2010/22722-56

Dated: **04.06.2010**

Subject: - Extension policy- Resumption of plots for failure to complete construction within prescribed period –
benefit to War Widows/ Freedom Fighters.

This is partial modification of the policy guidelines bearing memo no.A-1(P)/2007/3265-86 dated 29.01.2007, A-1-2007/15857-78 dated 28.04.2007, 23187- 208 dated 02.07.2007 and 30727-49 dated 28.08.2009.

The matter regarding giving some additional time to the War Widows and Freedom Fighters category for completion of their houses has been engaging the attention of the Authority. The issue has been examined and it has been decided as under:-

To grant 2 years additional time limit, i.e. 15 years in-place of existing 13 years, over and above the stipulated time limit of 2 years.

One time extension of 1 year to the allottees falling in Freedom Fighters and War Widows categories, who have already availed 15 years or more extension beyond stipulated period of 2 years.

The above extension shall be subject to the payment of extension fee equal to fee payable for the 15th year.

You are requested to take further action accordingly. A communication to this effect may be sent to each allottee falling in the War Widows and Freedom Fighter category individually.

This issues with the prior approval of the Authority.

The follow up action taken in the matter may be intimated to this office.

-sd/-

(S.L.Sharma)

Assistant Estate Officer, UB,
for Chief Administrator, HUDA

Endst. No. A-UB-Supdt-2010/**22757-70**

Dated: **04.06.2010**

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Legal Remembrancer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. The Chief Engineer, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula.
7. The General Manager (IT), HUDA, Panchkula.
8. The Dy. ESA, HUDA, Panchkula.
9. All the Assistants/Record Keepers in Urban Branch-I & II.

-sd/-

(S.L.Sharma)

Assistant Estate Officer, UB,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
(Urban Branch-I), Sector 6, Panchkula.

To

1. All the Administrators HUDA in the State of Haryana.
2. All the Estate Officers HUDA in the State of Haryana.

Memo No.A-UB-K.K.-2009/ 30727-49 Dated: 28.08.2009

Subject: Extension policy-Resumption of plots for failure to complete construction within prescribed period –
clarification.

1. This is partial modification of the policy guidelines bearing memo no.A-1(P)/2007/3265-86 dated 29.01.2007, A-1-2007/15857-78 dated 28.04.2007 and 23187- 208 dated 02.07.2007.
2. It has been decided that one time relaxation for completion of the building may be granted to following categories of allottees till 30.11.2009 provided they pay double the extension fee applicable for last year in their respective cases for each year of delay:-
 - a) Plots where Building Plan was got approved, construction was started and Completion Certificate applied for but not issued due to some deficiencies.
 - b) Plots where Building Plan was got approved, construction started but Completion Certificate not applied for, since the required level of construction was reached late.
 - c) Where construction has been completed without getting building plans approved,(compoundable violation) provided they apply for grant of Occupation Certificates after raising minimum construction till 30.11.2009.
3. Where original allottees have expired without completing construction, legal heirs have not been brought on record and the plots have not been transferred to legal heirs due to lapse of extension period.
In such cases the following time bound schedule shall be followed:-
 - (i) The Estate Officer will give Public Notice in two leading newspapers, one Hindi and other in English to the effect that all the legal heirs of deceased allottees will get the plot transferred in the names of legal heirs within 3 months from date of publication of this policy.
 - (ii) All Estate Officers will transfer the plot within one month from the date of receipt of documents complete in all respects.
 - (iii) Extension upto 31.12.2010 for construction of building over the plot and apply for occupation certificate may be given including completion of all formalities i.e. obtaining of possession, sanction of building plan, D.P.C. Certificate etc.

All such allottees will have to pay up to-date extension fee as per HUDA policy calculated as per latest rates.

(-sd/-)

(Krishan Lal)

Administrative Officer, UB-I,
for Chief Administrator, HUDA

Endst. No. A-UB-K.K.-2009/30750-67

Dated: 28.08.2009

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Legal Remembrancer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. The Chief Engineer, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula.
7. The General Manager (IT), HUDA, Panchkula.
8. The Dy. ESA, HUDA, Panchkula.
9. All the Assistants/Record Keepers in Urban Branch-I & II.

(-sd/-)

(Krishan Lal)

Administrative Officer, UB-I,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

1. The Administrator, HUDA, Gurgaon.
2. The Estate Officer-II, HUDA, Gurgaon.

Memo No. U.B.- A-K.K.2009/21046-49

Dated: 9-6-2009

Subject: Regarding grant of **extension** in time limit for construction of **institutional plots** in Sector-32, Gurgaon
– **revised policy**.

-:-

1. Please refer to Administrator, HUDA, Gurgaon office memo no. AM-2009/2657 dated 26.2.2009 and 3986 dated 27-3-2009 on the above noted subject.
2. The matter has been examined and it has been decided that a general relaxation may be granted to all the allottees of sector-32, Gurgaon for completion of construction by 31.12.2010 subject to payment of double the extension fee applicable for the last year's extension fee for each year over and above the maximum permissible period. Wide publicity to this decision should be given at the local level. After that further action regarding resumption of plots as per HUDA policy may be taken against all the defaulters.
3. This issues with the prior approval of Chief Minister-cum-Chairman, HUDA.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-11
For Chief Administrator HUDA.

Endst No. U.B.- A-K.K.2009/21049

Dated: 9-6-2009

A copy of the above is forwarded to following for information and necessary action please:-

1. The Director, M/s Teji Brar Financial Services Limited, 11/1, Nahru Enclave (East) Kalkaji Extension, New Delhi-110019, w.r.t. his latter dated 27.1.2009.
2. Sh. B.M. Chhabra, 80-P, Sector-34, Khandsa, Gurgaon-122015, w.r.t. his latter dated 21.3.2009.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-11
For Chief Administrator HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA.
2. All the Estate Officers of HUDA.

Memo No. A-MK-2009/UB-I/1683-1705

Dated: 15.01.2009

Subject- Clarification regarding grant of **extension** in time limit for construction of **residential/ commercial plots** beyond stipulated period of 2 years.

The extension policy instructions dated 02.07.2007 read with instructions dated 28.04.2007 provide that every allottee may avail an extension of maximum 13 years beyond the stipulated period of 2 years for construction of building on Residential/Commercial plots, on payment of prescribed extension fee.

A clarification was sought by Estate Officer, HUDA, Kurukshetra as to whether in case of those allottees, who were offered possession in May 1994, the dead line for completing the construction and applying for occupation certificate would be 31.12.2008 or 31.12.2009.

The matter has been examined accordingly, and it is clarified that full fifteen years (2+13) to the allottees reckoned from the date of offer of possession have to be allowed. It has, therefore, been decided that the last date for completion of construction/applying for occupation certificate shall be the last day of the quarter in which 15 years period reckoned from the date of offer of possession is expiring, as we are charging extension fee on quarterly basis. Extension fee would be chargeable for the full quarter in which the said month falls.

You are requested to take action as per above clarification.

-sd/-
(N. Mehtani)
Incharge Urban Branch-I,
For Chief Administrator, HUDA

From

Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators in HUDA
2. All the Estate Officers, in HUDA

Memo No.A-1-2007/23187-208

Dated: 02.07.2007

Subject: Revised HUDA Extension Policy-Grant of extension in time limit for construction of residential/commercial plots, beyond stipulated period of 2 years-Clarification thereof.

This is with reference to this office memo no. A-1-2007/3265-86 dated 29.01.2007 & memo no. A-1-2007/15857-78 dated 28.04.2007 on the subject cited as above.

The Authority in its 98th meeting held on 12.12.2006 had decided that no extension shall be granted beyond 7 years (2+5 years) after offer of possession. For those plots in respect of which the period of 7 years either had already expired or would have expired on 31.12.2007 ***“all such allottees who have already availed a period of 7 years on or before 31.12.2007, shall have to get the building plan sanctioned and complete at least minimum required construction on their plots and apply for occupation certificate by 31.12.2008, on payment of prescribed extension fee”***. Thereafter, the matter was reviewed and it was decided that a maximum 13 years beyond the stipulated period of two years may be granted on payment of prescribed extension fee. The above policy guidelines also states that for those plots in respect of which their allottees that have already availed a period of 15 years or more by 31.12.2006 shall be given one time extension up to 31.12.2007 to raise/complete at least minimum required construction on their plots. They shall have to get their building plan approved by 30.06.2007 and apply for occupation certificate by 31.12.2007.

The decision to get the building plan sanctioned and complete the construction by 31.12.2007 was not applicable in the cases wherein the calendar year 2007 was the 15th year.

Accordingly all such allottees in the cases wherein the calendar year 2007 is the 15th year may be allowed to get their building plan approved and complete at least minimum required construction on their plots and apply for occupation certificate by 31.12.2008, on payment of prescribed extension fee.

You are requested to take further action accordingly.

-sd-

Administrative Officer,
for Chief Administrator, HUDA

Endst No.A-1-2007/ 23209-217

Dated: 02.07.2007

A copy of the above is forwarded to the following for information and necessary action.

1. The Engineer in Chief HUDA Panchkula.
2. The Chief Town Planner HUDA Panchkula
3. The Chief Controller of Finance HUDA Panchkula.
4. The L.R HUDA Panchkula.
5. The Secretary HUDA Panchkula.
6. The CVO & EO HUDA Panchkula.
7. Dy. ESA HUDA Panchkula.
8. Sr. Manager, IT HUDA Panchkula.
9. All the Assistants and record keepers of Urban Branch.

-sd-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officer, HUDA.

Memo No.A-1-2007/15857-78

Dated: 28.04.2007

Subject: Grant of **extension** in time limit for construction of **residential/commercial plots**-charging of extension fee thereof – **revised policy**.

This is in continuation of this office Memo No. A-1(P)/ 2007/ 3265-86 dated 29.01.2007 on the subject cited above.

It had been circulated that the rates of extension fee shall be circulated subsequently. Now, it has been decided that the existing rates of extension up to 13 years [beyond stipulated period of 2 years to be reckoned from the date of offer of possession] shall continue to be charged.

For the purpose of determining the rates of extension fee, all the Urban Estates have been divided into following four zones:-

Zone	Urban Estate
a) Hyper Potential Zone -	<u>Urban Estate Gurgaon.</u>
b) High Potential Zone -	Urban Estate Faridabad, Ballabhgarh Complex, Sonapat, Kundli, Multi functional Urban Complex, Panipat & Panchkula.
c) Medium Potential Zone -	Bahadurgarh, Hisar, Rewari, Dharuhera.
d) Low Potential Zone -	All other Urban Estates developed by HUDA.

The existing rates of extension fee for the total period 13 years are hereby reproduced as under:-

Residential plots :

Year in which the Plot falls after the expiry of the normal period of construction	High Potential Zone	Medium Potential Zone	Low Potential Zone	In case of plots up to 100 Sq.yds. (irrespective of zone).
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(Rates per Sq.mtr.)

1st Block

1 st year	20.00	15.00	10.00	6.00
2 nd year	20.00	15.00	10.00	6.00
3 rd year	20.00	15.00	10.00	6.00

2nd Block

4 th year	35.00	25.00	15.00	10.00
5 th year	35.00	25.00	15.00	10.00
6 th year	35.00	25.00	15.00	10.00

3rd Block

7 th year	50.00	35.00	20.00	15.00
8 th year	50.00	35.00	20.00	15.00
9 th year	50.00	35.00	20.00	15.00

4th Block

10 th year	75.00	50.00	30.00	20.00
11 th year	75.00	50.00	30.00	20.00
12 th year	75.00	50.00	30.00	20.00

5th Block

13th year	80.00	55.00	30.00	20.00
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14 th year	80.00	55.00	30.00	20.00
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15 th year	80.00	55.00	30.00	20.00
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6th Block

16 th year	85.00	60.00	35.00	20.00
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17 th year	85.00	60.00	35.00	20.00
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18 th year	85.00	60.00	35.00	20.00
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7th Block

19 th year	90.00	65.00	40.00	20.00
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20 th year	100.00	75.00	50.00	20.00
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Only, Urban Estate Gurgaon has been declared as Hyper Potential zone, w.e.f. Calendar year 2006. **The existing rates of extension for Gurgaon Urban Estate for the calendar year 2006 are Rs.150/- per Sq.mtr.**

For the Plot holder who have already availed the maximum period of 15 years from the date of offer of possession on or before the cut off date of 31.12.2006 and are required to complete the construction by 31.12.2007, they shall be charged the extension fee, in which block/year they fall as per table given here before. However, in case of plot holder who have availed maximum extension period of 20 years on or before 31.12.2006 and are required to complete the construction by 31.12.2007 shall be charged extension fee at the rates as applicable in the calendar year 2006.

Commercial plots:-

In respect of commercial sites up to 2 storey/more than 2 storey the rates for extension fee may be charged two times/three times of the rates of residential plots, respectively.

The other terms and conditions of extension policy as already circulated vide letter referred above shall remain the same.

The above instruction may be brought into the notice of all concerned/plot holders and due publicity be given at the local level.-

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Dated: 28.04.2007

Endst.No.A-1(P)-2007/15879-86

A copy of the above is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The L.R. HUDA, Panchkula.
5. The Secretary HUDA, Panchkula.
6. The CVO & EO, HUDA (HQ), Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
8. The Sr. Manager [I.T] HUDA [HQ]
9. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ),

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

TO BE SUBSTITUED WITH SAME NUMBER AND DATE

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No. A-I(P)-2007/3265-86

Dated:29.01.2007

Subject: Revised HUDA Extension Policy-Grant of extension in time limit for construction of residential/commercial plots, beyond stipulated period of 2 years – benefit to widows/women.

This is in super session of this office memo No. A-I(P)-2006/ 37368-389 dated 13.10.2006.

According to Regulation 17 of HUDA (Disposal of Land and Building) Regulations framed under HUDA Act 1977, a period of two year is given to every plot holder (to be reckoned from the date of offer of possession) for the construction of a house. There exists a provision to grant a further extension of maximum 13 years beyond the stipulated period of two years on payment of prescribed extension fee, as per policy guidelines circulated vide communication bearing No. A-I(P)-2006/37368-389 dated 13.10.2006, referred to above.

The above policy guidelines have been reviewed by the Authority in its 98th meeting held on 12.12.2006. It has been decided that hence-forth no extension shall be granted beyond 7 years [including the initial stipulated period of 2 years (2+5 years)] after offer of possession. This will make a total period of 7 years for construction. For those plots in respect of which the period of 7 years either has already been expired or shall expire on 31.12.2007, it has been decided that all such allottees who have already availed a period of 7 years on or before 31.12.2007, shall have to get the building plan sanctioned and complete at least minimum required construction on their plots and apply for occupation certificate by 31.12.2008, on payment of prescribed extension fee. **However, for those plots in respect of which their allottees that have already availed a period of 15 years or more by 31.12.2006, earlier decision circulated vide memo dated 13.10.2006 referred to above shall remain unchanged and they shall have to get their building plan approved by 31.12.2006 positively. Only those allottees that have got their building plan approved by 31.12.2006 shall be given one time extension up to 31.12.2007 to raise /complete at least minimum required construction on their plots and apply for occupation certificate by 31.12.2007, on payment of prescribed extension fee.**

For the remaining allottees that have not yet availed the maximum permissible period of 7 years, to be reckoned from the date of offer of possession, may avail the above maximum permissible extension of 7 years on payment of prescribed rates of extension fee.

Those allottees who fail to do so, their plots shall be resumed under the provisions of Section-17 of HUDA Act for violating the condition of sale by giving them appropriate notice and an opportunity of being heard in person.

The matter regarding giving benefit of waiver of extension fee to widows and rebate of 90% to women allottees has also been engaging the attention of Authority. It has also been decided as under:-

- (A) No extension fee shall be levied on residential plots owned exclusively by **widows**.
- (B) A rebate of 90% on the extension fee shall be given on residential plots owned exclusively by **Women**.

This Concession/relief shall be subject to the following conditions:-

- I) It will be made applicable with effect from 01.01.2006.
- II) This relief will be given only on those residential plots which are owned exclusively either by widows or by women. Residential plots jointly owned by a man along with a women/widow will not be eligible to gain the benefit of this policy.

III. Extension fee is charged for a calendar year. In case a property is transferred during the year and changed ownership is such that it is entitled for rebate under this policy than rebate proportionate to the period shall be given.

IV) The widow will have to produce documents to the satisfaction of Estate Officer HUDA in this regard.

You are requested to take further action accordingly. A wide publicity of the above policy may be carried out, amongst all allottees through individual communications, public notice in the leading newspapers as well as displaying the same on notice board of the office.

The receipt of this communication may be acknowledged on receipt.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1(P)-2007/3287-94

Dated: 29.01.2007

A copy of the above is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The L.R. HUDA, Panchkula.
5. The Secretary HUDA, Panchkula.
6. The CVO & EO, HUDA (HQ), Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
8. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ),

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.A-1(P)-2006/37368-389 Dated: 13.10.2006

Subject: Revised HUDA Extension Policy-Grant of extension in time limit for construction of **residential/commercial plots**, beyond stipulated period of 2 years.

This is in super session of this office memo No.4192-4213 dt. 09.02.2006 on the subject cited above.

According to Regulation 17 of HUDA (Disposal of Land and Building) Regulations framed under HUDA Act 1977, a period of two year is given to every plot holder (to be reckoned from the date of offer of possession) for the construction of a house. HUDA has formulated and circulated an extension policy whereby a further extension of 20 years beyond the stipulated period of two years was permissible on payment of prescribed extension fee.

The above policy guidelines have been reviewed. **It has been decided that hence fourth no extension shall be granted beyond 15 years including the initial stipulated period of 2 years (2+13 years) after offer of possession.** This will make a total period of 15 years for construction. For those plots in respect of which the period of 15 years either has already been expired or is now expiring on 31.12.06, it has been decided that all such allottees who have already availed a period of 15 years by 31.12.2006, as per this policy, shall have to get their building plan approved before 31.12.2006 positively. Only those allottees who get their building plan approved by 31.12.06 shall be given an one time extension upto 31.12.2007 to raise/complete atleast minimum required construction on their plots and apply for occupation certificate by 31.12.2007 on payment of prescribed extension fee, which shall be communicated separately.

Those allottees who fail to do so, their plots shall be resumed under the provisions of Section-17 of HUDA Act for violating the condition of sale by giving them appropriate notice and an opportunity of being heard in person. For the remaining alloottees who have not yet availed the maximum permissible period of 15 years, to be reckoned from the date of offer of possession, may avail maximum permissible extension, on payment of prescribed rates of extension fee, which are being communicated separately.

You are requested to take further action accordingly. A wide publicity of the above policy may be carried out, amongst all allottees through individual communications, **public notice** in the leading newspapers as well as displaying the same on notice board of the office. The receipt of this communication may be acknowledged on receipt.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Dated:13.10.2006

Endst.No.A-1(P)-2006/37390-399

A copy of the above is forwarded to the following for information and necessary action :-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
6. The Distt. Attorney, HUDA, Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
8. The PS/FCTCP and C.A, HUDA for kind information of FCTCP/Chief Administrator HUDA.
9. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
 2. All the Estate Officers/Asstt. Estate Officers, HUDA.
- Memo No.A-1-2006/4192-4213 Dated: 09.2.2006

Subject: Grant of **extension** in time limit for construction of **residential/commercial plots**- charging of extension fee thereof - **revised policy**.

This is in furtherance of HUDA HQ's memo No. A-1(P)-2004/37532 dt. 17.12.2004.

As per existing "Extension Policy", an extension of 19 years, ending on 31.12.05, over and above the 2 yrs. stipulated period, to be reckoned from the date of offer of possession was granted/permissible to all the allottees, to complete the houses The following rates of extension fee payable for seeking extension beyond the stipulated period of 2 years for that period were also decided & circulated.

Residential plots (above 3 Marla)

Year in which the plot fall after the expiry of the normal period of construction	High Potential Zone	Medium Potential Zone	Low Potential Zone
1st Block			
1 st year	20.00	15.00	10.00
2 nd year	20.00	15.00	10.00
3 rd year	20.00	15.00	10.00
2nd Block			
4 th year	35.00	25.00	15.00
5 th year	35.00	25.00	15.00
6 th year	35.00	25.00	15.00
3rd Block			
7 th year	50.00	35.00	20.00
8 th year	50.00	35.00	20.00
9 th year	50.00	35.00	20.00
4th Block			
10 th year	75.00	50.00	30.00
11 th year	75.00	50.00	30.00
12 th year	75.00	50.00	30.00
5th Block			
13 th year	80.00	55.00	30.00
14 th year	80.00	55.00	30.00
15 th year	80.00	55.00	30.00
6th Block			
16 th year	85.00	60.00	35.00
17 th year	85.00	60.00	35.00
18 th year	85.00	60.00	35.00
7th Block			
19 th year	90.00	65.00	40.00

Residential plots upto 3 marla (EWS category)

Year in which the plot falls after the expiry of the normal period of construction	Existing rates of extension fee
1st Block	
1st year	6.00
2nd year	6.00
3rd year	6.00
2nd Block	
4th year	10.00
5th year	10.00
6th year	10.00
3rd Block	
7th year	15.00
8th year	15.00
9th year	15.00
4th Block	
10th year	20.00
11th year	20.00
12th year	20.00
5th Block	
13th year	20.00
14th year	20.00
15th year	20.00
6th Block	
16th year	20.00
17th year	20.00
18th year	20.00
7th Block	
19th year	20.00

The matter has further been reviewed. It has been decided to grant an other one year's (for the calendar year 2006) to all the eligible allottees, who have already availed an extension of 19 years to complete the construction within this calendar year. For them, the 20th year shall be the 2nd year of the 7th block. It has also been decided to divide the Urban Estate into following four zones instead of existing 3 zones :-

- Hyper Potential Zone - Urban Estate Gurgaon.
- High Potential Zone - functional Urban Estate Faridabad/Ballabhgarh Complex, Sonapat, Kundli, Multi Urban Complex, Panipat & Panchkula.
- Medium Potential Zone - Urban Estate Bahadurgarh, Hisar, Rewari, Dharuhera.
- Low Potential Zone - All other Urban Estates developed by HUDA.

Further, the following shall be the rates of "extension fee" applicable for the calendar year 2006 payable by the allottee, who falls in the 2nd year of 7th block in the cases "wherein possession was made prior to 30.06.85."

For other cases, the year of 1987 shall be the BASE YEAR for determining of the block specific in which they fall.

- Hyper Potential Zone - Rs. 150/- per Sq.mtr.
- High Potential Zone - Rs. 100/- per Sq.mtr.
- Medium Potential Zone - Rs. 75/- per Sq.mtr.

d) Low Potential Zone - Rs. 50/- per Sq.mtr.

Commercial plots :-

The “extension fee” for commercial site shall be 2 times and 3 times (of the payable rates) for upto 2 storeys & 3 storeys respectively.

The other terms & conditions of existing “extension policy” shall however remain the same.

It has also been decided that for the calendar year 2007, and onwards, a detailed review of “HUDA Extension Policy” shall be carried out. The revised policy shall be made applicable w.e.f. 1.1.07 & land super cede the existing policy. Therefore the wide publicity of the existing policy may be carried out, amongst all allottees through individual communications as well through “Press insertions”.

The receipt of this communication may be acknowledged on receipt.

-sd-

Administrative Officer
for Chief Administrator, HUDA

Endst.No.A-1-2006/4192-4213

Dated: 09.02.2006

A copy of the above is forwarded to the following for information and necessary action :-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Distt. Attorney, HUDA, Panchkula.
6. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
8. The PS/FCTCP and CA, HUDA.
9. All the Assistants/Record Keepers of Urban Branch.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,

To

1. All the Administrator, HUDA.
2. All the Estate officers/Asstt. Estate Officers, in HUDA.

Memo NO. A-1-(P)2004/37532

Dated 17.12.2004

Subject: - Grant of extension in time limit for construction of **residential/commercial plots**- charging of extension fee thereof – **revised policy**.

This is in continuation of this office memo No.A-1(P)-2003/35832-52 dated 18.12.2002 on the subject cited above.

The matter has further been examined. It has been decided to grant another opportunity/further extension, of one year to the allottees, who have already availed 18 years extension, over and above the 2 years stipulated period, to be reckoned from the date of offer of possession, permissible to an allottee to complete the construction of house as per existing HUDA extension policy inforcement on or before 31.12.2004. This 19th year/calendar year 2005, shall fall in 7th block.

The extension policy was introduced in HUDA for the first time during the year 1987. Therefore, the year of 1987 is the BASE YEAR for the purpose of extension policy. Provided that in case of offer of possession made prior to 30.06.85, the year 1987 shall be construed as first year for the purpose of counting of extension period.

Thus, a total period of 19 years shall be allowed to all the allottees for the construction of houses after the expiry of normal period of 2 years from the date of offer of possession. This extension policy would be continuous one and would not expire at the end of any calendar year thereby giving equal opportunity of a minimum 19 years to all the allottees. All the Urban Estates have been divided into following three zones: -

Zone	Urban Estates
a) High Potential Zone	Gurgaon, Faridabad, Panchkula
b) Medium Potential Zone	Karnal, Panipat, Bahadurgarh
c) Low Potential Zone	Rest of the Urban Estates.

The rates of extension fee for the total period of 19 years, made applicable w.e.f. the calendar year 1999 are hereby given as under: -

Residential Plots

Year in which the plot falls after the expiry of the normal period of construction	High Potential Zone	Medium Potential Zone	Low Potential Zone

1st Block

1 st Year	20.00	15.00	10.00
2 nd Year	20.00	15.00	10.00
3 rd Year	20.00	15.00	10.00

2nd Block			
4 th year	35.00	25.00	15.00
5 th year	35.00	25.00	15.00
6 th year	35.00	25.00	15.00
3rd Block			
7 th year	50.00	35.00	20.00
8 th year	50.00	35.00	20.00
9 th year	50.00	35.00	20.00
4th Block			
10 th year	75.00	50.00	30.00
11 th year	75.00	50.00	30.00
12 th year	75.00	50.00	30.00
5th Block			
13 th year	80.00	55.00	30.00
14 th year	80.00	55.00	30.00
15 th year	80.00	55.00	30.00
6th Block			
16 th year	85.00	60.00	35.00
17 th year	85.00	60.00	35.00
18 th year	85.00	60.00	35.00
7th Block			
19 th year	90.00	65.00	40.00

There shall be no change in the rates of extension fee in respect of plots up to 100 Sq.yd. and the earlier rates ranging between Rs. 6/- per Sq. mtr. to Rs. 20/- per Sq. mtr. shall be made applicable circulated vide memo No. A-11-P/96/4155-66 dated 8.2.1996.

Commercial Plots:-

In respect of commercial sites upto 2 storyes/more than 2 storeys the rates of extension fee may be charged @ two times/three times of the rates of residential plots respectively.

The other terms and conditions of extension policy shall remain the same.

The above instructions may be brought into the notice of all concerned /plots holders and due publicity be given at the local level.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA,
Panchkula.

Dated 17.12.2004

Endst. No. A-1(P)-2002/37535

A copy of the above is forwarded to the following for information and necessary action.

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Engineer-in Chief/Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
7. The Dy. Economical & Statistical Advisor, HUDA, Panchkula.
8. The PS/TCPM/FCTCP and CA/HUDA.
9. All the Assistants/Record Keepers of Urban Branch.

From

The Chief Administrator,
Haryana Urban Development Authority,

To

1. All the Administrator, HUDA.
2. All the Estate officers/Asstt. Estate Officers, in HUDA.

Memo NO. A-1-99/10772-792

Dated 30.04.2003

Subject: - Regarding amendment in the Extension Policy – clarification for constructed house.

This is in continuation of this office memo. No. A-1-(P)-2002/35832-52 dated 18.12.2002 on the subject cited above.

As per existing policy, if an allottee has completed the construction before 31st December & applied for occupation certificate in the same calendar year, then no further extension fee is charged. If the allottee applied for obtaining occupation certificate in the next year, the extension fee for the whole year is charged even if he has completed the house in January and applied for occupation certificate during the month of January of the next year or so. The matter has been reviewed for grant of benefit to the allottees to deposit the extension fee on quarter or half yearly basis. The matter was placed before the Authority in its 87th meeting held on 27.03.2003 vide agenda item No-A-87(6) for consideration and decision. The Authority has decided to charge the extension fee upto the quarter in which he has constructed the house and applied for completion certificate to the concerned EO, For example, if an allottee construct the house between Jan and March and applies for completion certificate at the end of March, extension fee for the first quarter will be charged proportionately. However, 10% rebate on extension fee as is being allowed, shall be made applicable in case the full extension fee is paid during the first quarter only.

You are requested to take further action accordingly and these instructions may be brought into the notice of all concerned/ plot holders and due publicity be given at local level. The policy shall be made applicable w.e.f. this calendar year.

-sd/-

Administrative Officer,
for Chief Administrator HUDA

Dated:-30.04.2003

Endst No. A-1(P)-2003/10793-10809

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Engineer –in-Chief /Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Office-cum-Enforcement Officer, HUDA Panchkula.
7. Dy. Economical & Statistical Advisor, HUDA (HQ), Panchkula.
8. The PS/TCPM/FCTCP and CA, HUDA.
9. All the Assistants/Record Keepers, Urban Branch.

-sd/-

Administrative Officer,
for Chief Administrator HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo NO. A-1(P)-2002/35832-52 Dated:- 18/12/2002

Subject:-Grant of extension in time limit for construction of **residential/commercial plots**- charging of extension fee thereof – **revised policy**.

This is in continuation of this memo No. A-1-2001/32942 dated 28.12.2001 on the subject cited above.

The matter has been re-examined for grant of further extension to such allottees, whose extension period expires/expired on or before 31.12.2002 and also for revision of rates of extension fee for all the categories of the allottees. After deliberation, the matter was placed before the Authority in its 86th meeting held on 13.11.2002 vide agenda item No. A-86(8) for consideration and decision. The Authority has approved the extension period for 17th and 18th year in respect of residential plots/commercial plots beyond the normal construction period to be availed by the allottees on the following terms and conditions:-

1. The extension policy was introduced in HUDA for the first time during the year 1987. Therefore, the year of 1987 is the BASE YEAR for the purpose of extension policy. Provided that in case of offer of possession made prior to 30.06.85 the year 1987 shall be construed as first year for the purposes of counting of extension period.
2. A period of 18 years has been allowed to all the allottees for the construction of houses after the expiry of normal period of 2 years from the date of offer of possession. Thus the extension policy would be continuous one and would not expire at the end of any calendar year thereby giving equal opportunity of maximum 18 years extension to all the allottees.
3. The rates of extension fee for the period of 18 years w.e.f. the calendar year 1999 are given as under:-

	Zone	Urban Estate
a)	High Potential Zone	Gurgaon, Faridabad, Panchkula
b)	Medium Potential Zone	Karnal, Panipat, Bahadurgarh
c)	Low Potential Zone	Rest of the Urban Estates.

Residential plots:-**Rates in Rs. sq.mter**

Year in which the plots falls after the expiry of the normal period of construction	High Potential Zone	Medium Potential Zone	Low Potential Zone
1st Block			
1 st year	20.00	15.00	10.00
2 nd Year	20.00	15.00	10.00
3 rd Year	20.00	15.00	10.00
2nd Block			
4 th year	35.00	25.00	15.00
5 th Year	35.00	25.00	15.00
6 th Year	35.00	25.00	15.00
3rd Block			
7 th year	50.00	35.00	20.00
8 th Year	50.00	35.00	20.00
9 th Year	50.00	35.00	20.00
4th Block			
10 th Year	75.00	50.00	30.00
11 th Year	75.00	50.00	30.00
12 th Year	75.00	50.00	30.00
5th Block			
13 th Year	80.00	55.00	30.00
14 th Year	80.00	55.00	30.00
15 th Year	80.00	55.00	30.00
6th Block			
16 th Year	85.00	60.00	35.00
17 th Year	85.00	60.00	35.00
18 th Year	85.00	60.00	35.00

4. There shall be no change in the rates of extension fee in respect of plots upto 100 Sq. yd. and the earlier rates shall be made applicable as approved by the Authority in its 72nd meeting held on 19.11.1997.

Commercial Plots

In respect of commercial sites upto 2 storeys/more than 2 storeys the rates for extension fee may be charged @ two times/ three times of the rates of residential plots respectively.

The other terms and conditions of extension policy shall remain the same.

The above instructions may be brought into the notice of all concerned/plot holders and due publicity be given at the local level. The above policy shall be made applicable w.e.f. 01.01.2003 in respect of 17th and 18th year.

-sd/-

Administrative Officer,
for Chief Administrator HUDA

Dated:-18/12/2002

Endst No. A-1(P)-2002/35853-64

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Engineer –in-Chief /Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Office-cum-Enforcement Officer, HUDA Panchkula.
7. Dy. Economical & Statistical Advisor, HUDA (HQ), Panchkula.
8. The PS/TCPM/FCTCP and CA, HUDA.
9. All the Assistants/Record Keepers, Urban Branch.

-sd/-

Administrative Officer,
for Chief Administrator HUDA

From

The Chief Administrator,
HUDA, Sector – 6, Panchkula.

To

1. All the Estate Officers, HUDA.
2. All the Asstt. Estate Officers, HUDA.

Memo NO. A-1(P)-2002/25149-69 Dated:- 16/09/2002

Subject:- Grant of **extension** for construction of **residential & commercial plots**- Charging extension fee thereof
- clarification.

Your Kind attention is invited towards this office memo No. A-1-2001/32942 dated 28.12.2001 vide which instructions to grant extension in time limit for the construction of residential plots upto 31.12.2002 by charging extension fee was circulated. It has been observed that despite extension given, many allottees have not constructed their houses and the speculators are keeping plots vacant in the hope of endless profiteering.

You are accordingly requested to issue notices to all such allottees in whose cases 16th year of extension is going to expire on 31.12.2002 and who have not constructed their houses to complete the construction before 31.12.2002 and make it clear to them that construction of the houses as per existing policy is required to be completed by 31.12.2002. It may also be made clear to them that in those cases, who do not complete their houses by 31.12.2002, resumption proceeding under Section -17 of HUDA Act would be initiated against them immediately after 31.12.2002. The notices on these lines should be sent to all the allottees, who have not constructed their houses so far within 7 days positively and compliance report be sent to the Head Quarters at the earliest.

-sd/-
Administrative Officer,
for Chief Administrator HUDA
Dated:-16/09/2002

Endst No. A-1(P)-2002/25170-73

A copy of the above is forwarded to the all the Administrators, HUDA. They are requested to ensure that notices to all such allottees have been sent within the period as stipulated above.

-sd/-
Administrative Officer,
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector – 6, Panchkula.

To

1. All the Administrator, HUDA.
 2. All the Estate officers/Asstt. Estate Officers, HUDA.
- Memo NO. A-1(P)-2002/16787- 16808

Dated 10/07/2002

Subject:- Grant of **extension** in time limit for construction of **institutional sites**- charging of extension fee thereof – **revised policy**.

This is continuation of memo No. A-1-99/11199-219 dated 02.04.1999.

The Authority in its meeting held on 30.09.1999 had decided to allow extension in time limit for construction of institutional sites of maximum 3 years to the institution/trust to complete the construction. This was made applicable from the calendar year 1999 and expired on 31.12.2001. Generally in all types of allotment of institution sites two years time period is given for construction of plots from the date of offer of possession. But in case of institutional sites allotted in Sector 32 & 44, Gurgaon, 5 years time period have been given for the construction from the date of offer of possession. The matter has been considered and examined and was placed before the Authority in its 85th meeting held on 26.06.2002 vide Agenda Item No. A- 85(14) for consideration and decision. The Authority has decided that in all cases of institutional sites allotment, three years extension period may be given after the expiry of normal period given in the allotment letter as per existing policy and where no construction comities have been started by the allottee, even after giving three years extension, the Estate Officer may be directed to initiate resumption proceeding against such allottees U/S-17 of HUDA Act and who have got approved the building plans and have started the constructions, they may be given six months time period to complete the constructions by charging extension fee at the prevalent rate, failing which the site may be resumed.

You are therefore, requested to take further action accordingly and follow –up action taken in the matter mayh be intimated to this office immediately.

-sd/-
Administrative Officer,
for Chief Administrator HUDA

Endst No. A-1(P)-2002/16809-24

Dated:-10/07/2002

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Engineer/Addl. Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. Dy. Economical & Statistical Advisor, HUDA (HQ), Panchkula.
7. All the Assistants/Record Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator HUDA

Extract of proceeding of 85th meeting of Haryana Urban Development Authority held on 26.6.2002 at 3.00 P.M. under the Chairmanship of Sh. Dhir Pal Singh, Hon'ble Minister Town & Country Planning Department/Chairman of the Authority in Committee Room, 4th Floor, Haryana Civil Secretariat, Chandigarh.

Item No. A-85(14)

Grant of extension in time limit for construction of institutional sites – Charging of extension fee thereof.

Approved as proposed However, after detailed discussions, it was decided that after the expiry of normal time as mentioned in the allotment letter for construction of institutional sites in Sector 32 & 44 (normal period 5 years) further three years time on payment of extension fee as per existing policy be also allowed.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector – 6, Panchkula.

To

1. All the Administrator, in HUDA.
2. All the Estate officers/Asstt. Estate Officers, in HUDA.

Memo NO. A-1-2001/32942

Dated 28/12/2001

Subject:- Grant of **extension** for construction of building on **residential plots- revised policy**.

In continuation of this office policy circulated vide circular No. A-11P-98/18862-82 dated 14/7/1998 on the subject cited above.

This extension period for the construction of residential houses for the earlier allottees for the 15th year is going to expire on 31st December, 2001. The matter has been re-examined for the grant of further extension as such allottees, whose extension period is expiring on 31/12/2001. After careful review of the whole matter, the matter was placed in the Authority meeting held on 6/12/2001 and the Authority has approved the extension period for the residential houses for the 16th year i.e. upto December, 2002 and the renewal rate of Rs. 85/60/35 in the high, medium, low residential zones respectively. The other terms & conditions earlier policy in the respect of residential plots will be the same the above instructions should be brought be given at the local level.

-sd/-

Administrative Officer,
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector – 6, Panchkula.

To

1. All the Administrator, in HUDA.
2. All the Estate officers/Asstt. Estate Officers, in HUDA.

Memo NO. A-1-99/33652-72

Dated 05-11-1999

Subject:-Policy regarding charging of **extension** fees in various Urban Estates of HUDA – **surcharge/ rebate for residential & commercial.**

Please refer to the subject cited above.

The Authority in its 76th meeting held on 10/09/99 has approved to charge the surcharge on the delayed payment of extension fees as follows:-

1.	In case the extension fees is paid within the Ist quarter of the calendar year in which it becomes due i.e. if the extension fees of the calendar year 1999 is paid upto 31/3/1999.	Rebate of 10% may be given in the existing rate of extension fees.
2.	In case the extension fees is paid within the 2 nd quarter to 4 th quarter of the calendar year in which it becomes due.	Normal extension fees may be charged.
3.	In case the extension fees is paid beyond the expiry of the calendar year.	Surcharge @ 10%P.A. compounded may be charged.

It has also been decided that this policy may be advertised in the newspapers and an opportunity may be given to all the plot holders to pay the outstanding extension fee within a period of 3 months which may be accepted without any surcharge. However, in case the extension fee is not paid within the prescribed period of 3 months surcharge may be levied prospectively @10% p.a.

These instructions may be followed strictly and brought to the notice of each allottee.

DA/As above.

-sd/-

Administrative Officer,
for Chief Administrator HUDA.

From

The Chief Administrator
Haryana Urban Development Authority,
Panchkula.

To,

1. All the Administrator (S),
Haryana Urban Development Authority
2. All the Estate officer (S)/ Asstt. Estate Officer (S)
Haryana Urban Development Authority,

Memo. No. A-1-99 / 11199-219

Dated 02-04-99

Subject: Grant of extension in time for construction of **institutional sites**- charging of extension fee thereof – **introduction of policy.**

The Institutional sites are allotted to social /charitable trust/religious institutions/philanthropic Institutional/ trust and govt. Deptt./Board and corporations on concessional rates. The institutions are required to complete the construction upon the plot within a period of 2 years, from the date of offer of possession. The matter has been engaging the attention of HUDA for quite some time for charging extension fee in case of Institutional site various institutions/ trusts which were allotted land in various urban estates have not carried out the construction despite the fact that there is an explicit condition of completing construction within 2 years of offer of proceession. The matter has been considered and it has been decided that a maximum period of three years of extension may be allowed to the institutions/ trusts to complete the construction. This would mean that institutional sites shall have to be constructed within a period of 5 years from the date of offer of proceession (including two years without any extension fee as expressly mentioned in the term and condition of allotment) for the Institution may be categorized as under:-

- 1) Social /Charitable trust/Religious institutions /Philanthropic institutions/Trusts.
- 2) The institutions other than the ones mentioned at point No. 1 including Educational Institutions.

For the Purpose of the determining the rates of extensions fee, various Urban Estate have been grouped in to following Zones:-

Sr. No.	Zone	Urban Estate
1.	High Potential	Gurgaon, Faridabad, Panchkula
2.	Medium Potential	Karnal, Panipat, Bahadurgarh.
3.	Low Potential	Rest of the Urban Estate.

The extension fee of the institutions applicable in various Zones shall be as under:-

Sr. No.	Zone	Social/Religious (Rates in per Sq. mtr.)		Others
1.	High Potential	1 st Year	Rs. 5.00	Rs. 10.00
		2 nd Year	Rs. 8.00	Rs. 15.00
		3 rd Year	Rs. 10.00	Rs. 20.00
2.	Medium Potential	1 st Year	Rs. 3.00	Rs. 8.00
		2 nd Year	Rs. 5.00	Rs. 10.00
		3 rd Year	Rs. 8.00	Rs. 15.00
3.	Low Potential	1 st Year	Rs. 2.00	Rs. 5.00
		2 nd Year	Rs. 3.00	Rs. 8.00
		3 rd Year	Rs. 5.00	Rs. 10.00

The Instructions should be brought to the notice of all concerned/plot holders and due publicity be given at the local level.

The above policy shall be applicable w.e.f. 1/1/99. This is an anticipation of the approval of the authority.

-sd/-
Administrative Authority
For Chief Administrator, HUDA.

Endst. No. A-1-99/11220-40

Date: 02.04.99

A copy is forwarded to the following for information and necessary action:-

1. The chief Engineer. HUDA, Panchkula
2. The Chief Town Planner. HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary HUDA, Panchkula.
5. The Distt. Attorney, HUDA, Panchkula.
6. The PS/TCPM, CTCP and CA, HUDA.
7. The Asstt. Research Officer, HUDA, (HQ) Panchkula.
8. All the Asstt. /Record Keepers of Urban Branch.

-sd/-
Administrative Officer
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To,

1. All the Administrator ,HUDA
2. All the Estate Officer/Asstt. Estate Officers, HUDA

Memo No. A-11P-98/8862-82

Dated:-14-7-1998

Subject: - Grant of extension in time for construction of residential/ commercial plots- charging of extension fee thereof – revised policy.

Your attentions invited towards this office memo no. A-11P-97/39001-26 dated 1-12-97 with which instructions to grant extension in the construction of residential and commercial site /plots beyond the normal construction period by charging extension for upto 31.12.98 were circulated. It was made clear that no further extension beyond 31.12.98 shall be allowed.

The matter has been re-examined for grant of further extension to such allottees whose extension period expires/expired on or before 31.12.98 and also for revision of rates of extension fee for all categories of allottees. After careful review of the whole matter, it was placed before the cabinet subcommittee in its meeting held on 24.6.98 consideration and decision . it has been decided that the extension beyond the normal construction period be allowed to be availed by the allottees on the following:-

- 1) The extension policy was introduced in HUDA for the first time during the year 1987. Therefore, the year of 1987 may be considered as BASE YEAR for the purpose of extension policy.

Provided that in case of offer of possession made prior to 30.06.85 , the year 1987 shall be construed as first year for the purpose of counting of extension period of 15 years.

- 2) a period of 15 years may be allowed to all the allottees for the construction of houses after the expiry of normal period of 2 years from the date of offer of possession. Thus the new extension policy would be a continuous one and be would not expire at the end of any calendar year thereby giving equal opportunity of maximum 15 years to all the allottees.

The rates of extension free for period of 15 years w.e.f. the calendar year 1999 are given as under :-

ZONE

High Potential zone

Medium Potential zone

Low Potential zone

URBAN ESTATES

Gurgoan, Faridabad, Panchkula

Karnal, Panipat, Bahadurgarh.

Rest of the Urban Estates.

Residential Plots :**Rates per Sq.Mtr.**

Year in which the plots falls after the expiry of normal period of construction			
1 st block	High Potential zone	Medium Potential zone	Low Potential zone
1 st year	20.00	15.00	10.00
2 nd year	20.00	15.00	10.00
3 rd year	20.00	15.00	10.00
2 nd block			
4 th year	35.00	25.00	15.00
5 th year	35.00	25.00	15.00
6 th year	35.00	25.00	15.00
3 rd block			
7 th year	50.00	35.00	20.00
8 th year	50.00	35.00	20.00
9 th year	50.00	35.00	20.00
4 th block			
10 th year	75.00	50.00	30.00
11 th year	75.00	50.00	30.00
12 th year	75.00	50.00	30.00
5 th block			
13 th year	80.00	55.00	30.00
14 th year	80.00	55.00	30.00
15 th year	80.00	55.00	30.00

Commercial Plots:-

In respect of commercial sites upto 2 storeys/more than 2 storeys the rates for extension fee may be charged @two times/@ three times of the above said rates of residential plots respectively.

- a) There shall be no change in the rates of extension fee in respect of plots upto 100 Sq. Yds. and the same rate shall be applicable as approved by the Authority in the 72nd meeting held on 19/11/97.
- 3) The other terms and conditions of extension policy shall remain the same.

The instructions should be brought to the notice of all concerned /plot holders and due publicity be given at the local level.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

Dated 14-07-1998

Endst No. A-11-P-98/18883-901

A copy is forwarded to the following for information and necessary action:-

1. Chief Engineer, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance HUDA, Panchkula.
4. Secretary ,HUDA, Panchkula.
5. District Attorney , HUDA,Panchkula.
6. PS/TCPM,CTCP and CA/HUDA.
7. Asstt. Research Officer, HUDA, Panchkula.
8. All Asstt/Record Keeper of Urban Branch.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To,

1. All the Administrator ,HUDA
2. All the Estate Officer/Asstt. Estate Officers, HUDA

Memo No. A-11-P-97/39001-22 Dated:-1-12-1997

Subject: - Grant of extension in time for construction of **residential/ commercial plots-** charging of extension fee thereof – **revised policy.**

Your attention is invited to this office Memo No. A-11-P-96/4145-66 dated 8.2.96 vide which instruction to grant extension in the construction of residential/commercial sites/plots beyond the normal construction period by charging extension fee upto 31.12.97 were circulated.

The matter has been re-examined for grant of further extension to such allottees, whose extension period expires/expired on or before 31.12.97 and also for revision of rates of extension fee for all categories of allottees. After careful review of the whole matter, the matter was placed before the authority in this 72nd meeting on 19.11.97 for consideration and decision. It has been decided that the extension beyond the normal construction period be allowed to be availed by the allottees on the following:-

RESIDENTIONAL PLOTS:-

1. The allottees may be allowed to avail further extension of one year beyond 31.12.97 i.e upto 31.12.98.
2. After giving the benefit of another one year extension beyond 31.12.97 the total extension period in which a particular period plot is placed will range from 1 to 12 years. It has been decided that this period of 12 years be categorized in four blocks commencing from the base year 1987 for the purpose of charging extension fee.

Different rates of extension fee shall be charged in urban estates keeping in view the potentials, HUDA Sectors have been divided into following three categories:-

	ZONE	URBAN ESTATES
A.	High Potential zone	Gurgoan ,Faridabad,Panchkula
B.	Medium Potential zone	Karnal, Panipat, Bahadurgarh.
C.	Low Potential zone	Rest of the UrbanEstates.

The revised rates of extension fee shall be under:-

Year in which the plots falls after the expiry of normal period of construction	Present rates of extension fee.	proposed rates of Extension fee		
		High Potential zone	Medium Potential zone	Low Potential zone
1st block				
1 st year	6.00	20.00	15.00	10.00
2 nd year	6.00	20.00	15.00	10.00
3 rd year	6.00	20.00	15.00	10.00
2nd block				
4 th year	10.00	35.00	25.00	15.00
5 th year	10.00	35.00	25.00	15.00
6 th year	10.00	35.00	25.00	15.00
3rd block				
7 th year	15.00	50.00	35.00	20.00
8 th year	15.00	50.00	35.00	20.00
9 th year	15.00	50.00	35.00	20.00
4th block				
10 th year	20.00	75.00	50.00	30.00
11 th year	20.00	75.00	50.00	30.00
12 th year	20.00	75.00	50.00	30.00

The exiting rates may be made applicable for plots upto 100 sq. Yards in all the urban Estates and increased rates may not be charged from these plots.

In the case of plots, where normal period of construction expired period to 1987, the year of 1987 will be considered as the first year for the purpose of charging the extension fee, as the policy extension fee was made applicable from the year 1987. The extension policy may further be made applicable subject to the following conditions:-

- I) For the extension of time to be allowed upto 31.12.97 the rates of extension fee may be charged as per existing policy. The new proposed rates may be made effective from calendar year 1998.
- II) No extension period beyond 31.12.98 may be allowed to any category of allottees under the extension policy until and unless it is further relaxed.

It has further been decided that provisional occupation certificate may be issued in case where one habitable room, a kitchen and a toilet is constructed with minimum of 25 % of the covered area permissible on the ground floor, This will be, however applicable w.e.f 1.1.1988.

Commercial Plots:-

The extension of the construction period in respect of commercial plots has also decided to be allowed for another one year, on the analogy of the residential plots, beyond 31.12.97 on the following rates:-

- I) For commercial plots upto two storeys 2 time of rates of extension fee of residential plot.
- II) For commercial plots of more than two storey 3 time of the rates of extension fee of residential plots.

The other terms and conditions for the purpose of allowing extension in case of commercial plots will also remain the same as in the case of residential plots.

The instructions should be brought to the notice of all concerned /plot holders and due publicity be given at the local level.

The above policy shall be applicable with effect from 1.1.1998.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst No. A-11-P-97/39023-26

Dated 1-12-1997

A copy is forwarded to the following for information and necessary action:-

1. Chief Controller of Finance HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Secretary, HUDA, Panchkula.
4. District Attorney , HUDA, Panchkula.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

DATE BOUND
MOST URGENT

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6 Panchkula.

To

1. All the Estate Officers, HUDA.
2. All the Asstt Estate Officers in HUDA.

Memo No . A-11P-96/33243-59 Dated 07-10-1997

Sub: Grant of **extension** in time for construction of **residential/ commercial plots**- charging of extension fee thereof - **Clarification**.

Your Kind attention is invited towards this office memo No. A-11P-96/4145-66 dated 8/02/96 vide which instructions to grant extension in time limit for the construction of residential /commercial sites /plots up to 31/12/97 beyond to normal construction period by charging extension fee, were circulated . It has been observed that despite extension many allottees have not constructed houses and the speculare are keeping plots vacant in the hope of endless profiteer.

You are accordingly requested to issue letters to all the allottees intimating them regarding the provision of extension policy dated 8/02/96 and make it clear to them the construction of the houses as per existing policy is required to be completed by 31/12/97, where the normal construction period is expiring on or before 31/12/97. It may also be made clear to them that in those cases, who do not complete their house 31/12/97., resumption proceed U/S 17 of HUDA Act would be initiated against them immediately after 31/12/97. The notices on these lines should be sent to all the allottees. , who have not constructed their houses so far with in 7 days positively and compliances report be to the Headquarter at the earliest.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA
Dated : 07.10.1997

Endst. No A -11 P-97/ 33260-63

A copy is forwarded to all the Administrator, HUDA They are requested to ensure that notices to all such allottees have been sent with in period as stipulated above.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, C-3, Sec-6, Panchkula.

To

1. All the Administrator,
2. All the Estate Officers/ Asstt. Estate Officers, HUDA.

MemoNo.A-11P-96/4145-66

Dated 08-2-1996

Subject: -Grant of **extension** in time for construction of **residential/ commercial plots**- charging of extension fee thereof – **revised policy**.

Your attention is invited towards this office memo no. A-11-94/116 dated 03.01.94 vide which instructions to grant extension in the construction of residential/ commercial sites, plots beyond the normal constructions period by charging extension fee were circulated. According to which, allottees in whose cases the normal constructions period had expired during or before 1987 were to be allowed extension upto 31.12.95 only.

The matter has been re-examined for grant of further extension to such allottees whose extension period is expired or before 31.12.95 and also for revision of rates of extension fee for all categories of allottees. After careful review of the whole matter it has been decided that the extension beyond the normal constructions period be allowed to be availed by the allottees on the following terms and conditions:-

For residential plots:-

1. The allottees may be allowed to avail further extension of two year beyond 31.12.95 i.e. upto 31.12.1997.
2. After giving the benefit of another two years, extension beyond 31.12.95 the total extension period in which a particular plot is placed will range from 1 to 11 years. It has been decided that this period of 11 years be categorized in four blocks for the purpose of charging extension fee as per details given under:-

Year in which the plot falls after the expiry of the normal period of constructions	Existing rates of extension fee per Sq. mtr.	Proposed rates of extension fee per Sq.
1 st block 1 st year 2 nd year 3 rd year	Rs. 6.00 Rs. 6.00 Rs. 6.00	Rs.6.00 Rs. 6.00 Rs. 6.00
2nd block 4th year 5th year 6thyear	Rs. 10.00 Rs. 10.00 Rs. 10.00	Rs. 10.00 Rs. 10.00 Rs. 10.00
3rd block 7th year 8th year 9th year	Rs.15.00 Rs. 15.00 Rs. 15.00	Rs.15.00 Rs. 15.00 Rs. 15.00
4th block 10th year 11th year	- -	Rs. 20.00 Rs. 20.00

In the case of plots where normal period of constructions expired prior to 1987 the year of 1987 will be considered as the year for the purpose of charging of the extension fee as the policy extension fee was made applicable from the year 1987. The extension policy may further be made applicable subject to the following conditions:-

- (I) For the extension of time to be allowed up to 31.12.95 the rates of extension fee may be charged as per the existing policy. The new proposed rates may be made effective from calendar year 1996.
- (II) No extension beyond 31.12.97 may be allowed to any category of allottee under the extension policy until and unless it is further relaxed.

For Commercial Plots:-

The extension of the construction period in respect of commercial plots has been decided to be allowed for another two years, on the analogy of the residential plots, beyond 31.12.95 on the following rates:-

- I. For commercial plots upto two storey. 2 times of the rates of extension fee of residential plot
- II. For commercial plots more than two storey. 3 times of the rates of extension fee of residential plot.

The other terms and conditions for the purpose of allowing extension in case of commercial plots will also remain the same as in the case of residential plots.

The instructions should be brought to the notice of all concerned / plot holders and publicity be given at the local level.

The above decision is in anticipation of approval of the Authority.

-sd/-
Administrative officer,
For Chief Administrator, HUDA.

Endst No. A-11P-96 4167-71

Dated: 8/2/1996

A copy is forwarded to the following for information and necessary action:-

1. Legal Remembrancer, HUDA, Panchkula.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Chief Town Planner, HUDA, Panchkula.
4. Secretary, Huda, Panchkula.
5. Dy. ESA, HUDA, Panchkula. He is requested to get the extension policy also as a news item in the press.

-sd/-
Administrative officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT) Chandigarh.

To

All the Administrators/Estate Officers/
Assistant Estate Officers, HUDA
in the State.

Memo No. A-11P-94/116

Dated 03.01.1994

Sub: Grant of **extension** in time for construction of **residential/commercial plots**- charging of extension fee thereof – **revised policy**.

Instructions to grant extension in the construction of residential/commercial plots beyond the normal construction periods by charging extension fee were communicated by this office vide letter no. A-11-91/23272 dated 11.11.1991. As per existing instructions, allottees in whose cases the normal construction period had expired during or before 1987 were to be allowed extension upto 31.12.1993 only. The matter has been re-examined for grant of further extension to such allottees, whose extension period expires/expired on or before 31.12.1993 and also for revision of rates of extension fee for all categories of allottees. After careful review of the whole matter, it has been decided that the extension beyond the normal construction period be allowed to be availed by the allottees on the following terms & conditions : -

FOR RESIDENTIAL PLOTS:

The allottees may be allowed to avail further extension of two years beyond 31.12.1993 i.e upto 31.12.1995.

After giving the benefit of another two years extension beyond 31.12.1993, the total extension period in which a particular plot is placed will range from 1 to 9 years. It has been decided that this period of 9 years be categorized in three blocks, of three years each, for the purpose of charging extension fee as per details is given hereunder: -

Year in which the plot Falls after the expiry of the normal period of construction	Existing rates per sq. mtr.	New Rates per sq. mtr.
1st BLOCK		
1st year	Rs. 1.50	Rs. 6.00
2nd Year	Rs. 3.00	Rs. 6.00
3 rd Year	Rs. 6.00	Rs. 6.00
2nd BLOCK		
4 th year	Rs. 8.00	Rs. 10.00
5 th year	Rs. 10.00	Rs. 10.00
6 th year	Rs. 10.00	Rs. 10.00
3rd BLOCK		
7 th year	Rs. 10.00	Rs. 15.00
8 th year	-	Rs. 15.00
9 th year	-	Rs. 15.00

It is further clarified that the year 1987 is reckoned as the base year (First year) for the purpose of charging of extension fee in respect of allottees, whose normal construction period had expired during 1987. In the case of plots, wherein normal period of construction expired prior to 1987, the year 1987 will be taken as the first year for the purpose of charging of extension fee, as the extension policy was made applicable during the year 1987 only. For other categories of allottees whose normal construction period expired after 1987, first year will be reckoned from the respective year in which the normal construction period expired:

- 1 For extensions allowed /to be allowed upto 31.12.1993, the rates of extension fee be charged as per earlier policy circulated vide letter no. A-11P-91 4917 dated 7.03.1991 and No. A-11p-91/23272 Dated 11.11.1991 effect from calendar year 1994.
2. No extension to any category of allottee be allowed beyond 31.12.1995 under this policy.

FOR COMMERCIAL PLOTS;

The extension of the construction period in respect of commercial plots has been decided to be allowed for another two years, on the analogy of the residential plots beyond 31.12.1993 on the following rates:-

For commercial plots :

- i) Upto 2 storeys. 2 times of the rates of Extension Fee of residential plots.
- ii) More than 2 storeys 3 times of the rates of extension fee of residential plot.

The other terms & conditions and the manner in which the placement of each plot will be reckoned in the respective block will remain the same as in the case of residential plots.

These instructions should be brought to the notice of all concerned/plot-holders and due publicity be given at the local level.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst . No. A-11P-94/117

Dated 03.01.1994

A copy is forwarded to the following for information and necessary action:-

1. Legal Remembrance, HUDA, Manimajra.
2. Chief Controller of Finance, HUDA, Manimajra.
3. Chief Town Planner, HUDA, Panchkula.
4. Secretary, HUDA, Manimajra.
5. Dy. ESA, HUDA, Manimajra.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh.

To

The All Estate Officers/Asstt.Estate Officers,
Haryana Urban Development Authority,
(in the State).

Memo No . A -11 –P-91/23272

Dated -11-11-1991

Subject: - Grant of extension in time for construction of **residential/ commercial plots-** charging of extension fee thereof- **revised policy.**

I am directed to address you on the subject noted above and to inform you in continuation of the instructions issued vide this office memo no. A-11- P- 01/ 4917 dated 07.03.1991 that the Authority in its 51st meeting held on 9.10.91 had decided that a further period of two years will be allowed for construction on payment of extension fee as under :-

FOR RESIDENTIAL PLOTS: In the case of residential plots at the existing rate of Rs . 10/- per sq. mt for next 2 years

FOR COMMERCIAL PLOTS: In the case of commercial plots, the rates will be Rs 20./per sq. mt up to two storeys and will Rs 30./- per sq. mt for more than two storeys sites.

These instructions should be brought to the notice of all concerned /plot holders and due publicity be given at local level.

Kindly acknowledge its receipt

-sd/-

For Chief Administrator,
HUDA, Manimajra.

C.C. to:

1. All Administrators in HUDA.
2. Chief Controller of Finance , HUDA,
- 3 Secretary , HUDA.
4. Deputy E.S.A, HUDA.
5. PA/CA for the information of CA HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Mani Majra (UT) , Chandigarh.

To

1. All the Estate Officers,
Haryana Urban Development Authority,
(In the State)
2. All the Assistant /Estate Officers,
Haryana Urban Development Authority.
(In the State)

Memo No . A-11-P-91/ 4917

Dated 07-3-1991

Subject: Grant of **extension** in time for construction of **residential/ commercial plots**- charging of extension fee thereof - **clarification of policy**.

I am directed to address you on the /subject noted above and to inform you in continuation of the instructions issued vide this office letter no. A-11 –P-89/32847-61 dated 30.11.89 and A-11-P-90/1814-35 dated 29.01.90 in old cases Extension fee whereas no such period of extension has been allowed in the new cases. Therefore, it has been decided that in order to adopt a uniform policy in all old and new cases, 5 years extension @ Rs.1.50 Rs.3.00. Rs .6.00, Rs .8.00 and Rs .10.00 from the date when normal period of two years for constructions after offer of possession expires should be given so that there, should be no discrimination between the old allottees and new allottees.

Similarly, full five years extension is also applicable in the cases of those plot holders who have been allotted plots under the Discretionary quota of the Govt. making good the period lost in litigation.

Kindly acknowledge its receipt.

-sd/-

Chief Administrator, HUDA,
for ManiMajra (UT) Chandigarh.

From

The Chief Administrator,
Haryana Urban Development Authority,

To

All the Estate Officers/Assistant Estate Officer
Haryana Urban Development Authority.

Memo No. A-11-P-90/1814-27

Dated: 29.01.1990

Subject: Grant of **extension** in time for construction of **residential/commercial plots**- charging of extension fee thereof - **clarification of policy**.

In the meeting held on 21/12/89 at Gurgaon certain clarification are sought by the Administrators and Estate Officers regarding payment of extension fee in cases of transferred plot and in cases where the period of 2 years allowed for construction expires during the year 1990 and 1991. The attention was also drawn towards the policy guidelines issued from this office vide No A-11-87/26994-27001 dated 26/8/87 in which it has been laid down that the period of first year of extension will start from the date transfer takes place. The matter was discussed in detail in the meeting. After examining the above points the policy guidelines contained in this office letter No 26994-27001 dated 26/8/87 are modified to the following extent:-

- 1) In cases of transferred plots no extension beyond 31/12/91 shall be granted and the extension fee shall be charged as communicated earlier vide this office memo No. A-11-P-89/32847-60 dated 30/11/89.
- 2) In cases where the normal period of 2 years for construction expires during the year 1990 and 1991 extension upto 31/12/91 only can be given on payment of extension fee as communicated vide letter No. A-11-P-89/32847-60 dated 30/11/89.
- 3) The extension in time for construction of plot be given on year to year basis on payment of prescribed fees.

Yours faithfully

-sd/-

Administrative officer,
For Chief Administrator, HUDA

Endst No. A-11-P-90/1828-35

Dated 29.01.1990

A copy is forwarded to the following for information and necessary action:-

1. All the Administrators in HUDA.
2. Controller of Finance, HUDA, Manimajra.
3. The Secretary, HUDA, Manimajra.
4. Dy. E.S.A, HUDA and PA to C.A for the information of the Chief Administrator HUDA

-sd/-

Administrative officer,
For Chief Administrator, HUDA

From

Chief Administrator,
Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh

To

All the Estate Officers/Assistant Estate Officer
Haryana Urban Development Authority.

Memo No. A-11-P-89/32847-60 Dated: 30.11.1989

Subject: - Grant of extension in time for construction of residential/ commercial plots- charging of extension fee thereof – revised policy.

I am directed to address you on the subject noted above and to inform you that in continuation of the instructions issued vide this office letter No. A-11-87/26994-27 dated 26.08.1987 the Authority have decided that a further period of two years beyond 31.12.1989 will be allowed for construction of houses in old cases of allotment on payment of extension fee as under:-

FOR RESIDENTIAL PLOTS.

for the year 1990 Rs 8/- Per sq.mtr.

for the year 1991 Rs 10/- per Sq. mtr.

After the year 1991 (31.12.1991) no further extension will be allowed and resumption proceedings would be started immediately thereafter. In case of transfer of plots extension will be allowed on payment of Rs 8/- per sq. mtr. for the first year and Rs 10.00 per sq.mtr for the second year but in no case the extension will be allowed beyond 31.12.1991.

FOR COMMERCIAL PLOTS

The rates for extension fee in case of commercial sites be charges as under :-

1. For commercial sites upto two storeies : 2 times of rate of extension fee of residential site.'
2. For commercial sites more than two stories : 3 times of rate of extension fee residential sites
These instruction should be brought to the notice of all concerned/plot holder and due publicity be given at local level.

Yours faithfully
-sd/-
Administrative officer,
For Chief Administrator, HUDA
Dated 30.11.1989

Endst No. A-11P-89/32867-68

A copy is forwarded to the following for information and necessary action:-

1. All the Administrators in HUDA.
2. Controller of Finance, HUDA, Manimajra.
3. Secretary, HUDA, Manimajra.
4. Dy. E.S.A, HUDA (HQ) Manimajra.
5. A to C.A for information of the Chief Administrator HUDA (Two Copies).

-sd/-
Administrative officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,

To

All the Estate Officers in
Haryana Urban Development Authority.

Memo No.: 27002-08

Dated: 26-8-1987

Subject: - Transfer & extension of residential/commercial plots allotted in the Urban Estates set up by HUDA-
Charging of transfer and extension fee – **clarification of policy.**

Sir,

I am directed to address you on the subject noted above and to inform you that in partial modification of instructions issued vide this office letter No. A-11-87/5657-64, dated 25.02.87 & HUDA ACCTTe-86/22591-98 dated 29.09.86 and subsequent amendments there to the Finance Committee of HUDA have decided that a period of 2 years from the offer of possession should be allowed to construct a house on a plot. In old cases, where extension of one year has already been allowed on the basis of 3 years period from the offer of possession, should remain undisturbed. A further period of 3 years will be allowed on payment of extension fee as under:

Ist year	Rs 1.50 per Sq.mtr
2 nd year	Rs 3.00 per Sq.mtr
3 rd year	Rs 6.00 per Sq.mtr

1. If a person fails to construct during the above period, plot should be resumed. Only two transfers of residential and commercial plots each will be permitted. The period of Ist year of extension in case of transferred residential plot will start from the date transfer takes place, on payment of Rs. 1.50 per sq.mtr.
2. As regards commercial plots for double storey, the rates will be two times and for more than 2 storeys three times the above rates.
3. Persons who have paid all installments of dues, should asked to execute a deed of conveyance & transfer be effected after the receipt of administrative charges.
4. The rate of transfer fee has also been revised as under:-
 - i) **Residential Plots.**
 - a) For plots of Urban Estate, Gurgaon. Rs 30/-P.S.M
 - b) For plots of Urban Estate, Faridabad/
Panchkula/Karnal & Panipat. Rs 20/-P.S.M
 - c) For plot of other Urban Estates. Rs 10/- P.S.M
 - ii) **Commercial Plots**
 - a) For plots of Urban Estate, Gurgaon Rs. 80/- P.S.M
 - b) for Plots of all other Urban Estates Rs. 40/- P.S.M
5. In case of reserved categories of plots and D.Q plots the transfer will be permitted only after a period of five years from the date of construction of house on them. The transfer of these plots will also be subject to the payment on transfer fee mentioned above.
6. However family transfers will continue to be allowed on payment of administrative charges as hither to before in all cases including reserved categories & D.Q plots. Ban imposed vide this office No. A-11-87/ Spl. 9-10-21 dated 1.08.87 is withdrawn.
7. Applications for transfer, where transfer fee has already been deposited on before 14.08.87, will be disposed off as per the old instructions dated 25.02.97.

- 8 These instructions should be brought to the notice of all plot holders and due publicity be given at local level.
9. Rest of the terms and conditions circulated vide this office letter No. A-11-87/5657-64 dated 25.02.87 & HUDA –Accts-86/22591-98 dated 29-9-86 remain the same.

Yours faithfully

-sd/-

Administrative officer,

Chief Administrator, HUDA

Dated 26.08.1987

Endst No. A-11-87/27002--27008

A copy is forwarded to the following for information and necessary action:-

1. All the Administrators in HUDA.
2. Controller of Finance, HUDA, Manimajra.
3. The Secretary, HUDA, Manimajra.
- 4 Dy. E.S.A, HUDA and PA to C.A for the information of the Chief Administrator HUDA (Two Copies).

-sd/-

Administrative officer,

For Chief Administrator, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY, SCO 841, MANIMAJRA.

To

All the Estate Officers,
HUDA (in the State).

Memo No.HUDA-Acctts-87/6666-77 Dated 6.3.1987

Subject: Policy guidelines regarding grant of **extension** in time for construction of plots- **clarification of policy**.

1. Please refer to this office letter No.HUDA-Acctts-86/22591-98 dated 29.9.86, vide which the policy guidelines regarding grant of extension in time for construction of plots after charging of extension fees were circulated to all the Estate Offices. Thereafter, certain clarifications were sought by the various Estate Offices in respect of provisions made in para 5 of the letter quoted above regarding the forfeiture of security etc. in case of transfer of plots as per the previous guidelines.
2. In this connection it is clarified that (in those cases where the 15 months period or the extended period for the construction of plots in transfer cases expired before 29/9/86, old policy regarding forfeiture of security etc. will remain in force. In all other cases, new policy guidelines circulated vide above letter, will be applicable and the security received in transfer cases will be refunded after adjusting the amount of extension fee chargeable as per the new guidelines.).

sd/-
Controller of Finance,
for Chief Administrator, HUDA.

CC:

1. All the Administrators, HUDA (In the State) for information and necessary action.
2. Administrator,((HQ) for information please.

No.A-11-8/26994-27001

**HARYANA URBAN DEVELOPMENT AUTHORITY, SCO 841,
MANIMAJRA.**

To

All the estate Officers,
HUDA(in the state).

Memo No. HUDA-Acctts-86/22591-98

Dated 29-9-1986

Subject: Policy guidelines regarding grant of **extension** in time for construction of plots-charging of extension fee thereof – **introduction of extension policy for residential & commercial.**

I am directed to address you on the subject cited above and to state that the extension in the construction of plots shall now be allowed with effect from 2.9.86, in accordance with the following guidelines:-

1. The extension in time for the construction of plots will now be allowed after charging extension fee at the following rates:-

A) IN CASE OF RESIDENTIAL PLOTS

In case of residential plots, the extension fee will be charged @rs 1.50 per sq.meter for the 1st calendar year. For the subsequent calendar years, an additional amount of Re. 0.50 per sq.mt per year will be charged. For example, for the 1st calendar year of extension, the rate of extension fee will be re.1.50 per sq.mt. for the 2nd calendar year the rate would be Rs.2.00 per sq.mt, for the 3rd calendar year, the rate would be rs.2.50 per sq.mt, for the 4th calendar year Rs.3.00 per sq.mt and for the 6th calendar year Rs. 4/- per sq.mt and so on.

B) IN CASE OF COMMERCIAL PLOTS

(I) **For single storey building:** 2 times of the rates applicable in case of residential plots. For example, for the 1st calendar year the rate would be rs. 3.00 per sq.mt. for the 2nd calendar of Rs. 4/- per sq mtr. year 3rd calendar year Rs.5.00 per sq.mt and so on.

(II) **For double storey** 3 times of the rates applicable in case of residential or one storey and plots. For example, for the first calendar year the 1st rate would be Rs.4.50 per Sq.Mt., for the 2nd calendar year Rs.6.00 per sq.mt., for the 3rd calendar year Rs.7.50 per sq.mt. and so on.

(III) **For more than two storey building** 5 times of the rates applicable in case of residential Plots. For example for the 1st calendar year the rates would be Rs.7.50 per sq.mt. and for the 2nd calendar Rs.10.00 per sq.mt., for the 3rd calendar year Rs.12.50 per sq.mt. and so on.

2. **For the 1st calendar year, the extension granted after 30th June shall be valid up to 31st December of the next year and the extension granted before 30th June will be valid up 31st December of the same years.** For example, if the previous extension or period of 3 years after the offer of possession expires on 20.9.87 i.e. after 30th June, 1987 then the extension for the 1st calendar year will be valid up to 31.12.1988 with the payment of requisite extension fees. Similarly, if the previous extension or period of 3 years after the offer of possession expires on 6th may 1987 i.e. before 30th June, 1987 then the extension for the first year shall be valid up to 31.12.87 with the payment of the requisite extension fee. Since this policy has been made effective from 29/9/86 thus, all the extension allowed from 29/9/86 to 31.12.86 shall be valid upto 31.12.87 with the payment of requisite extension fee.
3. The extension fee will be applicable in respect of all the plots irrespective of the fact whether a plot holder apply or does not apply for the extension of the construction of plot. Notices may be served to the plot holders who have neither applied for the extension of the construction of plot nor constructed the house. In the event of non-payment of extension fee resumption proceedings under section 17 may be initiated.
4. In future no security will be charged in case of transfer of plots.

5. In case of old allottees, the extension fee will be charged on the expiry of the extension already granted to them. However, the rate of extension fee in such cases will be the same as applicable for the 1st calendar year. The previous guidelines regarding forfeiture of security etc. will remain enforce in respect of the extensions granted/time limit given (in case of transfer of plots) before the formation of these policies.
6. The period of two years allowed for the construction of plots after the offer of possession has now been increased to three years.
7. The transfer fee has been increased from Rs.50/- to Rs.100/-.
8. The amount so collected may be kept in a separate account to be called as “Receipt on account of extension fee” to be shown under the head “Capital Receipts” in column No. D-5 of the monthly account of the Estate Offices.
9. Estate Offices may also maintain sector-wise ledger in the proforma enclosed as Annexure-‘A’ for the maintenance of accounts and receipts under this head.
10. It has also been decided that all the allottees may be informed of those decisions and those decisions may be given wide publicity for the information of the general public. Estate Officers may take necessary action in this regard.
11. There is no discretion to the Estate Offices in the case of extension in the construction of plot. The extension will be allowed only after the payment of requisite extension fee.
12. The receipt of those policy guidelines may be acknowledged. The rates of industrial plots will be intimated at a later date.

DA/Proforma
(Annexure-‘A’)

-sd/-
Controller of Finance,
for Chief Administrator,
HUDA.

Endst.No.HUDA-Acctts-86/22599-602
Dated: 29-9-1986

Copy of above is forwarded to all the Administrators HUDA, (In the State) for information and necessary action please.

DA/(Annexure-‘A’)

-sd/-
Controller of Finance,
for Chief Administrator, HUDA.

6. WAIVING OF EXTENSION FEE & ISSUANCE OF OCCUPATION CERTIFICATE

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/42373-74

Dated: 05.03.2019

Subject: Policy regarding issuance of **completion certificate** and **waiving of the extension fees** thereof –**Facility extended upto 31.03.2020 including residential, commercial, industrial & institutional plots.**

This is in continuation of this office memo No. A-6-2019/89998 dated 04.05.2018 on the subject cited above.

The matter has been considered and examined. It has been observed that the facility to obtain valid occupation certificate to those allottees who have constructed and occupied the building constructed on residential and commercial plot was extended upto 31.03.2019.

1. The matter has been re-considered and it has been observed that some industries and institutions are running un-authorizedly without obtaining legal occupation certificate, therefore, this facility may also be extended on industrial & institutional plots also to regularise the industries/institutions strictly under the parameter of HSVP building bye-laws.
2. Now, it has been decided that this facility may be further extended for one year i.e. 31.03.2020 on the same terms and conditions to the allottees of residential, commercial, industrial and institutional plot holders. One time processing fee in case of residential plots shall be the same i.e. Rs. 10,000/- and in case of commercial, industrial and institutional plots the processing fee shall be Rs. 25,000/-.
3. The matter was placed before the Pradhikaran in its 117th meeting held on 18.02.2019 vide Agenda item No. A-117th(19) for consideration and decision. The Pradhikaran has accorded its approval. A copy of agenda and extract of proceeding of the Pradhikaran is enclosed herewith for your reference and record.

You are requested to take further action accordingly and action taken report may be sent to this office immediately. This has the approval of CA, HSVP.

-sd/-

Administrator(HQ),
for Chief Administrator, HSVP

Endst. No. A-6-UB-2019/42373-74

Dated: 05.03.2019

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

-sd/-

Administrator(HQ),
for Chief Administrator, HSVP

To

All the administrator (s), in the State.

All the Estate officer (s), in the state.

Memo no UB-A-6-2018 /89998-99

Dated-04.05.2018

Subject – Providing one time opportunity to all allottees of Mandi Township/HSVP urban Estates, who have occupied the buildings without obtaining valid occupation certificate, to make in application for issuance of **occupation certificate** - also **waiving of extension fee** beyond the actual date of completion - **Facility extended upto 31.03.2019**.

1. This is in-continuation of this office memo no UB-A-6-2018 /11890 dated 19.01.2017 on the subject cited above.
2. The Pradhikaran in its Meeting 112th held on 10.01.2017 had decided to extend the scheme upto 31.10.2017 for those allottees, who are desirous to get a valid occupation certificate, may make an application for issuance of a occupation certificate, along with cogent proof/documentary evidence to facilitate determining the date of completion of houses to the satisfaction of Zonal Administrators, get the violations (if any) compounded after depositing the payable compounding fee, as per policy. Besides the compounding charges the allottees shall have to pay one time processing fee of Rs10,000/-
3. Occupation Certificate requests of such allottees shall be examined/decided as per Para 3 above, and, no extension fee shall be charged, beyond such determined deemed date of completion of house/building.
4. For cases where building was constructed before 11.09.87 the old rates of erstwhile Colonization Department shall be made applicable and for cases pertaining the period from 11.09.1987 onwards, the present HUDA compounding rates, as circulated vide memo no. A-UB-A6/2013/18221-42 dated 12.04.2013 would be applicable to the allottees of Mandi Township and Urban Estate areas both. Cases where Occupation Certificate has already been obtained under the previous policies shall not be opened again and reconsidered under this limited period facility.
5. The matter has been reconsidered on the request of Haryana Traders Welfare Board, Chandigarh and it has been found that they still remain a considerable nos. of allottee who have been occupied the building without having a valid occupation certificate, therefore, it has been decided that this scheme may be further extended upto 31.03.2019 with stipulation that cases which are pending with the various offices of HSVP shall be decided under this extended period. Further it may be made clear to all the allottee through wide publicity that no further extension beyond 31.03.2019 will be allowed under any circumstances.
6. You are requested to take further action accordingly. Wide Publicity of these policy guidelines may be done, through press note, distribution of pamphlets and beating of drums etc.

The receipt of this communication may also be acknowledged. This has approval of Hon'ble CM-cum-Chairman, HSVP.

-sd/-

(R.S.Verma)

Administrator (HQ),

For Chief Administrator HSVP

A copy of the above is forwarded to the following for information in-continuation office endst. No UB-A-6-2017/11901 dated 19.01.2017:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Secretary, HSVP, Panchkula.
5. The President, Haryana Traders Welfare Board, 4th Floor, Haryana New Secretariat Building, Sector-17 Chandigarh, w.r.t. Memo. No.202 dated 08.01.2018.
6. The General Manager (IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. The Dy. ESA, HSVP, Panchkula.
9. All the Assistants/Record-Keepers, Urban Branch, HSVP, (HQ) Panchkula.

-sd/-

(R.S.Verma)

Administrator (HQ),

For Chief Administrator HSVP

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2017/11896

Dated: 19.01.2017

Subject: Providing one time opportunity to all allottees of Residential & Commercial Sites, in Mandi Township/ HUDA Urban Estates, who have occupied the buildings without obtaining valid **Occupation Certificate**, to make an application for issuance of Occupation Certificate – also **waiving of extension fee** beyond the actual date of completion – **Facility extended upto 31.10.2017.**

1. This is continuation of this office memo no. A-5-UB-2016/116545-46 dated 24.11.2016.
2. The matter has further been reviewed by the Authority in its 112th Meeting held on 10.01.2017. It has been decided to extend the scheme upto 31.10.2017.
3. It is reiterated that under this one time relief, the allottees, who are desirous to get a valid occupation certificate, may make an application for issuance of a occupation certificate, along with cogent proof/documentary evidence to facilitate determining the date of completion of houses to the satisfaction of Zonal Administrators, get the violations (if any) compounded after depositing the payable compounding fee, as per policy. Besides the compounding charges the allottees shall have to pay one time processing fee of `10,000/-.
4. Occupation Certificate requests of such allottees shall be examined/decided as per para 3 above, and, no extension fee shall be charged, beyond such determined deemed date of completion of house/building.
5. For cases where building was constructed before 11.09.87, the old rates of erstwhile Colonization Department shall be made applicable and for cases pertaining the period from 11.09.1987 onwards, the present HUDA compounding rates, as circulated vide memo no. A-UB-A6/ 2013/18221-42 dated 12.04.2013 would be applicable to the allottees of Mandi Township and Urban Estate areas both. Cases where Occupation Certificate has already been obtained under the previous policies shall not be opened again and reconsidered under this limited period facility.
6. You are requested to take further action accordingly. Wide publicity of these policy guidelines may be done, through press note, distribution of pamphlets and beating of drums etc.
7. The receipt of this communication may also be acknowledged.

sd/-

Administrator (HQ's)

for Chief Administrator, HUDA

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA (HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

To

- 1) All the Administrators,
HUDA, in state of Haryana.
- 2) All the Estate officer ,
HUDA, in state of Haryana.

Memo No.UB-A-5-2016/76545-46 Dated: 24.11.2016

Subject; Providing one time opportunity to all allottees of Mandi Township/HUDA Urban Estates, who have occupied the buildings without obtaining valid **Occupation Certificate**, to make an application for issuance of Occupation Certificate - also **waiving of fee** beyond the actual date of completion - – **Clarification regarding residential & commercial plots.**

1. This is in partial modification of this office memo no. UB-A-6-2016/46612-13 dated 11.08.2016 on the subject cited as above.
2. Para 6 of the above referred policy guidelines dated 11.08.2016 shall be substituted as under:-
“Occupation certificate requests of such allottees shall be examined/decided as per para 4, and, no extension fee shall be charged, beyond such determined deemed date of completion of house /building”
3. All other, as contained in circular bearing No UB-A-2016/46612-13 dated 11.08.2016 shall however remain the same.

You are requested to examine and decide the pending case (Received between 15.08.2016 to 31.12.2016) accordingly.

This issued with prior approval of Hon’ble CM Haryana –Cum-Chairman, HUDA, and, in anticipation of approval of Authority.

The receipt of the communication may also be acknowledged

-sd/-

Administrator (HQ’s)
for Chief Administrator, HUDA

Endst. No. UB-A-6-2016/46614

Dated:-11.08.2016

A copy of the above is forwarded to the following for information in Continuation of this office endst no-UB-A-6-2016/46614 dated 11.08.2016

1. The Chief Engineer, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ’s)
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2016/58701

Dated:31.08.2016

Subject:Providing one time opportunity to all allottees of Mandi Township/HUDA Urban Estates, who have occupied the buildings without obtaining valid **Occupation Certificate**, to make an application for issuance of Occupation Certificate - also **waiving of fee** beyond the actual date of completion –**Clarification regarding residential & commercial plots.**

This is in partial modification of this office memo. no. UB-A-6-2016/46612-13 dated 11.08.2016 on the subject cited as above.

2. It is hereby clarified that scope of the scheme as enumerated in the para 2 of the above referred circular dated 11.08.2016 may be substituted as “allottees of Residential & Commercial Sites/ Buildings of Urban Estates/ Sectors carved out by HUDA, and Mandi Township” in place of “all such allottees of Mandi Townships as well of Urban Estate carved by HUDA”.
Precisely, the allottees of other categories of site like Institutional, Industrial, etc, shall not be covered under this scheme.
3. All other terms & conditions of the circular bearing no. UB-A-6-2016/46612-13 dated 11.08.2016 shall however remain the same.

-sd/-
(K.L.Chillana)
Superintendent(U.B.)
for Chief Administrator, HUDA

Endst. No.UB-A-6-2016/58701

Dated:31.08.2016

A copy of the above is forwarded to the following for information, in continuation of this office endst. no. UB-A-6-2016/46614 dated 11.08.2016:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA (HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-
(K.L.Chillana)
Superintendent(U.B.)
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2016/46612-13

Dated: 11.08.2016

Subject: Providing one time opportunity to all allottees of Mandi Township/HUDA Urban Estates, who have occupied the buildings without obtaining valid **Occupation Certificate**, to make an application for issuance of Occupation Certificate - also **waiving of fee** beyond the actual date of completion – **Revised policy**.

This is with reference to the subject cited as above.

1. HUDA in the past had formulated policy guidelines on the subject, in the year 2004, which remained in force till the year 2014. These policy guidelines provided that “an allottee who has constructed and occupied the building constructed on residential/commercial/industrial & institutional plot, without obtaining a valid occupation certificate, may subsequently make an application before the Zonal Administrator, HUDA for issuance of the same alongwith cogent evidences to the completion of building by a specific date and, get the violations, if any, compounded. No extension fee was payable beyond the deemed date of completion of building as determined by the Zonal Administrator, HUDA”.
2. On the basis of reports received from field offices from time to time, it has been found that there still remain a considerable nos. of allottees who have been occupying the building without having a valid occupation certificate. The state of Haryana is celebrating the Year 2016 as “Golden Jubilee Year” of formation of Haryana State, and has decided that as a gesture and goodwill, all such allottees of Mandi Townships as well of Urban Estate carved by HUDA, may again be given another, but one time opportunity to those remaining allottees, to make an application for issuance of Occupation Certificate, for a limited period between **15.08.2016 to 31.12.2016**
3. Under this one time relief, the allottees, who are desirous to get a valid occupation certificate, may make an application for issuance of a occupation certificate, along with cogent proof/documentary evidence to facilitate determining the date of completion of houses to the satisfaction of Zonal Administrators, get the violations (if any) compounded after depositing the payable compounding fee, as per policy. Besides the compounding charges the allottees shall have to pay one time processing fee of Rs. 10,000/-.
4. For cases where building was constructed before 11.09.87, the old rates of erstwhile Colonization Department shall be made applicable and for cases pertaining the period from 11.09.1987 onwards, the present HUDA compounding rates, as circulated vide memo no. A-UB-A6/ 2013/18221-42 dated 12.04.2013 would be applicable to the allottees of Mandi Township and Urban Estate areas both. Cases where Occupation Certificate has already been obtained under the previous policies shall not be opened again and reconsidered under this limited period facility.
5. Occupation Certificate requests of such allottees shall be examined/decided as per present extension policy, on the basis of date of application and not on the actual date of construction of building.
6. You are requested to take further action accordingly. Wide publicity of these policy guidelines may be done, through press note, distribution of pamphlets and beating of drums.
7. A copy of Agenda item and extract of proceedings of the meeting are sent herewith. You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately. The above guidelines may be brought to the notice to the all concerned for implementation in letter and spirit.

8. This issues with the prior approval of Authority accorded vide Agenda item no. Auth. 111th (19) in its meeting held on 27.07.2016.

-sd/-
Administrator (HQ's)
for Chief Administrator, HUDA

Endst. No.UB-A-6-2016/46614

Dated:-11.08.2016

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrator (HQ's)
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrator(s), in the State.

Memo No.UB-A-4-2015/7292

Dated:16.04.2015

Subject: Policy regarding **Waiving of Extension fee** and Issuance of **Occupation Certificate – Clarification.**

This is in continuation of this memo no. A-4-UB-2014/22550 dated 10.09.2014 on the subject cited above. It is clarified that the policy guidelines dated 23.04.2004 dealt with residential, commercial & Industrial plots. Thus the said policy, withdrawn on 10.09.2014 also includes the Industrial Plots the policy has been withdrawn in respect of residential, commercial & industrial plots.

Since the policy dated 23.04.2004 has been withdrawn with prospective effect, therefore you are advised to dispose of the pending cases received before the date of withdrawal i.e. 10.09.2014 in a time bound manner to avoid any legal/financial implications.

This has the approval of Hon'ble CM-cum-Chairman HUDA.

DA/As above

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,

for Chief Administrator, HUDA

Endst. No.UB-A-4-2015/7292

Dated:16.04.2015

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. All the Estate Officers, HUDA in the State.
5. The General Manager (IT), HUDA, Panchkula with the request to host these instructions on HUDA website.
6. The District Attorney, HUDA, Panchkula.

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,

for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), HUDA, in the State.
2. All the Estate Officer(s), HUDA, in the State.

Memo No. A-4-UB-2014/22550

Dated:-10.09.2014

Subject: Policy regarding **Waiving of Extension fee** and Issue of **Occupation Certificate – Withdrawal** thereof.

Reference on the subject cited above.

It is intimated that as per the decision of the Authority in its 79th meeting held on 29.08.2000, one time relief was given to the allottees who had completed construction but have not yet applied on prescribed form for obtaining valid occupation certificate and making the payment of extension fee upto the date when the construction was actually made by giving sufficient documentary proof in support of the time of construction of the building. All the Administrator(s) were empowered to compound the cases as per building bye-laws by charging compounding fee and extension fee for issuing valid occupation certificate as per instructions issued vide memo no. 24110-13 dated 19.09.2000.

This scheme was further extended time and again and circulated on 20.04.2001, 10.07.2002 and dated 23.04.2004. These policies were affectively windows for a shorter period to the plot owners to avail benefit of relaxation in extension fee & compounding fee to avoid resumption of their property on account of non construction within the stipulated period. The policy was in vogue for the last more than 10 years. Now new extension policy has been issued vide memo no.A-UB-A6/2013/18221-42 dated 12.04.2013 for the time extension for construction of residential/commercial plots and there is no time limit in the construction on residential/commercial plots and extension fee payable has been fixed for infinitum.

Therefore, the matter was placed before the Authority in its 108th meeting held on 07.08.2014 vide agenda item no. Auth-108(20) for consideration decision with the proposal to withdraw the policy guidelines issued vide memo no. A-1-2004/18664-84 dated 23.04.2004 as the scheme was open ended and sufficient period of over 10 years has elapsed. The Authority has accorded its approval & decided to withdraw the policy guidelines dated 23.04.2004 with prospective effect.

A copy of agenda item and copy of extract of proceedings of meeting are sent herewith for further necessary action.

You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately.

DA/As above

-sd-

(B.B.TANEJA)

Deputy Superintendent.(U.B.),
for Chief Administrator, HUDA

A copy of above is forwarded to the following for information and necessary action:

1. The Principal Secretary to Govt., Haryana, Town and Country Planning Deptt., Chandigarh.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host these instructions on HUDA website.
6. The District Attorney, HUDA, Panchkula.
7. All the Assistants/Record Keepers Urban Branch, HUDA (HQ) Panchkula.

sd-

(B.B.TANEJA)

Deputy Superintendent.(U.B.),
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority, Chandigarh.

To

The Administrator, HUDA, Panchkula.

Memo No. A-3-2012/1082

Dated : 10.01.2012

Subject:- Clarification regarding implementation of policy instructions for issuance of completion **certificate** and **waiving of extension fee** issued vide memo No.CA- HUDA/A-1-04/8684 dated 23.04.2004.

Please refer your office memo No.A-2-10/15601 dated 30.12.2010 on the subject cited above.

It is clarified that the instructions dated 23.04.2004 do not over ride the extension policy but work within the frame work of the overall extension policy of HUDA. This means that only those cases would be considered under the policy instruction dated 23.04.2004 where the normal + extended period of construction has not lapsed. In those cases where this period has lapsed, completion can not be issued under the instructions dated 23.04.2004.

-sd/-

(B.B. Taneja)

Dy.Suptd. Urban Branch

for Chief Administer, HUDA.

Endst. No. A-3-2012/1083-1104

Dated: 10.01.2012

A copy of the above is forwarded to the following for information and strict compliance of the above instruction:-

1. All the Administrator, HUDA, Gurgaon/Faridabad/Rohtak/ Hisar.
2. All the Estate Officer, HUDA.

-sd/-

(B.B. Taneja)

Dy.Suptd. Urban Branch

for Chief Administer, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/,HUDA.

Memo No –A-1-2004/18664-84

Dated:23/04/2004

Subject: Issue of Completion Certificate and **waving off extension fee** thereof – **Scheme open ended.**

This is in continuation of this office memo No. A-1 (P) -2002/16864-16901 dated 10/07/02 on the subject cited above.

It had been decided that all such allottees of residential/ industrial/commercial plots, who had completed the construction of building, but they have applied for completion certificate on prescribed form should obtain their completion certificate on prescribed form should obtain their completion certificate/occupation certificate by 31/12/02. The extension fee in such cases was to be charged up to the date when the construction was actually raised by the allottees and cases were to be compounded by the Zonal Administrator on the prevalent compounding rates. As per reports received from the Zonal Administrators, it has been found that there are still a considerable number of allottees, who have not availed of this facility and have been occupying the premises without a valid completion /occupation certificate, inspite of the fact that the scheme /facility was extended thrice.

The matter has further been examined. To end the menace, it has now been decided that the scheme may be made open ended one. The Zonal Administrators/ Estate Officers shall carry out a quick survey and workout/ prepare an authenticated list/register of all such allottees, occupying the house without valid occupation certificate. The concerned Estate Offices shall initiate resumption proceedings against such violators. The allottees, who are desirous to get a valid occupation certificate may, however, be given an opportunity to make an application for issuance of a occupation certificate, along with cogent proof/documentary evidence to facilitate determining the date of completion of houses to the satisfaction of Zonal Administrators, get the violations (if any) compounded after depositing the payable compounding fee, as per policy. The earlier decision to charge compounding rates, as prevalent /inforce, at the time of deem date of completion of a house, shall however remain unchanged.

You are advised to take a prompt further follow up action accordingly and ensure that all the pending cases, are decided within reasonable period, and no undue advantage is drawn /extended. The progress/ status be also sent to headquarters on 7th of each month.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Dated 23/04/2004

Endst No. A-I -2004/18685-92

A copy of the above is forwarded to the following for information and necessary action, in furtherance of Endst No. A-I – (P) -2002 /16886-16901 dated 10/07/02-

1. The Joint Director (Law), HUDA, Panchkula.
2. The Engineer – In Chief /Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Dy. Economical & Statistical Advisor, HUDA, Panchkula
7. All the Assistants /Record Keepers, Urban Branch HUDA (HQ), Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrator(s), HUDA
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No. A-1(P)-2002/16864-16885

Dated: 10.07.2002

Sub:- Issue of completion certificate and waiving off extension fees thereof – **facility extended upto 31.12.2002.**

This is in continuation of memo No. A-1-2001/10694-723 dated 20.04.2001.

The Authority had decided that all such allottees who had completed the construction of building, but they have not applied for Completion Certificate on prescribed form should obtain their Completion/Occupation Certificate by 30.09.2001 in respect of residential/commercial/industrial plots. It was also decided that extension fee in such cases will be charged upto the date when the construction was actually raised by the allottees and the cases will be compounded by the Zonal Administrator. After expiry of this facility number of representations have been received from the allottees/President, Faridabad Industries Association that this facility should be extended further to decide all such pending cases. The Administrators have also recommended for the same. The matter has been considered and examined and was placed before the Authority in its 85th meeting held on 26.06.2002 vide Agenda Item No. A-85(10) for decision. The Authority has decided that the existing policy may be extended upto 31.12.2002 in respect of residential/commercial and industrial plots and the zonal administrators may be directed to charge the extension fee upto the date when they have actually constructed the plots after compounding the cases as per policy. The compounding fee and other terms and conditions will remain the same as already conveyed to you vide letter under reference.

You are therefore, requested to give wide publicity to this scheme and to regularise all such cases as per above decision and follow-up action taken in the matter may be conveyed to this office immediately.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Endst. No. A-1(P)-2001/16886-16901

Dated : 10.07.2002

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director(legal) HUDA, Panchkula.
2. The Chief Engineer/Addl. Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Deputy Economical & Statistical Advisor, HUDA(HQ), Panchkula.
7. All the Assistants/Record Keepers, Urban Branch, HUDA(HQ), Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Sector-6, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers/ Asstt. Estate Officers, HUDA

Memo No.A-1-(P)-2001/13570-91

Dated 23.05.2001

Subject: Execution of **conveyance deed** at the time of issuance of **Completion Certificate**-clarification thereof.

Your attention is invited to headquarters instructions issued vide memo No. 4513-33 dated 9.2.99 wherein it has been clarified that the conveyance deed will be got executed before issue of completion certificate in such cases, where the schedule of payment is over, it was not specified in the said instructions whether it includes the payment schedule of enhanced compensation or not. The Estate Officers are thus insisting for execution of conveyance deed during the pendency of the recovery of enhanced compensation as per fixed schedule. It is observed that enhanced compensation is a part of the cost of plot and it becomes very difficult for the allottee to make the lump sum payment required for execution of conveyance deed and subsequently occupation certificate.

After due consideration of the matter, it has now been decided that where the schedule is fixed for the payment of enhanced compensation and the same is pending, in that case HUDA should not insist on the allottee for execution of conveyance deed for issuance of occupation/completion certificate. However, this will not be applicable in case of transfer of plot.

These instructions will come into force with immediate effect.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst.No.A-1(P)-2001/13592-602

Dated 23.5.2001

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula
2. The Chief Town Planner, HUDA, Panchkula.
3. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. DyEsa, HUDA, Panchkula.
7. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector -6, Panchkula.

To

All the Administrator(s),
Haryana Urban Development Authority
Memo No. A-1-2001/10694-98

Dated: 20.04.2001

Subject:-Issue of completion certificate and waiving off extension fees thereof – commercial and industrial.

In continuation of this office memo No. A-1-2001/24110-13 dated 19.09.2000 on the subject cited above.

The policy circulated vide letter under reference was applicable in respect of residential houses only. Now, it has come to the notice of this office that there are similar type of cases in commercial and industrial plots also. It has now been decided that this policy will also be applicable in case of industrial and commercial plots subject to the following terms & conditions:-

1. The extension fee will be charged upto the date when they had actually constructed the buildings. For this purpose, they will have to satisfy the Zonal Administrators under the policy and will have to prove by giving sufficient documentary proof in support of the time of construction of the buildings. The extension fee will be charged accordingly at the rates fixed by the Authority from time to time.
2. The violation in the buildings will be compounded by the Administrators and compounding fee will be charged for the buildings which were constructed before 11.09.1987, the old rates as applicable in the erstwhile Colonisation Deptt. Hry. Would be valid as circulated vide this office circular Memo No. A-1-colo-5644-64 dated 23.02.1996 in respect of residential houses and in respect of commercial and Industrial plots, the rates applicable at that time would be charged. After this date present HUDA compounding rates would be applicable in respect of industrial & commercial plots also.

The validity of this scheme has been extended upto 30.09.2001. You are therefore, requested to give wide publicity to this scheme to regularise all such cases as per above policy. This letter also disposes off Administrator, HUDA, Faridabad. Memo no. 416 dt. 3.3.2001.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Endst. No. A-1-2001/10699-723

Dated : 20.04.2001

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director(legal) HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Addl. Chief Engineer, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. All the Estate Officers Asstt. Estate Officers, HUDA.
7. The Deputy Economical & Statistical Adviser, HUDA, Panchkula.
8. All the Assistants/Record Keepers of HQ, HUDA, Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

All the Administrator(s), HUDA

Memo No. A-1-2000/24110-13

Dated: 19.09.2000

Subject: Issue of **Completion Certificate** and **waving of extension fee - residential plots.**

Reference Admn., HUDA, Hisar memo No. A-1-5515 dated 11.07.2000 on the subject cited above.

It has been reported that there are hundreds of cases pending in the Urban Estates/Mandi Townships Area wherein the allottees had completed construction but they have not yet applied on prescribed forms for Completion Certificates or they have not received completion/occupation certificates. The matter was placed before the Authority in its 79th meeting held on 29.08.2000 vide agenda item No. 79(8) suppl. for consideration and decision. The Authority has decided to allow one time relief till 31.03.2001 and ask all such allottees to obtain their completion/occupation certificates positively by 31.03.2001 failing which strict action as per provision of HUDA rules would be taken. For cases before 11.09.1987, the old rates of Colonization Department would be valid as circulated vide memo No A-1-Col.-96/5644-64 dated 23.02.1996 and for cases after this date, present HUDA compounding rates would be applicable in respect of Mandi Townships and Urban Estate area. The Zonal Administrators are authorised to decide all such cases after taking proof of construction of house as per existing policy. For this purpose and for timely completion of this task, public notices may be inserted in the leading news papers and wide publicity be also given at local level. The extension fee in such cases will be charged upto the date when the construction was actually made. A copy of agenda and an extract of proceedings of the meeting are sent herewith for reference and records.

You are requested to take further action accordingly and compliance report may be sent to this office immediately.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula
Dated: 19.09.2000

Endst. No. A-1-2000/24114-48

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Additional Chief Engineer, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. All the Estate Officers/Asstt. Estate Officer, HUDA.
7. The Assistant Research Officer, HUDA (HQ), Panchkula.
8. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ).

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

All the Administrators,
HUDA (in the State)
Memo. No. A-11P-1996-24377-80

Dated:-29.08.1996

Subj:- Execution of **conveyance deed** at the time of issuance of **Completion Certificate**-clarification thereof.

Your attention is invited to Regulation 20 of Haryana Urban Development Authority (Disposal of land & Building) Regulation 1978 wherein it has been laid down that:-

1. On payment of full amount of the price of land/building the transfer shall execute a deed of conveyance deed in the forms 'D' and 'E' respectively annexed to these regulations, the case may be, in such manner, as may be directed in this behalf from time to time.
2. The lessee shall execute deed of lease in forms 's' & 'O' respectively annexed to these regulations as the case may be, in such manner as may be directed in this behalf from time to time, within Six months of the date of allotment.

Further the following provision/clauses as laid down in allotment letter prescribed under the Disposal of Land & Building Regulation 1978 makes it obligatory/Mandatory that the allottees shall execute the conveyance deed/lease deed, as the case may be within the specified period as laid down therein.

1. Condition No. 13 of Form 'C' a allotment letter applicable in case of allotment of industrial/residential/ commercial/institutional plots/ buildings disposed off by allotment, on free hold basis.
2. Condition no. 11 of Form 'C-C', a allotment letter with respect to industrial/residential/ commercial/ institutional plots/ buildings disposed off by open auction free hold basis.
3. Condition no. 12 of Form 'C-I' a letter of allotment of industrial/residential /commercial /institutional plots/ buildings disposed off by allotment on lease hold basis.
4. Condition no. 10 of Form 'C-11' a letter of allotment with respect to industrial/residential/commercial/ institutional plots/ buildings disposed off by auction only on lease hold basis.

3- It has been observed that in most of the cases, the allottees of residential/industrial/commercial/institutional plots/buildings made either on free hold basis or on lease hold basis do not execute the conveyance deed/lease deed in accordance with the laid down provisions, as aforesaid which is a serious violation of the relevant provisions of the Disposal of Land & Building Regulations 1978, as well as breach of condition of allotment letter. To handle such situation/condition i.e. if any allottee commits a breach of any condition of sale/allotment and Clause 20 of Disposal of land & Building Regulations 1978, Estate Officer concerned may be notice in writing called upon the transferee (allottee) to show cause under section 17(3) of HUDA Act, 1977 as to why an order of resumption of their land/building should not be passed be served upon them.

You are, therefore, requested to look into the matter, identify such defaulter allottees, who have breached the afore-stated conditions of letter of allotment and thereafter advise him to get the conveyance deed executed within a specified period. In case he fails to turn up a show cause notice under section 17(3) of HUDA Act 1977, as aforesaid, may be served upon and resumption proceedings be initiated. A monthly report on the subject containing therein the details, with regards to number of conveyance deeds executed during the months, their stamp value etc. May be sent, which should reach this office by 7th of each month positively.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA

Endst. No. A-11P-1996-24377-80

Dated:-29.08.1996

A Copy is forwarded to all Estate Officers HUDA for necessary action and meticulous compliance.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh.

To

All the Estate Officers/Asstt. Estate Officer,
Haryana Urban Development Authority
Memo No. A-11-90/2591-2604

Dated: 8.02.1990

Sub:- Issue of **completion certificate-clarification** thereof.

I am directed to address you on the subject noted above and to inform you that the matter relating to the issue of completion certificate and charging of extension fee in respect of such cases in which the allottees have obtained refund of the security at the roof level before the existing policy guidelines relating to the charging of extension fee, but have not applied for the issue of completion certificate till now, was discussed in a meeting held on 21.12.89 at Gurgaon and it has been decided that in such cases extension fee from the year 1987 upto the date of applying for issue of completion certificate should be charged. Besides this penal action for the un-authorised occupation of houses and unauthorised sewer connection should also be taken against such allottees under the provisions of HUDA Act/Building Bye-laws and the policy guidelines.

Yours faithfully,

-sd-

Administrative Officer,
for Chief Administrator, HUDA

Endst. No. A-11-90/2605-11

Dated : 08.02.1990

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrators, HUDA.
2. Controller of Finance, HUDA.
3. Secretary, HUDA, Manimajra.
4. Dy. ESA, HUDA, Manimajra.
5. PA/CA for the information of the Chief Administrator, HUDA.

-sd-

Administrative Officer,
for Chief Administrator, HUDA

7. RESERVATION OF PLOTS

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/160269-70

Dated:04.09.2019

Subject: Policy for **allotment of residential plots to Defence Category** – amendment in **eligibility criteria** thereof.

This is with reference on the subject cited above.

As per eligibility conditions specified in the brochure, officers of the ranks of Colonel and above and equivalent ranks of Navy & Air Force/Paramilitary Forces are eligible to apply for 1 Kanal Plot only. Other Commissioned Officers upto Lt. Col. and equivalent rank are eligible for 14 Marla & 10 Marla plots.

Various writ petitions were filed against the eligibility criteria of defence personnel as stated above before the Hon'ble High Court of Punjab & Haryana which were allowed with the directions to allot plots to the petitioners and in some cases, directions were issued to respondent- HSVP to verify the claim of the petitioner and determine their eligibility in the light of the decision in Chander Bhan Sharma's case. The SLP filed by HSVP in Chander Bhan's case has been dismissed leaving the questions of law open.

In the meantime Hon'ble High Court dismissed the CWP No. 6377 of 2016 titled as Badan Singh vs. State of Haryana & ors involving similar issue as is involved in the aforesaid cases. The review application no. 492/2017 was filed in CWP No. 5736/2013, the same was also dismissed.

The matter was discussed in the officers meeting held on 20.02.2018 under the chairmanship of CA, HSVP and it was observed that no policy has been found in respect of the ibid eligibility criteria of defence personnel. After deliberations, a view was formed that no useful purpose will be served by filing SLP even though questions of law are still to be decided. A view, therefore, emerged that orders passed in the writ petition may be complied with.

The matter was placed before the Pradhikaran in its 118th meeting held on 10/12.07.2019 with the proposal that the eligibility criteria for allotment of a particular size of plot to the Defence personnel, depending upon their ranks, which was set-aside by the Hon'ble High Court/Apex Court may be dispensed with for future floatations. The Pradhikaran has approved the proposal with the stipulation that if the number of applications are more than the available plots of defence category then e-auction may be held between the applicants. A copy of Agenda alongwith extract of the decision of the Pradhikaran is sent herewith.

You are requested to take further action in the matter accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned.

DA/As above

-sd-

Administrator (HQ),
HSVP, Panchkula.

Endst. No. A-6-UB-2019/160269-70

Dated:04.09.2019

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Secretary, HSVP, Panchkula.
5. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
6. The District Attorney, HSVP (HQ), Panchkula. He is requested to ask HSVP Counsel to defend COCP No. 574 of 2019 titled as Raj Kapoor Malik V/s Deepinder Singh Dhesi, IAS and others which is listed for 20.09.2019.
7. The Dy. ESA, HSVP (HQ), Panchkula.
8. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

-sd-

Administrator (HQ),
HSVP, Panchkula.

To

1. All the Administrators of HSVP in the State.
2. All the Estate Officers of HSVP in the State.

Memo No A-6-UB-2019/43486-87

Dated:-06.03.2019

Subject: **Honorary allotment** of residential plots to the domiciles of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology &, Judiciary, Defence of Sports.

1. This is in partial modification of this office memo. no. UB-1 PHK- 2009/6887-98 dated 16.03.2009 on above cited subject.
2. That distinguished persons who are domicile of Haryana and have distinguished themselves in Art, Culture, Social Service, Science & Technology, Judiciary, Defence or Sports may be considered as an identifiable and distinct category for honorary allotment of plots by HUDA. Under the policy, the following shall be considered as a class of persons:-
 - (i) Recipients of Bharat Ratna or Dadasaheb Phalke or Padma Vibhushan or Nobel Prize or Ramon Magsaysay, Param Vir Chakra Award or Ashoka Chakra.
 - (ii) Recipients of Jnanpeeth (pronounced as Gyanpeeth) award.
 - (iii) Recipients of Shanti Swaroop Bhatnagar award.
 - (iv) President of India, Prime Minister of India.
 - (v) Chief Justice of India.
 - (vi) Chiefs of Defence forces i.e. Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff, Cabinet Secretary.
 - (vii) Medal winners in any event of any sport at the Olympics.
3. The above honorary allotment will be subject to the following terms and conditions.
 - (i) That the applicant from the class of persons eligible for honorary allotment of plot should not have a plot of the size applied for or higher i.e. he/she should not own in the name of self/ spouse/ dependent children a plot of land of size 14 Marla and above if he/she opts for a 14 marla plot; and; in case he/she opts for a 1 kanal plot he/she should not own a plot of 1 kanal or above size in name of self/spouse/ dependent children.
 - (ii) That the serving/retired President, Prime Minister of India, Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff, Cabinet Secretary shall be eligible for such allotment.
 - (iii) That such persons shall be eligible to apply for 14 Marla or 1 Kanal plot only as per their requirement in any Urban Estate of their choice.
 - (iv) That such persons must be a domicile of Haryana.
 - (v) That such persons shall be given the benefit of this allotment only once in their lifetime.
 - (vi) That such person shall be at liberty to apply for such allotment as and when they acquire eligibility in view of this policy.
 - (vii) That such allotment shall be made on 50% of the current rates as applicable at the time of allotment and on usual terms and conditions with the prior approval of the Chief Minister, Haryana. Difference in cost will be borne out by HSVP from the interest income.
 - (viii) That such allottees will not be allowed to transfer these plots by way of sale or gift before the expiry of five years from the date of allotment.

3. Honorary allotment of plots shall be made with the approval of the Chief Minister as and when a request for the same is received keeping in view the availability of plots in the Urban Estate for which the request is received.
4. The matter was placed before the Pradhikaran in its 117th meeting held on 18.02.2019 vide Agenda item No. A-117th Suppl.(4) for consideration and decision. The Pradhikaran has accorded its approval. A copy of agenda and extract of proceeding of the Pradhikaran is enclosed herewith for your reference and record.

You are requested to take further action accordingly and action taken report may be sent to this office immediately. This has the approval of CA, HSVP.

-sd-
Administrator(HQ),
for Chief Administrator, HSVP

Endst. No. A-6-UB-2019/

Dated:

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

-sd-
Administrator(HQ),
for Chief Administrator, HSVP

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(S), HUDA.
2. All the Estate Officer(S), HUDA.

Memo No.UB-A-6-2015/ 22113

Dated: 04.12.2015

Subject: Modification in reservation of residential plots to various categories in Urban Estates developed by HUDA..

This is in partial modification of policy bearing this office memo no. A-11P-97/16028-58 dated 06.05.1997 on the subject cited above and policy no. UB-A3-2011/7895-40 dated 07.03.2011 regarding rehabilitation and resettlement of land owners-land acquisition oustees.

Land of Sh. Sandeep Singh was acquired for the development of Sectors 44-46, Gurgaon vide award dated 23.03.1993 and oustee claims were also invited through advertisement dated 20.05.1997. Sh. Sandeep Singh did not apply for allotment of plot in response to the advertisement and filed C.W.P. No. 19927 of 2009 before the Hon'ble High Court claiming allotment of plot under oustees' category. The Hon'ble High Court vide its order dated 16.05.2011, disposed off the writ petition and directed HUDA to allot residential plot to the petitioner as per his entitlement within a period of three months after accepting the price of the plot in terms of the policy and the law as applicable for calculating such price. Against the ibid order HUDA filed LPA No. 2096 of 2011 titled as HUDA V/s Sandeep and others which was allowed on 25.04.2012 with certain directions. One of the directions was that HUDA can reserve plots upto 50% of the total plots available for all reserved categories including that of oustees. Relevant direction is reproduced below:

“..... (III) HUDA or such other Authority can reserve plots up to 50% of the total plots available for all reserved categories including that of Ousteers. As to what extent there would be reservation for the Ousteers, is required to be decided by the State Government and/or by HUDA or any other Authority, who is entitled to acquire land.....”

HUDA filed SLP No. 27256 of 2012 against the order dated 25.04.2012 mainly challenging the ibid direction with regard to reservation. The SLP filed by HUDA was dismissed by the Hon'ble Supreme Court vide order dated 06.03.2014. Therefore, in order to ensure implementation of the aforesaid direction, it has been decided to make modification in the existing policy providing reservation for various categories. Henceforth, the reservation shall be provided in following manners:-

Sr. No.	Category	For plots above 8 Marla Category	Upto 8 Marla
1	Scheduled Caste/ Scheduled Tribes	Nil	10%
2	Backward Class	Nil	2%
3	War Widows/ Disabled Soldiers	Nil	2%
4	Widow (Other than War Widow)		1%
5	Freedom Fighter, their Widows, Children & Grand Children	Nil	1%
6	Handicapped	Nil	1%
7	Blind	Nil	1%
8(i)	Haryana Govt. Servants including employees of Board/ Corporation under Haryana Govt. (serving employees)	6%	6%
8(ii)	GSRQ (retired/retiring employees)	2%	2%
9(i)	Defence Personnel/ Ex-serviceman	6%	6%
9(ii)	Paramilitary forces like CRPF, BSF, ITBP, RPF, GSF, CFEF etc. of domicile of Haryana State.	2%	2%
10	HPKIA	1%	1%
11	Advocate	2%	2%
12	Oustees	12%	10%
TOTAL		31%	47%

Note: - 1. If some plots are left in the reserved categories then the same shall be included in the general category.

2. Fractions, if any, shall be ignored.

Besides above, as per policy referred above dated 06.05.1997, residential plots to NRIs and distinguished persons will also be made as per following details:-

(i) 2 residential plots of one kanal category and 5 residential plots of 14 Marla category is reserved in every new sector when floated for those NRIs who have been allotted industrial plots. The residential plots to NRIs are offered only when the building upon the industrial plots allotted to them is completed, machinery is installed and the industry is ready to start commercial production. Further, such plots are not allowed to be disposed of under any circumstances for a period of 10 years.

(ii) The preferential allotment of residential plots is also made to the domicile of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology, Judiciary, Defence and Sports etc. upon receipt of request from such distinguish persons as per policy dated 16.03.2009.

You are therefore requested to take further action accordingly & the same may be complied in letter & spirit. These instructions may be brought to the notice of all concerned. This will be made applicable with immediate effect.

-sd/-
(B.B.Taneja)
Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA

Endst. No. UB-A-6-2015/22114

Dated:- 04.12.2015

A copy is forwarded to the following for information a strict compliance.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA website.
7. The District Attorney, HUDA, Panchkula.
8. The Enforcement Officer, HUDA, Panchkula.
9. The Dy. ESA, HUDA, Panchkula.
10. Dy. Supdts./ Assistants/ clerks of Urban Branch, HQ, HUDA, Panchkula.

-sd/-
(B.B.Taneja)
Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator (s), HUDA in the State.
2. All the Estate Officer (s), HUDA in the State.

Memo No. A-4-UB/2014/9380

Dated:15-04-2014

Subject: - Allotment of Residential plots in the Urban Estate developed by HUDA.

In the year 1987, it was decided by Authority that an affidavit is to be obtained from the successful applicant under General Category as well as Reserve category. Accordingly, the instructions along with format of affidavits were circulated amongst field offices vide memo no. A-11-1987/805-15 dated 09.01.1987.

Now, the matter regarding multiple allotments under Reserve Categories is subjudice in CRM No. M-26292 titled as Dharam Singh Yadav vs. State of Haryana. The C.A, HUDA appeared in the Hon'ble High Court and assured to Hon'ble Court that we will amend the application form containing affidavits of all category and also suitably amend the affidavits. The matter has been considered and examined in detail and it has been decided to revise the application form and contents of affidavit to be obtained from the successful applicant under General, GSRQ and Reserve Category. A copy of format of each affidavit is enclosed herewith for information and necessary action.

You are, therefore, requested to direct the officials working under your control to scrutinize the application form and affidavits submitted by the applicant under any scheme strictly as per prescribed format before issuing the allotment letter. The instructions may be brought to all concerned for strict compliance and desired affidavit, from the successful allottees, be obtained for all future floatation. However these instructions will also be made applicable in case of Urban Estate, Jind, Hisar, Pinjore, Karnal and Kalanwali. Any laxity will be viewed seriously and the persons/officials at fault will held themselves personally responsible for the consequences.

This is being issued after obtaining the approval of the Chief Minister-cum-Chairman HUDA.

DA/As above

-sd-

Administrator, HQ
for Chief Administrator, HUDA

Endst. No. A-4-UB/2014/ 9380

Dated:15-04-2014

A copy of above along with copy of affidavits is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The General Manager (IT), HUDA, Panchkula. He is requested to host these instructions on HUDA website.
4. The District Attorney, HUDA, Panchkula.
5. The Dy. ESA, Panchkula.

-sd-

Administrator, HQ
for Chief Administrator, HUDA

AFFIDAVIT FOR GENERAL CATEGORY

I.....Wife/Son/Daughter of Sh..... Resident of.....
District.....do hereby solemnly declare and affirm as under:

1. That I have never been allotted* a plot of land directly by HUDA in the Urban Estate/Mandi Township..... (Name of the Urban Estate/Mandi Township).
2. That if any information given in the affidavit is found incorrect at any later stage, the deponent shall be liable for criminal prosecution as well as cancellation of all the plots allotted to him by HUDA.
3. That the deponent shall abide by rules, regulations and policies framed by HUDA from time to time.

Dated, the

Deponent

Verification

I, the above name deponent do hereby affirm and verify that the above statement of mine is true and correct to the best of my knowledge and belief and that nothing has been concealed therein.

Deponent

-----End of affidavit-----

*However, there is no ban on those individuals /applicants:-
(as per policy circulated vide memo no. 23278/-94 dated 29.06.2006)`

- i. Who have acquired a residential plot in HUDA area by way of purchase from open market or through re-allotment by transfer.
- ii. Whose spouse or dependent children have acquired a plot by way of allotment or otherwise in the same Urban Estate/mandi township developed by HUDA.
- iii. Who already own a group housing flat in HUDA sectors or any kind of non-HUDA residential property (Plot/Hat) in same Urban Estate/town.

AFFIDAVIT FOR RESERVE CATEGORY

(SC, BC, Defence Personnel, Ex-servicemen, Para-Military forces, War Widow/Disabled Soldiers, Widow other than War Widow, Physically Handicapped, Blind, Advocates, Haryana Police personnel killed in action/encounter (HPKIA), Freedom Fighters (their children and Grand children, widow)

I.....Wife/Son/Daughter of Sh..... Resident of.....

District.....do hereby solemnly declare and affirm as under:

1. That there is no plot* of land or house in my own or in the name of my spouse or in the name of any of my dependent family members in any Urban Estates/Mandi Township developed by HUDA.
2. That I** have never been allotted at any time anywhere in Haryana, a plot or land in any reserve categories i.e.(a) DQ (b) GSRQ (c)SC (d) BC (e) Ex-servicemen (f) Defence Personnel (g) Para-Military forces (h) War Widow/Disabled Soldiers (i) Widow other than War Widow (j) Physically Handicapped (k) Blind (l) Advocates (m) Haryana Police personnel killed in action/ encounter(HPKIA), Freedom Fighters(their children and Grand children) etc.
3. That if any information given in the affidavit is found incorrect at any later stage, the deponent shall be liable for criminal prosecution as well as cancellation and resumption of all the plots allotted to him by HUDA.
4. That the deponent shall abide by rules, regulations and policies framed by HUDA from time to time.

Dated, the

Deponent

Verification

I, the above named deponent do hereby affirm and verify that the above statement of mine is true and correct to the best of my knowledge and belief and that nothing has been concealed therein.

Deponent.

-----End of affidavit-----

*However, there is no ban on those individuals /applicants:-

(as per policy circulated vide memo no. 23278-94 dated 29.06.2006)

- i. Who already own a group housing flat or any kind of non-HUDA residential property in same Urban Estate/town.

**Including spouse or dependent family members.

AFFIDAVIT FOR GSRO

I.....Wife/Son of Sh..... Resident of District.....do hereby solemnly declare and affirm as under:

1. I am an employed as in the office of..... on regular basis.
2. I am official of class.....
3. The maximum of my scale pay is Rs.....
4. I fall in category.....(As mentioned in eligibility condition number 12(ii))
5. That my date of retirement/superannuation is.....
6. There is no plot*/house in my own name or in the name of my spouse or in the name of any of my dependent family members in any Urban Estates/Mandi Township developed by HUDA in Haryana State except non HUDA property and group housing flats.
7. I** have not been allotted at any time anywhere in Haryana, a plot of land out of Haryana Government Servants Quota, discretionary quota or any other reserved category.
8. That if any information given in the affidavit is found incorrect at any later stage, the deponent shall be liable for criminal prosecution as well as cancellation of all the plots allotted to him by HUDA.
9. That the deponent shall abide by rules, regulations and policies framed by HUDA from time to time.

Dated, the

Deponent

Verification

I, the above named deponent do hereby affirm and verify that the above statement of mine is true and correct to the best of my knowledge and belief and that nothing has been concealed therein.

Deponent

-----End of affidavit-----

*However, there is no ban on those individuals /applicants:-

(as per policy circulated vide memo no. 23278-94 dated 29.06.2006)

- i. Who already own a group housing flat or any kind of non-HUDA residential property in same Urban Estate/town.

**Including spouse or dependent family members.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA in the State.
2. All the Estate Officers, HUDA, In the State.

Memo No. A-6UB-2014/7564

Dated:19.03.2014

Subject:- Instructions regarding allotment of plot under GSRQ category.

In the year 1987 it was decided by the Authority that an affidavit is to be obtained from the successful applicant under GSRQ Category to the effect that:

- i. Only those applicants are eligible to apply under GSRQ who do not own a residential plot/house in his/her name/spouse's name or in the name of the dependant member or his/her family in any Urban Estate developed by Haryana Urban Estate Department or HUDA in Haryana State.
- ii. Besides he has not been allotted at any time anywhere in Haryana a plot of land out of Haryana Govt. Servants Quota or discretionary quota or any other reserve category.

Accordingly, the instructions were issued vide memo No.A-11-1987/805 15 dated 09.01.1987 The matter has been reconsidered and it has been decided to revise the contents of affidavit to be obtained from the successful applicant under GSRQ Category which would include the following conditions in the body of affidavit invariably:

1. That there is no plot/house in my own name or in the name of my spouse or in the name of any of my dependent family members in any Urban Estates/Mandi Township developed by HUDA in Haryana State except non HUDA property and group housing flats.
2. That I including spouse or dependent family members) have not been allotted at any time anywhere in Haryana, a plot of land out of Haryana Government Servants Quota, discretionary quota or any other reserved category.
3. That if any information given in the affidavit is found incorrect at any later stage, the deponent shall be liable for criminal prosecution as well as cancellation of all the plots allotted to him by HUDA.

You are, therefore, requested to bring these instructions to the notice of all concerned for strict compliance and the desired affidavit, from the successful allottees, be obtained for all future floatation. Any laxity will be viewed seriously and the persons/officials at fault will held themselves personally responsible for the consequences.

This is being issued after obtaining the approval of the Chief Minister-cum-Chairman, HUDA.

-sd-

Administrator, HQ
For Chief Administrator HUDA

Endst. No. No.A-6UB-2014/7565

Dated:19.03.2014

A copy of above is forwarded to the Chief Secretary to Govt. Haryana, Vigilance Department, Chandigarh w.r.t. his memo no. 10/37/2013-1VI dated 14.01.2014 for information.

-sd-

Administrator, HQ
For Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

- 1 All the Administrator(s) of HUDA in the State.
2. All the Estate Officer(s) of HUDA in the State.

Memo No. UB-A-2 (J) -2010

Dated 07.10.2010

Subject: -Addition of widow of a Freedom Fighter in the **reservation** made for freedom fighter, their children and grand children in the residential plots.

This is partial modification of policy guidelines bearing No. A11-97/16028-33 dated 6.5.1997.

The matter regarding adding of widow of Freedom Fighter in the reservation made for Freedom Fighter, their children and grand children has been engaging the attention for the last some time. The issue has been examined and it has been decided that in future widow of a Freedom Fighter may be included /made eligible in the existing reservation of Freedom Fighter, their children and grand children.

This issue with the prior approval of Chairman HUDA –cum –Chief Minister Haryana.

-sd/-
(Krishan Lal)
Administrative Officer (UB),
for Chief Administrator, HUDA,
Dated 7/10/10

Endst .No. UB-A -2 (J) -2010/ 39921-42

A copy of the above is forwarded to the following for information and necessary action :-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer/ Chief Engineer-I, HUDA, Panchkula.
4. The Senior Architect, HUDA, Panchkula.
- 5 The Distt, Attorney , HUDA, Panchkula.
- 6 The Enforcement Officer, HUDA, Panchkula.
- 7 The General Manger (IT), HUDA, Panchkula.
- 8 The Dy. ESA , HUDA, Panchkula.
- 9 All the Assistants /Record Keepers in Urban Branch – I & II.

-sd/-
(Krishan Lal)
Administrative Officer (UE),
for Chief Administrator,

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrators of HUDA in the State.

Memo No. UB-I-NK-2009/ 7593-97 Dated: 19.03.2009

Subject:-Regarding **Reservation of Residential plots for Advocates** in HUDA Urban Estates – C.M. Announcement.-
Modification thereof.

This is in continuation of this office Memo No.UB-I-NK-2008/ 30928-48 dated 29.08.08 on the above cited subject.

The Policy issued vide under reference was placed before the Authority in its 102nd meeting held on 24.02.2009 vide agenda item no. A-102nd (23) for approval, with the proposal to modify condition (f) of the policy as under:-

“An individual shall be eligible to make one application only. In case more than one application is made by an applicant, all his applications will be rejected and a deduction of Rs. 1000/- per application shall be made from earnest money as processing charges”.

The Authority has accorded its approval to the proposal contained in the agenda. A copy of the agenda item no. A-102nd (23), alongwith relevant extract of proceedings, is enclosed herewith for further necessary action.

-sd/-

(Naresh Mehtani)

DA/As Above Incharge Urban Branch-I
for Chief Administrator, HUDA

Dated 19.03.2009

Endst. No. UB-I-NK-2009/7598-7620

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Legal Remembrancer, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, HQ, Panchkula.
6. All the Estate Officers of HUDA in the State.
7. The Deputy ESA, HUDA, Panchkula.
8. All the Assistants of Urban Branch-I & II.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Assistant Estate Officers, HUDA

Memo No. A-Policy-2009/UB-I/27823-45

Dated 31.07.2009

Subject: Modification in HUDA policy for allotment of residential plots-ban imposed to acquire more than one plot in an Urban Estate

This is with reference to policy guidelines circulated vide memo No. A-1-2006/23278-94 dated 29.06.2006.

Besides modifying the prevalent allotment policy, it had also been decided and circulated that there shall be no ban to make an application of residential plot in the sectors developed by HUDA, “who have earlier acquired the non HUDA property and Group Housing Flats in the same Urban Estate/Town”. In the matter, it is clarified that this policy decision shall uniformly be applicable to all category of applicants. All other however shall remain the same.

-sd/-

(R.P.Gupta, IAS)
Administrator, HUDA (HQ)
for Chief Administrator, HUDA, Panchkula

Endst. No A-Policy-2009/UB-I/

Dated 31.07.2009

A copy of the above is forwarded to the following for information and necessary action; in continuation of the office endst. No. A-1-2006-23295-301 dated 29.06.2009.

1. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. All Assistants/Record Keepers of Urban Branch-I & II.

-sd/-

(R.P.Gupta, IAS)
Administrator, HUDA (HQ)
for Chief Administrator, HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No UB-1 PHK- 2009/6887-98

Dated 16.3.2009

Subject: Modification Preferential allotment of Residential Plots to the domiciles of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology, Judiciary, Defense or Sports.

This is in continuation of this office Memo No .UB-1 PHK -2008/40088-40122 dated 28.11.2008 on above cited subject.

The Policy guidelines circulated vide letter under reference were placed before the Authority in its 102 2nd meeting held on 24.02.2009 vide agenda item no A- 102nd (Suppl.-2) for approval . The Authority has accorded its approval to the proposal contained in the agenda.

POLICY :-

1. That such distinguished persons who are domicile of Haryana and have distinguished themselves in Art, Culture, Social Service, Science & Technology , Judiciary, Defence or Sports may be considered an identifiable and distinct category for preferential allotment of plots by HUDA. Under the policy, the following shall be considered as a class of persons:-
 - i) Recipients of Bharat Ratna or Nobel Prize or Raman Magsaysay Award.
 - ii) Recipients of jnanpeeth (pronounced as Gyanpeeth) Award.
 - iii) Recipients of Shanti Swaroop Bhatnagar Award.
 - iv) Chief Justice of India.
 - v) Chiefs of Defence forces i.e. Chief of the Army, Staff, Chief of the Naval Staff or Chief of the Air Staff.
 - vi) Medal winners in any event of any sport at the Olympics.
2. The above preferential allotment will be subject to the following terms and conditions.
 - i) That only the persons covered under the above said categories shall be eligible to apply for a plot. However , those persons who have been allotted plots either under discretionary quota of the Govt or the Chiefs of the Defence Forces who have been allotted plots under the respective reserved category either in their own names or in the names of their spouses or any dependent children by the Haryana Urban Development Authority in any of its Urban Estates shall not be eligible to apply.
 - ii) That the applicant should not own any plot in any urban estate of HUDA either in his own name or in the name of his or her spouse or any dependent children.
 - iii) That only the serving Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff shall be eligible for such allotment.
 - iv) That such persons shall be eligible to apply for 14 Marla or 1 Kanal plot only as per their requirement in any urban estate of their choice.
 - v) That such persons must be a domicile of Haryana.
 - vi) That such persons shall be given the benefit of this allotment only once in their lifetime.

- vii) That such person shall be at liberty to apply for such allotment as and when they acquire eligibility in view of the proposed policy. However, the dignitaries, such as Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff shall not be eligible for the preferential allotment after they demit their office.
- viii) That such allotment shall be made on 50% of the current rates as applicable at the time of allotment and on usual terms and conditions with the prior approval of the Chief Minister, Haryana, Difference in cost will be borne out by HUDA from the time interest income.
- ix) That such allotment shall be made by draw of lots if the applicants are more as compared to the number of plots in a particular sector of a particular urban estate.
- x) That such allottees will not be allowed to transfer these plots by way of sale or gift before the expiry of five years from the date of allotment.
- 3 Preferential allotment of plots shall be made with the approval of the Chief Minister as and when a request for the same is received keeping in view the availability of plots in the Urban Estate for which the request is received.

DA/As above

-sd/-
(Naresh Mehtani)
Incharge Urban Branch –I
for Chief Administrator, HUDA
Dated 16-03-2009

Endst .No. UB-I –PHK -2009/6899-6909

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance , HUDA, Panchkula.
2. The Chief Town Planner , HUDA , Panchkula.
3. The Legal Remembraner Officer, HUDA HQ , Panchkula.
4. The Deputy ESA, HUDA, Panchkula.
5. All the Assistants of Urban Branch – I & II .

-sd/-
(Naresh Mehtani)
Incharge Urban Branch –I
for Chief Administrator, HUDA

From

The chief Administrator,
Haryana Urban Development Authority,
Sector 6 Panchkula.

To

All the Administrators in HUDA.

Memo No. A-PHK-2008/UB-I/40088-93

Dated 28.11.2008

Subject : Preferential allotment of Residential plots to the domiciles of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology, Judiciary, Defense or Sports.

With reference to the subject as cited above, the Council of Ministers, Haryana in its meeting held on 21.10.2008 has approved a proposal for Preferential allotment of Residential plots to the domiciles of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology, Judiciary, Defence or Sports. A copy of the agenda placed before the CMM and the decision of CMM are enclosed.

- 1 As per the policy approved by the CMM, the following may be considered as a 'class of persons' for the purpose of preferential allotment of residential plot under the above said policy:-
 - i) Recipients of Bharat Ratna or Nobel Prize or Ramon Magsaysay Award.
 - ii) Recipients of Jnanpeeth (pronounced as Gyanpeeth) award
 - iii) Recipients of Shanti Swaroop Bhatnagar award.
 - iv) Chief Justice of India.
 - v) Chiefs of Defence forces, i.e. Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff.
 - vi) Medal winners in any event of any sport at the Olympics.
2. Allotment to the person qualifying under above stated categories will be subject to the following terms and conditions :-
 - A. That only the persons covered under the above said categories shall be eligible to apply for a plot. However, those persons who have been allotted plots either under discretionary quota of the Govt. or the Chiefs of the Defence Forces who have been allotted plots under the respective reserved category either in their own names or in the names of their spouses or any dependent children by the Haryana Urban Development Authority in any of its Urban Estates shall not be eligible to apply.
 - B. That the applicant should not own any plot in any urban estate of HUDA either in his own name or in the name of his or her spouse or any dependent children.
 - C. That only the serving Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff shall be eligible for such allotment.
 - D. That such persons shall be eligible to apply for 14 marla or 1 kanal plot only as per their requirement in any urban estate of their choice.
 - E. That such persons must be a domicile of Haryana.
 - F. That such persons shall be given the benefit of this allotment only once in their lifetime.
 - G. That such persons shall be at liberty to apply for such allotment as and when they acquire eligibility in view of the proposed policy. However, the dignitaries, such as, Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff shall not be eligible for the preferential allotment after they demit their office.

- H. That such allotment shall be made on current rates as applicable at the time of allotment and on usual terms and conditions with the prior approval of the Chief Minister, Haryana.
- I. That such allotment shall be made by draw of lots if the applicants are more as compared to the number of plots in a particular sector of a particular urban estate.
- J. That such allottees will not be allowed to transfer these plots by way of sale or gift before the expiry of five years from the date of allotment.

It has further been decided that since such distinguished persons as stated above who are domicile of Haryana are an identifiable and distinct category and, therefore, preferential allotment of plots shall be made with the approval of the Chief Minister as and when a request for the same is received keeping in view the availability of plots in Urban Estate for which the request is received.

You are requested to take necessary action accordingly.

-sd/-
(Naresh Mehtani)
Incharge Urban Branch –I
for Chief Administrator, HUDA

Endst.No.A-KK-2008/UB-I/40094-40122

Dated 28.11.2008

A copy is forwarded to the following for information and necessary action.

- 1. The Chief Secretary, Haryana, with the request that the concerned departments in the Central/State Government may kindly be informed about the above said policy.
- 2. Director, Public Relations and Cultural Affairs, Haryana, Chandigarh.
- 3. The Legal Remembrancer, HUDA, Panchkula.
- 4. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
- 5. The Chief Controller of Finance, HUDA, Panchkula.
- 6. The Chief Town Planner, HUDA, Panchkula.
- 7. Sr.Architect, HUDA Panchkula.
- 8. The Secretary, HUDA, Panchkula.
- 9. The Sr.Manager IT, HUDA, Panchkula.
- 10. The Deputy ESA, HUDA, Panchkula.
- 11. All the Estate Officers, of HUDA in the State.

-sd/-
(Naresh Mehtani)
Incharge Urban Branch –I
for Chief Administrator, HUDA

POLICY FOR RESERVATION OF RESIDENTIAL PLOTS FOR ADVOCATES

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. UB-I-NK-2008/30928-48 Dated: 29.08.2008

Subject: Regarding **Reservation of Residential plots for Advocates** in HUDA Urban Estates–C.M.'s Announcement.

1. The issue of providing reservation of Residential Plots for Advocates in HUDA Urban Estates has been engaging the attention of the State Government for some time. In view of the Chief Minister's announcement, it has now been decided that henceforth the reservation of residential plots for Advocates shall be made in HUDA sectors as follows:

Sr. No.	Zone	%age of Plots to be reserved
i)	Hyper and High Potential Zones which include <ol style="list-style-type: none">a) Urban Estate of Gurgaon.b) Controlled areas in Gurgaon District including controlled area declared around Sohna town.c) Controlled areas of Panipat and Kundli–Sonepat Multi-Functional Urban Complex.d) Periphery Controlled areas of Panchkula.	Nil (they can apply for the plots as general category alongwith others)
ii)	Medium Potential Zone which includes <ol style="list-style-type: none">a) Controlled areas of Karnal, Kurukshetra, Ambala City, Ambala Cantt, Yamunanagar, Hisar, Rohtak, Rewari-Bawal-Dharuhera Complex, Gannaur, Oil Refinery Panipat (Beholi).(b) Controlled areas of Faridabad District including controlled areas around towns like Palwal and Hodel.	5%
iii)	Low Potential Zone which includes all the remaining controlled areas declared in the State.	10%

2. **The said allotment shall be governed by the following terms and conditions-**

- a) The applicant must be a lawyer practicing in that Urban Estate, where he or she applies for a plot. Further, the applicant should be a member of the Bar Association of the District/ Sub Division comprising that Urban Estate and registered with the Bar Council of Punjab and Haryana High Court for at least one year on the date of submitting his or her application for the allotment of a plot under the policy.
- b) The applicant must be a permanent resident of Haryana.
- c) The applicant should not be having a plot or house or flat in any Urban Estate of Haryana State or Chandigarh or Mohali in his or her own name or in the name of his or her spouse or dependent children or in the name of HUF comprising all or any one of them.
- d) Those advocates who have ever been allotted a plot or land out of Government Servant Reserve Quota, Discretionary Quota or any other reserved category at any time anywhere in Haryana shall not be eligible under this policy.

- e) The applicant shall be required to submit an affidavit alongwith his or her application in terms & condition no. a, b, c and d above.
 - f) The allotment shall be governed by the HUDA Act, 1977, Rules and regulations framed there-under from time to time.
 - g) The above facility of reservation will be available to a successful applicant only once in a life time.
3. It is, therefore, requested that the above policy should be kept in view while floating new residential sectors in future. It is further requested that an acknowledgement of the receipt of this communication may be sent within 15 days of the receipt thereof.

This policy is being issued with the prior approval of the Chief Minister-cum-Chairman, HUDA.

-sd/-
(T.C. Gupta, I.A.S.)
Chief Administrator, HUDA

Endst. No. UB-I-NK-2008/ 30949-58

Dated 29.08.2008

A copy of the above is forwarded to the following in continuation of this office letter no. A-1/2006/738-45 dated 8th January, 2007 for information and necessary action:-

- 1. The Chief Controller of Finance, HUDA Panchkula.
- 2. The Chief Town Planner, HUDA Panchkula.
- 3. The Legal Remembrancer, HUDA Panchkula.
- 4. The Secretary, HUDA, Panchkula.
- 5. The Distt. Town Planner (N) with the direction to process the case to be placed before the Haryana Urban Development Authority in its next meeting for ex-post-facto approval.
- 6. The Enforcement Officer, HUDA (HQ) Panchkula.
- 7. The Deputy ESA, HUDA, Panchkula.
- 8. All the Assistants of UB-I & II.

-sd/-
(A.K.Yadav, I.A.S.)
Administrator, HUDA (HQ)
for Chief Administrator, HUDA

Internal Distribution-

- 1. Sr. Secretary to the Chairman, HUDA-cum-C.M., Haryana for the information of Chairman, HUDA-cum-C.M., Haryana.
- 2. PS/FCTCP for the information of FC TCP.

From

The Chief Administrator,
HUDA ,Panchkula

To

1. All the Administrators,HUDA
2. All the Estate Officers in HUDA.

Memo No CVO-AU-II/2007/511-34 Dated 7/1/2008

Subject: Policy regarding **reservation of residential plots for working Defense personnel-modification** thereof.

In partial modification of Head office letter No. A-II-87/33543-54 dated 20.10.1987, eligibility condition No. vi of brochure for serving /working defence personnel belonging to Haryana State will be substituted as under:-

Existing Eligibility Condition No. (vi)

“The applicant must belong to Haryana State. A domicile certificate issued by the concerned SDO(C) must be attached”

To be substituted

In case of defence personnel /para military forces personnel, certificate of eligibility and Haryana resident certificate issued by their respective Commanding officers or Rajya Sainik Board, Haryana must be attached along with the application form”

The above instructions may be brought to the notice of all concerned. Approval of Chairman, HUDA has been obtained on file. Ex- post-facto approval of Authority shall be obtained later on.

-sd/-
Chief Vigilance Officer,
for Chief Administrator, HUDA,
Panchkula

Endst No CVO-AU-II/2007/511-34

Dated 7/1/2008

A copy is forwarded to the following for information and necessary action:-

1. The Chief Town Planner, HUDA, Panchkula He is requested to substitute the eligibility condition No (vi) with the above modified condition in the broucher for future residential schemes.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA Panchkula.
5. The Legal Remembrancer, HUDA, Panchkula.
6. The Senior Architect, HUDA, Panchkula
7. The Dy. ESA. HUDA, Panchkula.
8. The Administrative Officer, HUDA (HQ), Panchkula.

-sd/-
Chief Vigilance Officer.,
for Chief Administrator, HUDA,
Panchkula

Endst No. CVO- AU-II -2007/535-42

Dated 7/01/2008

A copy is forwarded to the Secretary, Rajya Sainik Board Haryana, Sector -12 Panchkula for information and necessary action.

-sd/-
Chief Vigilance Officer.,
for Chief Administrator, HUDA,
Panchkula

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA

Memo No. A-1-2006/23278-94

Dated 29.06.2006

Subject: HUDA policy for allotment of residential plots – Ban imposed to acquire more than one plot in an Urban Estate.

This is in partial modification of this office memo No. A-1-(P)-2000/6583-6603 dated 27.03.2000.

The existing policy for disposal of residential plots by way of allotment to the general category applicants states that “there shall be no ban for these applicants made more than one application as well as to acquire more than one plot in an urban estate.

The matter has been reviewed. It has been decided that an individual, who has ever been allotted a plot of land directly by HUDA in an urban estate shall not be entitled to apply for allotment of plot for the same urban estate against the future floatation.

However, there shall be no ban on those individuals/applicants;

1. Who have acquired a residential plot in HUDA area by way of purchase from open market on through re-allotment.
2. Whose spouse or dependent children have acquired a plot by way of allotment or otherwise in the same urban estate, developed by HUDA.
3. Who already own a group housing flat or any kind of non-HUDA residential property in same urban estate/ town.

The above decision may be widely published and brought into the notice of all concerned.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

Endst. No A-1-2006/23295-301

Dated: 29.06.2006

A copy is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Chief Vigilance-cum-Enforcement Officer, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators,HUDA
2. All the Estate Officers, Asstt.Estate Officers, HUDA.

Memo No A-1-2004/23837

Dated 25/6/2004

Subject: Reservation of plots for the dependents of officers/ officials of Haryana Police who are killed in action/ encounter with lawless elements.

The matter under subject was placed before the Authority in its last meeting held on 1/6/2004 vide agenda item No A-91 (13) for Consideration & decision The Authority has approved the proposal .It has been decided that plots equal to 2% of the total plots carved out in and Sector shall be reserved for allotment in favour of dependents of officers/ officials of Haryana Police, Killed in action/encounter. The above reservation shall be governed by the following terms and conditions.

- I) The family /dependents of deceased officer, to the rank of DSP and above shall be eligible to make an application for 10 –marla and above category of plots.
- II) The family /dependents of other ranks shall be eligible to make an application from 4 marla to 8- marla category only.
- III) Only one plot shall be allotted to a martyr family, as a whole.

It has also been decided that if the applications received against the floatation of a specific sector /Urban Estates are short to the plots available against the reservation, then left out plots shall go the general category automatically.

The application shall be routed through the Competent Authority in the Police Deptt with due to verification /certification. This reservation shall be made applicable with a prospective effect.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA.
Dated 25/6/2004

Endst. No. A-1-2004/

A copy is forwarded to the following for information and necessary action:-

1. Financial Commissioner & Principal Secretary to Govt. Haryana, Home Department, Chandigarh w.r.t his memo No. 15.04.2003, HG-I, dated 06.05.2003.
2. The Joint Director (Law), HUDA, HQ, Panchkula.
3. Secretary, HUDA, Panchkula.
4. Chief Engineer, HUDA, Panchkula.
5. Chief Town Planner, HUDA, Panchkula.
6. Chief Controller of Finance, HUDA, Panchkula.
7. The CVO-cum- Enforcement Officer, HUDA, Panchkula.
8. DY. ESA, HUDA, Panchkula.
9. All the Asstt (s) Record Keepers of Urban Branch.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers/ Asstt. Estate Officers, HUDA

Memo No.A-1-2003/30034-54

Dated 22.09.2003

Subject: Reservation of EWS plots for Widows in HUDA.

This is continuation of this office memo No. A-1-99/33712-51 dated 5.11.1999.

Since no specific provision to obtain "Widow Certificate" issued by Disstt. Administration has been laid down in our policy, circulated vide memo referred to above, Therefore the applications for allotment of a plot reserved for widow (other than war widow) if accompanies with Death Certificate of her deceased husband and an affidavit from the widow, may be treated as valid and accepted.

This also disposes off Estate Officer, HUDA, Panchkula memo No. 14168 dated 29.7.2002

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

Endst.No.A-1-2003/30055-30068

Dated 22.09.2003

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula
2. Chief Town Planner, HUDA, Panchkula.
3. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
4. Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Officer-cum-Enforcement office, HUDA, Panchkula.
7. DyEsa, HUDA, Panchkula.
8. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators (HUDA).
2. Chief Town, Planner, HUDA, Panchkula.

Memo No A-1-2001/18584

Dated 27-7-2001

Sub: Allotment of the plot to the **freedom fighter, their children and grand children** against **reservation** clarification thereof.

This in continuation of memo No .A-11 (P) -97/1602699 dated 6/5/97 on the subject cited above.

The decision of Cabinet meeting held on 27/3/97 was circulated vide above referred circulate where it was decided that 2% residential Plots up to & 6 marla category shall be reserved for Freedom Fighters which includes their children & grand children against this reservation, Therefore, the instructions issued vide head office memo NO. A-5-91, /759 dated 11/91 are still in force.

You are therefore, requested to take further action accordingly and the above instructions may brought into notice of all concerned.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA
Dated 27-7-2001

Endst. No. A-1-2001/18585

A copy is forwarded to all the Estate Officers/ Asstt Estate officers HUDA for information and necessary action.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA in the State.
2. All the Estate Officers in the State.

Memo No. A-1P-2000/6583-6603

Dated: 27.03.2000

Subject: - HUDA policy for allotment of residential plots/lifting of ban to acquire more than one plot in an Urban Estate.

Reference on the subject cited above.

This is in continuation of this office memo No.A-11-85/9176 dated 16.04.1985.

The policy for disposal of residential plots to the general category as circulated vide circular referred to above lays down that a person should not have more than one plot on an Urban Estate in the name of his/her, spouse or in the name of his/her dependent family member. Accordingly, the applicant is required to submit an affidavit to this effect at the time of allotment. The Authority has reviewed the matter in its 77th meeting held on 24.02.2000 vide agenda item no.A-77(13). It has been decided that in future floatation this condition be removed for general category applicants. However, this condition as applicable to all reserved categories including EWS plots shall remain in force as such. A copy of the agenda and an extract of the decision of the Authority are sent herewith for reference and record.

You are, therefore, requested to take further action accordingly.

DA/as above.

-sd-

Administrator Officer,
for Chief Administrator, HUDA.

Endst. No.A-1P-2000/6604-2b

Dated:27.03.2000

A copy of the above along with copy of agenda and an extract of decision of the Authority are forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. All the Assistant/Record Keepers in Urban Branch of HQs.
- 7.

-sd-

Administrator Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Sector-6, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers/ Asstt. Estate Officers, HUDA

Memo No.A-1-99/33712-32

Dated 5.11.1999

Subject: Reservation of plots for widows in HUDA.

Reference on the subject cited above.

As a follow up to the assurance given on the floor of Haryana Vidhan Sabha during the year 1998-99 that “due reservation of plots will be made by HUDA & Housing Board Haryana for welfare of widows”, the matter was placed before the Authority in its 76th meeting held on 30.9.99 vide agenda item No. A-76(23) for consideration and decision. It has been decided that 2% plots in 4 to 6 Marla category & 3% in EWS category up to 3 Marla may be reserved exclusively for widows other than war widows subject to the condition that a widow who already has a plot would not be eligible to apply under this reservation. The other terms & conditions applicable on other reserve category will also apply. A copy of draft agenda & an extract of proceedings of the meeting are sent herewith.

These instructions may be followed in letter and spirit and brought to the notice of all concerned.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA
Dated 5.11.1999

Endst.No.A-1-99/33733-51

A copy is forwarded to the following for information and necessary action:-

1. Director, Women & Child Development Department, Haryana, Chandigarh with reference to his letter no 22742-57 dated 6/8/99.
2. Chief Engineer, HUDA, Panchkula.
3. Chief Town Planner, HUDA, Panchkula.
4. Chief Controller of Finance, HUDA, Panchkula
5. The Joint Director (Legal), HUDA, Panchkula
6. The Secretary, HUDA, Panchkula.
7. DyEsa, HUDA, Panchkula.
8. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-

Administrative Officer,
For Chief Administrator, HUDA

Agenda item No. A-76(23)

Reservation of plots for widows in HUDA.

The Director, Women and Child Development Department Haryana has intimated that in the year 1998-99, it was assured on the floor of the Haryana Vidhan Sabha that due reservation of plots will be made by HUDA and Housing Board Haryana for welfare of widows. The existing reservation of plots in HUDA may be seen at Annexure 'A'.

We have already reserved 3% plots for war widows and disabled soldiers in 4 to 6 marla plots and 5% reservation in EWS plots upto 3 marla category. No separate reservation for other widows have been made. As the other widows also deserve reservation in plots as per assurance given in the Haryana Vidhan Sabha, a proposal was put up for reservation of 2% plots in 4 to 6 marla category and 3% in EWS category upto 3 marla exclusively for widows other than war widows.

The Chairman, HUDA has approved this proposal on the file on 17.9.99. with this proposal, total reservation of plots in 4 to 6 marla category will become 47% and EWS plots upto 3 marla category will become 57%.

The above proposal is submitted for consideration and decision of the Authority.

Extract taken from the proceedings of 76th meeting of Haryana Urban Development Authority held on 30.9.99 at 3.00 P.M under the Chairmanship of Shri Dhir Pal Singh Minister, Town & Country Planning/ Chairman of the Authority in Committee room Haryana Civil Sectt. Chandigarh.

Item No. A-76 (23)

Reservation of plot for widows in HUDA.

The proposal in this agenda was approved with the condition that a widow who already has a plot would not be eligible to apply under this reservation. Other conditions can also be considered if desirable

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators/ in
Haryana Urban Development Authority.
2. All the Estate Officers in
Haryana Urban Development Authority.

Memo No –A- 11P-98/24689

Dated 01.09.1998

Subject: Policy regarding **reservation of Residential Plots** for various Categories **amendment** thereof.

This is in partial modification of the reservation policy Circulated vide HQ (s) Memo No .A-11 P-97/16028-50 dated 06.05.97.

The policy has been reviewed by the Authority in its 74th Meeting held on 20.08.98 it has been decided hence forth with, the Reservation for Defence Personnel /Ex Servicemen of Haryana Domicile in all Urban Estates and in all categories/sizes shall be 8% instead of Existing 10% . It has further been decided that the widows of Ex- Servicemen shall also be eligible to avail the above reservation facilities meant for Defence Personnel/Ex-Servicemen. There shall be 2% reservation in all categories for the personnel of Para Military forces like CRPF, BSF, RPF, GSF, CFEF, etc. hailing from Haryana State.

It has also been decided that if there remains some left out plots, earmarked/ reserved for War- Widows / Disabled Soldiers , the same shall be diverted to quota of Defence Personnel /Ex- Servicemen. The reservation for other categories shall, however, remain unchanged

You are, requested, to take further action accordingly The receipt of the communication may also be acknowledged.

-sd/-
Administrator (HQ),
For Chief Administrator, HUDA

Endst No.A-11 P-98/24690

Dated 01.09.1998

A copy is forwarded to the following for information and necessary action

1. Chief Engineer, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Secretary , HUDA, Panchkula.
5. District Attorney, HUDA, Panchkula.
6. Asstt. Research Officer, HUDA (HQ), Panchkula.
7. All the Asstt (s) Record Keepers of Urban Branch.

-sd/-
Administrator (HQ),
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

- 1) All the Administrator, HUDA.
- 2) The Chief Town Planner, HUDA, Panchkula.
- 3) The Chief Engineer, HUDA, Panchkula.

Memo No.A-11P-97/16028-33

Dated, Panchkula, the 6th May, 1997.

Subject :Modification of auction policy of residential industrial and institutional plots and reservation of plots.

The matter regarding modification of auction policy of residential, industrial and institutional plots was placed before the Cabinet in the its meeting held on 27.03.1997. Cabinet had decided to modify the auction policy of residential, industrial and institutional plots as per details given below :

- 1) Left over/unsold plots in developed sectors would be sold by way of auction.
- 2) All the commercial plots would be sold by way of auction.
- 3) All the plots in mandi Township areas would be sold by auction.
- 4) Nursing Homes, Clinic sites and Public schools would be allotted through auction.
- 5) 5% of the residential plots measuring 10 Marla and above would be sold by way of auction only in the following Urban Estates ;
- 6) Gurgaon, Panchkula, Faridabad, Panipat and Rewari, 50% of the difference between the auction price and reserve price would be paid to the State Government. New residential plots including plots for Group Housing Scheme and industrial plots all over the State would be sold by way of allotment after issuing advertisement for the same in the leading newspaper s. while individual and Group Housing plots would be allotted by draw of plots, industrial plots would be allotted by scrutinizing the project report of the applicants, and their experience/capabilities in this regard. Cases of rental housing scheme for the Govt. (both Central and State) would be considered as and when applications are received and depending upon availability of land.
- 7) Institutional plots would be allotted by the Authority after inviting applications on the basis of recommendations made by the Committee constituted for the purpose headed by the local Administrator. In respect of Group Housing Scheme, 1995, it has been decided that earnest money be refunded to the applicants alongwith interest @15% and the plots be advertised afresh at the revised rates.

In respect of policy regarding reservation of residential plots for various categories in the sectors/urban estate developed by HUDA, which had come to an end in view of Cabinet decision dated 16.09.1996 “to dispose of all residential plots through auction rout only” reservation chart hitherto being followed has been adopted with following modifications :

PROPOSED RESERVATION CHART FOR VARIOUS CATEGORIES

S.No.	Category	All size plots	4 to 6 Marla	EWS upto 2 Marla	Remarks
1	Scheduled Caste/ Scheduled Tribes	Nil	15%	20%	
2.	Backward Class	Nil	3%	5%	
3.	War Widows/ Soldiers	Nil	3%	5%	
4.	Freedom Fighter	Nil	2%	2%	

5.	Handicapped	Nil	2%	2%	1% for blind
6	Haryana Govt. Servants including employees of Board/Corporations under Haryana Government	10%	10%	10%	2% for retired/retiring employees in next five years.
7.	Defence personnel/ Ex-serviceman including para-military forces like CRPF, BSF, ITBP, RPF, GSF, CFEF etc. of domicile of Haryana State.	10%	10%	10%	

- 8) Those NRIs who have been allotted industrial plots for them, 2 residential plots of one kanal category and 5 residential plots of 14 Marla category be reserved in every new sectors when floated. The residential plots to NRI is to be offered when he at least completes the building upon the industrial plots allotted to him, install machinery and is ready to start commercial production. Further, he will not be allowed to dispose off the plot under any circumstances for a period of 10 years.
- 9) An equal number of residential plots, to that of claims, received from the land owners, whose land has been acquired for the development of sectors are reserved for allotment in their favour, under oustee policy.

All other terms and conditions of eligibility will remain the same as per previous policy.

The Cabinet in its meeting held on 27.03.1997 had decided that all institutional plots would be allotted by the Authority after inviting applications on the basis of recommendations of the Committee constituted for the purpose headed by Zonal Administrator. The Authority after consideration of this matter vide agenda item No.A-70(31) has decided that the policy being followed earlier in respect of petrol pumps, LPG Godowns, kerosene depots etc. be followed with the approval of the Authority as those sites cannot be put to auction there being only one dealer for a site. However, rent being charged has further been revised, which is being communicated separately.

In case of allotment of land to Govt. Departments, Public Sectors Undertakings, Corporations it has been decided that the earlier policy being followed may be continued with the approval of the Authority as in these cases the allotment is to be made to Govt. Department/Undertakings.

The Authority in its 70th meeting held on 23.04.1997 vide agenda item No.22 and 31 has approved the above decisions. The copy of the memorandum to modify the auction policy placed before the Cabinet in its meeting dated 27.03.1997 its decision thereon along with copy of agenda copy of agenda item No.A-70(22) and A-70(31) and decision of the Authority are also sent herewith for strict compliance.

Kindly acknowledge its receipt.

DA/As above

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst. No.A-11P-97/16034-58

Dated : 06.05.1997

A copy is forwarded to all Estate Officers/Assistant Estate Officers in HUDA for information and strict compliance.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh.

To

All the Administrators, HUDA.
All the Estate Officers/Assistant Estate Officer,
Haryana Urban Development Authority.

Memo No. A-5-91/759

Dated: 11.01.1991

Subject : Allotment of residential plots-reservation for Freedom Fighter/their children's and grand children hailing from State of Haryana.

In continuation of this office instructions issued vide letter No. A-11-85/6147-58 dated 11.03.1985 on the subject cited above.

In the instructions referred to above it was communicated that in all residential sectors of HUDA where the plots will be floated, 2% plots upto and below 6 marla category be reserved for allotment to the freedom fighters, their sons and grand sons whereas it should have been as “ freedom fighters, their children and grand children” which may be substituted in the instructions mentioned above.

--sd--
for Chief Administrator,
HSVP, Panchkula

Endst No. A-5-91/760

Dated:11.01.1991

A copy is forwarded to the Dy. ESA, HUDA, Manimajra, U.T. Chandigarh for information and necessary action w.r.t endst. No. A-11-84/1142 dated 09.01.1985. He is requested to make necessary correction in the folder for future scheme.

--sd--
for Chief Administrator,
HSVP, Panchkula

Endst No. A-5-91/761

Dated:11.01.1991

1. The Secretary, HUDA, Manimajra, U.T. Chandigarh.
2. The Controller of Finance, HUDA, Manimajra.

--sd--
for Chief Administrator,
HSVP, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra(U.T.) Chandigarh

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo no. A-11-P-5-88/18453-64

Dated: 25-05-1988

Subject: Reservation of residential plots for various categories.

Please refer to the above noted subject.

2. It is intimated that a proposal for reviewing the existing reservation of residential plots to various categories was placed before the Haryana Urban Development Authority in its 34th meeting held on 14.08.1987. The proposal contained in the agenda was discussed in detail. It was decided to modify the reservation ratio of residential plots meant for Govt. servants and Defence Personnel. The reservation for other categories was kept in tact. The existing reservation of 5% in all sized of plots for Haryana Govt. Employees and employees of various Boards/Corporations etc. under the Haryana has been revised to 10%. The 20% reservation for Defence Personnel was, however, allowed to be continued, but it has been differentiated that 20% in all sized would be reserved at the notified places and 10% at other places.

At present only the Haryana Govt. employees and the employees of various Boards/Corporations under the Haryana Govt. and the Haryana State Coop. Bank are considered eligible for allotment under the Govt. servant quota, but the official of other co-operative Federation, District Rural Development Agencies(DRDAs) and Autonomous Bodies like Universities within Haryana State are not eligible. The officials of these offices are representing for including in the Govt. employees category for the purpose of reservation.

In this connection the Authority did not approve the proposal enlarging the eligibility criteria of plots falling under the employees quota.

You are requested to brought these instructions to the notice of all concerned.

-sd-

Administrator(HQ)
For Chief Administrator, HUDA
Manimajra

Endst. No. A-11-P-5-88/18465-75

Dated: 25.05.1988

A copy of above is forwarded to the following:-

1. The Secretary, HUDA, Manimajra
2. District attorney, HUDA, Manimajra
3. Controller of Finance, HUDA
4. Dy. ESA, HUDA, Manimajra

-sd-

Administrator(HQ)
For Chief Administrator, HUDA
Manimajra

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh.

To

1. All the Administrators in
Haryana Urban Development Authority.
2. All the Estate Officers in
Haryana Urban Development Authority.

Memo No. A-11-87/33543-54

Dated 20-10-1987

Subject: **Modification** in Policy regarding **reservation** of **Residential Plots** for various Categories.

Sir

Please refer to the above noted subject.

The question of reviewing of reservation policy for allotment of residential plot to the different categories of people has been under consideration since long and in order to finalise issue a proposal was placed before the Haryana Urban Development Authority in its 34th meeting held on 14-06-97 after consideration of all aspects of the problem, it has been decided that the existing reservation of 5% in all of plots for employees of Haryana Govt, & Boards /Corporations under the Haryana Govt, should be raised to 10% It has also been decided that the reservation of 10% of the Govt. employees should be further divided in the following manner:-

- (I) Those who have got less than 5 years for superannuation 2.5%
- (II) For those who have put in more than 15 years of service and have got more than 5 years for superannuation. 5%
- (iii) For those who have rendered services of less than 15 years. 2.5%

The application form should be amended and 2 columns one for date of joining in Haryana Govt. service and the other for the date of attaining 58 years of age should be added. Employees of Co- operative Land Development Banks be also included in the category of Haryana Govt. Employees. The reservation for Defense Personnel will be 20% in all sizes of plots at the notified places. Thus the Reservation in allotment of residential plots will be as under:-

Category	Percentage	Remarks
Defence Personnel/ Ex- Servicemen	20%	In all sizes of plots at the notified places.
-do-	10%	in other places in all sizes.
Govt. Employees	10%	In all sizes.

OTHER RESERVATION IN SMALL PLOTS

Category	E.W.S. Plots (Only 2 Marla)	4&6 Marala plots
Scheduled Castes	20%	15%
Backward Classes.	5%	3%
War- Widdws/ Disabled	5%	3%
Soldier.		
Handicapped.	1%	1%
Freedom Fighters.	2%	2%

RESERVATION OF PLOTS UNDER LOW COST HOUSING SCHEME.

D.Q	S.C.	B.C.	Nomadic Tribes.	Freedom Fighters.	Remarks.
10%	15%	10%	5%	10%	This reservation is from 2 marla Plots to 4 marla plots

It has further been decided that the Defence/Ex-Servicemen of Haryana domicile only shall be eligible for reserved category of plots.

The reservation of residential plots fixed for various categories will be only at the time of first allotment. The surrendered/ cancelled/ un – allotted plots of reserved categories quota will go to the general category of plots and will be sold later by draw of lots as decided by Chief Administrator.

These instructions may be brought to the notice of all concerned.

Yours faithfully,

-sd/-

Administrator (HQ),

For Chief Administrator, HUDA.

Endst . No. A-11-87/33555-59

Dated 20-10-1987

A copy is forwarded to the following for information and necessary action:-

1. Secretary, HUDA, Mani – Majra.
2. District Attorney, HUDA. ADA (Rules).
3. Controllor of Finance , HUDA,
4. Dy . E.S.A. HUDA.

-sd/-

Administrator (HQ),

Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrators in
Haryana Urban Development Authority.
2. All the Estate Officers/Asstt. Estate Officers
Haryana Urban Development Authority.

Memo No. A-11-87/13376-85

Dated: 05.05.1987

Subject: Amendment Change in policy of allotment of **residential plots for reserved category discretionary quota.**

Please refer to this office circular No. A-11-87/805-815 dated 09.01.1987 on the subject noted above.

Some of the field officers have sought clarifications on the above circular. To make the policy more clear, the above circular is superseded and the following instructions are issued.

Reserved Category

Any person or member of the family is eligible to get a plot under reserved category like G.S.R.Q., S.C., B.C., E.S.M./defence personnel, freedom fighter and physically handicapped only once in his or her life-time in any of the Urban Estate. There is no disqualification, if he owned earlier any plot having been required in a manner other than the above and disposed it of later. But at the time of allotment of the reserved category of plot, the allottee should not have any plot in any of the Urban Estate of Haryana. (Proforma of affidavit is attached).

Discretionary Quota

A person or any member of his family is eligible under the category for allotment of only one plot in a life-time in any of the Urban Estate where he does not own a plot (Copy of affidavit is enclosed).

There is no time limit on the transfer of such plots and are covered under the general policy of transfer circulated vide this office No. A-11-1987-5657-64 dated 25.05.1987.

--sd-

Administrator(HQ),
for Chief Administrator, HUDA

Proforma of Affidavit for reserved category.

I _____ wife/son/daughter of
Sh. _____ Resident of _____ Distt.
_____ hereby solemnly declare and affirm as under:-

- (1) that I have not been allotted a plot of land
at any time, in any Urban Estate of Haryana, under
the reserved category of G.S.R.Q., S.C., B.C., E.S.M.
Freedom Fighter and Physically handicapped.

and

- (2) that there is no plot of land or house in my own
or in the name of my spouse or in the name of any
of my dependent family members in Urban Estate
in Haryana

Dated, the

DEPONENT

VERIFICATION

I, the above name deponent do hereby affirm and verify that the above statement of mine is true and correct
to the best of my knowledge and belief and that nothing has been concealed therein.

DEPONENT

On non-Judicial paper
Worth Rs. 3/-

Affidavit for a plot under Discretionary Quota.

I, _____ S/o _____ Resident of _____
_____ The. _____ Distt. _____, do hereby solemnly affirm

and declare as under:-

“That I do not have any other plot/house in Urban Estate _____ in my own name, in the name of my spouse or of any of the family members dependent upon me and I have not been allotted at any time a plot of land in any Urban Estate out of Haryana Govt. discretionary quota in my own name/spouse or in the name of family members dependent upon me.

Place _____

Dated _____

DEPONENT

VERIFICATION

I, the above named deponent do hereby further solemnly affirm and declare that the contents of the above affidavit are true and correct to the best of my knowledge and nothing has been concealed therein.

Place _____

Dated _____

DEPONENT

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

All the Administrators/Estate officers,
Haryana Urban Development Authority.

Memo No. A-11-87/805-15

Dated:- 09.01.1987

Subject: **Amendments** Change in policy of allotment of residential plots in the Urban Estates.

As per the existing policy, a person or its dependents can not acquire more than one plot in an Urban Estate in Haryana. HUDA also reserved 5% plots for allotment to Haryana Govt. Employees and the employees of the various Boards/Corporations etc. Under the Haryana Govt. If an employee is allotted a plot under this category he will not be eligible for allotment of another plot under this category. If an employee in this category has ever been allotted plots and subsequently he has disposed it of in that case also he will not be eligible to get the plot again under this category. These conditions were not applicable to certain other reserved categories like DQ, SC, BC, ESM, Defense Personnel, Freedom Fighters etc. Where like wise the plots are also reserved in certain proportion.

Therefore, in order to keep at par all the reserved categories, it has been decided that the condition applicable to the Govt. Employees and the employees of the various Boards and Corporations etc. Under the Haryana Govt in getting the plot be also made applicable to other categories where the plots are reserved. Keeping in view the requirement that the speculation in the allotment of land /house should be curbed as far as possible, it has been decided that when a person has been debarred to get more than one plot in any Urban Estate in the fresh allotment he should also be debarred from getting more than one plot in the said urban estate by way of transfer or otherwise. Therefore, while allotting/transferring the plot an affidavit in the allotment of residential plots in general category and in the reserved categories are also enclosed.

D.A./
Proforma

-sd/-

PROFORMA OF AFFIDAVIT IN CASE OF RESERVED CATEGORIES

I _____ wife/son/daughter of Sh. _____

resident of _____ District _____ hereby solemnly declare and

affirm as under :-

1. That I have no plot or land or house in my own or in the name of my spouse or in the name of any of my dependent family members in any Urban Estates in Haryana, Delhi or Chandigarh.
2. That I have not been allotted at any time a plot or land if any reserved categories i.e. DQ, GSRQ, SC, BC, Ex-Servicemen, Defence Personnel, Freedom Fighters etc.

Dated, the

DEPONENT

VERIFICATION :

I, the above named deponent do hereby affirm and verify that the above statement of mine is true and correct to the best of my knowledge and belief and that nothing has been concealed.

DEPONENT

PROFORMA OF AFFIDAVIT IN GENERAL CATEGORY

I _____ wife/son/daughter of Sh. _____ resident of _____ District _____ hereby solemnly declare and affirm as under:-

1. That I have no plot of land or house in my own or in the name of my spouse or in the name of any of my dependent family members in Urban Estate _____ (Name of the Urban Estate).
2. That I have not been allotted at any time a plot of land in the above Urban Estate in any category or got by transfer.

Dated, the

DEPONENT

VERIFICATION

I, the above named deponent do hereby affirm and verify that the above statement of mine is true and correct to the best of my knowledge and belief and that nothing has been concealed therein.

DEPONENT

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh,

To

1. All the Administrators,
2. All the Estate officers in
Haryana Urban Development Authority.

Memo No. A-11-P-5-85/15187

Dated 2/7/1985

Subject: Eligibility for the allotment of **residential plots reserved for allotment of Haryana Govt. servants & employees** of all Boards/Corporations under the Haryana Govt.

1. Numerous representations are being received from time to time seeking clarifications regarding eligibility of Govt. Employees for applying for allotment of Govt. Servant Quota plots.
2. It is clarified that only the Haryana Govt. Servants & employees of various Boards/Corporations and State Cooperative Banks which are under the auspices of the Haryana Government are eligible for allotment of plots reserved for Haryana Govt. Servants. Employees of Nationalized Banks, Universities, Private Collages, Govt of India Corporations /Department etc. are not eligible. All concerned may please be informed accordingly.

-sd/-

for Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

All the Administrators/Estate Officers of
Haryana Urban Development Authority.

Memo No. A-11-85/9176

Dated: 16.04.1985

Subject: Change in the policy of allotment of residential plots in Urban Estate.

In partial modification of this office memo no. A-11-83/3176 dated 11.10.1983 on the subject noted above.

It has been decided that a person should not have more than one plot in an Urban Estate in his/her, spouse or in the name of his/her dependent family members. Therefore, a copy of the amended draft affidavit is sent herewith for further necessary action.

-sd-

for Chief Administrator, HUDA,
Chandigarh

Endst. No. A-11-85/9177

Dated: 16.04.1985

A copy with a copy of the draft affidavit is forwarded to the following:-

1. Controller of Finance, HUDA, Chandigarh.
2. Dy. Economic & Statistical Advisor, HUDA, Chandigarh.

-sd-

for Chief Administrator, HUDA,
Chandigarh

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

All the Administrators/Estate Officers,
Haryana Urban Development Authority.

Memo No.A-11-04/1120-39

Dated: 09.01.1985

Subject: Reservation of residential plots to **Freedom Fighters.**

Please refer to the above noted subject.

The question of reservation of residential plots for the Freedom Fighters, their sons and grandsons has been under consideration for some time. It has been decided that in all residential sectors in future where the plots are floated by HUDA 2% upto & below 6-marla plots be reserved for allotment to the Freedom Fighters.

-sd/-
for Chief Administrator, HUDA,
Chandigarh.
Dated: 09.1.1985

Endst.No.A-11-85/1140

A copy is forwarded to the Commissioner & Secretary to Govt., Haryana Town & Country Planning Development for information with reference to his Endst.No.18/52/84/2TCP dated 2.8.84.

-sd/-
for Chief Administrator, HUDA,
Chandigarh.
Dated: 09.1.1985

Endst.No.A-11-85/1141-42

A copy is forwarded to the following for information and necessary action :-

- 1 The Controller of Finance, HUDA, Chandigarh.
2. Dy. ESA, HUDA, Chandigarh.

-sd/-
for Chief Administrator, HUDA,
Chandigarh.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All Estate officers.
2. All Administrator, HUDA.

Memo No A-14-83/21106-14

Dated 15.06.1983

Subject: Allotment of **residential plots** of **Haryana Govt. employees of various Board/Corp. & State Co-op. Bank** under the auspices of Haryana Govt.

Kindly refer to the above noted subject.

It has been decided that for the allotment of 50 sq .Mts plot (E.W.S), the ceiling of income may be raised from Rs.350/- to Rs.600/- per month total emoluments. Any Govt. employees whose total emoluments are less than Rs.600/-can apply for the 50 sq.mtrs plots reserved for Govt. employees, work charge employees who have been regularized and also fulfil the condition can also apply .It is also added that the matter is put up for consideration in the ensuing meeting of the Finance Committee and it is for the present subject to the approval of the Finance Committee.

-sd/-
Secretary,
For Chief Administrator,
HUDA, Chandigarh.

Endst No. A-14-83/21114

Dated 15.06.1983

A copy is forwarded to following:-

1. The Chief Engineer, HUDA, Panchkula..
2. The Controller of Finance, HUDA, Chandigarh.
3. The Deputy Economic & Statistical Advisor, HUDA, Chandigarh.
4. for Information and necessary action please.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrators,HUDA,Faridabad/Panchkula.
2. All the Estate Officers, Asstt.Estate Officers, HUDA.

Memo No A-11-81/31660-67

Dated 24/12/1981

Subject: Proceedings of the meeting of the HUDA held on 6th October, 1981 at 3.30 P.M under the Chairmanship of Ch. Khurshed Ahmed, Minister of Town & Country Planning and Urban Estate, Haryana in the Primary School Building (Chief Engineer's officer) sector-8, Panchkula- regarding allotment of **residential plot** under **discretionary quota**.

Correspondence pasting with this office No. A-11-81/21911-21 dated 22.9.81 on the subject cited above.

In the aforesaid meeting an agenda item for the allotment of residential/ resumed, surrendered, cancelled and unsold plots under Discretionary quota of the Govt. was placed before the HUDA meeting held on 6.10.1981, A copy of this agenda as well as the decision taken thereon is sent herewith for taking necessary action in the matter.

-sd/-

For Chief Administrator, HUDA.
Chandigarh

AGENDA ITEM NO. A- XIX (4)

Allotment of residential plots under Discretionary quota of the Govt. all resumed, surrendered, cancelled and unsold plots by the Govt.

Before the constitution of the Haryana Urban Development Authority, the residential plots in the Urban Estates, Department were normally allotted by the various Estate Officers in accordance with the matter of allotment decided by the Govt. Consideration was given to the various sections of society depending upon their economic conditions. Policy of first come, first served was also adopted in a number of cases.

In the year 1971-72 the previous policy reservation of plots to the people of various sections of society was dispensed with. However, a certain percentage of plots was ought to be reserved for Govt. servants at the discretion of the Government. Accordingly, whenever a newly sector was carved 5% of the total numbers of plots in each category were reserved to be allotted by the Govt. at its discretion and another 5% were reserved for allotment to the Govt. servants. Besides, if additional plots were carved out, then also a reservation of 5% of plots at Govt. discretion and another 5% for Govt. servants were reserved. Thus the remaining plots used to be allotted either on first come first served basis or by row of plots to the general public as the case may be. But no reservation other than Govt. Quota/Govt. servants was allowed to any class/society.

In addition to the above reservation a small number of plots which become available from time to time on account of their having been surrendered by the original allottees or on account of their having been resumed for violation of any of condition of allotment, were also allotted by the Govt. at its discretion.

Again the Govt. desired that besides 5% becoming available from the newly carved out plots, resumed/surrendered plots be also continued to be allotted by the Govt. as here to force. Accordingly the proposal to this effect was placed in the 6th meeting of the Finance Committee held on 15.02.1978 which was duly approved. The policy was made applicable to plots in Faridabad and Panchkula. The Govt. desired that the plots in Faridabad and Panchkula. The Govt. desired that the plots becoming in the manner mentioned above in other estates be also allotted by the Govt. It is also mentioned here that after the allotment of plots as per regulations the allottee has to deposit the balance 15% price of the plots within 30 days from the date of allotment. If as a result of such plots are cancelled, these are being allotted by the Govt. and the instructions have been issued accordingly.

The Govt. has now issued instructions that the plots left unsold from the lottery shall also be kept at the discretion of the Govt. for allotment. In addition it may also be mentioned here that additional plots when carved out of the land kept for undetermined used as in sector 15A, Faridabad and at Panchkula would also be allotted by the Govt.

Thus from the above explanation following types of plots become available from time to time are to be allotted by the Govt.

- (i) Out of newly carved out plots in any sector/estate, 5% plots of all sizes are reserved for allotment by the Govt.
- (ii) All resumed/surrendered plots become available are also to be allotted by the Govt.
- (iii) All cancelled plots become available as a result of non payment of 15% price after allotment are also to be allotted by the Govt.
- (iv) All unsold plots left out of the lottery are also to be allotted by the Govt.

The committee may kindly consider and approved that above proposal.

Proceedings of the meeting of the HUDA held on 6th October, 1981 at 3.30 P.M under the Chairmanship of Ch. Khurshed Ahmed, Minister of Town & Country Planning and Urban Estate, Haryana in the Primary School Building (Chief Engineer's officer) sector-8, Panchkula.

Item No. XIX(4)

Allotment of residential plots under discretionary quota all resumed surrendered, cancelled and unsold plots by the Govt.

The proposal as contained in the agenda item was approved by the Authority. It was further decided that if Govt. considers to allot a part or whole of the Sector like 15-A or 21A Faridabad then it may be taken as a direction of the Govt. with retrospective effect.

Suppl. Item No. A-XIX (2)

Reservation of residential plots in Urban Estates for Scheduled Castes, Scheduled Tribes & Backward Classes in the Haryana Urban Development Authority.

The Authority considered the matter thoroughly and took decision to reserve the residential plots as below:-

Category	E.W.S Plots	4/6 marlas plots.
Scheduled Castes.	20%	15%
Backward Classes	5%	3%
War Widows/ Ex- servicemen	5%	3%
Handicapped	1%	1%

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. The Administrator, HUDA, Panchkula.
2. The Administrator, HUDA, Faridabad.
3. The Administrator, HUDA, Gurgaon.

Memo No. A-11-81/30902/910

Dated :15.12.1981

Subject: Reservation of Residential plots in the Urban Estates for Schedule Caste, Scheduled Tribe & Backward Caste Classes in the HUDA.

Sir,

I am to invite your attention on the above noted subject and to say that the question of making reservation in the allotment of residential plots in the Urban Estates of Haryana Urban Development Authority have been engaging the attention of the Haryana Urban Development Authority for some time past. Now, it has been decided in the 19th meeting of Haryana Urban Development Authority held on 6.10.1981 to make reservation into the allotment of residential plots in the Urban Estate of HUDA as follows :-

Category	EWS plots	4 & 6 Marla plots
Scheduled Castes	20%	15%
Backward Classes	5%	3%
War Widows/ Ex-Servicemen	5%	3%
Handicapped	1%	1%

The Scheduled Casts applicants must belong to one of those castes which are recognized by the Haryana Govt. In case of Backward Classes applicants must be out of those backward classes recognized by the Haryana Govt. And the above category applicants must be resident of Haryana State.

The war widows/Ex-servicemen and handicapped applicants must be the resident of Haryana State.

All the above categories applicants seeking reservation in the allotment of residential plots on the basis of having belong to above mentioned reserved classes have to produce relevant certificate of the competent authority to this effect.

Applicant seeking allotment of residential plot against the reservation will not be entitled to apply in the general category.

These instructions shall be applicable to the future sectors.

-sd/-

Administrator (HQ)

For Chief Administrator, HUDA,

8. PETROL PUMP / CNG/PNG SITES

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/161258-59

Dated:05.09.2019

Subject: Policy guidelines for allotment of petrol pump sites/ CNG/PNG Stations site- amendment thereof.

This is in partial modification of this office memo no. A-1-2006/20942-63 dated 07.06.2006 and A-1/2007/7179-7200 dated 26.02.2007 and further correspondence on the subject cited above.

1. Presently, the allotment of petrol pump/CNG/PNG station site is made on 99 years lease hold basis, however, the initial lease period of petrol pump sites is kept for 15 years. The matter was discussed in the 113th Meeting of the Pradhikaran held on 16.02.2018 under the Chairmanship of Hon'ble CM-cum-Chairman, HSVP. After detailed deliberations, it was desired to explore the possibilities of allotment of petrol pump/ CNG/PNG stations sites by way of e-tendering to the various oil companies/ CNG Companies etc.
2. The matter has been considered and examined. In the Pradhikaran meeting held on 02.11.2018, 18.02.2019 and 10.07.2019, it has now been decided that allotment of Petrol Pump/CNG/PNG station sites shall be done by way of E-Tendering to ensure transparency. Any person including OMCs(Oil Marketing Companies) and CNG, PNG Distribution company authorized for that city shall be eligible to participate in the open E-tendering/bidding.
3. Henceforth, the existing system of nominating the site as Petrol/Diesel Pump or CNG Stations is discontinued. These sites shall now be designated as "filling cum charging station". The sites can be used by the allottee for CNG and/or Petrol and/or Diesel Pump or allied activities (e.g. battery charging station for future e-vehicles etc.). The allottee can use the site for any/ all of the above specified purpose. However for CNG site, the size of the plot shall not be less than 30 x 60 sq. mtrs.
4. The E-Tendering will be conducted based on minimum reserve premium amount calculated as below:-

$$\frac{[(\text{Area of plot}) \times (\text{Institutional rate of the year}) \times 4 \times 5]}{7.85}$$

The GST or any other tax as applicable shall be payable extra.

- (i) For the sites falling on State Highway and on National Highway, the premium shall be increased by 25% and 50% respectively.
- (ii) For the sites located on 60 mtr. & above wide roads, the premium shall be increased by 50% at par with site located on National Highway.
- (iii) The premium is payable in lump-sum within a period of 30 days from the date of issue of demand notice or in four equated bi-annual installments, along with interest @9% p.a. (simple), or decided by the Authority from time to time.

5. In addition to the premium payable in lump-sum, the successful bidder shall be liable to pay Annual Ground Rent equal to 2.5% of the accepted premium amount in the bid. GST or any other tax as applicable shall be payable extra.
6. This annual ground rent shall be increased Every year based on the WPI (Wholesale Price Index). The WPI applicable on 1st April of allotment year shall be taken as “Base Year WPI”. The WPI on 1st April at the beginning of current financial year shall be the basis for calculating the annual ground rent as per Regulations. For example, if a site is allotted during the financial year 2019-20 and WPI is 109.5 as on 1.4.2019. This shall be taken as “Base Year WPI”.
 - (i) The WPI of the year 2024-25 as on 1.4.2024 is say 118.6, then the annual ground rent for the financial year 2024-25 payable shall be $=[\text{Premium} \times (2.5/100) \times (118.6/109.5)]$. The figure of 2.5% is as per Regulation 8 (i) of HUDA (Disposal of Land and Buildings) Regulations, 1978 applicable for first 33 years of lease.
 - (ii) Similarly in the 35th year of lease i.e. for the financial year 2054-55, if the WPI as on 1.4.2054 is 275.1, the annual ground rent payable shall be $=[\text{Premium} \times (3.75/100) \times (275.1/109.5)]$. The figure of 2.5% shall change to 3.75% for next 33 years of lease, as per Regulation 8 (i) of HUDA (Disposal of Land and Buildings) Regulations, 1978.
 - (iii) The figure of 3.75% shall further change to 5% for remaining period of lease, as per Regulation 8 (i) of HUDA (Disposal of Land and Buildings) Regulations, 1978.
7. Annual Ground Rent shall be payable, in advance, in lump-sum by the 30th April of every Financial Year, failing which interest @9% p.a. (simple), or decided by the Pradhikaran from time to time shall be charged extra.
8. The site shall be allotted only for 10 Years on lease hold basis. The said lease period can further be extended upto 30 Years subject to the condition that the lessee continues to abide by all the conditions of the lease at the time of such extension and during the extended period.
9. All other terms & conditions of allotment shall be continued to remain the same.
10. The above matter was placed before the Pradhikaran in its 116th meeting held on 22.11.2018 vide Agenda item No. SUPPL.(1), 117th meeting held on 18.02.2019 vide Agenda item No. SUPPL. (10) and 118th meeting held on 10.07.2019 vide Agenda item No. 118th (9) for consideration and decision. The Pradhikaran has approved the proposal. A copy of Agendas alongwith extract of the decision of the Pradhikaran is sent herewith.
11. You are requested to take further action in the matter accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned.

DA/As above

-sd--

Administrator (HQ),
HSVP, Panchkula.

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Secretary, HSVP, Panchkula.
5. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
6. The District Attorney, HSVP (HQ), Panchkula.
7. The Dy. ESA, HSVP (HQ), Panchkula.
8. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

--sd--

Administrator (HQ),
HSVP, Panchkula.

To

All the Administrator(s), HSVP, in the State

Memo No. A-4-UB-2017/85772

Dated:15.05.2017

Subject:- Policy guidelines for allotment of land for CNG & PNG Stations in Urban Estate developed by HSVP (Ban for allotment of CNG/PNG Stations).

I am directed to refer this office memo No. A-1-2006/20942-63 dated 07.06.2006 on the subject cited above.

It has come to the notice that the CNG & PNG Station sites are being carved out and allotted by you at your own level.

Now, the policy on the subject is under consideration. Therefore, it has been decided that not to make any allotment of CNG & PNG Stations till further order.

This has the approval of CA, HSVP.

--sd--

Superintendent, U.B.

HSVP, Panchkula

Endst. No. A-4-UB-2017/85772

Dated:15.05.2017

A copy of the above is forwarded to the Chief Town Planner, HSVP, Panchkula for information and necessary action. He is requested to intimate the total sites of CNG & PNG Stations carved out, allotted and balance available sites at the earliest.

--sd--

Superintendent, U.B.

HSVP, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
(Urban Branch-I), Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo. No. A-KK-UB-I-2009/27026-48

Dated:27.07.2009

Subject: Allotment of **Petrol Pump sites** in the Urban Estates, developed by HUDA. Policy guidelines for Conversion of initial **15 years lease into 99 years perpetual lease. Modification** thereof.

This is in furtherance of this office Memo No.A-1[P]-2000/ 6020-42 dated 22.3.2000 vide which guidelines regarding allotment of Petrol Pump sites were circulated.

These policy guidelines have been modified vide memo no. A-1-2007/7179-7200 dated 26.02.2007 and again vide memo no. A-Pwn-UB-II-08/28879-901 dated 12.08.2008.

The above referred existing policy guidelines for allotment of petrol pump sites stipulate that the war widows of Operation Vijay(Kargil) shall be given preference in the allotment. In partial modification of the existing policy guidelines on the subject, it has now been decided that the widows of the martyrs of Haryana i.e. Defence/Para-Military Forces Personnel of Haryana Domicile killed in action shall also be given preference in the allotment of Petrol Pump sites. In case the martyr was a widower, then his minor dependents shall be entitled to this benefit of preferential allotment.

Other terms and conditions/stipulation of the existing policies on the subject shall remain un-changed. This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA.

-sd/-

(R.P.Gupta, IAS)

Administrator (HQ), HUDA.
for Chief Administrator, HUDA.

Endst. No. A-KK-UB-I-2009/27049-60

Dated: 27.07.2009

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Legal Remembrancer, HUDA, Panchkula.
4. The Enforcement Officer, HUDA, Panchkula.
5. The Dy. ESA, HUDA, Panchkula.
6. All Assistant/Record Keeper of Urban Branch.

-sd/-

(R.P.Gupta, IAS)

Administrator (HQ), HUDA.
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.UB-NK-2009/22588-610 Dated: 23.06.2009

Subject: - Allotment of land for **Gas Godowns-Modification** in policy.

Reference: -In supersession of this office memo No.A-1(P)-2007/14794-815 dated 18.04.2007

The Policy issued vide letter under reference has been re-examined and it has been observed that the present system of lease hold allotment/the present rent structure for LPG sites is not attracting many buyers. Therefore, it has been decided that the prevailing policy issued vide letter under reference may be amended as under:-

1. Eligibility:-

Nationalized Oil/Gas Companies, Private Oil/Gas Companies authorized to retail LPG by the Ministry of Petroleum, Govt. of India, Dealer/Distributors of these Nationalized/Private Oil/Gas Companies within Municipal Limits of a Town shall be eligible to apply for LPG sites in that Urban Estate of HUDA.

2. Mode of Allotment:-

- i) The available sites, in the urban estates under their jurisdiction, shall be advertised by the Zonal Administrators through news papers for inviting applications from eligible applicants.
- ii) The applications received will be scrutinized by a Committee constituted under the Chairmanship of concerned Zonal Administrator, with concerned Deputy Commissioner or his nominee and Estate Officer of HUDA as members.
- iii) After scrutiny, the eligible applicants will be interviewed by the Committee and the Committee will send its recommendations to HQs within 2 months of the closing date of receipt of applications.
- iv) On the basis of recommendations of above said Committee, allotment shall be got approved from the Chairman, HUDA/Authority.
- v) Offer of allotment shall be made through a Letter of Intent (LOI), and the regular allotment letter shall be issued only upon timely completion of formalities prescribed in the LOI.

3. Rate:-

The rate of allotment would be the current rate of Industrial Plots in the Industrial Sector in which the LPG Godown sites are located. In case the LPG Godown sites are not located in an Industrial Zone, their rate shall be got worked out/approved from HQ's separately by the Zonal Administrators. However, the rate so worked out shall not be less than the current rate of Industrial Plots in the latest Industrial Sector in that Urban Estate.

4. Mode/Schedule of Payment:-

1. 10% of the total tentative cost of plot as earnest money alongwith the application.
2. Another 15% of the cost of land, so as to complete 25%, within 30 days of the issuance of letter of intent of allotment.
3. Balance 75% to be paid either in lump sum within a period of 60 days of the issue of regular allotment letter or in five equal half yearly installment alongwith interest @ 12% simple interest per annum (or as may be fixed by the Authority from time to time). However, interest on the balance outstanding amount shall accrue from the date of offer of possession of the plot. Default in payment of installments shall entail penal interest @ 15% per annum (or as may be fixed by the Authority from time to time).
4. The price is tentative to extent that any enhancement in the cost of land awarded by the Competent Authority under the Land the acquisition Act shall also be payable proportionately, as determined by the Authority. The additional price determined shall be payable within 30 days of its demand.

5. General terms and conditions:-

- i) The payment of instalment(s)/enhanced compensation as provided in the allotment letter on due date is mandatory. In case the payment of instalment(s)/ enhanced compensation is not made on the due date, interest

@ simple or compounded as decided by the Authority from time to time shall be chargeable on the delayed payment of instalment(s)/ enhanced compensation irrespective of the fact whether the possession has been offered or not. Presently, interest on delayed payment of instalment(s) is 12% per annum (simple) and interest on delayed payment of enhanced compensation is 15% per annum (simple).

- ii) The site shall not be used for the purpose other than the one for which the land is being allotted. No Obnoxious trade shall be carried out in or any land building. If the land is not used for the specified purpose, it will automatically revert to HUDA alongwith the structures raised, if any.
- iii) The shops shall also not be allowed in the allotted area under any circumstances.
- iv) The control over the building shall be exercised through a zoning plan of the site which shall provide for the building zone, maximum permissible ground coverage, maximum permissible height, parking area, type of boundary wall and gate etc. besides specifying the use of plot.
- v) The allotment shall further be governed by the relevant provisions of HUDA Act, 1977, rules & regulations framed there-under.
- vi) These sites will only be used as LPG Godowns only. In case of transfer of these plots, the re-allottee will also use them for gas godowns, and no other use, whatsoever, will be allowed on these plots earmarked for LPG Godowns.
- vii) In the event of violation of any of the condition of allotment /transfer the Estate Officer, HUDA made resume the land /building in accordance with the provision of Section-17 of HUDA Act.
- viii) On payment of 100% of the tentative price of the plot/building, the allottee shall execute the deed of conveyance in the prescribed form and in such manner as may be directed by the Estate Officer, HUDA. The charges of registration and stamp duty will be paid by the allottee.
- ix) The allottee shall have to pay all general and local taxes rates or cesses imposed or assessed on the said land building by the Competent Authority.
- x) The allotment shall further be subject to the condition that the allottee shall take over the possession of the land within three months of the offer of possession and raise construction of boundary wall at least upto DPC Level within next 30 days, failing which the allotment shall be withdrawn and earnest money refunded without interest.

You are requested to float the available gas godown sites as per above policy immediately under intimation to this office. Thereafter allotment may be got finalized as per above instructions.

This issues with the approval of Hon'ble Chief Minister Haryana-cum-Chairman, HUDA.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-II,
for Chief Administrator, HUDA
Dated: **23.06.2009**

Endst. No.UB-Nk-2009/**22611-29**

A copy of the forwarded to the following for information and necessary action:-

- 1. The Chief Town Planner, HUDA, Panchkula.
- 2. The Chief Control ler of Finance, HUDA, Panchkula.
- 3. The Chief Engineer-, HUDA, Panchkula.
- 4. The Chief Engineer-1, HUDA, Panchkula.
- 5. The L.R. HUDA, Panchkula.
- 6. The Enforcement Officer, HUDA, Panchkula.
- 7. Dy. E.S.A., HUDA, Panchkula.
- 8. The Sr. Manager (I.T.) Cell, HUDA,HQ, Panchkula.
- 9. All the Assistants & Record Keepers of Urban Branch, HUDA, HQ.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-II,
for Chief Administrator, HUDA

ALLOTMENT OF PETROL PUMP SITES - MODIFICATIONS IN GUIDELINES

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators HUDA in the State.
2. All the Estate Officers HUDA in the State.

Memo No.A-Pwn-UB-II-08/28879-901

Dated: 12.08.2008

Subject:-Allotment of **Petrol Pump sites**-Partial **modification** in the policy guidelines thereof.

This is in furtherance of this office memo no. A-I-P-2000/6020-42 dated 22nd March, 2000 vide which elaborate guidelines were circulated on the subject cited above.

The matter has now been re-considered in its totality in the 101st meeting of the Authority held on 11th June, 2008 vide agenda item no. 7 (Suppl) and **the following modifications have been made in the existing policy-**

1. That henceforth, the Zonal Committee headed by the Zonal Administrator shall recommend the allotment after interviewing the applicants instead of allotting the Petrol Pump sites through draw of lots.
2. That only Oil Companies (Nationalized & Private) will be allowed to apply for the sites. However, the commitment regarding preferential allotment in view of State Govt. Policy or National Policy should also be kept in mind.
3. That the sites should be offered as and when they are carved out so that they are put to use at the earliest in public interest instead of floating the sites only once in a year.
4. That other terms & conditions of the existing policy stipulated in the letter under reference shall remain the same.

You are therefore requested to follow the amended policy for allotment of Petrol Pump sites in future and compliance report may be sent to (HQ).

An acknowledgment of the receipt of this communication may be sent within 15 days positively.

-sd/-

(T.C. Gupta, I.A.S.)

Chief Administrator, HUDA
Panchkula.

Endst. No. A-Pwn-UB-II-08/28902-11

Dated 12.08.08

A copy of the above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula
2. The Chief Town Planner, HUDA Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Engineer-I, HUDA, Panchkula.
5. The Sr. Architect, HUDA Panchkula.
6. The Legal Remembrancer, HUDA, (HQ) Panchkula.
7. The Deputy ESA HUDA (HQ), Panchkula.
8. Dy. Supdt. / All Assistants / Record Keeper of Urban Branch, HUDA, (HQ).

-sd/-

(A.K. Yadav, I.A.S.)

Administrator(HQ)
for Chief Administrator, HUDA

Internal Distribution

1. Sr.Secretary to the Chairman, HUDA-cum-C.M., Haryana for the information of Chairman-cum-C.M., Haryana
2. PS/FCTCP for the information of FCTCP.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officer, HUDA.

Memo No.A-1(P)-2007/14794-815 Dated: 18.04.2007

Subject: Policy Regarding allotment of sites for **LPG Godowns** in various Urban Estates of HUDA.-**Modification thereof**

This is with reference to the subject cited as above.

The matter under subject was previously considered by the Authority in its 75th meeting held on 10.03.1999. It was approved that the allotment of sites for LPG Godowns may be made to the Oil companies on 15 years lease hold basis on monthly ground rent on the pattern of policy applicable for allotment of petrol pump site.

Therefore the LPG Godowns sites carved out in the Urban Estates developed by HUDA shall be disposed off in the manner given here under :-

1. Inviting applications.

The available sites shall be floated for sale once in a year, inviting applications from the nationalized oil/gas companies as well from the private oil/gas company authorized to retail the LPG.

2. Mode of allotment.

In case more than one application against a specific site is received, the successful applicant shall be determined through draw of lot.

3. Preferential allotment.

Preference will be given in the cases wherein the oil/gas company has given letter of intent in favour of widow/kin of Kargil martyr.

4. Terms and conditions of the allotment.

The allotment shall be made in favour of the applicant oil/gas company. No allotment shall be made in favour of letter of intent holder or licensee.

- i) The allotment shall be made on lease hold basis initially for a period of 15 years.
- ii) The premium of the land and monthly ground rent shall be worked out and recovered on the basis of the following formula.

1. Total land to be allotted for petrol pump/LPG Godown (As per norms)
2. Institutional rates of the particular urban Estates.

3. Total cost= Area x latest institutional price x 2

4. Monthly ground rent= Total cost (as per col.3) x 5

100 x12

OR

Rs. 10,000/- whichever is higher

- iii) However, Monthly rent will be revised after every 3 year by increasing 25% rent.

- iv) The initial lease of 15 years on its expiry shall be converted into perpetual 99 years lease provided;
*the lessee oil/gas company has not breached any of the terms and conditions of the allotment.
**the lessee is not in arrears. However the lessee shall be liable to pay the capitalized value of the land and the revised monthly rent, as decided by the Authority from time to time, and applicable at the time of conversion of 15 years lease into perpetual 99 years lease hold basis.
- v) That no objection certificate/any mandatory approval from the concerned authorities of the central /state Govt., wherever and whichever required shall be arranged by the applicant. Only thereafter the regular allotment letter shall be issued.
- vi) That the land shall be utilized for the purpose for which it has been allotted/leased out. In case the same is not used for the specified purpose, the same shall revert back to HUDA, along with construction if any.
- vii) That in case the dealership/license of the licensees is cancelled/ terminated the site shall revert back to HUDA.
- viii) That in case any Authority, orders closure/shifting of the godown, it shall be responsibility of the lessee to arrange alternative site at his own and HUDA in any way shall not be responsible to provide an alternative site. Further no compensation in lieu thereof shall be payable.
- ix) That in case the permission to set up/run the stations/the licenses are cancelled by the Authority in the Central or State Government, the allotment of land made by the respective agency shall also stand withdrawn and as a result of it the lease deed executed between HUDA and company shall also stand terminated, automatically.
- x) That the Company will give an undertaking to comply with all the terms and conditions of the Policy guidelines, rules and regulations formulated and made enforce by the State Govt/ Central Govt/ HUDA, from time to time.
- xi) That the allotment will further be governed by the provisions of HUDA Act, 1977 rules and regulation framed there under.
- xii) That the allottee oil/ Gas Company shall execute an agreement with the allotting agency i.e. HUDA.
- You are requested to take further necessary action accordingly.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA
Dated: 18.04.2007

Endst.No.A-1(P)-2007/14816-29

A copy of the above is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The L.R. HUDA, Panchkula.
5. The Secretary HUDA, Panchkula.
6. The CVO & EO, HUDA (HQ), Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
8. The Sr. Manager [I.T] HUDA [HQ]
9. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ)

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator, HUDA
2. All the Estate Officers, HUDA

Memo No.A-1-2007/7179-7200

Dated: 26.02.2007

Subject: Allotment of **Petrol Pump sites** in the Urban Estates, developed by HUDA. Policy guidelines for Conversion of initial **15 years lease into 99 years perpetual lease**.

This is in continuation of this office Memo No.A-1[P]-2000/6020-42 dated 22.3.2000 on the subject cited as above.

The current HUDA policy dealing with disposal of petrol pump sites, in force approved by the Authority, in its 77th meeting held on 24.02.2000 and further circulated vide memo referred to above, stated that henceforth the available petrol pump sites shall be floated for leasing out only in favour of the Nationalized oil companies, Private oil companies, Govt. departments, Boards and corporations, once in a year. In cases, where more than one application has been received, against a specific site, the allotment shall be made by holding draw of lot. The war widows of operation Vijay (Kargil) shall be given preference in the allotment.

The allotment is made on 99 years lease hold basis, however the initial lease period is kept for 15 years.

Before formulation of the above policy, the allotment of petrol pumps sites was being made in favour of the individual letter of intent holder also. In number of such allotments made in the past, the initial period of 15 year's lease has either expired or is going to expire. Since, so far no specific policy procedure for conversion of 15 years lease after its expiry to that of 99 year's perpetual lease has been formulated and circulated; therefore, the matter has been engaging the attention.

The matter was processed and placed before the Authority, in its 98th meeting held on 12.12.2006. It has been decided that conversion of initial lease period of 15 years after its expiry may be converted into 99 years perpetual lease under the following situations.

1. Wherein the allottee, either an individual or oil Company/Board or Corporation has not violated any of the terms and conditions of the allotment, during the period.
2. The lessee is not in the arrears.

The conversion shall further be subject to the payment of the Premium/capitalized value and revised ground rent, which shall be worked out as under.

The capitalized value of the site shall be worked out taking into account the 7.85% as an average rate of interest, or as revised and circulated by the Authority from time to time. The premium payable and revised ground rent shall be worked out and charged on the basis of following formulas:-

1. Area of the site to be allotted.
2. Institutional rate of the year.
3. Cost including commercial element =
Area x Institutional rate of the year x 2.
4. Monthly Rent for one filling point of petrol and one filling point of diesel=

$$\text{Amount of} \quad \frac{\text{Sr.No. 3} \times 5}{100 \times 12}$$

5. Yearly Rent= Amount of Sr. No. 4 \times 12.

6. Capitalized value = $\frac{\text{yearly Rent} \times 100}{7.85}$

The revised ground monthly rent shall be worked out and recovered as under:

1. Equal to 2% of the premium per annum for the first 33 years.
2. Equal to 3% of the premium per annum for the next 33 years.
- Equal 4% of the premium per annum for the next 33 years

The above premium and ground rent shall be for one filling point each of diesel and petrol.

For every additional point, premium and ground rent @ 12.5% shall be charged extra. For sites falling on state Highways the schedule road, the premium shall increased by 25%. For sites falling on National Highways the premium shall be increased by 50%.

Premium shall be payable either in lump sum within a period of 30 days from the date of issue of demand notice or in four equated bi annual 4installments, along with interest @ 9% p.a.(simple), or as decided by the Authority from time to time.

All other terms and conditions of allotment shall however remain unchanged.

It has further been decided that the Zonal Administrators HUDA shall be the final accepting Authority in the matter, who shall decide such cases in the manner given here before.

You are, requested to take further action accordingly.

-sd/-
Administrative Office,
for Chief Administrator, HUDA
Dated: **26.02.07**

Endst. No .A-1-2007/**7201-7208**

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Town planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA. Panchkula.
3. The Engineer-in-Chief, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The C.V.O. HUDA HQ's, Panchkula.
6. The L.R/Distt. Attorney, HUDA, Panchkula.
7. The Dy. ESA, HUDA HQ's.
8. All the Assistant/Record Keepers. Urban Branch,

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-1-2006/20942-63

Dated:07.06.2006

Subject: Policy guidelines for allotment of land for **CNG & PNG stations** in Urban Estates developed by HUDA.

On the directions dt. 29.04.05 & 12.08.05 given by the Supreme Court of India in the matter of M.C. Mehta Vs. others in CWP No.13029 of 1985, the State Govt. with a view to provide neat and clean environment and in order to reduce the pollution level in the neighbouring towns of Delhi falling in the National Capital Region, the Govt. of Haryana has decided to introduce CNG/PNG in the National Capital Region. The State Government has also given the NOC/Permission for laying of infrastructure for the supply of CNG/PNG in favour of following executing agencies/companies.

Executing Agencies for implementation of CNG/PNG within the National Capital Region

Sr.No.	Name of the Company	District allocated
1.	Indraprastha Gas Ltd.	Entire district of Sonapat and Panipat exclusively.
2.	Haryana City Gas Distribution Ltd.	The entire districts of Gurgaon, Rewari, Jhajjar and Rohtak exclusively.
3.	Gujarat Adani Energy Ltd.	The entire district of Faridabad exclusively.

The State Govt. in the Deptt. of Industries has formulated and circulated following uniform policy guidelines for allotment of sites for CNG/PNG stations carved out in Urban /Industrial Estates developed by HUDA/HSIDC or any other agency of Haryana Govt. It has been decided to follow these policy guidelines by HUDA in toto. Accordingly the CNG/PNG sites carved out in the HUDA Estates shall be disposed off in the manner hereunder.

Mode of allotment

That the allotment shall be made on monthly lease hold basis for a period of 20 years only. The ownership of land shall continue to vest with HUDA.

Rate of allotment/monthly lease

The rental price of CNG Station site shall be determined on the basis of initial reserve price fixed for commercial sites proposed to be put to auction for the first time in that Urban/Industrial Estate. For CNG & PNG station, 80% of the initial reserve price will be considered for fixing the monthly lease. The monthly lease shall be fixed @ 6% p.a. of the initial reserve price fixed for CNG/PNG stations.

a) In case of site falling on National Highways, the rent will be increased by 50%.

b) In case of site falling on State Highways/Schedule Roads, the rent will be increased by 25%.

The monthly rent will be increased by 25% after expiry of every five years.

Terms & conditions of allotment

The allotment shall be governed by the following terms and conditions :-

- 1) That No Objection Certificate from the District Magistrate shall be obtained by the Company and produced before issuance of regular allotment letter.
- 2) That any approval required from National Highway Authority/ PWD B&R or any other Authority shall also have to be arranged by the Company at their own level.

- 3) That land shall be utilized for the purpose for which it has been allotted/leased out. In case the site is not used for specified purpose the same shall revert back to HUDA. However commercial use shall be permissible, for which covered area shall not exceed 3% of the total ground area.
- 4) That in case the permission to set up/run the stations/the licences are cancelled by the Authority in the Central or State Government, the allotment of land made by the respective agency shall also stand withdrawn and as a result of it the lease deed executed between HUDA and company shall also stand terminated, automatically.
- 5) That the Company will give an undertaking to comply with all the terms and conditions of the Gas Policy to be adopted by the State Govt. without adversely affecting their exclusive rights of permission/ NOC granted to the Companies for the said district.
- 6) That the Company will give an undertaking to the effect that they will comply with the provisions of the Petroleum and Natural Gas Regulatory Board Act of the Govt. of India as and when enacted by the Parliament and put in force.
- 7) That supply of natural gas and its distribution shall be deemed to be a public utility services like electricity and water supply etc.
- 8) That the allotment will further be governed by the provisions of HUDA Act, 1977 rules and regulation framed thereunder.
- 9) That the Gas Company shall execute an agreement with the allotting agency i.e. HUDA.
- 10) The lease may be renewed by HUDA after expiry of 20 years.

You are accordingly requested to take immediate necessary action, process and decide the requests received by your offices for allotment of sites already carved out for the purpose in favour of the identified agencies. The action taken report may also be sent to the HQs.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1-2006/20964-71

Dated: 07.06.2006

A copy is forwarded to the following for information and necessary action:-

1. The Director of Industries, Haryana, 30 bays building, Sector-17, Chandigarh.
2. The Engineer-in-Chief, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
7. The District Attorney, HUD A, Panchkula.
8. The Dy. Economic & statistical Advisor, HUDA, Panchkula.
9. All the Assistants/Record Keepers of Urban Branch (HQ), HUDA, Panchkula.

-sd/
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

All the Administrators, HUDA.

Memo. No. A-1(P)-2003/8835

Dated: 3.4.2003

Subject: Policy regarding allotment of **Petrol Pumps sites- amendment** thereof.

This is in continuation of this office memo No.A-I (P)-2000/6020-23 dated 22.03.2000 on the subject cited above.

The matter to permit private organization for allotment of land for retail outlet/petrol pump was under active consideration. After consideration it has been decided by the Govt. that all the private organization including Reliance Industries Ltd. who have got license for Petrol, Diesel and LPG issued by the Ministry of Petroleum and Natural Gas, Govt. of India for the purpose shall be treated at par with the other Govt. company, which are being run on commercial lines. The other terms and conditions of allotment will remain the same.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Dated: 3.4.2003

Endst.No.A-1(P)-2003/8836-60

A copy of the above is forwarded to the following for information and necessary action in continuation of Endst. No. A-1(P)-2000/6024-42 dated 22.3.2000.

1. The Chief Town Planner, HUDA Panchkula. While floating the balance such sites, the rates may be obtained from CCF,HUDA.
2. The Chief Controller of Finance, HUDA Panchkula.
3. All the Estate Officers/Asstt. Estate Officers, HUDA.
4. All the Asstt./Record keepers of Urban Branch, HUDA(HQ), Panchkula.
5. Reliance Industries Ltd. SCO No. 135-14, IIIrd floor, cabin No. 303, Sec-17C, Chandigarh.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

All the Administrators,
HUDA in the State

Memo No. A-1-2000/27392-95

Dated: 17.10.2000

Subject: Policy for allotment of **Petrol Pump/LPG Godown site** to the **widow of Operation Vijay (Kargil)**.

In continuation of this office memo No. 6020-23 dated 22.03.2000 on the subject cited above.

The matter has been re-examined and the following clause is hereby incorporated in the policy circulated vide letter under reference.

In the eventuality of more than one application of Kargil war widow for one site, preference will be given to a widow, whose husband belonged to Haryana. Further, if there are more than one widows from Haryana, the allotment will be decided by draw of lots only amongst such widows. If no application for the allotment of petrol pump site/LPG godown sites are received from the war widows (operation Vijay) hailing from Haryana in such eventuality the war widows (operation Vijay) from other States may be considered for allotment.

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

All the Administrator,
Haryana Urban Development Authority, in the state.

Memo No.A1-2002/21216-19

Dated 30.08.2000

Subject : Policy regarding Allotment of Petrol Pump/LPG Godown sites.

Reference on the subject cited above.

As per policy guidelines on the subject in force, the preference is to be given to the widows in Operation Vijay (Kargil). The D.O. letter dated 21.08.2000 received from Director, Food & Supplies Department, Govt. of Haryana is also sent herewith for further action at your end.

You are requested to proceed with the allotment of petrol pump sites to the widows of Operation Vijay (Kargil) and allotment in general category will be taken after finalization of these allotments. The detailed report after allotment of petrol pump sites to the war widows of Operation Vijay (Kargil) may be sent to this office immediately.

-sd/-
Administrative Officer,
for Chief Administrator,

Endst.No.A1-2009/21220

Dated 30.08.2000.

A copy is forwarded to the Director, Food & Supply Department, Haryana, Chandigarh with reference to his DO No.3S-16836 dated 21.08.2000 for information.

-sd/-
Administrative Officer,
for Chief Administrator,

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrators in HUDA.

Memo No. **A-I-P/2000/6020-23**

Dated: **22.3.2000**

Sub: Policy regarding allotment of **Petrol Pump sites- Modification thereof.**

The Authority in its 77th meeting held on 24/2/2000 has decided that the available Petrol Pump sites may be floated for sale/lease in favour of the nationalized Oil Companies/Govt. Departments/State Govt. Undertaking once in a year. In the cases, where more than one applications have been received against the specific site, the allotment may be made by holding draw of lots. While making the recommendations for allotment, preference will be given to the war windows in Operation Vijay (Kargil). You are accordingly requested to take immediate necessary action to float available Petrol Pump sites and after receipt of the applications, send your recommendations for approval of the Authority. In the cases where more than one application have been received against a specific site, the allotment will be made by holding draw of lots. The agenda note and approval of the Authority is sent herewith.

DA/ As above.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst. No. **A-1-P-2000/6024-42**

Dated: **22.3.2000**

A copy is forwarded to the following for information and necessary action:

1. All the Estate Officers, HUDA.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

9. INCIDENTAL OPEN SPACE

To

1. All the Administrator(s),
HSVP in the State.
2. All the Estate Officer(s),
HSVP in the State.

Memo No. A-6-UB-2018/96076-77

Dated:-11.05.2018

Subject: - Allotment of incidental open spaces to the allottees plots of corner in various Urban Estates in Haryana.

1. This is in-continuation of this office memo. No. A-11-87/7949-64 dated 19.03.1987 on the subject cited above.
2. The policy guidelines containing detailed terms & conditions for allotment of incidental open spaces to the allottees of corner plots were circulated vide above referred letter. But the rates to be charged from such allottees are silent and as per practice HSVP is charging the current rates of the respective sectors.
3. The representations from various sources received from time to time to charge the nominal rate for incidental open space as it is used for open purposes only such as lawn & kitchen garden etc.
4. The matter has been considered and examined at length. It has been decided that incidental open space in various urban estates of Haryana may be considered for allotment to the corner allottees on 50% of the current reserve price of HSVP, as per their request.
5. The other terms & conditions for allotment such land/space shall remain the same.
6. You are therefore requested to take further action accordingly. These instructions may be brought to the notice of all concerned.
7. This issues with the prior approval of Hon'ble CM-cum-Chairman HSVP and ex-post facto approval will be obtained of the "Pradhikaran" in its next meeting.

-sd/-

(R.S. Verma)

Administrator (HQ),

HSVP, Panchkula.

Endst. No. A-6-UB-2018/96076-77

Dated:-11.05.2018

A copy of the above is forwarded to the following for information & necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer I & II, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager (IT), HSVP, Panchkula. He is requested to host it on HUDA (HSVP) Web-site.
7. The District Attorney, HSVP (HQ), Panchkula.
8. The Enforcement Officer, HSVP, Panchkula.
9. The Dy. ESA, HSVP (HQ), Panchkula.
10. All the Supdt./Dy. Supdt./Assistants/Clerks, Urban Branch, HSVP (HQ), Panchkula.

-sd/-

(R.S. Verma)

Administrator (HQ),

HSVP, Panchkula.

**POLICY REGARDING UTILIZATION OF POCKETS EARMARKED AS HUDA LAND TO BE
PLANNED LATER ON OR OPEN SPACE.**

From

The Chief Administrator,
Haryana Urban Development Authority, Sector-6, Panchkula

To

1. All the Administrator(s), HUDA
2. All the Estate Officer(s), HUDA

Memo No. A-KK-2008/UB/39838-68

Dated 26-11-2008

Subject Policy regarding **utilization of pockets** earmarked as HUDA land to be planned later on or **open space**.

1. It has been observed that while planning of an area in an Urban Estate or a Sector, sometimes such like unusual or uneven open spaces, strips, isolated island type pockets which cannot be planned as regular usage are left out un-planned which cannot be gainfully utilized as an integral part of the sector's planning. Such parcels of land are marked either as "HUDA land to be planned later on" or as an "open space". In the absence of any specific policy guidelines on the subject, these pockets are subsequently disposed off on case to case basis with the prior approval of the State Govt. / Council of Ministers. It has been observed that this process delays the disposal of such land which makes it prone to unauthorized encroachment or its usage as garbage dumps since it is very difficult to guard such isolated strips with the available work force.

2. It has, therefore, been decided by the Council of Ministers in its meeting held on 21st October, 2008 that for expeditious and appropriate disposal of such parcels of land, Hon'ble Chief Minister shall be competent to make allotment of such areas not exceeding two acres on case basis. All other cases pertaining to more than two acres of land will continue to be dealt with as per the existing procedure.

This policy will come into force with immediate effect.

-sd/-

(T.C. Gupta, I.A.S.)

Haryana Urban Development Authority

Endst No. A-KK-2008/UB-II/ 39861-64

Dated: 26-11-2008

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Enforcement Officer, HUDA (HQ), Panchkula
4. The Deputy Economical & Statistical Advisor, HUDA, Panchkula.

-

sd/-

(R.P.Gupta, I.A.S.)

Administrator (HQ)

for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority, Mani-Majra (UT), Chandigarh.

To

1. All the Administrators in Haryana Urban Development Authority.
2. All the Estate Officers in Haryana Urban Development Authority.

Memo No.A-11-87/7949-64

Dated: 19.03.1987

Subject: Allotment of **incidental open spaces** to the allottees of corner plots in various Urban Estates in Haryana.

Please refer to the above noted subject.

It is intimated that the case regarding allotment of incidental open spaces to the allottees of corner plots in various Urban Estates in Haryana was put before the 31st meeting of Haryana Urban Development Authority held on 7.1.87. The Authority has approved the proposal and desired that when such land is allotted there should not arise any obstacle in the traffic and no blind corner be arised. A copy of the agenda and the decision taken in the meeting is sent herewith for further necessary action. Case, after processing be sent to this office for allotment.

-sd/-

Administrator (HQ),
for Chief Administrator, HUDA, Mani-Majra
(UT), Chandigarh.

C.C: A-5, A-6, A-11 P, A-14 & A-15.

Extract of the minutes of 31st meeting of the Haryana Urban Development Authority held on 7.1.1987 at 12.00 Noon in the office room of Hon'ble Minister of Town & Country Planning Urban Estates Deptt., Chairman of the Authority at Haryana Civil Secretariat, Chandigarh.

नं. ए-31/17/

हरियाणा के सभी शहरी सम्पदाओं में कोने वाले प्लॉटों के अलॉटीज के साथ लगती अतिरिक्त खाली भूमि का नियतन मद में दिये गये प्रस्ताव का अनुमोदन कर दिया गया है परन्तु यह कहा गया है कि ऐसी भूमि अलॉट करते समय यह देखा जाए कि इससे यातायात में कोई बाधा न आये और कहीं **Blind Corner** स्थापित न हो सके।

Such incidental open spaces may be allotted on the following conditions:-

1. The Chief Administrator, HUDA will be the competent Authority to allot the additional incidental open spaces.
2. Such incidental open space will be used only for open purposes, such as lawn, kitchen garden etc.
3. The allottee can only be permitted to construct boundary wall of not more than 4' height with a gate for entry to it.
4. The allottee will not be allowed to use this space for any construction thereon.
5. Allottee will not be permitted to extend covered area of the corner plot in view of the allotment of the additional incidental open space.
6. An agreement may be executed with the plot-holder to the effect that no construction will be allowed in the additional area and in case of violation of this condition, the plot shall be resumed and the construction, if any, shall be demolished.

10. LEASED OUT/HIRING OF SHOPS AND COMMERCIAL SITES

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. The Administrators, HUDA, Panchkula.
2. The Estate Officer, HUDA, Panchkula

Memo No. A-1P-2000/6663-64

Dated: 27.03.2000

Subject: Policy regarding offer/allotment of leased out commercial sites/buildings.

This is with reference to the subject cited above.

Haryana Urban Development Authority in the initial stage of development of an Urban Estate has been lending/ renting out commercial buildings in various stages to the private individuals and Government agencies. Thereafter a policy to allot such commercial sites to its lease was also formulated and circulated vide memo no. A-11-P/88/19149-57 dated 30.05.1988 wherein it was stipulated that after a period of 5 years from the date of execution of lease deed, an option would be available with lessee either to vacate the building or purchase the same, at the reserve price fixed after the first auction. However, it has been observed that either side did not exercise the option. Further most of the lessee have made default in payment of monthly rent and also concluding to occupy the premises even after the expiry of initial monthly lease, thus unauthorized some of the tenants/lessee have also approached various Forums/Courts. While Authority in its 77th meeting held on 24.02.2000 for consideration and decision. It has been decided that the leased/rented premises to the individuals may be offered to its tenants/leasees at the current reserve price. Besides they shall also have to clear the outstanding arrears towards rent, if any.

In case of premises rented out to Confed and other Government Departments/Undertaking it has been decided that the outstanding dues may be recovered from them and if they are desirous the lease may be renewed at current market rates.

In case of non acceptance/rejection of above offer, the premises may be got vacated as per provisions of the Law/HUDA Act and possession to be taken over. The arrear towards rent, if any, be recovered as land revenue.

You are requested to take further action accordingly. The follow up action taken, in the matter may also be communicated to this office at the earliest possible.

The files relating to your office as received are also sent herewith which may be acknowledged on its receipt.
DA: As above

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

Dated: 27.03.2000

Endst. No. A-1P-2000/6665-79

A copy is forwarded to the following for information and necessary action:-

1. Joint Director (Legal), HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. All Assistants/Record Keepers of Urban Branch, HUDA.

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
HUDA, Manimajra (UT) Chandigarh

To

1. All the Administrators,
Haryana Urban Development Authority,
2. All the Estate Officers,
Haryana Urban Development Authority,

Memo No.A11-P/77/88/19149-59 Dated 30.05.1988

Subject :Hiring of shops in the Urban Estates developed by HUDA.

I am directed to address you on the subject noted above.

In the past Haryana Urban Development Authority has been following the practice of letting out built up shops and booths in the Urban Estates to private individuals and Government agencies in the initial stages of the development of the sectors. The shops run by the individuals and some commercial organizations of the Government such as Confed, Haryana State Handloom & Handicrafts Corporation Ltd., etc. have proved to be very effective in creating nucleus of growth in these sectors. However, in that case of private individuals, quite often, it has become difficult for Haryana Urban Development Authority to evict them after the lease period was over lessees continue to be extended. In some of the old sectors the shops/booths were letter allotted to these lessees at the reserve price.

The Authority accorded its approval for allotting the built up shops booths in Urban Estates developed by HUDA to the lesees at the reserve price as per details given below:-

1. In respect of private indivudials.

The token of appreciation of the pioneering efforts of the leases of shops/booths in various sectors of HUDA, it was decided that after a period of 5 years from the date of original lease, the lease would be given an option either to purchase of shops/booths, the same be offered to him at the reserve price fixed after the first auction. The option would be withdrawn thereafter, and would not be available to him. Rent would be, however, be charged at commercial rates.

2. In case of Govt. Agencies.

It was decided that Haryana State Govt. Agencies such as Confed, Handloom Corporation etc. may be given shops/booths on lease at a nominal rent of Rs.1 per sq.ft. for the first two years for pioneering activity in a sector, and subsequently rent may be charged at commercial rates. If at any time the Govt. agencies wanted to purchase the shops/booths, they may be charged at commercial rates. If at any time the Govt. agencies wanted to purchase the shops/booths, they may be treated at par with the individual leases.

This may be brought in the notice of all concerned.

-sd/-
Administrator, (HQ)
for Chief Administrator, HUDA,
Manimajra.

11. SOCIAL/ RELIGIOUS/CHARITABLE SITES

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA
in the State.
2. All the Estate Officers of HUDA
in the State.

Memo No.UB-A-4-2014/15403

Dated: 20.06.2014

Subject: Guidelines for allotment of site to Social/religious/charitable trust/Institution for construction of place of worship/ Dharamshala, Janjghar, Community Centre etc. –Change of norms.

This is in continuation of this office memo No.A-KK-2008/UB-II/40181 dated 01.12.2008. The Authority in its 53rd meeting held on 13.05.1992 had decided the policy guidelines for allotment of site to social/religious/charitable trust/Institution for construction of place of worship/ Dharamshala, Janjghar, Community Centre etc. The decision of Authority was circulated amongst all concerned vide memo NO.A-5-1991/26619 dated 26.12.1991. The policy was reviewed by the Authority in its 102nd meeting held on 24.02.2009 and instructions were issued in anticipation of approval of authority to all concerned vide above referred letter dated 1.12.2008. As per norms prescribed, the maximum size of the site for a place of Worship was fixed as 1000 Sq. Mtr. and maximum size for Community Centre/ Dharamshala/ Janjghar (including place of worship) etc. was fixed as 2000 Sq.Mtrs.

It was observed that these are the only spaces available in the Sectors for religious and social purposes and help in creating greater social cohesion, amity and feeling of community among the residents of the sector and the Urban Estate in particular and the city at large, it is felt that the maximum allowed size should be increased to 2000 Sq.Mtr. for Religious Building sites place of worship and to 3000 Sq.Mtrs for sites to be provided for Social and Charitable purposes. The rate for the allotment may continue to be the same i.e. indexed to the price for institutional plots in the Urban Estate and pegged @ 15% (of institutional rates) for the religious sites and 50% (of institutional rates) for Social and Charitable sites.

The matter was placed before the Authority in its 107th meeting held on 29.05.2014 for consideration vide agenda item no.Auth-107th (23). The Authority has accorded its approval. A copy of Agenda Item along with copy of extract of proceedings of the 107th meeting are sent herewith for information and necessary action. Further, the Authority decided that the sites for religious, social and charitable will be carved out only on 24 mtr. and above width roads in the new Lay out Plans of Sectors. The decisions are encapsulated below:-

- (ii) Social & Charitable Site: - 3000 sq. mtr.
- (iii) Religious building site:- 2000 sq. mtr.

The sites shall only be located on 24 mtr. roads within all the new sectors where LOP are under preparation or shall be prepared in future.

You are therefore, requested to take further action accordingly and compliance report may be sent to this office immediately.

- DA
1. Copy of Agenda.
 2. Copy of extract of Proceedings.

-sd/-
(B.B.Taneja)
Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA

A copy of the above is forwarded to the following for information and necessary action: -

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. All the Senior Town Planners, Town & Country Planning Department in the State.
5. All the District Town Planners in the State.

-sd-

(B.B.Taneja)

Dy, Supdt. Urban Branch,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), HUDA.
 2. All the Estate Officer(s), HUDA.
- Memo No. A-2-UB-I-2010/ **13068-91**

Dated: **30.03.2010**

Subject: Regarding framing a policy for regularization of unauthorized religious construction on public places.

In compliance with orders dated 07.12.2009 passed by the Hon'ble Supreme Court of India on the issue, a policy for regularization of unauthorized religious construction on public places has been formulated and got approved from the Hon'ble Chief Minister, Haryana and the same is as under:-

A. BACKGROUND

The Department of Urban Estates Haryana has been making acquisition of land for Haryana Urban Development Authority. The Administrative Department i.e. Town & Country Planning Deptt. have formulated specific policy guidelines bearing No.5/30/2007/2TCP dated 26/10/07 for release of land from acquisition proceedings. These guidelines specifically lay down that the land falling under built up structures and further any religious institution or any building owned by a community will also be considered for release. Hence, religious buildings are normally released from acquisition before issuance of notification U/S 6 of the Land Acquisition Act. However, some of the built up structures/religious buildings are acquired due to the reasons that some institution do not come forward to lodge objections U/S 5 of the Land Acquisition Act 1894.

To deal with such a situation, there are no specific policy guidelines for release of such land structure after announcement of award. In some of the cases, Hon'ble courts have also observed that release of land after announcement of award is not an appropriate action. Hence, there is a need of specific policy guidelines for release of such structures/religious buildings which although were in existence before issuance of notification U/S 4 of the Land Acquisition Act, but the land falling under these structures/buildings was not released due to some procedural lapses, or otherwise.

After acquisition of land while planning the area due weightage is given to carve out the sites for religious/social/charitable buildings. As per norms at-least two sites for religious/social/charitable institutions are provided in each sector, thus leaving little chance of tolerating any unauthorized religious buildings in the planned areas.

B. PROPOSED POLICY

- a) Under the normal circumstances, the religious buildings existing unauthorisedly on public places shall be removed/demolished in due course of law.
- b) Fresh and up coming encroachment by way of unauthorized religious construction shall not be allowed under any circumstances and be removed immediately. Only the religious buildings constructed before 29th September, 2009 (the date of direction of Hon'ble Supreme Court of India) falling in the following categories shall be considered for regularization under this policy:-
 - i) The religious buildings involving large public sentiments demolishing where of may pose serious threat to law and order of the area.
 - ii) The religious buildings of a particular sect/religion, whose followers have been residing in the locality in large numbers, but no institution of the sect/ religion exists in & around that sect/area. Besides, broad composition of different sect/religion at the State/District/ Town level with due regard to minority community shall also be taken into consideration.
 - iii) The religious buildings functioning on a site of conforming land use provided.
 - iv) The existing building does not obstruct laying of infrastructure like roads, water supply, electrification etc etc.

- v) The structures do not exist in such a way as to cause traffic hazards and endanger the life of the people.
- vi) The religious buildings/structures are not being used by any individual for their own personal interest/gains.
- vii) The functioning of the institution in a particular area is not spoiling any social system setup of the area.

C. PROCEDURE FOR REGULARIZATION/ALLOTMENT

The applicant/trust/society shall make an application for regularization of land/building with complete details/utilization plan of the existing building alongwith detailed dimensions, photographs thereof etc. to the concerned Estate Officer, HUDA. The applications so received shall be scrutinized by a committee consisting of the following:-

- | | |
|--|------------------|
| 1) Zonal Administrator, HUDA | Chairman |
| 2) SDM of the area or any officer to be nominated by D.C. of the district. | Member |
| 3) Distt. Town Planner concerned | Member |
| 4) Executive Engineer HUDA concerned | Member |
| 5) Estate Officer, HUDA concerned | Member Secretary |

The above committee shall look into all pros & cons of the case and thereafter shall make its specific recommendations. The recommendation of the committee so sent shall be scrutinized in the office of CA/ HUDA (Town & Country Planning Wing) taking into consideration the already laid down/proposed planning of the area. Thereafter the proposal shall be submitted for seeking approval of Hon'ble Chief Minister, Haryana, who shall be competent Authority in the matter.

D. TERMS & CONDITIONS OF THE ALLOTMENT

- 1) The allotment shall be made on 33 years lease hold basis. The institution occupying the land shall have an option to pay the 100% premium/cost of the land in lumpsum without interest within 60 days OR 25% of the premium within 30 days from the date of issue of allotment and remaining 75% in six annual equal instalments alongwith interest @ 12% p.a. (Simple) or as decided by the Authority from time to time. For the delayed payments, penal interest @ 15% p.a. (Simple) or as decided by the Authority from time to time shall be charged extra.

Besides premium, which shall be equal to 15% of the prevalent institutional rates of that town, besides annual lease/ground rent as per HUDA policy, the annual ground rent equal to 0.5%, 1% and 1.5% of the total premium shall also be payable for the 1st 11 years, 2nd 11 years and 3rd 11 years respectively.

- 2) The institution shall be bound to give up proportionate area under their occupation, required if any for the regularization of the boundaries, laying of services etc etc.
- 3) The commercial use of the religious building shall not be allowed under any circumstances. They shall have to close & demolish the existing commercial activities/structures.
- 4) The institution shall have to get themselves registered as a Society with the Registrar of Societies and Firms or as Trust.
- 5) The size of the land shall be restricted as per norms i.e. for religious building a maximum of 1000 sq. mtrs, for a social & charitable institution a maximum of 2000 sq. mtr. The land over and above the norms shall be surrendered by them. However, in the matter constructed area, difficult to demolish, the decision shall be taken on case to case basis.

- 6) The allotment shall further be governed by the provisions laid down in the HUDA Act 1977, rules & regulations & Bye-Laws framed thereunder.

This has been issued in anticipation of approval of the Authority.

-sd/-
(R.P.Gupta, I.A.S.)
Administrator (HQ), HUDA,
for Chief Administrator, HUDA.

Endst.No. A- 2-UB-I-2010/ **13092-13132**

Dated: **30.03.2010**

A copy of the above is forwarded to the following for information and necessary action :-

1. All the Deputy Commissioner(s) in the Haryana State.
2. Legal Remembrancer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
6. The Enforcement Officer, HUDA(HQ), Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
8. The Administrative Officer/Assistant Estate Officer, Urban Branch, HUDA (HQ), Panchkula.
9. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
(R.P.Gupta, I.A.S.)
Administrator (HQ), HUDA,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6 Panchkula.

To

1. All the Administrator (s) in HUDA.
2. All the Estate Officer (s) in HUDA.

Memo No.UB-Supdt.-09/547-569 Dated: 04.01.2010

Subject: Constitution of **Revised Zonal Committee** for scrutiny and recommendations for allotment of land to the **Social/Religious/ Charitable Trust/ Institutions** for construction of place of **worship/ Dharamshala, Janjghar Community Centre** etc.

In continuation of this office memo no. A-5-91/26619 dated 26.12.91, A-14-97/35307-77 dated 24.10.1997 and A-K.K.-2008/UB-II/40181 dated 01.12.2008 on the subject as cited above.

The matter has been reviewed. The earlier Committee headed by Deputy Commissioner of the District, for scrutiny of applications for allotment of Social/Religious/ Charitable Trust/ Institutions for construction of place of worship/ Dharamshala, Janjghar Community Centre etc. and make recommendations has been substituted as under:-

- | | |
|------------------------------------|------------------|
| 1. Divisional Commissioner | Chairman |
| 2. Concerned Zonal Administrator | Member |
| 3. Concerned Deputy Commissioner | Member |
| 4. Concerned Estate Officer | Member Secretary |
| 5. Concerned District Town Planner | Member |

(But not their representatives)

All other terms and conditions of the policy guidelines circulated vide memos under reference shall remain the same.

This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA.

-sd/-
(S.L.Sharma)
Incharge Urban Branch-II,
HUDA, Panchkula.

Endst. No. UB-Supdt.-09/570-622

Dated: 04.01.2010

A copy of the above is forwarded to the following for information and necessary action:-

The Divisional Commissioners, Ambala/ Hisar/Gurgaon/Rohtak.

1. All Deputy Commissioners in Haryana.
2. The Chief Town Planner, HUDA, Panchkula. & Chief Controller of Finance, HUDA, Panchkula.
3. The Enforcement Officer, HUDA, Panchkula. & The General Manager (IT), HUDA, Panchkula.
4. The Dy. ESA, HUDA, Panchkula. & All the District Town Planners in Haryana.
5. All the Assistants /Record Keepers of Urban Branch-I/II, HQ, HUDA.

-sd/-
(S.L.Sharma)
Incharge Urban Branch-II,
HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrator(s) in HUDA.
2. All the Estate Officer(s)/Assistant Estate Officers in HUDA.

Memo No. A-KK-2008/UB-II/ **40181** Dated: **1.12.2008**

Subject: Amendment in Guidelines for allotment of sites to the **Social/Religious/ Charitable Trust/ Institutions** for construction of place of **worship/Dharmashala/ Janjghar, Community Centre** etc.

Ref: In suppression of this office memo no. A-5-91/26619 dated 26-12-1991.

The policy issued vide letter under reference has been re-examined and clause no. 3 has been amended.

The request for allotment of sites to the social/Religious/ Charitable Trust/ Institutions for construction of place of worship/ Dharamshala/Janjghar/Community Centre etc may be examined and referred to Head Quarters as per the following guidelines:-

1. That there shall be 2 numbers of sites earmarked in each residential sector at two separate places. Where there is only one Residential Urban Estate the maximum number of such sited may be four.
2. That the maximum size of site for a place of worship would be 1000 square meters. The maximum size for a Community Centre/Dharamshala/Janjghar (including place of worship) shall be 2000 square meters.
3. That the allotment of land for a place of worship shall be made taking in view the broad composition of different sect/religion at the State/District/Town level with due regard to minority community. Since the allotment of religious and other community sites are normally made much prior to full habitation of a particular sector and hence the composition of people likely to settle in the sector may also be kept in view alongwith availability of religious sites of a particular sect/religious group in the surrounding area.
4. That the social/Religious/Charitable Trust/ Institutions should be a registered Institution.
5. That the Financial position of the Institution/Trust Society should be sound to pay the cost of land.
6. That the offer shall be made on the basis of letter of intent for a period of 9 months within which the social/ Religious/ Charitable Trust/ Institutions should get the building plan approved beside arranging funds for construction. After that regular allotment shall be made.
7. That the allotment of land shall be made on 99 years lease hold basis.
8. That in case the land is not used for the purpose for which it is allotted, the same shall be resumed in accordance with the provisions contained in the HUDA, Act, 1977 and Regulations made thereunder.
9. No change of land use shall be allowed.
10. That the transfer of plot shall not be allowed under any circumstances.
11. That atleast 25% construction of the permissible area of the main building shall be made within 2 years of the date of allotment in accordance with the approved zoning plan of the site failing which the allotment shall be cancelled in accordance with the provisions of HUDA Act, 1977 and Regulations framed thereunder.

- 12 That the construction on the plot shall be governed by zoning plan of the site which shall provide for the building zone, maximum ground coverage maximum height, FAR Parking area, type of boundary wall and gate etc. besides specifying the use of plot.
- 13 That shops shall not be constructed on any portion of land.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-11
for Chief Administrator HUDA.

Endst No. A-KK-2008/UB-II/ **40182-88**

Dated: **1.12.2008**

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer-1, HUDA, Panchkula.
4. The Chief Engineer-11, HUDA, Panchkula.
5. The L.R. HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula.
7. Dy. E.S.A., HUDA, Panchkula.

-sd/-
(Nadim A khtar)
Incharge Urban Branch-11
for Chief Administrator HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority
Manimajra, U.T. Chandigarh.

To

1. All the Administrators,
Haryana Urban Development Authority,
2. All the Estate Officers / Assistant Estate
Officers.

Memo No. A-5-91/26619

Dated 26.12.1991

Subject:- Guidelines for allotment of sites to the Social/ Religious/Charitable Trust/ Institutions for construction of place of worship/ Dharmashala/ Janjghar Community Centre etc.

The following guidelines have been decided for the examination of sites to the Social / Religious / Charitable Trust Institutions for construction of place of worship / Dharamshala Janjghar /Community Centre etc.

All cases in future may be referred to Head Quarters in accordance to these guidelines dealing with each aspects of areas :-

1. There shall be 2 nos. of sites earmarked in each residential sector at two separate places where there is only one residential Urban Estate the maximum number of such sites may be four.
2. The maximum size of site for a place of worship would be 1000 sq. mtrs. and for a community centre / Dharamshala/ Janjghar including place of worship the maximum size shall be 2000 sq. mtrs.
3. The allotment of land for a place of worship should be made taking in view the number of followers of a particular sect/ religion in that sector, with due regard to minority community. The number of followers should be adequate to justify allotment of an independent site and there should be no religious place of same sect existing within and joining the sector.
4. The social institution Trust should be a registered institution.
5. The financial position of the institution / Trust society should be sound to pay the cost of land.
6. Offer should be made on the basis of letter of intent for a period of 9 months within which the institution Trust / society should get the building plan approved besides arranging funds for construction. After that regular allotment should be made.
7. The allotment of land shall be on 99 years lease hold basis.
8. In case the land is not used for the purpose for which it is allotted the same shall be resumed in accordance with the provisions contained in the HUDA Act, 1977 and Regulations made thereunder.
9. No change of land use will be allowed.
10. The transfer of plot shall not be allowed under any circumstances.
11. Atleast 25% construction of the permissible areas of the main building shall be made within 2 years of the date of allotment in accordance with the zoning plan governing the construction of building falling which the allotment shall be cancelled in accordance with the provisions of HUDA Act, 1977 and Regulations framed thereunder.
12. The control over building shall be exercised through a zoning plan of the site which shall provide for the building zone, maximum ground coverage, maximum height, FAR parking area, type of boundary wall and gate etc. besides specifying the use of plot.
13. Shops shall not be constructed on any portion of land.

-sd/-

for Chief Administrator
HUDA, Panchkula.

12. AUCTION POLICY

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2017/11878

Dated: 19.01.2017

Subject: Disposal of **left out plots** through **auction- amendment thereof**.

1. This is continuation of this office memo no. A-6-UB-2016/46585-87 dated 11.08.2016.
2. Authority in its 111th Meeting held on 27.07.2016 has decided that all the left out plots kept for the last 10 years (excluding plots reserved for Oustees) shall be disposed off through e-auction, on usual terms & conditions as applicable to the e-auction of commercial sites.
3. The matter has further been reviewed by the Authority in its 112th Meeting held on 10.01.2017. It has been decided that in the financial interest of HUDA, and so as to generate more revenue, all the left out residential plots belonging to all reserved categories (except Oustees Quota) lying un allotted for the last 5 Years instead of 10 Years as earlier in-force, to be reckoned from the date of floatation of a Sector, be disposed off through e-auction.
4. You are requested to take further action accordingly. The follow up action taken in the matter be also sent to this office.
5. The receipt of this communication may also be acknowledged.

-sd/-

Administrator (HQ's)
for Chief Administrator, HUDA

Endst. No. UB-A-6-2017/11879

Dated:- 19.01.2017

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2016/46590-91

Dated:11.08.2016

Subject: Disposal of ‘GP’, ‘P’ and ‘SP’ plots through auction

This is in-continuation of this office memo. No. 11176 dated 25.11.2009 on the subject cited above.

It is reiterated that the layout plans of residential sectors/urban estates, certain plots are marked as ‘GP’ (General Preference), ‘P’ (Preferential) and ‘SP’ (Special Preferential). Regulation 4(2) of HUDA (Disposal of land and buildings) Regulations, 1978 provide for charging an extra price/premium for such plots. A chart showing the categorization and additional price thereof being charged is here by reproduced as under.

S r . No.	Description of location of plot	Status	Premium to be charged
1.	i) All the plots facing 24 mtrs road, or ii) A park having an area between 2000 sq. mtr. to 8000 sq. mtr.	General Preference ‘GP’	5% (of the cost of plot).
2.	i) All the plots facing more than 24 meters wide roads, ii) All the corner plots abutting two or more roads. iii) All plots abutting on one side by an open space at least 40’ in width, iv) All plots facing a park having an area of more than 8000 sq. mtrs.	Preferential ‘P’	10% (of the cost of plot).
3.	The corner plots facing 360 meters and above width of roads with side road/40’ wide open space.	Special Preferential ‘SP’	20% (of the cost of plot).

Since these plots are located on advantageous locations of a Sector/Urban Estates, therefore, can fetch good revenue, if disposed of by way of open auction. In view thereof, it has been decided that henceforth ‘GP’, ‘P’ and ‘SP’ residential plots which are located along 24 mtrs or higher roads shall be disposed of through open auction only.

This issues with the prior approval of Authority in its meeting held on 27.07.2016 vide Agenda Item No. Auth.111th (12). A copy of Agenda item and extract of proceedings of the meeting are sent herewith.

You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately. The above guidelines may be brought to the notice to the all concerned for implementation in letter and spirit.

-sd/-

Administrator (HQ’s)
for Chief Administrator HUDA

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)

for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2016/46585-86

Dated: 11.08.2016

Subject: Disposal of **left out plots** through **auction**.

This is in-continuation of this office memo. No. UB-A-5-2016/8730-31 dated 05.07.2016 on the subject cited above.

1. The matter regarding disposal of left out residential plots through open auction was placed before the Authority vide Agenda item No. Auth. 111th (11) in its meeting held on 27.07.2016 for seeking its ex-post facto approval. The Authority has accorded its approval to the disposal of left out plots kept for the last 10 years (excluding plots reserved for oustees) but with stipulation that plots shall not be disposed off on usual terms and conditions applicable to auction of Commercial Sites as circulated vide memo. no. 19748-68 dated 31.05.2006.
2. In compliance with the above decision the separate terms & conditions for of auction of left out residential plots, as explained in para 2 above, will be issued separately.
3. A copy of Agenda Item and an extract of proceeding of the meeting are sent herewith for your reference and records.
4. You are therefore requested to take further action accordingly. Action taken report may be sent to this office immediately.

-sd/-

Administrator (HQ's)

for Chief Administrator HUDA.P.T.O.

Endst. No.UB-A-6-2016/46587

Dated:-11.08.2016

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)

for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officer/Asstt. Estate Officer, HUDA

Memo No. A-5-UB-2016/18730-31

Dated 05.07.2016

Subject:- Disposal of left out residential plots through e-auction in various Urban Estate.

The matter cited as subject has been considered and decided that the left out residential plots kept for last 10 years may be disposed off through auction after deducting the quota of oustees plots. The Plots to be allotted through auction are beneficial to HUDA as it will bring more revenue. The procedure for auction of residential plots shall be the same as applicable for commercial sites and circulated vide memo no. 19748-68 dated 31.05.2016.

You are requested to take further action in the matter accordingly. These instructions may be brought to the notice of all concerned for strict compliance.

--sd--

Nadim Akhtar
O/o Senior Town Planner,
for Chief Administrator, HUDA

Endst. No. UB-A-5-2016/18732

Dt. 05.07.2016

A copy is forwarded to the following for information and necessary action:-

1. PS/ACSTCP for kind information of W/ACSTCP
2. PS/DGTCP for kind information of W/DGTCP
3. PS/CA for kind information of W/CA. HUDA.
4. The Chief Controller of Finance, HUD, Panchkula.
5. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
6. The Chief Town Planner, HUDA, Panchkula.
7. The Chief Architect, HUDA(HQ), Panchkula.
8. The District Attorney, egal Cell, HUDA, Panchkula.
9. The Secretary, HUDA, Panchkula.
10. The Chief Vigilance Officer, HUDA(HQ), Panchkula.
11. The Enforcement Officer, HUDA (HQ), Panchkula.
12. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
13. The General Manager/IT, Panchkula for updation in the system.
14. All the Assitants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

--sd--

Nadim Akhtar
O/o Senior Town Planner,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officer/Asstt. Estate Officers, HUDA

Memo No.A-1-2006/19748-68

Dated: 31.05.2006

Sub:-Guidelines with regard to the **auction of commercial sites**.

This is in partial modification of this office memo No.A-1-05/13338-51 dt. 14.06.2005, whereby guidelines with regard to the draw of lots of residential plots and auction of commercial sites were circulated.

The matter regarding formulation of specific and separate guidelines for auction of commercial sites has been engaging attention. Now, it has been decided that while conducting auction of commercial sites, the following guidelines/procedure shall be followed. However this procedure will not apply to auction in City Centres of Gurgaon, Faridabad and Panchkula.

1. PRE REQUISITE STEPS :

Before publication of notice for auction, the EO concerned shall initiate the following pre requisite steps;

1. Out of total vacant commercial sites they shall list out number of sites to be put to auction, taking into consideration the sale's feasibility of shopping sites in the area and market demand etc. etc. The list so prepared shall be got approved from the Zonal Administrator, HUDA.
2. The list of sites proposed to be put to auction shall be sent to the Superintendent Engineer, HUDA, concerned (XEN in the case where, S.E. is not in stationed) with a request to look into and confirm that the development works in the area are completed and possession of the site can be offered immediately. He shall also obtain the confirmation from District Town Planner concerned, that the demarcation plan/Zoning plans of the sites have also been approved.
3. The case for fixation of the price shall be moved simultaneously and reserve price shall be got finalized from the 'Competent Authority'.

2. PUBLICATION OF NOTICE

After observing of the pre-requisites as aforesaid at 1, a draft notice shall be prepared by the EO and after getting approval on the file from the Zonal Administrator, HUDA, a notice to this effect shall be got published through DPR, Haryana. There shall be a gap of atleast 15 days between the publication of notice and the date of auction. There shall also be repeat publication during the period. The reserve price, of each site shall be indicated against each.

2.A DISPLAY OF DEMARCTION/ZONING PLAN

The demarcation /zoning plan of the sites proposed to be put to auction shall be arranged and displayed in the respective Estate Office by the DTP concerned atleast one week before the date of the auction so as to facilitate the prospective buyer to look into and make their mind. A representative of DTP shall remain there during period, to explain queries of prospective buyers.

3. LOCAL PUBLICITY

Besides releasing advertisements in the leading dailies, the wide local publicity in the cities in and around the Urban Estate concerned shall be made by the respective Estate Officer HUDA through distribution of leaflet.

4. REGISTRATION OF BIDDER

The bidder shall be required to get themselves registered with respective Estate Officer, HUDA, upto 4.00 P.M. of the day preceding to the date of auction. The bidder shall be required to submit a written request for registration alongwith following details:-

- a. Name of the applicant with complete address.
- b. Name of the authorised person. (In case the bidder has given any special Authority letter/GPA to someone else on his behalf.) Under this situation, the authorised person/GPA shall submit the original copy of the Authority letter/GPA.
- c. The request for registration as bidder shall be accompanied with the security amount, equal to 2% of the reserve price, besides a sum of Rs.1000/- as registration money (non refundable) in the shape of demand draft drawn in favour of the Estate Officer, HUDA concerned. The Demand Draft of the unsuccessful bidders shall be returned as such to them immediately after the auction proceedings are approved by the Presiding Officer. The security amount deposited by successful bidder shall be adjusted towards earnest money making the total deposits equal to 10% of bid, required to be deposited at the fall of hammer.

In case the successful bidder fails to deposit an amount equal to 8% of the highest bid, (making a total sum deposited by him equal to 10% of the cost) at the fall of hammer, the security amount shall stand forfeited. The bid shall also be considered to be withdrawn/ cancelled.

The following terms & conditions relating to allotment of commercial sites shall be displayed and also got signed from the buyers, before issuance of registration certificate.

TERMS AND CONDITIONS

- a. The mode of payment of plot/site would be as under :-
 - I) 10% (2%+8%) bid money at the fall of hammer in form of cash/demand draft.
 - II) 15% amount within 30 days from the date of issue of allotment letter.
- b. Balance 75% amount shall be payable, either in lumpsum without interest within 60 days from the date of issuance of allotment letter OR
in the following manner :-
 - i) In the case of booth/Kiosk sites the balance amount of 75% would be recoverable in 10 half yearly equal instalments.
 - ii) In the case of other commercial sites, the balance amount of 75% would be recoverable in 8 half yearly equal instalments.

However, for the payments made in instalments interest @ 9% per annum be charged from the date of offer of possession with provision to charge 11% per annum (or decided by the Authority from time to time) interest on the delayed payment.

In case the allottee is not able to deposit the 15% amount within the stipulated period of 30 days, further extension of 30 days can be granted on payment of surcharge as per policy and penal interest at the applicable rate for the delayed period on the delayed amount, with the prior approval of the Competent Authority, otherwise the allotment shall be cancelled under the provisions of HUDA Act. But for seeking further extension as aforesaid, the request of allottee must reach within 30 days from the date of issuance of allotment letter.

- c. No request for surrender of plot shall be entertained once the bid is accepted by the Presiding Officer. In case of surrender the whole 10% amount deposited at the fall of hammer shall stand forfeited.

5. CONSTITUTION OF COMMITTEE

The following shall be constitution of the auction committee.

- | | |
|--|-------------------|
| 1. Zonal Administrator, HUDA | Presiding Officer |
| 2. DTP concerned | Member |
| 3. Representative of the Distt. Administration | Member |
| 4. Estate Officer, HUDA concerned | Member Secretary |
| 5. XEN, HUDA, concerned | Member |

Besides above, the following officers/officials of the Estate Officer shall also be associated in the process of holding of auction. However, a written office order to this effect shall be issued by the Zonal Administrator, HUDA.

1. Sr. A.O./AO
2. SO concerned/Divnl. Acctt.
3. Cashier
4. Office Asstt. of the Estate Officer dealing with allotment of comm. sites.
6. **PRESIDING OFFICER**

The Zonal Administrator, HUDA shall be the Presiding Officer of the whole proceedings. No other officer shall chair the proceedings. Before issuance of receipt in token of deposit of 8% amount to be deposited at the fall of hammer, it shall be the responsibility of the Sr.AO/AO as the case may be, to check and confirm that the bidder has signed the terms & conditions of the auction and observed all the pre-requisite documentation/formalities, before issuance of valid receipt, in token of deposit.

7. **HOLDING OF AUCTION**

The auction announcer shall be arranged by the respective Estate Officer with the approval of the Zonal Administrator, HUDA. This fellow may be HUDA official or an outside professional. The honorarium in lieu of this job to be paid shall also be decided by the Zonal Administrator, HUDA.

8. **RECORDING OF BID SHEET**

The Zonal Administrator shall designate/appoint a person specific, who shall only record bid proceedings neatly. He shall sit aside the Estate Officer, HUDA, concerned and hand over the bid sheet immediately after fall of hammer to the Estate Officer, HUDA, concerned, who shall get the bid sheet signed immediately from the other members of the committee including the Presiding Officer.

9. **ACCEPTANCE OF BID**

The Presiding Officer i.e. Zonal Administrator, HUDA, shall take a decision with regard to the acceptance or rejection of the highest bid on the spot, itself and made a record note of it on the bid sheet.

10. **ISSUANCE OF ALLOTMENT LETTER IN FAVOUR OF SUCCESSFUL BIDDER**

Once the bid is approved by the Presiding Officer, the Estate Officer, HUDA, concerned shall ensure that the allotment letter in favour of successful bidder is issued within a period of next two working days positively.

The receipt of the above communication may be acknowledged.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.
Dated: 31.05.2006

Endst.No.A-1-2006/19769-76

A copy is forwarded to the following for information and necessary action in supersession of this office Endst. No.A-1-05/13352-62 dt. 14.03.05:-

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Secretary, HUDA, Panchkula.
4. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
5. The District Attorney, HUDA, Panchkula.
6. The Dy. Economic & statistical Advisor, HUDA, Panchkula.
7. All the Assistants/Record Keepers of Urban Branch (HQ), HUDA, Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

- 1) All the Administrator, HUDA.
- 2) The Chief Town Planner, HUDA, Panchkula.
- 3) The Chief Engineer, HUDA, Panchkula.

Memo No.A-11P-97/16028-33

Dated, 6th May, 1997

Subject :Modification of auction policy of residential industrial and institutional plots and reservation of plots.

The matter regarding modification of auction policy of residential, industrial and institutional plots was placed before the Cabinet in the its meeting held on 27.03.1997. Cabinet had decided to modify the auction policy of residential, industrial and institutional plots as per details given below :

- 1) Left over/unsold plots in developed sectors would be sold by way of auction.
- 2) All the commercial plots would be sold by way of auction.
- 3) All the plots in mandi Township areas would be sold by auction.
- 4) Nursing Homes, Clinic sites and Public schools would be allotted through auction.
- 5) 5% of the residential plots measuring 10 Marla and above would be sold by way of auction only in the following Urban Estates ;
- 6) Gurgaon, Panchkula, Faridabad, Panipat and Rewari, 50% of the difference between the auction price and reserve price would be paid to the State Government. New residential plots including plots for Group Housing Scheme and industrial plots all over the State would be sold by way of allotment after issuing advertisement for the same in the leading newspaper s. while individual and Group Housing plots would be allotted by draw of plots, industrial plots would be allotted by scrutinizing the project report of the applicants, and their experience/capabilities in this regard. Cases of rental housing scheme for the Govt. (both Central and State) would be considered as and when applications are received and depending upon availability of land.
- 7) Institutional plots would be allotted by the Authority after inviting applications on the basis of recommendations made by the Committee constituted for the purpose headed by the local Administrator. In respect of Group Housing Scheme, 1995, it has been decided that earnest money be refunded to the applicants alongwith interest @15% and the plots be advertised afresh at the revised rates.

In respect of policy regarding reservation of residential plots for various categories in the sectors/urban estate developed by HUDA, which had come to an end in view of Cabinet decision dated 16.09.1996 “to dispose of all residential plots through auction rout only” reservation chart hitherto being followed has been adopted with following modifications :

PROPOSED RESERVATION CHART FOR VARIOUS CATEGORIES

S.No.	Category	All size plots	4 to 6 Marla	EWS upto 2 Marla	Remarks
1	Scheduled Caste/ Scheduled Tribes	Nil	15%	20%	
2.	Backward Class	Nil	3%	5%	
3.	War Widows/ Soldiers Disabled	Nil	3%	5%	
4.	Freedom Fighter	Nil	2%	2%	

5.	Handicapped	Nil	2%	2%	1% for blind
6	Haryana Govt. Servants including employees of Board/Corporations under Haryana Government	10%	10%	10%	2% for retired/retiring employees in next five years.
7.	Defence personnel/ Ex-serviceman including para-military forces like CRPF, BSF, ITBP, RPF, GSF, CFEF etc. of domicile of Haryana State.	10%	10%	10%	

- 8) Those NRIs who have been allotted industrial plots for them, 2 residential plots of one kanal category and 5 residential plots of 14 Marla category be reserved in every new sectors when floated. The residential plots to NRI is to be offered when he at least completes the building upon the industrial plots allotted to him, install/ machinery and is ready to start commercial production. Further, he will not be allowed to dispose off the plot under any circumstances for a period of 10 years.
- 9) An equal number of residential plots, to that of claims, received from the land owners, whose land has been acquired for the development of sectors are reserved for allotment in their favour, under oustee policy.

All other terms and conditions of eligibility will remain the same as per previous policy.

The Cabinet in its meeting held on 27.03.1997 had decided that all institutional plots would be allotted by the Authority after inviting applications on the basis of recommendations of the Committee constituted for the purpose headed by Zonal Administrator. The Authority after consideration of this matter vide agenda item No.A-70(31) has decided that the policy being followed earlier in respect of petrol pumps, LPG Godowns, kerosene depots etc. be followed with the approval of the Authority as those sites cannot be put to auction there being only one dealer for a site. However, rent being charged has further been revised, which is being communicated separately.

In case of allotment of land to Govt. Departments, Public Sectors Undertakings, Corporations it has been decided that the earlier policy being followed may be continued with the approval of the Authority as in these cases the allotment is to be made to Govt. Department/Undertakings.

The Authority in its 70th meeting held on 23.04.1997 vide agenda item No.22 and 31 has approved the above decisions. The copy of the memorandum to modify the auction policy placed before the Cabinet in its meeting dated 27.03.1997 its decision thereon alongwith copy of agenda copy of agenda item No.A-70(22) and A-70(31) and decision of the Authority are also sent herewith for strict compliance.

Kindly acknowledge its receipt.

DA/As above

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst. No.A-11P-97/16034-58

Dated : 06.05.1997

A copy is forwarded to all Estate Officers/Assistant Estate Officers in HUDA for information and strict compliance.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

13. NURSING HOMES & CLINIC SITES

To

1. All the Administrator(s), in the state.
2. All the Estate Officer(s), in the State.

Memo No. A-4-UB-2017/214809

Dated:15.11.2017

Subject: -Policy for regularization of Nursing Homes running from residential Premises–Further amendment.

1. This is in continuation of this office memo no. UB-A-6/2016/46580-81 dated 11.08.2016 on the subject cited above

2. With the prior approval of Authority accorded in its 111th meeting held on 27.07.2016, it was decided that clause-2(ii) of the existing policy guidelines bearing no. A-Pwn-2008/UB-II/26053-75 dated 21.07.2008 may be substituted as under to the extend of re-defining the size/location parameters for Nursing Home Site in all Zones.

Clause-2(ii) “Permission shall be granted for only those residential premises which are having a minimum size of plot equal to 350 sq. yds. (14 marla category) and are located on roads having a width of at least 24 mtrs or the widest internal road of the sector, whichever is lower in case of urban estates/ sectors falling in Hyper/ High Potential zones. In case of urban estates/sectors falling in Medium and Low Potential zones, permission shall be granted for only those residential premises which are having a minimum size of plot equal to 250 Sq. Yrds (10 marla category) and are located on roads having a width of at least 18 mtrs”.

3. A representation was received requiring for inclusion of corner 14 M plots which have the widest internal road of the sector as their side road in the eligibility criteria. Matter has been got examined from Town & Country Planning wing of HUDA. It has been decided that the criteria laid down in Clause 2(ii) of the approved policy is further clarified/ amended to the extent that the term ‘located along 18 mtrs wide road or the widest internal road’ would mean that the plot has such a road either in front or by its side. Therefore, Nursing Home running from 14 marla corner houses having the 18 mtr. or the widest internal road of the Sector as their side road shall also be allowed to be regularized.

4. All other terms and conditions of existing policy guidelines dated 11.08.2016 shall remain the same.

5. This has approval of Hon’ble CM-cum-Chairman HUDA.

-sd/-

(R.S. Verma)

Administrator (HQ),HUDA,
Panchkula

Endst. No. A-4-UB-2017/214809

Dated:15.11.2017

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The GM(IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA(HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistant/Record Keepers, Urban Branch, HUDA(HQ), Panchkula.

-sd/-

(R.S. Verma)

Administrator (HQ),HUDA,
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No.UB-A-6-2016/46580-81

Dated:11.08.2016

Subject:Policy for **regularization** of **Nursing Homes** running from **residential Premises- amendment** thereof.

In partial modification of the policy guidelines on the subject circulated vide memo. No. A-Pwn-2008/UB-II/26053-75 dated 21.07.2008 on the subject cited above.

1. The matter to review the eligibility conditions and rates of conversion charges has been engaging the attention for quite some time.
2. With prior approval of Authority accorded in its 111th meeting held on 27.07.2016, it has been decided that clause 2 (ii) of the existing policy guidelines, bearing no. A-Pwn-2008/UB-II/26053-75 dated 21.07.2008 may be substituted as under to the extent of redefining the size/ location parameters for Nursing Home sites in all Zones.

Clause 2(ii) to be substituted.

3. (ii) Permission shall be granted for only those residential premises which are having a minimum size of plot equal to **350 sq yards** (14 Marla category) and are located on roads having a width of at least **24 mtrs** or the widest internal road of the sector, whichever is lower in case of urban estates/sectors falling in Hyper/High potential zones. In case of urban estates/sectors falling in Medium and Low potential zones, permission shall be granted for only those residential premises which are having a minimum size of plot equal to **250 sq yards** (10 Marla category) and are located on roads having a width of at least **18 mtrs**.

Also it has been decided to add clause No. 2(iv) in the policy as under:-

4. (iv) The maximum number of sites that may be permitted in a sector shall be **4(four)** for sectors upto 200 acres in area, and in proportion thereof (1 number for every additional 50 acres area of sector) thereafter. The regularization permissions already granted, if any, in a sector shall be taken into account and further permissions shall be granted, on First Cum First served basis, only for the remaining number of sites permissible in that sector as per above ceiling.

The conversion charges prescribed in clause 3 of the policy are also modified as under:-

Procedure

One Time Conversion Charges:-

(i) In the cases where premises are owned by the doctor(s) or their family members i.e. spouse/parents/ children.

- Hyper Potential Zone @ ` **6,000/-** per sq. yd.
- High Potential Zone (HPZ) @ ` **4,000/-** per sq. yd.
- Medium Potential Zone (MPZ) @ ` **2,000/-** per sq. yd.
- Low Potential Zone (LPZ) @ ` **1,000/-** per sq. yd.

5. All other terms and conditions of the present policy guidelines bearing no. A-Pwn-2008/UB-II/26053-75 dated 21.07.2008 shall remain unchanged.

6. A copy of Agenda item and extract of proceedings of the meeting are sent herewith. You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately.

A wide publicity of the above guidelines may be made so as to brought the same to the notice of the all concerned as well as general public so as to ensure implementation of these guidelines in true letter and spirit.

The receipt of this communication may also be acknowledged.

-sd/-
Administrator, HUDA
(HQ's) Panchkula

Endst. No.UB-A-6-2016/

Dated:-

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA (HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrator, HUDA
(HQ's) Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officer's/Asstt. Estate Officer, HUDA.

Memo No. A-5-UB-2016/2941

Dated: 28.06.2016

Subject: - Regarding **amendment** in **Transfer Policy** of **Nursing Homes/Clinic Sites**.

In continuation of policy guidelines approved by the Authority on 05.12.1990 & subsequent amendment made on 03.03.1999, 21.05.1999, 08.03.2000 on the subject cited above.

In the existing policy guidelines there was no provision for grant of transfer permission of Nursing Homes/Clinic sites allotted before 03.03.1999. It was engaging attention and in order to redress the grievances, the existing policy was reviewed again. After detailed deliberation on the above policies it was felt that for all practical purposes, the sites allotted through auction after 03.03.1999 are treated at par with commercial sites.

Accordingly, the matter was placed before the Authority in its 110th meeting held on 12.05.2016 under the Chairmanship of Hon'ble CM, Haryana-cum-Chairman, HUDA vide Agenda Item No. 22 for consideration and approval. The proposal has been approved by the Authority as under:-

- i) **For the first transfer:** - As allottee has already got benefit of allotment of site at reserved price, for the Nursing Home Sites allotted (not auctioned), transfer fee may be charged at double of the transfer fee rates of commercial sites that were allotted through auction.
- ii) **For the second transfer:** - For the second transfer, the rate for transfer of allotted Nursing Home sites (not auctioned) shall be at par with commercial rates of transfer.
- iii) Presently, for transfer of built up residential/commercial sites, Administrative Charge of Rs. 5000/- is applied where full payment has been made and conveyance deed has been executed by the allottee. It was decided that the rates for transfer of residential/commercial sites, built up or not built, as mentioned in the policy dated 08.03.2000 be updated as per present rates by the Accounts Branch, HUDA (HQ).
- iv) For future allotments transfer permission can be allowed only in case where the Nursing Home has been running for at least 5 years.
- v) Vacant plots should not be allowed to be transferred.
- vi) Minimum 25% built up area should be a pre-condition for transfer of nursing home sites.

You are therefore requested to take further action in the matter accordingly. These instructions may be brought to the notice of all concerned for strict compliance.

-sd/-

(R.K.Kataria)

Superintendent (U.B.)

for Chief Administrator, HUDA

A copy of the above is forwarded to the following for information and necessary action:

1. PS/ ACSTCP for kind information of W/ ACSTCP.
2. PS/ DGTCP for kind information of W/ D.G.T.C.P.
3. PS/ C.A. for kind information of W/ C.A. HUDA .
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Engineer/ Chief Engineer-I, HUDA, Panchkula
6. The Chief Town Planner, HUDA, Panchkula.
7. The Chief Architect, HUDA(HQ), Panchkula.
8. The District Attorney, Legal Cell. HUDA, Panchkula.
9. The Secretary HUDA, Panchkula.
10. The Chief Vigilance Officer, HUDA (HQ), Panchkula.
11. The Enforcement Officer, HUDA (HQ), Panchkula.
12. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
13. The General Manager /IT, Panchkula for updation in the system.
14. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd-

(R.K.Kataria)

Superintendent (U.B.)

for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA in the State
2. All the Estate Officers, HUDA in the State

Memo No. A-1-UB-2014/22508

Dated:09.09.2014

Subject: Policy for **regularization** of **Nursing Homes** running from **residential premises**.

This is in partial modification of this office memo no. A-PWN-2008/UB-II/26053-75 dated 21.07.2008 on the subject cited above.

In the context of representations received from the Doctors, the matter has been considered and examined. It has been decided that the eligibility criteria for setting up of Nursing Homes running from residential premises may be modified as under:-

1. The minimum plot size criteria of 500 sq. yards as stipulated in the prevailing policy dated 21.07.2008 shall continue to apply except in those Urban Estates/Sectors where provision of 1 kanal category plots is not there in the layout plan, in such cases, the plot size of 500 sq. yards can be achieved by way of clubbing of maximum two adjacent plots under the same ownership.
2. The minimum road width shall, however, be kept as 18 mtrs. in Medium/Low Potential Zones.
3. The owner shall comply with the parking requirements as laid down in the policy instructions dated 21.07.2008.

Therefore, the para 2 (ii) of the policy dated 21.07.08 shall stand modified as under:-

- (i) Permission shall be granted for only those residential premises which are having a minimum size of plot equal to 500 sq. yards and are located on roads having a width of at least 30 mtrs. in Hyper/High potential zones and 18 mtr. in medium/low potential zones. However, in those Urban Estate/Sectors where provision of 1 Kanal Category plots is not there in the layout plan, in such cases, the plot size of 500 sq. yds. can be achieved by way of clubbing of maximum two adjacent plots under the same ownership.

The other terms and conditions of the policy guidelines shall remain the same.

This has approval of Hon'ble Chief Minister-cum-Chairman HUDA.

-sd/-

(B.B.TANEJA)

Deputy Superintendent.(U.B.),
for Chief Administrator, HUDA

A copy of above is forwarded to the following for information and necessary action.

1. All the Deputy Commissioners, in the Haryana State.
2. The Director General, Health Services, Sector-6, Panchkula.
3. All the Civil Surgeon in the Haryana State.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Town Planner, HUDA, Panchkula.
6. The Chief Engineer, HUDA, Panchkula
7. The District Attorney, HUDA, Panchkula.

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. The Administrators, HUDA
2. All the Estate Officers, HUDA.

Memo No. A-Pwn-2008/UB-II/26367 Dated: 23.07.2008

Sub:- Allotment of **Nursing Home and Clinic Sites** through **auction-modification** therein.

This is in partial modification of earlier guidelines circulated vide HUDA (HQ's) memo No. A-14-97/16291-311 dated 12.05.97 on the subject as cited above.

The matter cited as subject has been re-examined and placed before the Authority in its 101st meeting held on 11.06.08. It has been decided to amend the earlier auction policy with regard to Nursing Homes / Clinic Sites provided by HUDA in various Urban Estates and in future the auction of such sites shall be restricted to only doctors i.e. who practice the profession in following manner :-

- (a) Nursing Home site shall be auctioned only to the specialists i.e. postgraduates in the field i.e. MD/MS/M.D.S. etc.
- (b) Clinic Sites shall be auctioned only to those persons who are having Bachelor Degree in Medicine, Dental Surgery, Unani or Ayurvedic Medicines etc.

The other terms and conditions of auction shall remain the same. This policy shall be applicable from the date of issue of this letter.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch -I,
for Chief Administrator, HUDA

Endst. No. A-Pwn/2008/UB-I/26368-75

Dated 23.07.2008

A copy of the above is forwarded to the following for information and necessary action.

1. The Director General, Health Services, Sector-6, Panchkula.
2. All Civil Surgeons of Haryana State.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. The Legal Remembrancer, HUDA, (HQ) Panchkula.
7. The Deputy ESA HUDA (HQ), Panchkula.
8. All Assistants / Record Keeper of Urban Branch, HUDA, (HQ).

-sd/-
(Nadim Akhtar)
Incharge Urban Branch -I,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. The Administrators, HUDA
2. All the Estate Officers, HUDA.

Memo No. A-Pwn-2008/UB-II/26053-75 Dated:21.07.2008

Sub:- Policy for regularization of Nursing Homes running from residential premises.

1. This is in supersession of the earlier guidelines on the subject circulated vide HUDA (HQ's) memo No. A-6/2005/27527 dated 21.10.05 on the subject as cited above.
2. In the context of representations received for regularization of nursing home, which came into existence on or after 01.01.1992, after deliberations, a decision had been taken that the policy may further be reviewed. As a follow up to the above decision, keeping in view the background of the discussions / deliberations to improve the medical care facilities in the Urban Estates developed by HUDA, the matter after examination was placed before the Authority in its 101st meeting held on 11.06.08. It has been decided that use of residential buildings in Urban Sectors developed by HUDA, which fulfills the prescribed eligibility criteria may be allowed for setting up Nursing Homes, provided:
 - (i) The residential premises are owned by the Doctor(s) who are applying for permission to set up Nursing Homes or their family members i.e. Spouse/Parents/Children on payment of requisite conversion charges. However, the permission can also be given to tenant doctors provided they fulfill other requirements but in their case, they will have to pay annual fee equivalent to 10% of conversion charges.
 - (ii) Permission shall be granted for only those residential premises which are having a minimum size of plot equal to 500 Sq. Yds. and are located on roads having a width of at least 30 mtrs.
 - (iii) Each building in respect of which permission is sought should have a parking space for 'four wheeled' vehicles atleast equal to the number of indoor beds plus two. Parking space may be inside or outside of the building or both. The parking space outside the building will be public parking space which will be maintained by HUDA or Municipal Council/Corporation/Local Body which will be at liberty to charge fee from Nursing Home owners or from those who park their vehicles thereupon or both.

3. Procedure:

The application for granting permission to the Nursing Home shall be made on the prescribed Performa to the respective Estate Officer, HUDA along with the following documents/Charges:-

• One Time Conversion Charges :-

(i) In the cases where premises are owned by the doctor(s) or their family members i.e. spouse / parents / children.

- Hyper Potential Zone consisting of Urban Estate Gurgaon @ Rs.3,000/- per sq. yd.
- High Potential Zone (HPZ) consisting of Urban Estate Faridabad and Panchkula @ Rs.2,000/- per sq. yd.
- Medium Potential Zone (MPZ) consisting of Urban Estates Ambala, Bahadurgarh, Hisar, Jagadhri, Karnal, Kurukshetra, Panipat, Rewari & Rohtak. @ Rs.1,000/- per sq. yd.
- Low Potential Zone (LPZ) consisting of rest of Urban Estates @ Rs.500/- per sq. yd.
- Conversion charges will be recovered in two annual installments which will carry an interest @ 10% compounded annually. In case, the 2nd installment of conversion charges is not paid within 90 days of the due

date, the permission may be withdrawn by the Estate Officer after issuing a Show Cause Notice. In addition, delayed interest @ 15% compounded annually will have to be charged instead of 10% compound interest for delayed payments.

- The complete project report containing therein the activities / functions proposed to be carried out in full details, especially Surgeries, Lab tests. etc.
- An affidavit duly attested by the Judicial/Executive Magistrate of First Class undertaking that he will abide by all the terms and conditions of this Policy shall be submitted by the applicant.

ii) In case of a tenant Doctor:-

- One year's annual conversion charges equal to 10% of conversion charges, thereafter, the same will have to be paid in advance every year before start of the new Financial Year beginning 1st April every year failing which the permission will lapse automatically. If the doctor continues with the Nursing Home operations beyond the permissible period, he will have to pay conversion Charges for the unauthorized period along with 15% compound interest. The year for annual conversion charges will be from April to March next year. Full annual conversion charges will have to be paid for first year irrespective of date of application in the financial year.
- A deed of rent agreement from the owner of the residential premises in the name of the doctor applying for permission at least for three years duly registered as per law.

- Scrutiny of the applications shall be carried out by following Committee:-

(i) Civil Surgeon of the District. Chairman

(ii) Deputy Commissioner or his Representative. Member

(iii) Concerned Estate Officer, HUDA Member Secretary

- This Committee shall scrutinize the applications vis-à-vis the laid down criteria / legislations / policy guidelines circulated by HUDA/Central/State Governments from time to time. The number of beds, needs and the availability of parking space shall also be examined by this Committee.
- Concerned Estate Officer of HUDA will convene the meetings of the Committee. The Committee will meet in a maximum period of one month from the date of receipt of application and will send its recommendations to the Zonal Administrator. The Authority to approve the running / functioning of a Nursing Home from residential plot / building shall lie with the Zonal Administrator, HUDA. The formal approval shall be circulated by respective Estate Officer, HUDA.

4. Other Terms & Conditions:-

- No Nursing Home shall be allowed to function from a residential building except with the prior written permission of the Estate Officer, HUDA. The usage of plot/building shall be as per HUDA covered area, FAR norms pertaining to residential premises subject to Zoning Plans and a permission to occupy the building issued by the competent authority.
- The Building Plan of Nursing Home shall also have to be got sanctioned.
- Adequate arrangements for disposal of hospital waste must be made by the owner. The applicant should be registered with the Health Department for usage of incinerators installed / to be installed in the concerned district.
- No commercial activities including chemist shop shall be allowed in the building premises.
- The Nursing Home shall be open to inspection by the Committee/Officers of HUDA / Health Department at regular intervals. It shall be lawful for officers of the Estate Office or any other officers authorized by the Chief Administrator to inspect the premises at all reasonable hours to ensure that the conditions of permission are being complied with. In case of infringement of any condition of permission, the Estate Officer, HUDA, may, after such inquiry as deemed necessary, cancel the permission after giving a reasonable opportunity of being heard.

- vi) The Nursing Home shall be liable to pay taxes, cesses and further parking charges (outside the premises) if any, levied by HUDA/concerned Local Bodies.
- vii) The Nursing Home shall have to make adequate arrangements for the drainage / disposal of the effluents, cleanliness of the area. It should be ensured that no-nuisance or hardship is caused to the nearby residents of area.
- viii) It shall be obligatory to observe formalities / follow directions / meet the norms of the laid down guidelines circulated / amended from time to time by HUDA/State Govt. in the Department of Health & other statutory bodies, concerning running of a Nursing Home.
- ix) The permission shall also be governed by the provisions of HUDA Act, 1977, Rules and Regulations framed hereunder from time to time.
- x) The permission shall be liable to be withdrawn if the Nursing Home violates any of the conditions of approval.
- xi) The applicant will give his e-mail address for sending all communications including changes in the Policy from time to time and all communications sent by HUDA to his e-mail address shall be deemed to have been conveyed to him. Likewise, he can send his communications to HUDA to its e-mail address huda@hry.nic.in.
- xii) An affidavit duly attested by the Judicial/Executive Magistrate of First Class undertaking that he will abide by all the terms and conditions of this Policy shall be submitted by the applicant.

You are requested to examine and decide the cases pertaining to the Urban Estates falling within your jurisdiction accordingly. The follow up / status report may also be sent to (HQ) from time to time.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-I,
for Chief Administrator, HUDA
Dated 21.07.2008

Endst. No. A-Pwn/2008/UB-I/26076-106

A copy of the above is forwarded to the following for information and necessary action.

1. All Deputy Commissioners of Haryana State.
2. The Director General, Health Services, Sector-6, Panchkula / All Civil Surgeons of Haryana State.
3. The Chairman, Haryana State Pollution Control Board, Sector-6, Panchkula.
4. The Chief Town Planner, Haryana, Town and Country Planning Department, Sector-18, Chandigarh.
5. The Chief Town Planner, HUDA, Panchkula.
6. The Chief Engineer, HUDA, Panchkula.
7. The Chief Controller of Finance, HUDA, Panchkula.
8. The Legal Remembrancer, HUDA, (HQ) Panchkula.
9. The Deputy ESA HUDA (HQ), Panchkula.
10. The President, Indian Medical Association, Haryana State Branch.
11. All Assistants / Record Keeper of Urban Branch, HUDA, (HQ).

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-I,
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.A-6-2005/27527-47

Dated: 21.10.2005

Subject: Regarding disposal of representation made by doctors running their **nursing homes** in the **residential premises** of Urban Estates as a follow up to the Hon'ble Apex Courts order dated 10.09.2003 in Writ Petition(Civil) No.552 of 1997 titled as IMA V/s State of Hry. & Ors- **Formulation of policy** thereof.

...

This is in continuation of this office memo No.A-6-2004/24508-28 dated 01.07.2004 on the subject cited above.

The following policy guidelines for regularization of the nursing homes, that are operating in the residential areas, have been approved:-

Applicability/Eligibility

This policy/scheme shall be made applicable only to the Nursing Homes already running in the residential premises, in the sectors developed by HUDA on or before 31.12.1991. The permission shall not be general to the residential lands/buildings, but shall be case specific.

Land/Building requirements :

The minimum size of a residential plot/building shall be 250 Sq.yds. and a maximum of 1000 Sq.yds. However the location of plot/building shall not be so, which may create traffic congestion/problem.

The usage of plot shall be as per HUDA covered area & FAR norms and subject to zoning plans.

Parking Requirements :

Such land/building should have adequate parking space in and around the premises for parking.

Procedure :

The application for granting permission to the Nursing Home shall be made to the respective Estate Officer, HUDA alongwith the following documents.

Prescribed fee

High Potential Zone (HPZ) @ Rs1000/- per Sq.yds.

Consisting of Gurgaon, Faridabad, Panchkula Urban Estates.

Medium Potential Zone (MPZ) Rs.500/- per Sq.yds.

Consisting of Karnal, Panipat & Bahadurgarh Urban Estates.

Low Potential Zone (LPZ) Rs.250/- per Sq.yds.Consisting of Rest of Urban Estates.

Besides they shall have also pay the annual charges of Rs.10000/-, 5000/- and 2500/- for HPZ, MPZ and LPZ respectively.

- II) Building plan/Utilisation plan of proposed/existing Nursing Home.
- III) The complete project report containing therein the activities/function being to be, carried out in full details, especially surgeries, Lab tests etc.

Scrutiny of the applications/requests

Scrutiny of the applications/requests shall be carried out by a Committee consisting of CMO of the District, Estate Officer, HUDA concerned, DTP of the Distt. Concerned and a representative from the Haryana Pollution Board, viz-a-viz, the laid down criteria/legislations/policy-guidelines circulated amended by HUDA/Central/State Government, from time to time. The Authority to approve running/functioning of a Nursing Home from residential plot/building shall lie with the Zonal Administrator, HUDA. The formal approval, shall however be circulated by respective Estate Officer, HUDA.

Other general terms & conditions:

1. The applicant shall be a consumer, registered with the Health Department for usage of incinerator if installed/working in the concerned district.
2. No commercial activities shall be allowed within the premises.
3. The Nursing home shall be open to inspection, by the committee/Officers of HUDA/Health Deptt. at regular intervals.
4. The Nursing Home shall be liable to pay taxes, cesses and further parking charges (outside the premises), if any, levied by the concerned Local Bodies.
5. The Nursing Home shall have to make adequate arrangement for the drainage/disposal of the effluents, cleanliness of the area.
6. The permission shall be governed by the provisions of HUDA Act, 1977 rules and regulations framed thereunder.
7. It will be ensured that no-nuisance or hardship is created to the nearby residents of area.
8. It shall be obligatory to observe formalities/follow directions/meet the norms laid down policy guidelines circulated/amended from time to time by HUDA, State Govt. in the Deptt. of Health & other Statutory bodies, concerning running of a Nursing Home.
9. The permission shall be liable to be withdrawn, if the Nursing Home violates any of the conditions of approval. You are requested to examine and decide the cases pertaining to the Urban Estates falling within your jurisdiction accordingly within a reasonable time frame. The follow up/status report may also be sent to Headquarters from time to time.

This issues in anticipation of approval of the Authority.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.
Dated: 21.10.2005

Endst.No.A-6-2004/27554-61

A copy of above is forwarded to the following for information and necessary action:-

1. The Chairman, Haryana State Pollution Control Board, Sector-6, Panchkula.
2. The Director General, Health Services, Sector-6, Panchkula.
3. The Chief Town Planner, Haryana, Chandigarh.
4. The Chief Town Planner, HUDA, Panchkula.
5. Engineer-in-Chief, HUDA, Panchkula.
6. District Attorney,HUDA (HQ.), Panchkula.
7. All Asstts./Record Keepers of Urban Branch HUDA (HQ.)
8. The President, Indian Medical Association, Haryana State Branch

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrator HUDA
2. All the Estate Officer (S)/ Asstt. Estate officer HUDA

Memo No.A-1-99/18098-18119

Dated:21-5-1999

Subject:-Policy for allotment of **Nursing Home/Clinic sites** in Urban Estates. In **partial modification** of this office memo No.A-1-99/7768-88 dated 3-3-99.

The matter has been re-considered by the Authority and has been decided as under:-

1. The Nursing Homes/ Clinic sites which have been disposed of by way of allotment as well as by auction the policy with regard to extension fee shall be applicable uniformly in all such case. The rates of extension fee will be twice the corresponding residential rates.
2. The transfer policy as applicable for commercial sites shall be applicable on the Nursing Home/ Clinic sites sold by auction only. However, the change of land use shall not be allowed under any circumstances.
3. Since, at present, the Nursing Home /Clinic sites are disposed of by way of auction, therefore, every person with required sources may participate in bid provided that they shall abide by all the term and conditions of allotment. Further, the land will be used strictly for the specified purpose only No other trade there in will be allowed under any circumstance.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrator (S)
Haryana Urban Development Authority.
2. All the Estate Officer (S) Asstt. Estate officer (S)
Haryana Urban Development Authority.

Memo. No. A-1-(P)-99/7763-88

Dated: 3.3.1999

Subject: Amendment in Allotment of sites for nursing home and clinic in Urban Estates.

In continuation of memo. No. A-14-97/16291-311 dated 12.5.97, No. A- 14-98/3863-83 dated 5.2.98 & No. A- 11P-98/16715-35 dated 24.6.98, it has been decided that Nursing Home/Clinic Sites may be considered a commercial venture for all purpose i.e. transfer, extension, condonation etc. and all these cases would be decided in accordance with the policy applicable to the allotment of other commercial sites. The transfer shall subject to the condition that such sites shall only be used by the transferee strictly for the specified use. Change of land use shall not be allowed under any circumstances. This is in anticipation of approval of the Authority. You are requested to take necessary action accordingly.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA
Dated: 3.3.1999

Endst. No. A-1-99/7789-90

A copy is forwarded to the CCF, HUDA/DA, HUDA, Panchkula for the information and necessary action.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

The Estate Officer,
HUDA, Hisar.

Memo No. A-14-98/3863

Dated 05.02.1998

Subject:- Allotment of sites for **clinic and Nursing Home** in Urban Estate- **Clarification** thereof.

Reference your memo no. 14290 dated 12.09.97 on the subject cited above.

In continuation of memo no. A-14-97/16297-311 dated 12.05.97, it has been decided that since the Nursing Home/ Clinic sites are disposed off by way of auction, therefore, every person with required sources may participate in bid, provided that they shall abide by the all terms and conditions of allotment. Further the land will be used strictly for specified purpose only. No other trade therein will be allowed under any circumstances.

-sd/-
Administrative Officer
for Chief Administrator, HUDA

Endst. No. A-14-98/3864-83

Dated 05.02.1998

A copy is forwarded to the Administrators / Estate Officers / Assitt. Estate Officers of HUDA for information and necessary action in continuation of above referred letter.

-sd/-
Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrator (S)
Haryana Urban Development Authority.
2. All the Estate Officer (S) Asstt. Estate officer (S)
Haryana Urban Development Authority.

Memo. No. A-14-97/16291-311

Dated: 12.5.1997

Subject: Allotment of sites for **school/clinic** and **Nursing homes/ hospital-Auction policy**.

Kindly refer to the subject cited matter.

Pursuant to the decision of the Cabinet dated 27.3.97 to allot land for Public School/Nursing Home/Clinics by way of auction, the matter was placed before the Authority in its 70th meeting held on 23.4.97 vide agenda item no. A-70(35) to stream line the policy on the subject. The Authority has approved the proposal. It has been decided that 50% of the School sites and Hospital Sites may be kept reserved for the Education Department/ Health Department for opening Govt. Schools/ Hospitals in the Urban Estates. Balance 50% Schools sites may be allotted to the private parties through auction. In case of hospital sites balance 50% sites will be advertised for sale after consulting the Health Department and formation of a policy so that poor people may get benefit of these facilities in private Hospitals. While auctioning the schools sites, Clinics and Nursing Home Sites, the relevant terms & Conditions applicable in the existing policy will remain the same. In case of sale of Hospital sites, the terms & conditions will be intimated subsequently on formation of the policy

The allotment of and Hospital site to the Govt. will be made on nominal lease of Rs. 100/- per year. Copy of the agenda item no. A-70 (35) and decision of the Authority are enclosed for information and compliance.

Kindly acknowledge its receipt.

DA/As above

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

14. HOSPITAL SITES

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s) HUDA, in the State.
2. All the Estate Officer(s) HUDA, in the State.

Memo No.UB-A-6-2016/46603-04

Dated: 11-08-2016

Subject:Allotment of **hospital sites** earmarked for **private parties/other entrepreneurs** in the Urban Estates developed by HUDA-**Modification** thereof.

This is in-partial modification of this office memo. No. A-1-90/32463-83 dated 06.11.1998 on the subject cited above.

2. Some times in the past, it was being felt that owing to changed scenario, the allotment process of disposal of hospital sites requires some immediate modifications, so as to make it more transparent and further at par with mode being adopted by other state agencies, like HSIIDC, who have been allotting such sites through auction only. It has also being experienced that in case, open auction is allowed then there is highly probability that the sites will be acquired by businessmen with no experience/expertise in health, but only with a motive of profit. This will also increase the cost of health services.
3. Therefore, after careful consideration it has been decided that hence forthwith, the hospital sites carved out in Urban Estates developed by HUDA shall be disposed of by way of “**limited auction**”. In the process firstly application from the eligible applicants in accordance with the eligibility criteria laid down in existing policy guidelines bearing memo. no. A-1-90/32463-83 dated 06.11.1998 shall be invited through press/public notices. The applications, so received, shall be processed by the existing standing Screening Committee handed by Chief Administrator, HUDA. The applicants found eligible vis-à-vis laid down eligibility criteria may only be permitted to participate and submit their bid/e-auction. The highest bidder shall be declared successful.
4. The Chief Administrator, HUDA shall be the final accepting authority in the matter. He shall be authorized to withdraw any site or reject any bid without assigning any reason. In case only single bid is received /only a single applicant qualifies for the bid, the bid shall be straightway rejected and the site shall be re-advertised. If however, single bid is received subsequently also then it will be accepted, provided it is more than the reserve price.
5. The mode of recovery of cost and other terms and conditions of allotment as envisaged in the HUDA Guidelines bearing no. A-1/1990/32463-83 dated 06.11.1998 shall however remain the same.
6. This issues with the prior approval of Authority accorded in its 111th meeting held on 27.07.2016.
7. A copy of Agenda item and extract of proceedings of the meeting are sent herewith. You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately. The above guidelines may be brought to the notice to the all concerned for implementation in letter and spirit.
8. The receipt of this communication may also be acknowledged.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA (HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

POLICY GUIDELINES – PROVIDING FREE TREATMENT TO POOR PATIENTS

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators, HUDA in the State
2. All the Estate Officers, HUDA in the State

Memo No. A-Pwn- UB-II-08/29630-50 Dated 13-08-2008

Subject: Policy guidelines for ensuring **implementation of terms & conditions** of allotment regarding **free treatment** to the **poor persons** or **patients** and making it mandatory for the **Hospitals** to **maintain record** and **registers** thereof.

- 1 This is in furtherance of this office memo no. A-14-97/16291-311 dated 12th May, 1997, 9687-94 dated 7th April, 1998 and A-1-98/32463 dated 6th November, 1998 on the subject cited above.
2. Whereas HUDA has been allotting sites in HUDA Sectors to various Hospitals with specific terms and conditions for providing free treatment to poor persons or patients in consonance with the guidelines issued on the subject from time to time. The matter pertaining to providing free treatment to poor patients by the hospitals which are allotted sites in HUDA Sectors has been engaging the attention of the Haryana Urban Development Authority since long. This issue was consequently placed before the Authority in its 101st meeting held under the chairmanship of the Chief Minister, Haryana on 11th June, 2008 under agenda item No. A-101st (3) Suppl. wherein detailed policy guidelines were approved for ensuring implementation of terms & conditions of allotment regarding free treatment to the poor persons or patients and making it mandatory for the Hospitals to maintain necessary records and registers thereof.

3. The following policy procedure is hereby prescribed-

I Eligibility

- i) Any person having a BPL card, Class IV employees of Haryana Government or undertakings or any other person having monthly income not exceeding Rs. 5,000/- per month will be classified as belonging to weaker section of society and would be entitled for treatment as spelt out in the policy on the subject.
- ii) The benefit under the policy will be restricted to poor persons of Haryana domicile only.

II Outdoor Patients

The Hospital Administration of those Hospitals which have been allotted sites in HUDA Sectors or any Urban Estate of Haryana shall provide free services to 20% of the total out-door patients being attended to by them on first come first serve basis to such patients.

III Indoor Patients

The Hospital Administration shall reserve 10% of the beds for free-of- cost to the members of the weaker sections of the society as defined above.

IV Super Speciality Hospitals

- i) The Super Specialty Hospitals shall charge subsidized rates i.e. 30% of the normal charges for 20% of the functional beds in addition to providing free OPD services to 20% of patients of weaker sections of society as mentioned above.
- ii) The patients under this category may be referred by the following
 - A) Chief Minister, Haryana.
 - B) Health Minister, Haryana.
 - C) Civil Surgeon or Nodal Officer of the District.
 - D) District Red Cross Society after approval by the President-cum-Deputy Commissioner.

V Emergency Treatment

It will, however, be mandatory for the Hospital Authorities to admit and provide treatment to the eligible patients brought to the hospital in emergent situations even without formal reference from the above authorities

in advance. The formality of reference can be completed subsequently.

VI Monitoring Committee

- i) The following officers shall constitute the Monitoring Committee for ensuring the implementation of terms and conditions of the policy under reference.
 - A) Administrator, HUDA (Chairperson)
 - B) President of Distt. Red Cross Society or his Nominee (Member)
 - C) Civil Surgeon of the Distt. (Member)
 - D) Estate Officer, HUDA (Member Secretary).
 - ii) The Hospital Administration shall maintain a separate Register for such patients who have been provided free OPD/ Indoor beds/ super specially treatment.
 - iii) The register shall be made available for scrutiny from time to time by Administrator HUDA, Estate Officer and President Red Cross Society or his representative.
 - iv) The concerned Hospitals will submit quarterly report in this behalf to the concerned Estate Officer who will further transmit a copy to the respective Administrator, HUDA for verification of the implementation of the terms and conditions stipulated in the policy.
 - v) The Committee shall meet regularly at least once in a quarter to review the implementation of terms and conditions. The Hospital Administration shall supply such information as may be asked by the committee. The Committee shall also send its recommendations for better implementation of the services to poor patients to the chief Administrator HUDA from time to time.
 - vi) In case of Violation of these instructions, the Estate Officer, shall be competent to proceed for resumption of the plot (on the recommendations of this Committee) as per HUDA Rules and Regulations.
4. You are, therefore, requested to initiate appropriate steps to ensure the compliance of the policy guidelines in letter and spirit and communicate this policy to all such allottees by Regd. Post for strict compliance. You are further requested to send acknowledgement of the receipt of this communication along with action taken report by 31.08.08 positively.

This may be given TOP PRIORITY.

-sd/-

(T.C. Gupta, IAS)
Chief Administrator
Haryana Urban Development Authority
Panchkula

Endst. No. A-pwn-UB-II-08/29051-29119

Dated 13-08-2008

A copy of above is forwarded to the following for information and necessary action.

1. All Deputy Commissioners-cum- Presidents, Distt. Red Cross Societies in Haryana State.
2. The Director General, Health Services, Sector-6, Panchkula.
3. All Civil Surgeons in Haryana State.
3. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Engineer, HUDA, Panchkula.
4. The Chief Engineer-I, HUDA, Panchkula.
7. The Sr. Architect, HUDA, Panchkula.
5. The L.R. HUDA, (HQ), Panchkula.
9. The Enforcement Officer HUDA (HQ), Panchkula
6. The Deputy ESA, HUDA (HQ), Panchkula.
11. Dy. Supdt. /All Assistants/ Record Keeper of Urban Branch, HUDA (HQ).

-sd/-

(A.K. Yadav, IAS)
Administrator (HQ)
for Chief Administrator
HUDA, Panchkula

Internal Distribution-

- i) Sr. Secretary to Hon'ble CM/ chairman, HUDA for the information of the chairman.
- ii) PS/FCTCP for the information of FCTCP.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6 Panchkula

To

1. All the Administrator, HUDA.
2. All the Estate officer, HUDA.

Memo No.A-1-90/32463-83

Dated:-6-11-1998

Subject Allotment of **hospital sites** earmarked for **private parties/ other entrepreneurs**.

This is in continuation of this office memo No. A-14-97/16291-311 dated 12/5/97 and No.9687-94 dated 7/4/98 on the subject cited above.

The matter has been further examined. A detailed policy procedure for disposal of hospital sites curved out in Urban Estates developed by HUDA and further earmarked for setting up hospitals by the private parties has been formulated. A copy of the same is enclosed here with for your information and taking further action in the matter.

You are, therefore, requested to take further follow up action accordingly.

DA/As above.

-sd/-
Administrator (HQ),
for Chief Administrator, HUDA.

Endst. No.A-1-90/32484

Dated :-6-11-1998

A copy is forwarded to the Chief Town Planner, HUDA ,Panchkula. He is requested to take immediate necessary action with regard to release if advertisement for allotment of hospital sites as per decision already token.

D.A./copy of policy

-sd/-
Administrator (HQ),
for Chief Administrator, HUDA.

Endst. No.A-1-90/32485-87

Dated:-6-11-1998

A copy is forwarded to the following for information and necessary action:-

1. Director, General Health Services, Haryana, Chandigarh.
2. Chief Engineer, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.

D.A./copy of policy

-sd/-
Administrator (HQ),
for Chief Administrator, HUDA.

POLICY/ PROCEDURE FOR ALLOTMENT OF HOSPITAL SITES.

1. ELIGIBILITY

Any individual/ society/ trust/institution company shall be eligible to make an application. However, the applicant (S) falling in the following categories shall be given preference:’

1. Requested/ renowned institution/ trust/ society already running multi-specialty hospitals.
2. NRI professional in the field of Medical Science.
3. A team/ group of Doctors/ Specialists
4. Retired Doctor/ retiring Doctors in the near future from an eminent medical institution/ Govt. hospitals.
5. Doctors already running hospitals/nursing homes. Preference will be given to applicants hailing from Haryana State.

2. MODE OF APPLICATION

The application should be accompanied by:-

- a) Earnest money equivalent to 10% of the tentative cost of the land.
- b) Detailed project profile along with land utilization plan sources of finance etc.
- c) Resume of the applicant.

3. MODE OF PAYMENT

1. 15% within 30 days from the date of allotment.
2. Remaining 75% in four annual installments with 15% interest. The delay interest @ 18% will be charged. The interest on remaining installment shall accrue from the date of offer of possession. OR

PROCESSION OF THE APPLICATION

1. The application to received shall be placed before the Screening Committee Constituted under the Chairmanship of Chief Administrator. HUDA comprising of Administrator (HQ). Chief Town Planner, HUDA, concerned Administrator, Chief controller of finance HUDA and Estate Officer, HUDA concerned shall act as Member Secretary. One of the eminent/ renowned doctors, of the specific field shall also be invited as a special nominee.

The above committee shall, assess their professional as well as financial capability to run the Hospital. Detailed Assessment Sheets shall be prepared. The recommendation of the committee, shall be got approved from the State Govt.

TERMS AND CONDITIONS

1. The allotment shall be made on free hold basis. The sites shall be offered on the basis of letter of intent to fulfill the pre-requisites i.e. arrangement of funds/ loans from bank, approval of building plan etc. within a period of 6 months from the date of issue of letter of intent. On fulfillment of the above pre-requisites within a period of 6 months, the regular Allotment Letter shall be issued. In case of failure to fulfill the pre-requisite, the letter of intent shall be withdrawn and an amount equal to 14% of the total cost shall be forfeited.
2. The site shall not be used, for the purpose other than the one for which the land is allotted. If they do not use the land for the specified purpose, it will revert to HUDA along with the structure, if any. Up to 10% of the total permissible coverage on the allotted site can be used for ancillary & allied activities including essential residential component.
3. The transfer of plot shall not be allowed under any circumstances.
4. Preference shall be given to domiciles of Haryana in the recruitment of medical, para- medical and other class-IV staff while filling the various plots in the faculties, depending upon the availability of requisite skills.

5. The allottee shall complete construction of at least 25% of the projected built up area as indicated in the project report and start the facility of Hospital within two years from the date of offer of possession. The project shall be completed in all respects in five years.
6. One representation each from Health Deptt. HUDA and Distt. Administration shall be taken in the Committee/ Board, managing the affairs/ functioning of the Hospital.
7. Shops shall not be allowed to be constructed except, these specifically provided in the Zoning plan.
8. The control over building shall be exercised through for Zoning plan of the site which shall provide for the building Zone, maximum around coverage maximum height. Far parking area, type the use of plot.
Besides the Zoning plan, the DIS Hospitals Norms/ Guidelines regarding basic requirement for Hospitals shall be applicable .
9. That general hospitals, health centre & dispensary shall provide 10 % bed free and 20% OPD free to the weaker Section of the society.

In this super specialty hospitals, subsidized rates @ 30% of the normal charges for 20% of functional beds shall be charged in addition to 20% OPD free, for the weaker Section of the Society.

15. SCHOOL/COLLEGE SITES

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/72503

Dated: 18.04.2019

Subject: Policy for allotment of college sites to the private parties – amendment in schedule of payment.

As per existing policy 50% college sites are auctioned to the private parties. The cost of these sites are recovered as under:-

- The 10% of the quoted bid amount shall be deposited by the successful bidder by 5 PM of the day succeeding to final bid closing day.
- The 15% amount of the bid amount shall be deposited within 45 days of the date of auction.
- The remaining 75% amount in lump sum within a period of 180 days from the date of auction.

RKKR Foundation made a recommendation that system of payment by installments may be introduced in respect of e-auction of college sites at various sectors of Gurugram and bring it at par with the educational institution site located RGEC Sonipat as the Charitable Trust and Societies find it difficult to take bank loans as the bank do not take educational properties as collateral securities making it impossible to get a loan. The e-auction payment terms and conditions by HSVP will eliminate genuine educational trust/societies and bring in commercial bidders.

The representation of RKKR Foundation for relaxation of lumpsum payment was placed before the Pradhikaran for due deliberation and decision vide agenda item no. 117th (12). After careful consideration it was decided that the representation of M/s RKKR Foundation be accepted and in-future college sites auctioned by way of e-auction be provided same terms & conditions for payment as is available in case of allottees of RGEC Sites. The Authority (HSVP) shall endeavour to tie up with Banks for front-end payment tie-up of auction price to safeguard its financial interest. Henceforth the cost of college sites shall be recovered as under:-

- The 10% of the highest bid amount is paid on the spot by the highest bidder.
 - Remaining 90% amount in lump sum within a period of 60 days without interest.
- OR**
- 15% within a period of 30 days from the date of issue of letter of intent.
 - Remaining 75% in 6 equal annual installments with 12% interest or as revised by the Authority from time to time. However, the interest on remaining amount of installments shall accrue from the date of offer of possession. On delayed payments, penal interest @ 15% p.a. shall be charged extra or as revised by the Authority from time to time.
 - On the receipt of lump sum OR 25% amount, regular letter of allotment shall be issued and the possession of the site shall be offered.
 - No moratorium period on any size category of plot shall be available and the allottee shall be required to make payments as per schedule given in the allotment letter.

A copy of agenda and extract of proceeding of the Pradhikaran is enclosed herewith for your reference and record.

You are requested to take further action accordingly and action taken report may be sent to this office immediately. This has the approval of CA, HSVP.

-sd--
Superintendent (U.B.),
for Chief Administrator,
HSVP, Panchkula

Endst. No. A-6-UB-2019/72503

Dated:18.04.2019

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

--sd--
Superintendent (U.B.),
for Chief Administrator,
HSVP, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No. UB-A-6-2017/11876

Dated:19.01.2017

Subject:Up-gradation of existing **affiliated Schools** who fulfils the **land norms equal** as laid down by the Education Department, Haryana - **Modification** in the HUDA land norms for **carving out school sites** in the Urban Estates developed by HUDA.

1. The subject cited matter has been engaging the attention of the Authority for the past some time. The Authority in its 112th meeting held on 10.01.2017 have considered this matter, and, it has been decided that the existing Schools running on the sites allotted by HUDA in its Urban Estates, who fulfill the minimum land requirement and on this basis have got affiliation from the respective Department/ Authority/ Agency, like Haryana Government in the Department of Education, CBSE, ICSE etc., be accorded permission to upgrade their Schools to that level of affiliation.
2. It has also been decided that the Schools who have up graded their Schools un-authorizedly on the sites allotted by HUDA, who have already applied for seeking permission to upgrade their Schools, who have already got permission for establishing Higher graded School, but have not got recognition from Haryana Government and Fresh applicants shall be treated at par.
3. The up-gradation shall be allowed subject to the following terms and conditions:-
 - (i) That the School site/Building shall concurrently be used for the purpose for which it has been allotted. The discontinuance /shifting of classes for which the site has been allotted i.e. for running Nursery, Primary or Middle Classes shall not be allowed under any circumstances.
 - (ii) The desirous institutions shall make an application for up-gradation after notification of these policy guidelines.
 - (iii) That there are no arrears payable by the applicant institutions towards the cost of land and enhancement compensation.
 - (iv) That there is no misuse. Non compoundable violation of building bye laws, will shall have to be removed. However, in case of compounding violation the applicant shall have to pay as per the HUDA compounding policy in force at the time of making application.
4. You are requested to take further action accordingly. Wide publicity of these policy guidelines may be done, through press note, distribution of pamphlets and beating of drums etc.
5. The receipt of this communication may also be acknowledged.

-sd/-

Administrator (HQ's)

for Chief Administrator, HUDA

Endst. No. UB-A-6-2017/11877

Dated:-19.01.2017

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)

for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s) HUDA, in the State.
2. All the Estate Officer(s) HUDA, in the State.

Memo No.UB-A-6-2016/46594-95

Dated:11/08/2016

Subject: Allotment of **sites for Schools** sold through **auction** in Urban Estates of HUDA- **modification** thereof.

This is in-partial modification of this office memo. No. A-11P-97/16028-33 dated 06.05.1997 & A-14-97/16291-311 dated 12.05.1997 on the subject cited above.

2. School sites ranging from Nursery School and Primary Schools to High School/Higher Secondary Schools are provided by HUDA in the layout plans of various residential sectors as per population norms. Policies for allotment of the earmarked school sites have been formulated by the Authority from time to time. The existing policy regarding disposal of School Sites states that 50% of the School Sites carved out in an Urban Estate shall be kept reserved for Education Department, Haryana, balance 50% sites are allotted through open auction to the eligible applicants/participants, and on further usual terms and conditions as contained in HUDA policy guidelines bearing no. circulated vide memo. no. A-5-91/12475-78 dated 06.06.1991.
3. During the period, It has been observed that due to open auction, at times, the genuine institutions having rich experience in the field of education may not be able to compete with financially better off bidders. School sites are treated as a social infrastructure for the residents and the purpose can be properly served only if good institutions come up for providing quality education. Therefore, in a bid to ensure equitable opportunity to the Educational Societies/ Trusts etc. well experienced in the field of the education, and to ensure equitable opportunity to the institutions, well experienced in the field of the education, it has been decided that out of 50 % of the school sites which are meant to be disposed of by way of auction, half of the sites (50% of 50%) may continue to be disposed of through auction as per the existing procedure, and the remaining 50% shall be disposed of through this limited auction policy. The sites to be allotted through Open Auction (existing system) and limited auction (present proposal) shall be determined through draw of lots by the Zonal Administrators/Estate officers. The allotment of 50% of 50% seats reserved for private parties shall be subject to the following terms and conditions:-
 - (i) The bid shall be open only for those Educational Societies/ Trusts etc. which are registered with the competent authority for at-least 5 years and has 100 or more members. It should not be any family run Society/ Trust.
 - (ii) Such intending bidders shall possess a minimum experience of at least 5 years in running at least 2 schools of the same or higher level/nature for which they intend to bid.
 - (iii) Such intending bidder Educational Societies/Trusts etc. should have been formed with the main purpose of imparting education.
 - (iv) The Financial position of such intending bidders should be sound to pay the cost of the land. For this purpose, such intending bidders shall have to submit the duly authenticated balance sheets for the last 5 years duly certified by the Chartered Accountant.
 - (v) Auction of sites shall be held on basis of the reserve price as may be decided by the competent authority and the Zonal Administrator (s) shall be competent to accept such bids.
 - (vi) The construction of school building shall have to be completed within 2 years of the offer of possession of the land. However, this period is extendable on payment of extension fee as per policy applicable to the commercial sites.

- (vii) The land shall be utilized only for the purpose for which it is allotted e.g. if site is auctioned for Nursery school, then it can be used for Nursery school only and not for Higher school. Any such use shall be treated as misuse and Estate Officer will be competent to initiate action for resumption.
 - (viii) No change of land use of any nature shall be permissible.
 - (ix) Such intending bidders should reserve 10% seats in the school for students belonging to economically weaker sections of the Society and the same fees will be charged from such students as is charged by Govt. Schools or to such other categories as may be decided or provided by the government/Education department, Haryana. Further, 10 % seats in the schools should also be reserved for those students in respect of whom the fee will be determined on the basis of means and merit of the individual case.
 - (x) Intending bidders shall be bound by the provisions of the HUDA Act, 1977, rules/regulations/ guidelines as may be amended or issued from time to time.
 - (xi) That not more than 2 members (related by blood) of the same family should be members of the Governing Body. The management committee of the School shall have one representative of HUDA as its member.
 - (xii) Such intending bidders will have to get the affiliation with the competent authority at their own level.
 - (xiii) Intending bidders shall submit adequate documentary proofs in support of the above stated eligibility conditions, in response to the advertisement for auction issued by HUDA, so as to become eligible for participation in the auction.
4. A copy of Agenda item and extract of proceedings of the meeting are sent herewith. You are, therefore requested to take further action accordingly and action taken report may be sent to this office immediately. The above guidelines may be brought to the notice to the all concerned for implementation in letter and spirit.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA
Dated:-11/08/2016

Endst. No.UB-A-6-2016/46596

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA (HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

- 1 The Administrator, HUDA Panchkula.
- 2 The Administrator, HUDA Rohtak.
- 3 The Administrator, HUDA Faridabad.
- 4 The Administrator, HUDA Hisar.

Memo No. A-4-UB/2012/29493-96

Dated :21.08.2009

Subject:-Allotment of land to special School-Social Institutions, Special Old age Home and Children Homes.

HUDA have been carving out various school site meant for its transfer to the Education Department Haryana on 99 years lease hold basis opening Govt. Schools. With the consent of the Education Department Haryana, it has been decided that the following Primary School and High School sites may be allotted in favour of Department of Social Justice and Empowerment, Haryana, Chandigarh for opening of special schools/ Social Institutions, old age homes, children homes etc.

Primary School site (App. 1.00 acre)

Sr. No.	Name of Town	Sector No.	No. of vacant site.
1	Rohtak	3 part	1
2	Yamuna Nagar	18	1
3	Panchkula	25	1
4	Bhiwani	23	1
5	Hisar	16&17	1
6	Fatehabad.	3	1

A. High School sites (App. 5.0 acres each.)

Sr. No.	Name of Town	Sector No.	No. of vacant site.
1	Roktak	3 part	1
2	Jind	8	1
3	Kurukshetra	8	1
4	Faridabad	62	1
5	Hisar	1&4	1
6	Ambala	34	1
7	Sonepat	23	1
8	Karnal	9	1

The allotment shall be governed by the following terms and conditions:-

1. The site will be allotted on 99 years lease hold basis and only token lease money of Rs. 100/- per year shall be charged.
2. The ownership of land will however continue to vest with HUDA.
3. The construction of the building shall be made by the social justice and Empowerment Department Haryana at their own expenses. The building over the plot shall be constructed strictly as per zoning plan approved by HUDA.

4. The lessee shall have no right to transfer the ownership of the land/ building by way of transfer, gift, sale etc.
5. If there is any breach of any of the terms and conditions of allotment, HUDA shall have a right to take back the land alongwith structures constructed there upon, without any compensation.
6. The concerned Department shall bear all the cesses/ taxes chargeable to the land.
7. The use of land other then for which it is earmarked/allotted will not be allowed in any case.
8. No commercial use of land/building shall be allowed under any circumstances.
9. The allotment of land shall further be governed by the provisions of HUDA Act, 1977, Rules and Regulations framed there under.
10. This issues with the prior approval of he Competent Authority i.e Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA.

-sd/-

(S.L. Sharma)

Administrative Officer, UB-II,
for Chief Administrator, HUDA
dated 21.08.2009

Endst. No. UB-II, 09/29496-511

A copy of the above is forwarded to the following for information and necessary action: _

1. The Director, Social Justice and Empowerment Department, Haryana Chandigarh.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HDUA, Panchkula.
4. The Chief Engineer, HUDA, Panchkula.
5. The Estate Officer, HUDA, Rohtak, Jind, Jagdhari, Kurukshetra, Faridabad, Bhiwani, Hisar, Ambala, Sonapat, Karnal.

-sd/-

(S.L. Sharma)

Administrative Officer, UB-II,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrator in HUDA
 2. All the Estate Officers Asstt. Estate Officers in HUDA,
- Memo No. A-1-2006/22666-87 Dated :26.06.2006

Subject:-Regarding transfer of ownership of school sites disposed off through open auction.

This is in continuation of this office memo No. A-14-97/16290-311 dated 12.05.1997 on the subject cited above.

The matter under subject has been considered and examined. It has been decided that school sites allotted through auction may be considered, as Commercial venture for all intent and purposes i.e. transfer of ownership, extension, condonation etc. and all these cases would be decided in accordance with the policy applicable to allotment of other commercial sites. However, in case of transfer of these sites, transfer shall subject to the condition that such sites shall only be used by the transferee for the specified use only. Change of land use shall not be allowed under any circumstances. The above conditions will however not be applicable on these school sites, which have been disposed off by way of allotment.

This is in anticipation of approval of the authority. The above decision shall be made applicable with prospective effect only.

Please acknowledge the receipt.

-sd/-
Administrative officer,
for Chief Administrator, HUDA.
Dated 26.6.2006

Endst. No. A-1-2006/22688-94

A copy of forwarded to the following for information and necessary action w.r.t thie office endst No. A-14-97/16312-26 dated 12.05.1997.

1. Chief Town Planner, HUDA, Panchkula.
2. The Engineer, in Chief, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.

-sd/-
Administrative officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA
2. All the Estate Officers/Assistant Estate Officers, HUDA.

Memo No. A-1(P)-2002/30894-914 Dated: 30.10.2002

Subject: Terms and conditions for auction of College sites.

This is in continuation of this office memo No. A-14-97/33524-44 dated 07.10.1997 on the subject noted above.

The matter for finalization of terms and conditions regarding auction of College Sites were under active consideration in the past. After detailed deliberations, it has been decided that the eligibility criteria and other terms and conditions for auction of college sites shall be as under:-

1. The Educational Society/Institution/Trust should be a registered institution and should have minimum 5 years experience in running the institution in higher education.
2. The colleges run by corporate sector i.e. private companies etc. either directly or through the Trust.
3. Prominent national/regional level educational institutions.
4. The financial position of the party/trust etc. giving bid should be sound.
5. The institution will have to get the affiliation with the concerned University in the Haryana State.
6. They can run the college upto Graduate/Post Graduate level/Professional college and they will have to get clearance/affiliation from the concerned authority, if any at their own level.
7. They shall provide fee concession to the deserving candidates belonging to Economically Weaker Section of the society who are given admission on the basis of open merit upto the extent of 5% seats available in the college in each class.
8. The mode of payment shall be as under:-
 - i) 10% at the time of auction.
 - ii) 15% within 30 days from the date of allotment.
 - iii) Balance 75% in 6 annual installments alongwith interest @ 15% from the date of offer of possession.
9. The sites shall be allotted on free hold basis through open auction.
10. The transfer of site will not be allowed under any circumstances.
11. They shall construct the building within 2 years from the date of offer of possession.
12. It was also decided by the committee that for the school sites, institutional rate is taken as the reserve price for the auction of school sites which are upto 5 acres, but in case of college sites, these are bigger in size varying from 10 to 15 acres. The Committee was of the view that 75% of the institutional rate may be kept as reserve price for the college sites.
13. The bidder who wants to participate in the auction for the college site will have to deposit the proof of their eligibility with the concerned Estate Officer in two days advance of the date of auction to determine their eligibility to give bid. On scrutiny of the papers, the concerned Estate Officer will give clearance to the applicant to participate in the auction.

14. All the terms and conditions of allotment shall remain the same.

You are accordingly requested to take further necessary action to auction the college site immediately as per policy.

This also dispose off the Administrator, HUDA, Gurgaon memo No. 9002 dated 23.05.2002

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula

Endst. No. A-1(P)-2002/30915-19

Dated: 31.10.2002

A copy is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator
Haryana Urban Development Authority,
Sec. 6, Panchkula.

To,

1. All the Administrator (S)
Haryana Urban Development Authority.
2. All the Estate Officer (S) Asstt. Estate officer (S)
Haryana Urban Development Authority.

Memo. No. A-14-97/16291-311

Dated: 12.5.97

Subject: Allotment of sites for Schools /Clinic and Nursing Homes/ Hospital.

Kindly refer to the subject cited matter.

Pursuant to the decision of the Cabinet dated 27.3.97 to allot land for Public School/Nursing Home/Clinics by way of auction, the matter was placed before the Authority in its 70th meeting held on 23.4.97 vide agenda item no. A-70(35) to stream line the policy on the subject. The Authority has approved the proposal. It has been decided that 50% of the School sites and Hospital Sites may be kept reserved for the Education Department/ Health Department for opening Govt. Schools/ Hospitals in the Urban Estates. Balance 50% Schools sites may be allotted to the private parties through auction. In case of hospital sites balance 50% sites will be advertised for sale after consulting the Health Department and formation of a policy so that poor people may get benefit of these facilities in private Hospitals. While auctioning the schools sites, Clinics and Nursing Home Sites, the relevant terms & Conditions applicable in the existing policy will remain the same. In case of sale of Hospital sites, the terms & conditions will be intimated subsequently on formation of the policy

The allotment of and Hospital site to the Govt. will be made on nominal lease of Rs. 100/- per year. Copy of the agenda item no. A-70 (35) and decision of the Authority are enclosed for information and compliance.

Kindly acknowledge its receipt.

DA/As above -sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

- 1) All the Administrator, HUDA.
- 2) The Chief Town Planner, HUDA, Panchkula.
- 3) The Chief Engineer, HUDA, Panchkula.

Memo No.A-11P-97/16028-33

Dated, 6th May, 1997

Subject :Modification of auction policy of residential industrial and institutional plots and reservation of plots.

The matter regarding modification of auction policy of residential, industrial and institutional plots was placed before the Cabinet in the its meeting held on 27.03.1997. Cabinet had decided to modify the auction policy of residential, industrial and institutional plots as per details given below :

- 1) Left over/unsold plots in developed sectors would be sold by way of auction.
- 2) All the commercial plots would be sold by way of auction.
- 3) All the plots in mandi Township areas would be sold by auction.
- 4) Nursing Homes, Clinic sites and Public schools would be allotted through auction.
- 5) 5% of the residential plots measuring 10 Marla and above would be sold by way of auction only in the following Urban Estates ;
- 6) Gurgaon, Panchkula, Faridabad, Panipat and Rewari, 50% of the difference between the auction price and reserve price would be paid to the State Government. New residential plots including plots for Group Housing Scheme and industrial plots all over the State would be sold by way of allotment after issuing advertisement for the same in the leading newspapers. While individual and Group Housing plots would be allotted by draw of plots, industrial plots would be allotted by scrutinizing the project report of the applicants, and their experience/capabilities in this regard. Cases of rental housing scheme for the Govt. (both Central and State) would be considered as and when applications are received and depending upon availability of land.
- 7) Institutional plots would be allotted by the Authority after inviting applications on the basis of recommendations made by the Committee constituted for the purpose headed by the local Administrator. In respect of Group Housing Scheme, 1995, it has been decided that earnest money be refunded to the applicants alongwith interest @15% and the plots be advertised afresh at the revised rates.

In respect of policy regarding reservation of residential plots for various categories in the sectors/urban estate developed by HUDA, which had come to an end in view of Cabinet decision dated 16.09.1996 “to dispose of all residential plots through auction rout only” reservation chart hitherto being followed has been adopted with following modifications :

PROPOSED RESERVATION CHART FOR VARIOUS CATEGORIES

S.No.	Category	All size plots	4 to 6 Marla	EWS upto 2 Marla	Remarks
1	Scheduled Caste/ Scheduled Tribes	Nil	15%	20%	
2.	Backward Class	Nil	3%	5%	
3.	War Widows/ Soldiers Disabled	Nil	3%	5%	
4.	Freedom Fighter	Nil	2%	2%	

5.	Handicapped	Nil	2%	2%	1% for blind
6	Haryana Govt. Servants including employees of Board/Corporations under Haryana Government	10%	10%	10%	2% for retired/retiring employees in next five years.
7.	Defence personnel/ Ex-serviceman including para-military forces like CRPF, BSF, ITBP, RPF, GSF, CFEF etc. of domicile of Haryana State.	10%	10%	10%	

- 8) Those NRIs who have been allotted industrial plots for them, 2 residential plots of one kanal category and 5 residential plots of 14 Marla category be reserved in every new sectors when floated. The residential plots to NRI is to be offered when he at least completes the building upon the industrial plots allotted to him, install machinery and is ready to start commercial production. Further, he will not be allowed to dispose off the plot under any circumstances for a period of 10 years.

- 9) An equal number of residential plots, to that of claims, received from the land owners, whose land has been acquired for the development of sectors are reserved for allotment in their favour, under oustee policy.

All other terms and conditions of eligibility will remain the same as per previous policy.

The Cabinet in its meeting held on 27.03.1997 had decided that all institutional plots would be allotted by the Authority after inviting applications on the basis of recommendations of the Committee constituted for the purpose headed by Zonal Administrator. The Authority after consideration of this matter vide agenda item No.A-70(31) has decided that the policy being followed earlier in respect of petrol pumps, LPG Godowns, kerosene depots etc. be followed with the approval of the Authority as those sites cannot be put to auction there being only one dealer for a site. However, rent being charged has further been revised, which is being communicated separately.

In case of allotment of land to Govt. Departments, Public Sectors Undertakings, Corporations it has been decided that the earlier policy being followed may be continued with the approval of the Authority as in these cases the allotment is to be made to Govt. Department/Undertakings.

The Authority in its 70th meeting held on 23.04.1997 vide agenda item No.22 and 31 has approved the above decisions. The copy of the memorandum to modify the auction policy placed before the Cabinet in its meeting dated 27.03.1997 its decision thereon alongwith copy of agenda copy of agenda item No.A-70(22) and A-70(31) and decision of the Authority are also sent herewith for strict compliance.

Kindly acknowledge its receipt.

DA/As above

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst. No.A-11P-97/16034-58

Dated : 06.05.1997

A copy is forwarded to all Estate Officers/Assistant Estate Officers in HUDA for information and strict compliance.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

16. ALLOTMENT OF INSTITUTIONAL SITES

To

1. All the Administrator(s), in the state.
2. All the Estate Officer(s), in the State.

Memo No. A-4-UB-2017/49784-85

Dated:14.03.2018

Subject: - Regarding review of processing fees prescribed in instructions dated 26.02.2009 in respect of **Institutional Plots/Sites – Amendment in Policy.**

1. This is in partial modification of policy guidelines circulated by this office memo. No. UB-A-K.K./2009/5104-26 dated 26.02.2009 on the subject cited above.
2. The matter regarding review of processing fee prescribed in instructions dated 26.02.2009 in respect of Institutional Plots/Sites was placed before the Pradhikaran in its 113th meeting held on 16.02.2018 vide agenda item no. 25 for consideration and decision. The Pradhikaran has approved that henceforth processing fee in institutional plots/sites may be charged as `25,000/- instead of `5,000/-. It has also been decided that while examining such cases it may be ensured and certified that no commercial activities being run by the institution in these allotted sites. A copy of agenda item alongwith extract of proceedings of the meeting is sent herewith.
3. You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately.

DA/As above

-sd-
(B.B. Taneja)
Superintendent (U.B.)
for the Chief Administrator, HSVP

Endst.No. A-4-UB-2017/49784-85

Dated:14.03.2018

A copy of the above is forwarded to the following for information and necessary action in continuation of this office endst. No. 214812 dated 15.11.2017:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Secretary, HSVP, Panchkula.
5. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
6. The District Attorney, HSVP (HQ), Panchkula.
7. The Dy. ESA, HSVP (HQ), Panchkula.
8. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

-sd-
(B.B. Taneja)
Superintendent (U.B.)
for the Chief Administrator, HSVP

To

1. All the Administrators,
HUDA in the State.
2. All the Estate Officers,
HUDA in the State.

Memo No. A-1(UB)-2014/889

Dated:9/1/2014

Subject **Clarification regarding leasing out of Institutional Plots.**

Vide office memo No. A-1-2001/27097 dated 04.10.2001 the leasing out policy of the Institutional plots was circulated for compliance. However under the title "Subject" it was shown, "institutional Plot No. 47, Sector -32- Request regarding leasing out of the plot". Which gave the impression that permission has been granted for this specific institutional plot.

Now, it is clarified that the institutional plot which have been allotted by HUDA in Gurgaon and at all other Urban Estates, the following uses as communicated earlier vide letter ibid, shall be permitted in the building to be constructed on the Institutional plots:-

1. Corporate Offices.
2. Research & Development Centres.
3. Education and Training Centres.
4. Offices of the Professional Group/Association or Societies, not engaged in the commercial/manufacturing activities.
5. Other Institutional Uses:-

This leasing/renting upto 75% portion of the building may be allowed for such Institutions who have constructed their buildings subject to following terms and conditions:-

1. The plot /building shall not be used for any purpose other than that for which it has been allotted, and the uses that have been indicated from Sr. No 1 to 5 above.
2. No obnoxious trade as defined under Regulation 2(C) of Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978 shall be carried out in or on land and building (copy of relevant, Regulations 1978 enclosed). No shop or commercial activity of any kind shall be allowed/permitted to be carried on at the site.
3. Fee for leasing/renting may be charged @ 25 % of the transfer fees fixed for Industrial plot for a portion upto 25% of the building 50% transfer fee for the portion above 25 % and below 50 % and 75 % of the transfer fee upto covered area of 75 %.

Accordingly further necessary action in the matter may be taken.

-sd-

(B.B. Taneja)

Deputy Superintendent(U.B.),

For Chief Administrator, HUDA,

From

Chief Administrator,
HUDA, Panchkula.

To

All Administrator/Estate Officer in HUDA.

Memo No. U.B. A-K.K.2009/5104-26 Dated:26-2-2009

Subject: Allotment of **institutional plots** for setting up, Hospital, Nursing Home, Clinic and **amendment in the terms and conditions** thereof.

In continuation of this office memo no. A-1-2002/4489 dated 6.3.2002 on the above noted subject.

The matter has been re-examined and it has been decided that permission may be granted for changes in organizational structure of individual allottees of various sites for construction of Corporate Offices, Research and Development Centers, Staff-Education and Training Centers, Officers of Professional Group/ Associations/ Societies not engaged in Commercial/Manufacturing activities with the prior approval of Chief Minister-cum-Chairman, HUDA. Such permissions shall be subjected to the following conditions :-

1. The original allottee will have to retain 51% share in the ownership of plot.
2. No change of land use will be allowed.
3. The allottee shall abide by the terms and conditions as prescribed in the original allotment letter/policy of HUDA.
4. The processing fee of Rupees 5000/- shall be charged in such case.
5. The allotment of land shall be governed by HUDA Act, 1977, rules and regulations framed thereunder.

-sd/-

(Nadim Akhtar)

Incharge Urban Branch-11

for Chief Administrator, HUDA.

CC-

All Asstt. Urban Branch U.B. 1 & 11 (H.Q.)

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No –A-1-2003/21050

Dated: 4/7/2003

Subject: Mortgage permission in respect of **Institutional Plots.**

This is with reference to the subject cited as above.

It is intimated that HUDA has been granting permission to mortgage the allotted residential/commercial plots in favour of Financial Institutions /Banks subject to the condition the HUDA shall have first and paramount charge over the ownership of plot to the extend of unpaid portion of cost of plot, and other usual terms and conditions.

However, in case of institutional sites, as per terms and conditions of allotment letter, allottee was not being permitted to transfer the institutional site by way of sale, gift, mortgage or otherwise, the plot/building or any right/title or interest therein. The allottees have been making request/representations to allow mortgage permission for institutional plots, as most of the plots/sites are of bigger size and under normal circumstance, and it was not possible to raise the construction on these plots without availing loan facility. The matter has been considered and examined. The matter/proposal was placed before the Authority in its 88th meeting held on 22.05.2003 vide agenda item No. A-88 (11) for consideration and decision. The Authority has approved the proposal. Accordingly, it has been decided that the mortgage permission in case of institutional plots may also be allowed so as to facilitate them to raise loan from financial institutions/ banks, on usual terms and conditions, as are being made applicable in case of residential, commercial plots and group housing flats.

You are, requested to take further action accordingly and compliance report may be sent to this office immediately

-sd/-
Administrative Officer
for Chief Administrator, HUDA.

Endst No. A-1-2003 /21051

Dated 4/7/2003

A copy of the above is forwarded to the following for information and necessary action.

- 1 The Joint Director (Legal), HUDA Panchkula.
2. The Engineer-in Chief /Chief Engineer, HUDA Panchkula.
- 3 The Chief Town Planner, HUDA Panchkula
- 4 The Chief Controller of Finance, HUDA, Panchkula.
- 5 The Secretary, HUDA, Panchkula.
- 6 The Chief Vigilance Officer- cum Enforcement Officer, HUDA, Panchkula.
- 7 The Dy. Economical & Statistical Advisor, HUDA, Panchkula.
8. All the Assistants Record Keepers of Urban Branch, HUDA (HQ) , Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

The Estate Officer,
HUDA, Gurgaon.

Memo No. A-1-2002/4489

Dated: 06.03.2002

Subject : Allotment of institutional plots for setting up Hospital, Nursing Home, Clinic and amendment in the terms and conditions thereof.

Reference your memo no. 15838 dated 25.10.2000 and No. A-Instt-313-2001/1077 dated 17.01.2002 on the subject cited above.

The matter has been examined and was placed before the Authority in its meeting held on 26.02.2002 vide agenda item no. 4-84(10) (copy enclosed) for consideration and decision. The authority has accorded its approval to the proposal as contained in the agenda note, accordingly the permission is hereby granted to Dr. (Mrs.) Prabha Manchanda allottee of hospital site in Sector-56, Gurgaon to form a firm to execute the hospital project subject to the following terms and conditions:-

1. The original allottee will have to retain 51% share in the ownership of plot.
2. No change of land use will be allowed.
3. The allottee shall abide by the terms and conditions as prescribed in the original allotment letter/policy of HUDA.
4. The allotment of land shall be governed by HUDA Act, 1977, Rules and Regulations framed thereunder. The processing fee of Rs. 5000/- may also be charged in this case.

You are therefore requested to make further necessary action as per policy accordingly. Your office file is also sent herewith.

DA/As above.

-Sd/-
Administrative Officer,
for Chief Administrator,HSVP

Endst No. A-1-91/4490

Dated:06.03.2002

A copy is forwarded to all the Administrators/Estate Officers in HUDA with the request that all such cases of Institutional sites of hospital, Nursing Home, Clinic etc. For change of constitution may be sent to HQ with your recommendation in future.

-Sd/-
Administrative Officer,
for Chief Administrator,HSVP

From

The Chief Administrator,
HUDA, Panchkula.

To

The Estate Officer,
HUDA, Gurgaon.

Memo No. A-1-2001/27097

Dated 04.10.2001

Subject:-Institutional plot No. 47, Sector-32- Request regarding lease out the plot.

Reference your memo No. 4998 dated 30.04.2001 on the subject cited above.

The Institutional plots have been allotted by HUDA in Sector-32-44 at Gurgaon and at other stations also. Only following uses shall be permitted in the building to be constructed on the institutional plot.

1. Corporate offices.
2. Research & Development Centres.
3. Education & Training Centres.
4. Offices of Professional Groups/ Associations or Societies not engaged in the Commercial/manufacturing activities.
5. Other institutional uses.

The leasing /renting up to 75% portion of the building may be allowed for such institutions, who have constructed their buildings subject to the following terms & conditions:-

1. The plot/building shall not be used for any purpose other than that for which it has been allotted. No obnoxious trade shall be carried out in or on any land/building. No shop or commercial activity of any kind shall be allowed/permitted to be carried on at the site.
2. Fee for leasing/renting may be charged @ 25% of the transfer fees fixed for Industrial plots for a portion upto 25% of the building and 50% transfer fee for the portion above 25% and below 50% and 75% of the transfer fee upto covered area of 75%.

You are requested to take further action accordingly.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.
Dated 04.10.2001

Endst. No. A-1-2001/27098

A copy is forwarded to all the Administrator/ Estate Officer, for information and necessary action:-

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

17. SURRENDER/RESUMPTION OF PLOT

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

All the Administrators, HUDA in the State.
All the Estate Officers, HUDA in the State.

Memo No.UB-A-4-2014/19590

Dated: 04.08.2014

Subject: - Policy regarding **de-resumption of residential plots** which have been resumed due to **misuse**.

It has come to the notice that many residential plots have been resumed by HUDA in the past due to misuse of plot for purposes other than residential after following due process of law. However, the allottees of such plots or their successors have challenged the same before the Appellate/Revisional Authorities and also in Courts of law. The Govt. has carefully considered the matter in exercise of the powers conferred under Section 30 (I) of the HUDA Act, 1977 and directs that such resumed plots may be restored to its owners subject to following conditions:-

1. The misuse of the plot has been stopped and the report of the field office alongwith photographs has come on record.
2. The allottee gives an affidavit in writing that it has stopped the misuse and will not use the plot in future for purposes other than what is permitted failing which he will not claim any leniency.
3. The total consideration money of the plot including enhancement price has already been paid in full.
4. The appeal/revision case has been filed by the allottee only and not by any GPA. The Govt. does not want to encourage trading of resumed plots and give benefit to the GPA holders except where the GPA has been executed within the family and is not hit by the orders of the Hon'ble Supreme Court in SLP (C) No. 13917 of 2009 titled as Suraj Lamp & Industries Pvt. Ltd. Vs. State of Haryana & Anr.
5. The allottee shall be liable to pay charges on account of misuse @ Rs. 100/- per sq. mtr. irrespective of the period of misuse.
6. Initiation of eviction proceedings under Section 18 of the HUDA Act shall not be a bar for restoration of such plots. However, where the resumption of plots has been upheld by the Hon'ble High Court/Supreme Court, such cases shall not be reopened.

These orders will be effective in respect of all the residential plots which have been resumed till 30.04.2014. If appeals/revisions in respect of such plots are pending before the Appellate/Revisional Authorities, the necessary orders in terms of this policy shall be passed by the Appellate/ Revisional Authorities. In case these resumption orders have been challenged in the Courts of law, the concerned Estate Officer shall move a Civil Miscellaneous Application in the Court where the case is pending mentioning that HUDA is willing to restore the plot in terms of this policy. In respect of all other plots where no appeal/revision/Court is pending, a time period of 3 months from the date of issuance of this policy is given to such allottees to move an application before the concerned Estate Officer. Thereafter, a decision shall be taken by the concerned Estate Officer with the approval of the concerned Zonal Administrator.

This policy will be applicable with immediate effect and shall cease to operate on 31.12.2014.

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA.

Endst. No 19590

Dated: 04.08.2014

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The General Manager (IT), HUDA, Panchkula.
5. The District Attorney, HUDA, Panchkula.

-sd/-

(B.B.Taneja)

Dy,Supdt. Urban Branch,
for Chief Administrator, HUDA.

From

The Chief Administrator
Haryana Urban Development Authority
Sector-6, Panchkula

To

1. All the Administrators, of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. A-6-UB/2012/12969

Dated.06.04.2012

Sub:- Instructions regarding **resumption of plot.**

This is in continuation of this office memo No. A-6-UB/2011/97771-93 Dated.14.06.2011.

It has been observed that the notices under section 17 of the HUDA Act are not being sent to the allottees under registered cover. As a result of this lapse it becomes difficult to defend the resumption order when the same is challenged in the courts. All the notices under HUDA Act including the notices under section 17 are required to be sent through registered post in view of provision of section 42 of the HUDA Act.

It has also been observed that the notices under section 17 are not being sent on the changed address inspite of the fact that the request of the allottee for change of address is available on the file. The resumption order passed on the basis of such a notice can also not be sustained in the eyes of law.

In view of this all the Estate Officers are directed to strictly follow the instructions given here under:

1. The notices under HUDA Act including the notices under section 17 of the HUDA Act shall be sent under registered cover.
2. All the notices under the HUDA Act shall be sent to the allottee on the changed address if any.

These instructions may be followed strictly.

-sd/-

Administrator, (HQ)
for Chief Administrator,
HUDA, Panchkula
Dated. 06.04.2012

Endst No. A-6-UB/2012/12970

A copy is forwarded to the Financial Commissioner & Principal Secretary to Govt. Haryana, Town & Country Planning Department, New Secretariat building, Sector-17, Chandigarh for information.

-sd/-

Administrator, (HQ)
for Chief Administrator,
HUDA, Panchkula

POLICY FOR TAKING OVER POSSESSION OF RESUMED PLOTS OR BUILT-UP SITES

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrators, HUDA in the State
2. All the Estate Officers, HUDA in the State

Memo No. UB-NK-2008/29135-57 Dated 13-08-2008

Subject: Formulation of policy guidelines regarding taking over **possession of resumed plots or built-up sites.**

1. This is in continuation of this office memo A-1-2005/17809-35 dated 27th July, 2005 vide which the policy guidelines on the subject cited above were circulated in the State (copy can be seen at the website). It is once reiterated that the ibid guidelines circulated vide reference mentioned above must be kept in view and adhered to the letter and spirit.
2. It is specifically pointed out that the Estate Officer, who acts as a quasi-Judicial Authority in the matter of cancellation/resumption of lease / Site while invoking clause 17(4) of HUDA Act, 1977 must pass a speaking order while resuming a site or canceling to allottee in lieu of building or super structure raised by him in accordance with the standard building plan. The Estate Officer should give the reasons and shall communicate the same to the affected party.
3. It has now been decided that the following additional points must also be kept in view and adhered to while implementing the above policy.
 - i) All the Estate Officers in the States shall maintain a proper register of all resumed plots in the prescribed format, a specimen copy of which is enclosed.
 - ii) The Estate Officers shall make an entry in this register immediately if any lease or allotment of site has been cancelled or resumed.
 - iii) Once the whole process of resumption is completed, the possession of resumed property shall immediately be taken over by the Estate Officers. However, due process of law must be followed while resuming any property and consequent taking over the possession thereof.
 - iv) The concerned Junior Engineer shall record a certificate that he has taken over the possession of the resumed property.
 - v) A sign board as mentioned below shall thereafter be installed at the site:- "Resumed Plot HUDA Property. Trespassers will be Prosecuted."
 - vi) This register shall be checked at least once in a quarter by the concerned Administrator, who shall sign the register in token of having done so.
4. Further the Estate Officers shall submit a monthly report regarding resumed properties and amount forfeited in the prescribed format which should reach HQ latest by 10th of each month.
5. The receipt of these instructions may be sent to this office within 10 days.

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-I
For Chief Administrator, HUDA
Dated: 13-08-2008

Endst. No. UB-NK-2008/29158-67

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Engineer, & Chief Engineer-I, HUDA, Panchkula.
2. The Chief Town Planner, & Chief Controller of Finance, HUDA, Panchkula.
3. The Legal Remembrance, & The Enforcement Officer, HUDA (HQ), Panchkula

-sd/-
(Nadim Akhtar)
Incharge Urban Branch-I
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrator HUDA
 2. All the Estate Officer / Asstt. Estate officer HUDA
- Memo No.A-1-2005/17809-29

Dated:27-7-2005

Subject: Formulation of policy guidelines regarding **resumption of built up commercial sites.**

Reference on the subject cited above.

Section-17(4) of HUDA Act 1977, lays down that "The Estate Officer may for reasons recorded in writing make an order resuming the land or building or both, as case may be and directing the forfeiture as provided in sub- section-3 of the whole or any part of money paid in respect of such site." However no policy guidelines/modalities, how to assess/calculate, and refund the value of building/ structure, constructed on the plot allotted/auctioned by HUDA, has so far been formulated.

The matter was placed before the Authority in its 95th meeting held on 21-06-2005 vide agenda item No.A-95(15) for consideration & decision. The Authority has approved the following guidelines/procedure.

An Estate Officer, who acts as a quasi-judicial Authority in the matter of cancellation/resumption of lease/site must pass a speaking order while resuming a site or cancelling the lease or forfeiture of part of premium/cost of land or payment of compensation to allottee in lieu of building or super-structure raised by him in accordance with the standard building plan. The Estate Officer should give the reasons and shall communicate the same to the effected party.

In the event of the lease/allotment of site being cancelled/resumed, the lessee/allottee shall remove the structures at his own expenses within such reasonable time, not exceeding three months, as may be prescribed by the Estate Officers, and restore possession of the site on the condition in which he took the same at the commencement of the allotment/lease. If the allottee/lessee fails to remove the structures with in the period mentioned above, the Estate Officer shall be competent to remove the same and recover the expenses incurred in doing so from the person, whose lease/allotment has been cancelled.

OR

Re-auction/re-allot the site along with the structure after deducting the market value of the site, refund the balance to the lessee/allottee. The amount so refunded shall not be more than the assessed value of the structure of the building. The Estate Officer shall determine the prevailing market value and his decision shall be final & binding subject to right of appeal.

The Estate Officer may get the value of the structure(s) assessed from Engineering Deptt, HUDA. While assessing the cost of the structure(s) following elements shall not form part of assesses value.

1. Fitting and fixtures of any kind.
2. The construction raised over and above the approved standard plan/Zoning/building bye-laws.

The re-allotment/re-auction shall be made at the current reserve price. The amount of structures shall be refunded to ex-allottee/lease only after the Estate Officer decides to auction/allot the resumed/cancelled site, and successful bidder/allottee/leases accepts the allotment and deposits 25% of the cost/premium.

You are requested to take further action in the matter accordingly. The above guidelines shall not be made applicable in case of Surrender of built up commercial site/plot.

These instruction may be brought to the notice of all concerned for strict compliance.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Dated:27-7-2005

Endest.No.A-1-2005/17830-35

A copy of the above is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief, HUDA, & Chief Town Planner, HUDA, Panchkula
2. The Chief Controller of Finance, & CVO & EO, HUDA (HQ), Panchkula
3. The Dy. Esa & All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

HUDA has formulated a policy governing surrender of commercial/residential plots issued vide memo No.16145-61 dated 07.05.1999 (copy enclosed). While accepting surrender or resumption of plot, the amount equal to the 10% of the total cost of plot, interest accrued upto date and penalty is forfeited. But in case of surrender/resumption of built up sites/plots, no policy guidelines to workout/calculate the surrender value of structures erected/raised on a resumed/surrendered site/plots has been formulated/circulated. Accordingly, a Committee consisting of following officers is hereby constituted to workout the surrender value of structures erected/raised on a resumed/surrendered plot/site.

- | | |
|--------------------------------------|------------------|
| 1. Administrator, HUDA, Panchkula | Chairman |
| 2. Chief Engineer, HUDA Panchkula | Member |
| 3. Senior Architect, HUDA, Panchkula | Member |
| 4. Estate Officer, HUDA, Panchkula | Member Secretary |

The Committee shall examine and workout the modalities “now to assess the value of structures” and thereafter shall submit its detailed recommendation to HUDA (Urban Branch) HQs within a period of one month positively.

Dated Panchkula the 18th Dec. 2003

-sd/-
(N.C. Wadhwa, I.A.S.)
Chief Administrator, HUDA

Endst.No. A1-2003/

Dated

A copy is forwarded to the following for information and necessary action:-

1. The Administrator, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Senior Architect, HUDA, Panchkula.
4. The Estate Officer, HUDA, Panchkula.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA,

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6 Panchkula

To

1. All the Administrator HUDA
2. All the Estate Officer (S)/ Asstt. Estate officer HUDA

Memo No.A-1(P)-2000/34749-69

Dated:22-12-2000

Subject: Policy regarding **surrender of industrial plots.**

As per latest industrial policy, there is no provision to Surrender of industrial plots after allotment whereas case of residential/ commercial plots, HUDA has framed a policy where by Surrender of plot is allowed after forfeiting the amount equal to 10% of the total amount of the consideration money, interest and other dues payable meaning thereby 10% of the total cost of plot, interest accrued up to date and penalty, if any taken together. The matter was placed before the Authority in its meeting held on 27-11-2000 vide agenda item No.A-80(12) for consideration and decision. The Authority has decided to adopt the same policy for Surrender of industrial plots as is prevalent in HUDA for residential/commercial plots and accordingly deduct the amount as is being done in case of residential/ commercial plots. A copy of agenda and an extract of proceedings are sent here with for your reference and records

You are therefore, requested to take further action accordingly.

-sd-

Administrative Officer,
For Chief Administrator, HUDA.

Endest. No.A-1(P)-2000/34770-87

Dated:22-12-2000

A copy of the above is forwarded to the following for information and necessary action:-

1. The joint Director(Legal), HUDA, Panchkula
2. The Chief Town, HUDA, Panchkula
3. The Chief Engineer, HUDA, Panchkula
4. The Chief Controller of finance, HUDA, Panchkula
5. The Secretary, HUDA, Panchkula
6. The Dy. ESA (HQ), HUDA, Panchkula
7. All the Assistants and Record Keepers of Urban Branch.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-1-P-99/34815-16

Dated: 18.11.1999

Subject: Surrender of plots allotted to **M/S Indian Oil Corporation Limited** in Urban Estates Karnal and policy decision thereof.

This is in continuation of memo No.28169-70 dated 31.8.99 on the subject cited above.

The matter regarding surrender of institutional/residential sites allotted to M/s Indian Oil Corporation Limited in City Centre, Sector-12 and Sector-5, Karnal was placed before the Authority in its 76th meeting held on 30.09.1999 vide agenda item No.A-76 (24) for obtaining its ex-post facto approval. The Authority has approved the proposal and it has further been decided that the decision taken by the Authority shall also be made applicable, in future, for all such cases of institutional sites subject to forfeiture equal to 10% of the total cost of plot only. A copy of agenda item and extract of proceedings of the meeting are sent herewith.

You are requested to take further action accordingly and compliance report may be sent to this office within a week positively.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Dated: 18.11.1999

Endst.No.A-1-99/34817-39

A copy is forwarded to the following for information and necessary action :-

1. All the Administrators in HUDA.
2. All the Estate Officer/Asstt. Estate Officer, HUDA.
3. Chief Town Planner, HUDA, Panchkula.
4. Chief Controller of Finance, HUDA, Panchkula.
5. Chief Engineer, HUDA, Panchkula.
6. Joint Director (Legal), HUDA.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

All the Estate Officers,
Haryana Urban Development Authority.

Memo No.A-1-99/16145-61

Dated: 07.05.99

Subject: Acceptance of surrender of commercial/residential plots – Policy regarding.

This is in partial modification of HQ communication bearing No.A-11-85/4091-97 dated 12.02.85 and memo No.A-11P-95/33924-51 dated 14.12.95 on the subject cited above.

The matter of formulating further guidelines regarding acceptance of surrender of a commercial/residential sites/building sold by way of allotment/auction has been engaging attending for the last some time. Now, it has further been decided that in case of surrender of commercial and residential plots, the refund may be allowed after forfeiting the amount equal to 10% of the total amount of the consideration money, interest and other dues payable meaning thereby 10% of total cost of plot, interest accrued upto date & penalty, if any, taken together. However, in the following cases of surrender without forfeiture may be accepted with the permission of the Administrator, concerned.

- I) Where HUDA could not deliver the possession of plots due to litigation pending in the court by the original land owners.
- II) Where plot is not actually available on the ground as per layout plan.
- III) In case of death of allottee and the request from the legal heirs for refund has been received before the offer of possession.
- IV) Where the land is under unauthorised encroachment which cannot be removed and HUDA cannot deliver the possession.

For the purpose of calculation of interest and other dues payable, the date of application of surrender shall be the deemed date of surrender.

All concerned are requested to dispose of such cases accordingly.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1-99/16162-67

Dated: 07.05.1999

A copy is forwarded to the following for information and necessary action :-

- 1. All the Administrators in HUDA.
- 2. District Attorney, HUDA Panchkula.
- 3. Chief Controller of Finance, HUDA, Panchkula.

For Administrator, HUDA, Hisar :

This also disposes of a reference bearing No.3848 dated 01.06.98 relating to commercial plot No.523 & 524, City Centre, Bhiwani.

The receipt of this communication may also be acknowledged.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6 Panchkula

To

- 1 All the Administrator HUDA
 2. All the Estate Officer (S)/ Asstt. Estate Officer HUDA
 - 3 All the Assistant District Attorneys in Estate Offices of HUDA
- Memo No.A-11P-97/34419-45 Dated 17-10-1997

Subject: Acceptance of **surrender of residential sites** in various Urban Estates of HUDA – **revised policy**.

In continuation of this office memo No.A-11P-95/33924-33951 dated 14-12-95 and No.A-11P96/3840-64 dated 6-2-96 on the subject cited above.

You are requested to clear all the pending applications of surrender of plots forth with and in future also whenever any application of Surrender is submitted, the refund should be allowed as per policy after deducting 10% of the consideration amount with in 15 days. The Administrators may also monitor this aspect at their level to ensure that no such case is pending in the offices of the Estate Officers, so far as the refund on account of Surrender as per direction of the courts is concerned, all the direction given in the order should be complied with subject to the decision of the appeals already filed in these cases.

You are requested to comply with these instructions meticulously.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA.

Endst.No.A-11P-97/34446

Dated:17-10-1997

A copy of above is forwarded to the District Attorney HUDA to supply the details of all pending cases in the courts with in a week time positively.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6 Panchkula

To

- 1 All the Administrator HUDA
2. All the Estate Officer (S)/ Asstt. Estate officer HUDA
- 3 All the Assistant District Attorneys in Estate Offices of HUDA.

Memo No.A-11P-96/3840-63

Dated 6-2-1996

Subject:Acceptance of **surrender of residential sites** in various Urban Estates of HUDA – **revised policy**.

In continuation of memo No.A-11P-95/33924-51 dated 14-12-95 on the subject cited above.

It is further clarified that since the policy of surrender is inherent under the statutory provisions of HUDA Act, 1977 already existing, therefore the policy of Surrender would be applicable for any applicant, who applies for Surrender whenever that application might have been received.

You are, therefore, requested to dispose off the pending applications accordingly.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA,

Endst. No.A-11P-96/3864-67

Dated:6-2-1996

A copy is forwarded to the following in continuation of memo No.A-11P-95/33952-55 dated 14-12-95 for information and necessary action:-

1. Legal Remembrancer, HUDA, Panchkula
2. Chief Town Planner, HUDA ,Panchkula
3. Chief Controller of finance, HUDA, Panchkula
4. The Secretary, HUDA, Panchkula

-sd/-

Administrative Officer,
for Chief Administrator,HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.
3. All the Asstt. District Attorneys in Estate Offices of HUDA.

Memo No.A-11-P-95/33924-51

Dated: 14.12.1995

Subject: Acceptance of **surrender of residential sites** in various Urban Estates of HUDA- **revised policy**.

In supersession of this office memo No.A-11P-94/2975-76 dated 08.2.94 on the above subject.

In the wake of Judgement dated 18.7.95 given by the Punjab & Haryana High Court in Civil Writ Petition Nos.9867 and 9887 of 1994 (Copy enclosed) wherein it has been laid down that in case where the petitioners have come forward with a plea that they do not want to pay the remaining amount and want to surrender the land, the provisions of Sub Sections (2), (3), (4) of Section-17 of HUDA Act 1977 will be deemed to have been satisfied and there can be no legal justification for declining the request of the petitioners to accept the surrender of their land. So it has been decided that :-

A) Surrender of residential plots may be allowed by the Estate Officer concerned after forfeiting an amount upto 10% of the total amount of the consideration money, interest and other dues payable. However, in the following cases, surrender without forfeiture of any amount may be accepted with the permission of the Chief Administrator :-

- I) Where HUDA could not deliver the possession of plots due to litigation pending in the Court by the original land owners ;
- II) Where plot is not actually available on the ground as per layout plan.
- III) Where the land is under unauthorised encroachment which cannot be easily removed and HUDA cannot deliver the possession; and
- IV) Where the allottee could not pay the remaining amount of the cost or could not undertake construction on account of death of a dependent of the allottee.

For the purpose of calculation of interest and other dues payable, the date of application of surrender shall be the deemed date of surrender.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Dated: 14.12.1995

Endst.No.A-11P-95/33952-55

A copy is forwarded to the following for information and necessary action :-

1. Legal Remembrance, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Secretary, HUDA, Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT) Chandigarh.

To

1. All the Administrator HUDA
2. All the Estate Officer (S)/ Asstt. Estate officer HUDA

Memo No.A-11P-94/2975

Dated:8-2-1994

Subject: Acceptance of **surrender of residential sites** in various Urban Estates in the state.

It has come to the notice of this office that some Estate officers in the field have accepted/are accepting the Surrender of residential sites already sold to the public either through auction or through draw of lots at their level in the absence of any policy guidelines. Commercial plots and circulated vide this office memo No.A-11-85/4091-4101 Dated 12-2-85 can not be made applicable in the case of residential plots.

You are, therefore, directed not to accept requests of Surrender of residential plots. A detail of residential plots where such requests have already been accepted by you in the absence of policy guidelines may be supplied to this office immediately for further necessary action. It is also made clear that in case any requests for Surrender of residential plots is accepted by any Estate Officer in the absence of policy guidelines he will be personally held responsible for the lots which may be caused to HUDA.

-sd/-

Administrator officer,
for Chief Administrator, HUDA.

Memo No.A-11P-94/2976

Dated:8-2-94

A copy is forwarded to the following for information and necessary action.

1. The Legal Remembrancer, HUDA, Manimajra.
2. The Chief Town Planner, HUDA, Panchkula
3. The Chief Controller of finance, HUDA, Manimajra.
4. The Secretary, HUDA, Manimajra.

-sd/-

Administrator officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

All the Estate Officers in
Haryana Urban Development Authority.Chandigarh,
Memo No.A-11-1985/4091-409 Dated :12.02.1985

Subject: Policy regarding **surrender of commercial plot.**

Please refer to the subject noted above.

The question of formulating a policy regarding acceptance of surrender of commercial sites/buildings sold by auction has been under consideration for some time. After consideration of all aspects, it has been decided that surrender of commercial sites/buildings may be allowed after forfeiting 10% of the total bid. In Addition, the bidder will also be liable for interest on over-due instalments. For the purpose of calculation of interest, the date of application of surrender shall be the deemed date of surrender and interest calculated accordingly.

All concerned are requested to take action accordingly in respect of existing/future applicants.

-sd/-
for Chief Administrator, HUDA,
Chandigarh.

Endst.No.A-11-05/4098-4101

Dated: 12.02.1985

A copy is forwarded to all the Administrator, in HUDA for information and necessary action.

-sd/-
for Chief Administrator, HUDA,
Chandigarh.

18. GSRQ ALLOTMENT

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula (Haryana)

To

The Estate Officer,
HUDA, Bhiwani.

Memo No A-I-2003/28149

Dated. 25/8/2003

Sub: Eligibility of employees of Haryana Board of School Education Bhiwani in GSRQ category.

Reference your office memo No. 8702 dated 31/7/03 on the subject cited above.

It is hereby clarified that employees of Haryana School Education Board are not eligible for allotment of residential plots under GSRQ.

Endst. No . A-I-2003/28150

-sd/-
Administrative Officer,
for Chief Administrator, HUDA
Dated 25/8/2003

A copy is forwarded to the Administrator, HUDA, Hisar for Information and necessary action.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula (Haryana)

To

The Estate Officer,
HUDA, Gurgaon.

Memo No A-I-2002/10876

Dated 13-5-2002

Sub:-Allotment of plots **under GSRQ-Clarification** regarding eligibility criteria - **revised** .

Reference your office memo No. 522 dated 26/4/02 on the subject cited above.

It is hereby clarified that the employees of Haryana Rural Development Fund Administration Board are eligible for allotment of plots under GSRQ.

You are therefore, requested to take action accordingly and bring these instructions to the notice of all concerned.

Endst. No. A-I-2002/10877-97

-sd/-
Administrative Officer,
for Chief Administrator, HUDA
Dated 13/05/2002

A copy is forwarded to all the Administrators/Estate officers/Asstt. Estate Officers, HUDA for Information and similar necessary action.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula (Haryana)

To

The Estate Officer,
HUDA, Faridabad.

Memo No A-I-2002/3708

Dated 19/2/2002

Sub: Allotment of plots under **GSRQ-Clarification** regarding eligibility criteria.

Reference your memo No. A-65-2001/1749 dated 3/9/01 on the subject cited above.

It is hereby clarified that employees of Punjab & Haryana High Court/Civil Court like Sessions Judge Court and other Court are eligible for allotment of plots under GSRQ. But the employees of YMCA, Faridabad are not eligible for allotment of plots under GSRQ.

You are therefore, requested to take action accordingly and to bring these instructions to the notice of all concerned.

Endst. No. A-I-2002/3709

-sd/-
Administrative Officer,
for Chief Administrator, HUDA
dated 19/2/2002

A copy is forwarded to All the Administrators/Estate Officers/ Asstt. Estate Officers, HUDA for Information and similar necessary action.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Sector-6, Panchkula.

To

1. All the Administrators, HUDA in the State
2. All the Estate Officers/ Asstt. Estate Officers, HUDA

Memo No.A-1-(P)-2000/11006 Dated 24.4.2001

Subject: Allotment of residential plot under **GSRQ-Removal of integrity certificate** thereof.

Reference on the subject cited above.

Out of total plots, 10% plots are reserved for Haryana Government Servants including the employees of Boards, Corporations established by Haryana Government. After being declared as successful in the draw of lots, a certificate to the effect that there is nothing adverse against the integrity for the last 10 years of the successful official, is required to be furnished by the competent Authority. The requisite certificate is to be given within a period of 90 days from the date of demand by the respective Department/corporation as the case may be.

It has been observed that while issuing the integrity certificate, a considerable time is taken by the concerned Department. In certain case the said certificate is not issued even after months due to non-availability of ACRs causing un-necessary delay in issuing allotment letters to the successful applicant/ employees. In some cases, the integrity certificate is not issued in favour of successful employees due to adverse entry in the record of the employees concerned. This matter has been re –considered and after careful consideration, it has been decided that the condition of integrity certificate in GSRQ category will not remain inforce and is hereby dispensed with. This decision will be made applicable with immediate effect.

You are requested to bring the above instructions to the notice of all concerned.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA
Dated 24.4.2001

Endst.No.A-1(P)-2001/11007

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula
2. The Chief Town Planner, HUDA, Panchkula.
3. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. DyEsa, HUDA, Panchkula.
7. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-
Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula (Haryana)

To

1. All the Administrators(s)HUDA.
2. All the Estate Officers(s)/Asstt.Estate Officers(s)in HUDA

Memo No.A-1-2000/10483-583 Dated 8-5-2000

Sub:- Reservation of residential plot for various categories- **Amendment in eligibility criteria - GSRQ.**

In continuation of this office memo no A-11p-94/6710-26 dt. 26/5/94 on the subject cited above

In the past employee of the Municipal Committees and improvement Trusts were not being considered for allotment, against Haryana Govt. Servant Reserved Quota of residential plots. Now, in view of the directions by the Hon'ble High Court of Punjab & Haryana in CWP No.8360 of 1999, it has been decided that henceforth the employees of Municipal committees and Improvement Trusts of Haryana State, shall also be eligible to apply and be considered for allotment of free holdresidential plots under the GSRQ(Govt. Servant Reserved Quota) scheme. The employees of the above category shall be eligible to make an application in the current floatation also.

You are therefore, requested to take further action accordingly. The receipt of this communication may be acknowledged.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Dated: 8-5-2000

Endst.No. A-1-2000/10504-08

A copy is forwarded to the following for information and necessary action :-

1. Joint Director (Legal) HUDA, Panchkula.
2. Chief Engineer, HUDA , Panchkula.
3. Chief Town Planner, HUDA, Panchkula.
4. Chief Controller of Finance HUDA, Panchkula.
5. Secretary, HUDA, Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6,Panchkula (Haryana)

To

The Estate Officers,
HUDA Panchkula.

Memo No A-11p-95/15870

Dated 19-6-1995

Sub:- Draw of lots from **GSRQ category** in **Sector-26, Panchkula**.

Reference your Memo No 7371 dated 16/5/95 On the above subject.

It is hereby clarified that the employees of the Following Departments/Organizations are entitled to be considered for allotment of residential plots under Govt. servant Reserve Quota Category:-

Employees of the Punjab & Haryana High Court and employees of the advocate General Haryana Employees of t the Central Jails. Employees of the Civil Courts like Sessions Judge Courts and other courts. SDO, Gobar Gas Plants.

The employees of the Autonomous Bodies like Universities within the Haryana state, employees of the Municipal Corporations/ Committees and employees of the Haryana state Co-operative Housing Federation are Not eligible to be considered for allotment of residential plots under GSRQ category.

-sd/-

Administrative Officer,
For Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula (Haryana)

To

1. All the Administrators in HUDA .
2. All the Estate Officers/Asstt. Estate Officers in HUDA

Memo No.A-11p-94/6710-26

Dated: 26/5/1994

Sub:- Reservation of residential plot for various categories.

In continuation of this office memo no A-11P5-88/18453-64 dated 25/5/88 on the above subject.

The Estate Officer, HUDA, Rohtak has sought a clarification as to whether the employees of the Govt. Medical College & Hospital & as well as employees of the Municipal Committees & Improvement Trusts can be considered for allotment in the Haryana Govt. servant Reserve Quota of residential plots. This issue has been considered with reference to the Policy of reservation of residential plots for various categories already circulated vide this office memo referred to above .It is hereby clarified that the employees of the Govt. Medical College and Hospital can be considered for allotment under the Haryana Govt. Servant Reserve Quota of residential plots provided they produce a document of being a Haryana Govt. Employee from their employer. The employees of the Municipal Committees & Improvement Trusts are however not entitled to be considered under the Haryana Govt. Servants Reserve Quota.

-sd/-

Administrative Officer,
for Chief Administrator ,HUDA.
Dated 26/5/1994

Endst.No A-11P-94/6727-30

A copy is forwarded to the following :-

1. Legal Remembrance, HUDA, Panchkula.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Chief Town Planner, HUDA Panchkula.
4. Secretary, HUDA, Panchkula.

For Estate Officer, HUDA, Rohtak : This disposes of his D.O letter No 2612 dated 28.3.94.

-sd/-

Administrative Office,
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra(U.T.) Chandigarh

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo no. A-11-P-5-88/18453-64

Dated: 25-05-1988

Subject: Reservation of residential plots for various categories.

Please refer to the above noted subject.

2. It is intimated that a proposal for reviewing the existing reservation of residential plots to various categories was placed before the Haryana Urban Development Authority in its 34th meeting held on 14.08.1987. The proposal contained in the agenda was discussed in detail. It was decided to modify the reservation ratio of residential plots meant for Govt. servants and Defence Personnel. The reservation for other categories was kept in tact. The existing reservation of 5% in all sized of plots for Haryana Govt. Employees and employees of various Boards/Corporations etc. under the Haryana has been revised to 10%. The 20% reservation for Defence Personnel was, however, allowed to be continued, but it has been differentiated that 20% in all sized would be reserved at the notified places and 10% at other places.

At present only the Haryana Govt. employees and the employees of various Boards/Corporations under the Haryana Govt. and the Haryana State Coop. Bank are considered eligible for allotment under the Govt. servant quota, but the official of other co-operative Federation, District Rural Development Agencies(DRDAs) and Autonomous Bodies like Universities within Haryana State are not eligible. The officials of these offices are representing for including in the Govt. employees category for the purpose of reservation.

In this connection the Authority did not approve the proposal enlarging the eligibility criteria of plots falling under the employees quota.

You are requested to brought these instructions to the notice of all concerned.

-sd-

Administrator(HQ)
For Chief Administrator, HUDA
Manimajra

Endst. No. A-11-P-5-88/18465-75

Dated: 25.05.1988

A copy of above is forwarded to the following:-

1. The Secretary, HUDA, Manimajra
2. District attorney, HUDA, Manimajra
3. Controller of Finance, HUDA
4. Dy. ESA, HUDA, Manimajra

-sd-

Administrator(HQ)
For Chief Administrator, HUDA
Manimajra

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrators,
2. All the Estate Officers in
Haryana Urban Dev. Authority.

Memo No.A-11-P-5-85/15187

Dated 2/7/1985

Subject: Eligibility for the allotment of **residential plots** reserved for allotment of **Haryana Govt. servants & employees of all Boards/Corporations** under the Haryana Govt - **GSRQ**.

Numerous representations are being received from time to time seeking clarifications regarding eligibility of Govt. employees for applying for allotment of Govt. servant Quota plots.

It is clarified that only the Haryana Govt. servants of Employees of various Board/Corporations and state Cooperative Banks Which are under the auspices of the Haryana Government are eligible for allotment of plots reserved for Haryana Govt. Servants. Employees of Nationalized Banks, Universities, Private Collages, Govt. of India Corporations/Departments etc. are not eligible. All concerned may please be informed accordingly.

-sd/-

for Chief Administrator,
Haryana Urban Dev. Authority,
Chandigarh

19. CONDONATION OF DELAY

To

1. All the Administrator(s) HSVP in the State.
2. All the Estate Officer(s) HSVP in the State.

Memo No. A-6-UB-2018/104693

Dated:-24.05.2018

Subject: - Policy regarding condonation of delay in depositing 15% amount and remaining amount/installments in case of **E-Auction allotments**.

1. Presently there is no policy exist to condone the delay in depositing 15% amount and remaining amount/installments in case of E_Auction allotments. The matter was under active consideration from the past and now the matter has been considered & examined at length. It has been observed that as per terms & conditions of E-Auction, the payment terms of various categories of plots are as under:-

LEFT OUT RESIDENTIAL PLOTS

- (i) The successful/highest bidder shall be required to remit an amount equivalent to 10% of his quoted bid amount by 5:00 PM of the day succeeding to final bid closing day by way of generating “General Purpose Challan” from www.huda.org.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank. In case the successful/highest bidder fails to deposit the said amount as specified above, his bid shall stand rejected and the EMD deposited by him for participation in the e_auction shall stand forfeited in favor of HUDA.
- (ii) After acceptance of the bid, the successful bidder will further be required to deposit another 15% of the bid amount within a period of 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the Authority against which successful bidder shall have no claim for damages.
- (iii) Thereafter, remaining 75% amount of the bid amount shall be paid within a period of 120 days from the date of auction without interest failing which this allotment shall stand cancelled without any notice and money deposited by successful bidder (equal to 25% of bid amount) shall stand forfeited and successful bidder shall have no claim for the damages.

BOOTHS/KIOSKS

- (i) The successful/highest bidder shall be required to remit an amount equivalent to 10% of his quoted bid amount by 5:00 PM of the day succeeding to final bid closing day by way of generating “General Purpose Challan” from www.huda.org.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank. In case the successful/highest bidder fails to deposit the said amount as specified above, his bid shall stand rejected and the EMD deposited by him for participation in the e_auction shall stand forfeited in favor of HUDA.
- (ii) After acceptance of the bid, the successful bidder will further be required to deposit another 30% of the bid amount within a period of 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the Authority against which successful bidder shall have no claim for damages.
- (iii) Thereafter, remaining 60% amount of the bid amount of the above plot/building shall be paid in lump-sum without interest within a period of 60 days from the date of auction or in 6 half yearly installments will fail due after expiry of 6 months from the date of auction. Each installment would be recoverable together with interest @ 9% P.A. on the remaining amount. However, in case balance 60% amount of the total bid amount is paid in lump-sum within a period of 60 days from the date of auction, rebate of 5% in the total bid amount will be allowed

PREFERENTIAL RESIDENTIAL/ INSTITUTIONAL/ COMMERCIAL SITES/ BUILDINGS

- (i) The successful/highest bidder shall be required to remit an amount equivalent to 10% of his quoted bid amount by 5:00 PM of the day succeeding to final bid closing day by way of generating “General Purpose Challan” from www.huda.org.in in EARNEST MONEY Head and deposit that Challan in HUDA authorized Bank. In case the successful/highest bidder fails to deposit the said amount as specified above, his bid shall stand rejected and the

EMD deposited by him for participation in the e_auction shall stand forfeited in favor of HUDA.

- (ii) After acceptance of the bid, the successful bidder will further be required to deposit another 15% of the bid amount within a period of 45 days of the date of auction. In case of failure to deposit the said amount within the above specified period, the allotment shall be cancelled and the 10% amount deposited towards bid money shall stand forfeited to the Authority against which successful bidder shall have no claim for damages.
 - (iii) Thereafter, remaining 75% amount of the bid amount shall be paid within a period of 120 days (for residential plot) or 180 days (for other categories) from the date of auction without interest failing which this allotment shall stand cancelled without any notice and money deposited by successful bidder (equal to 25% of bid amount) shall stand forfeited and successful bidder shall have no claim for the damages.
2. As per the present provision, if any amount which becomes due but is not paid within the stipulated time (reckoned w.e.f. date of auction), this results in cancellation of the plots and the amount earlier deposited stands forfeited.
 3. To facilitate the allottees, it has been decided that opportunity should be given to such allottees to make payments alongwith 10% surcharge on delayed amount & 15% penal interest for the delayed period. This will be subject to the condition that the payment shall have to be made within 30 days after the stipulated period.
 4. For brevity, the details will be as per Annexure 'A'.
 5. There will be no requirement for making application to condone delay by the allottee, it will be automatically available online.
 6. No further condonation of delay shall be entertained in any circumstances.
 7. This provision shall be made applicable to all plots allotted through e-auction w.e.f. 01.03.2017. This will be made applicable in old cases also whose installments will fall after issuance of this policy and any delay is occurred.
 8. This has the approval of Hon'ble CM-cum-Chairman, HSVP.

-sd/-
(R.S.Verma)
Administrator(HQ),
HSVP, Panchkula.

Endst.No. A-6-UB-2018/104693

Dated:-24.05.2018

A copy of the above is forwarded to the following for information & necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer I & II, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The General Manager (IT), HSVP, Panchkula. He is requested to host it on HUDA (HSVP) Web-site.
5. The District Attorney, HSVP (HQ), Panchkula.
6. The Dy. ESA, HSVP (HQ), Panchkula.
7. All the Assistants/Record-Keepers, Urban Branch, HSVP (HQ), Panchkula.

-sd/-
(R.S.Verma)
Administrator(HQ),
HSVP, Panchkula.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA.
 2. All the Estate Officer's/Asstt. Estate Officer, HUDA.
- Memo No. A-5-UB-2016/17606 Dated:01.07.2016

Subject:- **Amendment** of Policy guidelines regarding condonation of delay in deposited 15% amount by the allottee.

In modification of policy guidelines issued vide no. A-11(P)-91/23298 dated 12.11.1991 and subsequent amendment made vide policy dated 26.08.1994, 27.07.2005, 12.09.2005, 20.03.2007 & 03.08.2007 on the subject cited above.

The matter regarding modification/amendments in the existing policy guidelines regarding Condonation of delay in depositing 15% amount by the allottee was placed before the Authority in its 110th meeting held on 12.05.2016 under the Chairmanship of Hon'ble CM, Haryana-cum-Chairman, HUDA vide Agenda Item No. 3 (Supplementary) for consideration and approval. The proposal has been approved by the Authority with the following amendments in the existing policy guidelines/procedure to be followed to condone the delay in depositing of 15% amount as under:-

1. The Condonation of delay in depositing 15% amount at the level of Estate Officer & Administrator will be allowed automatically for which provision will be made in the PPM Database for deposit of the amount with surcharge but without reason for delay having to be stated.
2. The revised system of accepting 15% amount without mentioning delays would function automatically. The officers of Estate Officer, Zonal Administrator & C.A. HUDA would not be involved in receiving applications and processing.
3. Only cases where delay is for a period of 180 days up to one year would require approval of the Committee formed by the Authority.
4. The necessary charges in the PPM Database to make it responsive to the allottee will require to be made by the I.T. Wing.

To simplify the policy guidelines and help to avoid unnecessary harassment to the allottees, it has been decided that the amended policy guideline may be made applicable with prospective effect from the date of issue and old cases/already applied cases shall be decided as per respective policy in force.

Proposal for revised system of delayed payment of 15% amount of the cost of the plots & surcharge for commercial & other categories of plots is proposed as under:-

1. Powers for condonation of delay

(A) For category of Commercial Sites (allotted through auction only)

Sr.No.	Period of condonation (beyond 30 days)	Rate of surcharge leviable on 15% amount in addition to interest as per policy.	Remarks
1	Up to 15 days (After normal period of 30 days)	5 %	Automatically through system
2	Up to 30 days (from 16 days to 30 days)	10 %	Automatically through system

(B) For all remaining categories of plots except commercial plots

Sr.No.	Period of condonation (beyond 30 days)	Rate of surcharge leviable on 15% amount in addition to interest as per policy.	Remarks
1	Delay up to 30 days (After normal period of 30 days)	5 %	Automatically through system
2	Next 60 days i.e. up to 90 days.	10 %	Automatically through system
3	Beyond 90 days to 180 days.	15 %	Automatically through system
4	Beyond 180 days up to one year	25 %	With the approval of Committee

- (i). Besides surcharge, penal interest at the rates applicable at the time of allotment of above mentioned category plots shall have to be paid for the delayed period to be reckoned from the date of allotment to the date of payment.
- (ii). In case the allottees failed to deposit the 15% amount within the period specified above alongwith surcharge and penal interest the allotment of plot after expiry of 1 year period from the date of issue of letter shall automatically be treated as cancelled.
- (iii). The EO, HUDA, concerned while issuing allotment letter will mention the actual date (expiry date of 30 days period) for depositing the 15% amount by the allottee.
- (iv). All applications for condonation of delay may be made in the office of the Estate Officer, HUDA concerned and the allottee will have to deposit the amount directly in HUDA account after confirmation from the EO, HUDA, concerned.

You are therefore requested to take further action in the matter accordingly. These instructions may be brought to the notice of all concerned for strict compliance.

-sd/-
(Nadim Akhtar)
Senior Town Planner,
for Chief Administrator HUDA

A copy of the above is forwarded to the following for information and necessary action:

1. PS/ ACSTCP for kind information of W/ ACSTCP.
2. PS/ DGTCP for kind information of W/ D.G.T.C.P.
3. PS/ C.A. for kind information of W/ C.A. HUDA .
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Chief Engineer/ Chief Engineer-I, HUDA, Panchkula
6. The Chief Town Planner, HUDA, Panchkula.
7. The Chief Architect, HUDA(HQ), Panchkula.
8. The District Attorney, Legal Cell. HUDA, Panchkula.
9. The Secretary HUDA, Panchkula.
10. The Chief Vigilance Officer, HUDA (HQ), Panchkula.
11. The Enforcement Officer, HUDA (HQ), Panchkula.
12. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
13. The General Manager /IT, Panchkula for updation in the system.
14. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-

-sd/-

(Nadim Akhtar)
Senior Town Planner,
for Chief Administrator HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

- 1 All the Zonal Administrators in the State.
- 2 All the Estate Officers in the State ,

Memo No. A-1-2006/15704

Dated :26.04.2012

Subject:-Regarding acceptance of **15% payment** in respect of **fresh allotment after draw of lots**.

It has been brought to the notice of the authorities that Estate Officers continue to accept the installments against the plots where the allottee has failed to deposit the 15% amount within 30 days of the issue of the allotment letter, whereas it has been clearly provided in sub Regulation-5 of the Haryana Urban Development Authority (Disposal of Land and Buildings) Regulations 1978 that in case the allottee fails to either accept or refuse the allotment within stipulated period, the allotment shall be deemed to be cancelled. The allottees later on approach the courts for restoration of the allotment on the ground that the Estate Officer has accepted the instalments and it becomes difficult to defend the interest of HUDA in such litigation.

In view of this the Estate Officers are directed not to accept the installments where the allottee has failed to deposit the 15% amount within the stipulated period of 30th April, 2012.

Any failure to comply with these instructions shall be viewed seriously and strict disciplinary action will be taken against the defaulting officials/ officers.

-sd/-
Administrator HQ.
for Chief Administrator, HUDA.
Panchkula

Endst. No. A-6-UB/2012/ 15704

Dated 26.04.2012

A copy is forwarded to the Financial Commissioner & Principal Secretary to Govt. Haryana, Town & Country Planning Department, New Secretariat Building, Sector-17, Chandigarh. for information.

-sd/-
Administrator HQ.
for Chief Administrator, HUDA.
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6 Panchkula.

To

1. All the Administrators, HUDA,
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-4(VKS)-2011/UB-1/15712-34

Dated 10.05.2011

Subject : Regarding condonation of delay in depositing first installment in case of **EWS residential plots** beyond stipulated period of 30 days.

This is with reference to subject cited as above.

From time to time field Officers were seeking clarification on the mode of disposal of requests received from the allottees of EWS residential plots for condonation of delay in depositing 1st installment.

On the subject, it is hereby clarified that in case of EWS allotments, delay in depositing first installment, payable within 30 days from the date of issue of allotment letter shall be examined and decided on the analogy of provisions made in the policy guidelines of condonation of delay applicable in the case of allotment of allotment of residential plots, circulated from time to time.

You are, therefore, requested to take further necessary action accordingly.

-sd/-
(Krishan Lal)
Administrative Officer, UB-I
for Chief Administrator, HUDA,
Dated 10.05.2011

Endst.No.A4(VKS)-2011/UB-1/15735-56

A copy of the above is forwarded to the following for information and necessary action:-

1. PS/FCTCP for kind information of W/FCTCP.
2. PS/DGTCP for kind information of W/DGTCP
3. PS/CA for kind information of w/Chief Administrator, HUDA
4. PA/Administrator, HQ for kind information W/Admn.HQ
5. The Secretary HUDA, Panchkula.
6. The Chief Engineer-I/Chief Engineer-II, HUDA Panchkula.
7. The Chief Town Planner, HUDA, Panchkula.
8. The Chief Controller of Finance, HUDA, Panchkula.
9. The District Attorney, HUDA Panchkula.
10. The Enforcement Officer, HUDA HQ, Panchkula.
11. The Dy.Economic & Statistical Advisor, HUDA, Panchkula.
12. General Manager/IT, Panchkula.
13. All the Assistant & Record Keepers of Urban Branch, HUDA(HQ), Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA,

TO BE SUBSTITUTED WITH SAME NO. AND DATE

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-1-2007/27604-644

Dated: 03.08.2007

Subject: Policy for condonation of delay in depositing 15 % amount in case of **residential, commercial, institutional, industrial sites**, beyond stipulated period of 30 days - **revised**.

This is in partial modification of this office Memo No. A-1-2005/17836-56 dated 27.7.2005 on the subject cited above.

The HUDA policy for condonation of delay in depositing 15% amount in case of residential/commercial/ industrial and institutional sites was reviewed by the Authority in its 98th meeting held on 12.12.2006 vide agenda item No.A-98(22). The Authority has approved the following policy/procedure to be followed to condone the delay in depositing 15% amount:-

Policy for condonation of delay in depositing 15% amount.

1. Applicability

It shall be applicable on the plots allotted by HUDA subsequent to 12.12.2006. This policy shall be applicable on all cases where allottees have not been able either to communicate their refusal or acceptance alongwith 15% amount within 30 days from the date of issue of allotment letter.

2. Objective

The current policy in this matter is very complex. It also does not specify the procedure to be followed which leads to lot of harassment to allottees who have not been able to deposit 15% amount within the prescribed date for a genuine reason. Hence this policy has been proposed which is simplified and also specifies the procedure.

In ordinary cases of delay, decision on the condonation of delay may be taken at the field level i.e. either at EO or Administrator level. In extra ordinary circumstances the powers would vest with Authority/ Chief Administrator. Besides, this policy should be applicable on all kinds of properties irrespective of its nature and mode of allotment.

3. Powers for condonation of delay

(A) For category of Commercial Sites (allotted through auction only)

Sr. No.	Period of condonation (beyond 30 days)	Concerned officer who can condone the delay	Rate of surcharge leviable on 15% amount in addition to interest as per policy.
1.	Upto 15 days	Estate Officer	2.5%
2.	Upto 30 days	Administrator	5%

Besides surcharge, the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment.

(B) For all remaining categories of plots except commercial plots

S r . No.	Period of condonation (beyond 30 days)	Concerned officer who can condone the delay	Rate of surcharge leviable on 15% amount in addition to interest as per policy.
1.	Upto 30 days	E.O. concerned	5%
2.	Next 60 days i.e. upto 90 days	Administrator HUDA concerned.	7.5%
3.	Beyond 90 days to 180 days.	Chief Administrator HUDA.	10%
4.	Beyond 180 days upto one year.	Authority *	10%

*These powers shall be exercised by a committee comprising of the Secretary, Town and Country Planning Deptt. as Chairman, C.A. HUDA and DTCP as members, who shall be the competent authority to decide the case of condonation of delay beyond 180 days and up to one year.

Besides surcharge, penal interest at the rates applicable at the time of allotment shall have to be paid for the delayed period to be reckoned from the date of allotment to the date of payment. In no case condonation of delay for more than one year shall be done

4. Procedure to be followed .

All applications for condonation of delay may be made in the office of concerned Estate Officer, HUDA if the period of delay is such that the powers of condonation of delay are either with Estate Officer or Administrator. Such application may accompany with a bank draft of necessary 15% amount. The Estate Officer shall deposit this amount into HUDA Account only after the delay is condoned by the competent authority. If the delay is not condoned the draft may be returned as such.

In case the period of delay is more than the period for which condonation can be done by Estate Officer/ Administrator and falls within the powers of Authority/Chief Administrator in such genuine cases of hardship the allottee may make an application to the Chief Administrator with a photocopy of bank draft of requisite 15% amount. The cases will be examined on receipt of application after obtaining facts of the case from concerned Estate Officer and put up to the competent authority for orders. Thereafter, in case the competent authority agrees to condone the delay keeping in the mind the circumstances of the case then the Estate Officer will be advised to accept the payment.

In case the competent authority refuses to condone the delay, the draft deposited by the allottee shall be refunded to him and 10% amount deposited by him shall be forfeited. Beyond the period of one year no application for condonation of delay shall be entertained and the plot will be considered by Estate Officer for re-utilization. However, till a period of one year after the expiry of 30 days period, any allotted plot may not be re-allotted by the Estate Officer as the allottee may file an application for condonation of delay.

You are requested to take further action in the matter accordingly. These instructions may be brought to the notice of all concerned for strict compliance.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1-2007/27604-644

Dated: 03.08.2007

A copy of the above is forwarded to the following for information and necessary action in continuation of Endst.No.A-1-2007/10204-17 dated 20.03.07:

1. PS/ CTCP for kind information of W/ C.T.C.P.
2. PS/ DTCP for kind information of W/ D.T.C.P.
3. PS/ C.A. for kind information of W/ C.A. HUDA .
4. The Engineer-in-Chief, HUDA, Panchkula
5. The Chief Town Planner, HUDA, Panchkula.
6. The Chief Controller of Finance, HUDA, Panchkula.
7. The L.R. HUDA, Panchkula.
8. The Secretary HUDA, Panchkula.
9. The CVO & EO, HUDA (HQ), Panchkula.
10. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
11. Senior Manager /IT, Panchkula.
12. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

TO BE SUBSTITUTED WITH SAME NO. AND DATE

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-1-2007/10182-203 Dated: 20.3.2007

Subject: Policy for condonation of delay in depositing 15 % amount in case of **residential, commercial, institutional, industrial sites**, beyond stipulated period of 30 days - **revised**.

This is in partial modification of this office Memo No. A-1-2005/17836-56 dated 27.7.2005 on the subject cited above.

The HUDA policy for condonation of delay in depositing 15% amount in case of residential/commercial/industrial and institutional sites was reviewed by the Authority in its 98th meeting held on 12.12.2006 vide agenda item No.A-98(22). The Authority has approved the following policy/procedure to be followed to condone the delay in depositing 15% amount:-

Policy for condonation of delay in depositing 15% amount.

1. Applicability

It shall be applicable on the plots allotted by HUDA subsequent to 12.12.2006. This policy shall be applicable on all cases where allottees have not been able either to communicate their refusal or acceptance alongwith 15% amount within 30 days from the date of issue of allotment letter.

2. Objective

The current policy in this matter is very complex. It also does not specify the procedure to be followed which leads to lot of harassment to allottees who have not been able to deposit 15% amount within the prescribed date for a genuine reason. Hence this policy has been proposed which is simplified and also specifies the procedure.

In ordinary cases of delay, decision on the condonation of delay may be taken at the field level i.e. either at EO or Administrator level. In extra ordinary circumstances the powers would vest with Authority/ Chief Administrator. Besides, this policy should be applicable on all kinds of properties irrespective of its nature and mode of allotment.

3. Powers for condonation of delay

(A) For category of Commercial Sites (allotted through auction only)

Sr. No.	Period of condonation (beyond 30 days)	Concerned officer who can condone the delay	Rate of surcharge leviable on 15% amount in addition to interest as per policy.
1.	Upto 15 days	Estate Officer	2.5%
2.	Upto 30 days	Administrator	5%

Besides surcharge, the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment.

(B) For all remaining categories of plots except commercial plots

Sr. No.	Period of condonation (beyond 30 days)	Concerned officer who can condone the delay	Rate of surcharge leviable on 15% amount in addition to interest as per policy.
1.	Upto 30 days	E.O. concerned	5%
2.	Next 60 days i.e. upto 90 days	Administrator HUDA concerned.	7.5%
3.	Beyond 90 days to 180 days.	Chief Administrator HUDA.	10%
4.	Beyond 180 days upto one year.	Authority *	10%

*These powers shall be exercised by a committee comprising of the Secretary, Town and Country Planning Deptt. as Chairman, C.A. HUDA and DTCP as members, who shall be the competent authority to decide the case of condonation of delay beyond 180 days and up to one year.

Besides surcharge, penal interest at the rates applicable at the time of allotment shall have to be paid for the delayed period to be reckoned from the date of allotment to the date of payment. In no case condonation of delay for more than one year shall be done

4. Procedure to be followed .

All applications for condonation of delay may be made in the office of concerned Estate Officer, HUDA if the period of delay is such that the powers of condonation of delay are either with Estate Officer or Administrator. Such application may accompany with a bank draft of necessary 15% amount. The Estate Officer shall deposit this amount into HUDA Account only after the delay is condoned by the competent authority. If the delay is not condoned the draft may be returned as such.

In case the period of delay is more than the period for which condonation can be done by Estate Officer/ Administrator and falls within the powers of Authority/Chief Administrator in such genuine cases of hardship the allottee may make an application to the Chief Administrator with a photocopy of bank draft of requisite 15% amount. The cases will be examined on receipt of application after obtaining facts of the case from concerned Estate Officer and put up to the competent authority for orders. Thereafter, in case the competent authority agrees to condone the delay keeping in the mind the circumstances of the case then the Estate Officer will be advised to accept the payment.

In case the competent authority refuses to condone the delay, the draft deposited by the allottee shall be refunded to him and 10% amount deposited by him shall be forfeited. Beyond the period of one year no application for condonation of delay shall be entertained and the plot will be considered by Estate Officer for re-utilization. However, till a period of one year after the expiry of 30 days period, any allotted plot may not be re-allotted by the Estate Officer as the allottee may file an application for condonation of delay.

You are requested to take further action in the matter accordingly. These instructions may be brought to the notice of all concerned for strict compliance.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1-2007/10204-17

Dated: 20.3.2007

A copy of the above is forwarded to the following for information and necessary action in continuation of Endst. No.A-1-2007/10204-17 dated 20.03.07:

1. PS/ CTCP for kind information of W/ C.T.C.P. &PS/ DTCP for kind information of W/ D.T.C.P.
2. PS/ C.A. for kind information of W/ C.A. HUDA. &Engineer-in-Chief, HUDA, Panchkula
3. The Chief Town Planner, HUDA, Panchkula. &Chief Controller of Finance, HUDA, Panchkula.
4. The L.R. HUDA, Panchkula. &Secretary HUDA, Panchkula.
5. The CVO & EO, HUDA (HQ), Panchkula. & Dy. Economic & Statistical Advisor, HUDA, Panchkula.
6. Senior Manager /IT, Panchkula.
7. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. All the Administrators, in HUDA.
 2. All the Estate Officers/Assistant Estate Officers,
Haryana Urban Development Authority
- Memo No. Auth-2006/20108-29 Dated : 02.06.2006

Subject: Regarding condonation of delay in **Discretionary Quota cases**

Please refer to the subject noted above.

Consequent upon the decision of the Apex Court dated 28.09.2001 in Harish Dhingra and others Vs. State of Haryana and others, the DQ plots of eligible allottees as per this office letter No.Auth-2002/4036-57 dated 25.02.2002 had been restored by your offices and the due amount from the eligible allottees was asked by your offices, but some of the allottees failed to deposit the same within stipulated period as given in the Restoration Letter. The some of the Estate Officers have sought advice “Whether the allotment letter may be issued or not, as the allottee has not deposited the demanded amount in the restoration letter within stipulated period”.

The matter has been examined in detail and it has been decided that the HUDA policy dated 09.04.1999 dealing with condonation of delay occurred in depositing 15% amount will also be applicable in such cases. However, the allottee shall have to pay the penal interest as is applicable from time to time from the date of restoration to the date of deposit amount besides 10% surcharge will also be charged on the payable amount.

You are requested to take action in the matter accordingly.

-sd/-
Secretary
For Chief Administrator, HUDA,
Panchkula.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrator(s), HUDA.
2. All the Estate Officer(s)/Asstt. Estate Officer(s), HUDA.

Memo No.A-1-2005/23289-310 Dated: 12.09.2005

Subject: Policy for condonation of delay in depositing 15 % amount in case of **residential/commercial/institutional/ industrial sites**, beyond stipulated period of 30 days – **revised policy**.

This is in continuation of this office memo No.A-1-2005/17836-56 dated 27.7.2005 on the subject cited above.

The matter on the subject was reviewed by the authority in its 95th meeting held on 21.6.2005. The decision of the authority has already stands conveyed to you vide letter under reference. These instructions shall be made applicable with prospective effect only i.e. w.e.f. 21.6.2005. Therefore all the pending cases, wherein allotment has been made on or before 23.5.2005 shall be decided under old policy guidelines only.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.
Dated: 12.09.2005

Endst.No.A-1-2005/23311-317

A copy of the above is forwarded to the following for information & necessary action in continuation of Endst. No.A-1-2005/17857-62 dated 27.7.2005.

1. Engineer-in-Chief, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
5. Dy. Economic & Statistical Advisor, HUDA, Panchkula.
6. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ).

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-1-2005/17836-56

Dated: 27.07.2005

Subject: Policy for condonation of delay in depositing 15 % amount in case of **residential/ commercial/ institutional/ industrial sites**, beyond stipulated period of 30 days - **amendment**.

This is in super session of delegation of power on the above mentioned subject issued vide this office memo No.A-11(P)/23298 dated 12.11.91, No.A-11(P)-94/Ado-608 dated 26.8.94 and No.A-1-99/12703-23 dated 9.4.99.

The matter regarding amendment in policy for condonation of delay in depositing 15% amount in case of residential/commercial/industrial and institutional sites was placed before the Authority in its 95th meeting held on 21.06.2005 vide agenda item No.A-95(14) for consideration. The Authority has accorded its approval as under :-

A. Condonation of delay in respect of residential plots (allotted other than by auction) (beyond 90 days.)

Sr.No	Period of Condonation	Concerned Officer who can condone the delay	Rate of surcharge leviable on 15%amount
1	Up to 30 days	Estate Officer	5%
2	Up to 45 days	Administrators	7.5%
3	Up to 60 days	Chief Administrator	10%

Besides surcharge the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment.

The powers of condonation beyond 60 days in cases of hardship shall vest with the Hon'ble Chairman, HUDA.

B. Condonation of delay in respect of commercial/residential plots (allotted through auction) : (Beyond 30 days).

Sr.No	Period of Condonation	Concerned Officer who can condone the delay	Rate of surcharge leviable on 15%amount
1	Up to 15 days	Estate Officer	2.5%
2	Up to 30 days	Administrators	5%

Besides surcharge the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment.

C. Condonation of delay in respect of industrial plots/Institutional plots disposed off by way of allotment : (Beyond 30 days).

Sr.No	Period of Condonation	Concerned Officer who can condone the delay	Rate of surcharge leviable on 15%amount
1	Up to 30 days	Estate Officer	5%
2	Up to 60 days	Administrators	7.5%
3	Up to 90 days	Chief Administrator	10%

Besides surcharge the allottee shall have to pay penal interest @ 14% p.a. (or as decided by Authority from time to time) on the 15% amount for the delayed period, to be reckoned from the date of allotment. The above decisions shall supersede all the previous guidelines, on the subject issued from time to time.

You are requested to take further action in the matter accordingly. These instructions may be brought to the notice of all concerned for strict compliance.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1-2005/17857-62

Dated: 27.07.2005

A copy of the above is forwarded to the following for information and necessary action :-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The CVO & EO, HUDA (HQ), Panchkula.
5. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
6. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh.

To

1. All the Administrators,
Haryana Urban Development Authority.
2. All the Estate Officers/Asstt. Estate Officer,
Haryana Urban Development Authority.

Memo No.A-1-99/12703-23

Dated: 09.04.1999

Subject: Policy for condonation of delay in depositing 15 % amount in case of **residential / commercial/ institutional/ industrial sites-amendment** thereof.

This is in continuation of memo No.A-11(P)-91/23298 dated 12.11.91 and No.A-11(P)-94/AdO-608 dated 26.8.94 on the subject cited above.

1. I am directed to address you on the subject cited above and to inform you that under the existing policy guidelines, the initial 15% amount towards the price of the plot is required to be paid within 30 days from the date of issue of allotment in case of commercial/institutional and industrial plots/sites and within 90 days (30+60 days) of the date of issue of allotment letter in case of residential plots. For those allottees who are unable to make the payment within the stipulated period, further relaxation in depositing the above 15% amount is also granted on merits, as per details given in the above referred letter.
2. It was felt that in some genuine cases, allottees could not make the payment of 15% initial amount even within the laid down limits, under circumstances beyond their control. Keeping in view the genuine difficulties of the allottees, the matter was placed before the Authority in its 75th meeting held on 10.3.99 vide agenda item No.A-75 (36) for consideration and decision. The Authority has accorded its approval as under :-

A. Condonation of delay in respect of residential plots (allotted other than by auction)

Sr.No	Period of Condonation	Concerned Officer who can condone the delay	Rate of surcharge leviable on 15% amount
1	Up to 7 days	Estate Officer	1%
2	Up to 14 days	Administrators	2.5%
3	Up to 30 days	Administrator (HQ)	5%
4	Up to 60 days	Chief Administrator	10%

B. Condonation of delay in respect of commercial/residential plots (allotted through auction).

Besides surcharge the allottee shall have to pay penal interest @ 18% p.a. on the 15% amount for the delayed period.

The powers of condonation beyond 60 days in cases of hardship is vested with Chairman, HUDA.

3. In case of Institutional sites, the delay in payment shall be allowed with interest @ 18% p.a. on delayed payment with the approval of Chief Administrator. No surcharge shall be charged in case the payment is made in the same financial year. However, in case the payment is not made in the same financial year, the rates of next financial year shall be charged. If the allottee fails to make the payment within the extended period then allotment shall stand cancelled and 10% amount already deposited as earnest money shall be forfeited in full.

4. In case of industrial plots/sites, the earlier policy for condonation of delay will remain the same. You are therefore requested to take further necessary action in the matter accordingly. These instructions may be brought to the notice of all concern for strict compliance.

-sd/-
Administrative Officer,
For Chief Administrator, HUDA.

Endst.No.A-1-99/12724-41

Dated: 09.04.1999

A copy is forwarded to the following for information and necessary action :-

1. Chief Town Planner, HUDA, Panchkula.
2. Chief Engineer, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula
4. Secretary, HUDA, Panchkula.
5. District Attorney, HUDA, Panchkula.
6. Dy. Economic & Statistical Advisor, HUDA, Panchkula
7. All the Asstt./Record Keepers of Urban Branch (HQ)

-sd/-
Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh.

To

1. All the Administrators,
Haryana Urban Development Authority.
2. All the Estate Officers/Asstt. Estate Officer,
Haryana Urban Development Authority.

Memo No.A-11(P)-94/ADO-608 Dated: 26.08.1994

Subject: Relaxation of period in payment of 15 % price in case of **residential, commercial and industrial plots/sheds - revised.**

In partial modification of this office memo No.A-11(P)-91/23298 dated 12.11.91 on the subject cited above.

I am directed to address you on the subject noted above and to inform you that under the existing policy guidelines in case of industrial plots, the initial 15% amount towards the price of the plot is required to be made within a period of 35 days from the date of issue of allotment letter, failing which the offer of allotment is forfeited to HUDA.

The instructions dated 12.11.91 on the subject empower the Chief Administrator, HUDA to condone delay to a maximum period of 30 days, with 5% surcharge on the 15% amount. The interest @ 18% per annum for the delayed period is also payable in addition.

The Authority in its 60th meeting held on 27.5.94 has authorised that in case of industrial plots, the Chief Administrator, HUDA may on the merits of each case condone the delay upto 90 days. The instructions circulated vide memo No.A-11(P)-91/23298 dated 12.11.91 on the subject are modified to this extent. All other terms and conditions shall remain the same.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-11-P-94/AdO-609

Dated: 26.08.1994

A copy is forwarded to the following for information and necessary action :-

1. Chief Controller of Finance, HUDA, Panchkula
2. Secretary, HUDA, Panchkula.
3. Legal Remembrancer, HUDA, Panchkula
4. Monitoring Cell, O/o Chief Town Planner, HUDA, Panchkula.
5. P.A./C.A. for information C.A.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

No.A-11(P)-91/23298

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra, U.T. Chandigarh.

To

1. All the Administrators,
Haryana Urban Development Authority.
 2. All the Estate Officers/Asstt. Estate Officer,
Haryana Urban Development Authority.
- Memo No. 23298-99

Dated: 12.11.1991

Subject: Relaxation of period in payment of 15% price in case of residential, commercial and industrial plots/sheds.

I am directed to address you on the subject noted above and to inform you that under the existing policy guidelines, the initial 15% amount towards the price of the plot is required to be paid within 30 days from the date of issue of allotment letter in case of commercial and industrial plots/sites and within 90 days (30+60 days) of the date of issue of allotment letter in case of residential plots, failing which the offer of allotment letter is withdrawn and the 10% amount already deposited as earnest money is forfeited to HUDA. It is felt that in some cases purchaser could not make payment of 15% initial amount within the stipulated period under the circumstances beyond his control or on account of delay in the receipt of allotment letter through the Postal Authority. Keeping in view the difficulties of genuine purchaser, the matter was placed before the Authority in its 51st meeting held on 9.10.91 with the proposal that some extra period beyond the stipulated period may be allowed with some surcharge. The Authority have approved the proposal as under :-

Sr.No.	Period of condonation	Officer who can condone the delay	Rate of surcharge
1.	Condonation upto 7 days	Estate Officer	1% of the 15% amount.
2.	Condonation upto 14 days	Administrator	2 ½% of the 15% amount.
3.	Condonation upto 30 days	Chief Administrator	5% of the 15% amount.

In addition to the above mentioned surcharge the purchaser will have to pay interest @ 18% per annum for the delayed period. In case payment is not made within the extended period alongwith surcharge and interest at the rate mentioned above, the allotment shall be cancelled and 10% amount already deposited as earnest money be forfeited in full to HUDA.

You are, therefore, requested to take further necessary action in the matter accordingly. You should also keep a strict watch over the amount received from the allottees and its booking in the concerned allottees accounts after the extended period, so that there should be no complication at a later stage.

These instructions may be brought to the notice of all concerned for strict compliance.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

Dated: 12.11.1991

Endst.No.A-11-P-91/23299

A copy is forwarded to the following for information and necessary action :-

1. Chief Controller of Finance & Secretary, HUDA.
2. Distt. Attorney, HUDA. & Dy. Economic & Statistical Advisor, HUDA.
3. P.A./C.A. for information C.A.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA.

20. TRANSFER OF PLOTS

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/180587-88

Dated:03.10.2019

Subject: Amendment in the policy guidelines for allowing transfer of plots even under litigation.

This is in partial modification of this office memo No. A-11-87/5657-64 dated 25.02.1987 on the subject cited above.

The clause No. 7 of said policy HSVP policy dated 25.02.1987 provides that if any litigation in a court or proceedings initiated by HSVP are pending with respect to a particular plot, permission of transfer of that plot will not be allowed.

The matter was got examined legally and found where in a case the ownership of the plot or property is not in dispute, the transfer permission should be allowed after securing the financial and other interests of HSVP. A condition can be laid that transferee shall execute an indemnity bond and an undertaking that he will implead himself as party in the ongoing litigation on the basis of the provisional transfer permission and abide by the decision of the Court/Commission etc. Transfer permission shall be allowed only after the proposed transferee within given period submits order of the Court/Commission etc. impleading him as a party.

The above matter was placed before the Pradhikaran in its 118th meeting held on 10.07.2019 vide Agenda item No. 118th (14) for consideration and decision. The Pradhikaran has approved the proposal. A copy of Agenda alongwith extract of the decision of the Pradhikaran is sent herewith.

You are requested to take further action in the matter accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned.

DA/As above

--sd--
Administrator (HQ),
HSVP, Panchkula.

Endst. No. A-6-UB-2019/180591

Dated:-31.10.2019

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Secretary, HSVP, Panchkula.
5. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
6. The District Attorney, HSVP (HQ), Panchkula.
7. The Dy. ESA, HSVP (HQ), Panchkula.
8. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

-sd--
Administrator (HQ),
HSVP, Panchkula.

To

1. All the Administrators,
HSVP in the State.

2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/42329-30

Dated:05.03.2019

Subject: Policy with regard to transfer of plot on the basis of registered sale deed – amendment thereof.

This is in partial modification of this office memo No. A-4(VKS)-2011/1182-1215 dated 12.01.2011 on the subject cited above.

It was decided to dispense the practice of physical presence of transferor/transferee at time of submission of final documents for issuance of re-allotment letter, in cases of transfer where transfer is being effected through registered sale deed as the transferor/transferee had to appear before the Registrar/Sub-Registrar for execution of sale deed. Therefore, the transferor/transferee may not be called for physical presence after issue of transfer permission in the cases where transfer is effected through sale deed. However, these instructions are not being followed by HSVP offices.

The matter has been re-considered and examined. It has been decided that the same procedure as is done in case of transfer of plot on the basis of registered WILL may also be followed where transfer is affected through registered sale deed by dispensing with the practice of physical presence of transferor/transferee at the time of submission of final documents for issuance of re-allotment letter. Thus the following procedure shall be followed in such case:-

The Estate Officer, concern after doing due diligence as to the genuineness of a registered sale deed may issue a public notice at the cost of the applicant(s) within 30 days of the receipt of the request in 2 newspapers – One in Hindi & other in English, having wide circulation in the area, giving particulars of the property and applicants, who have applied for transfer of ownership rights. The public notice should clearly state that if any persons/legal heir(s) is/are having any objection against the transfer of ownership, the objector(s) can submit the objection to the Estate Officer in writing along with supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the property shall be transferred in the name of the holder of the registered sale deed in the records of HUDA subject to the fulfillment of other conditions regarding submission of the affidavit, indemnity bond etc. if any objection is received, then the objector should be asked to get the dispute settled from the competent court of jurisdiction regarding the genuineness of the sale deed but during the pendency of the dispute, the ownership shall be transferred in the name of the holder of the registered sale deed subject to the final outcome of the case and fulfillment of other conditions regarding submission of the affidavit, indemnity bond etc. and payment of all outstanding dues.

The matter was placed before the Pradhikaran in its 117th meeting held on 18.02.2019 vide Agenda item No. A-117th(17) for consideration and decision.

The Pradhikaran has accorded its approval. Further, it has also been decided that before issuance of re-allotment letter the verification of sale deed will be made. If the sale deed is found bogus on verification the same will be cancelled. A copy of agenda and extract of proceeding of the Pradhikaran is enclosed herewith for your reference and record.

You are requested to take further action accordingly and action taken report may be sent to this office immediately. This has the approval of CA, HSVP.

DA/As above

--sd--

Administrator,HQ
for Chief Administrator, HSVP,

Endst. No. A-6-UB-2019/ 42329-30

Dated:05.03.2019

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

--sd--

Administrator,HQ
for Chief Administrator, HSVP,

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. All the Zonal Administrators, HUDA
2. All the Estate Officers, HUDA

Memo No. A-6-UB-2013/26866-688

Dated 03.06.2013

Subject: Policy regarding mode of transfer of immovable property to the **legal heir(s)/legatee after death** of the allottee/re-allottee.

1. In supersession of letter No. A-6-UB-2013/9454-76 dated 26.02.2013, the following policy guidelines are hereby issued for strict compliance:-
2. On receipt of the application for transfer of ownership in case of death of the allottee/re-allottee, the Estate Officer concerned shall issued a public notice at the cost of the applicant (s) within 30 days of the receipt of the request in two newspapers – one in Hindi and other in English, having wide circulation in the area giving full particulars of the property and the applicant(s), who have applied for transfer of ownership rights. The public notice should clearly state that if any legal heir(s) is/are having any objection against the transfer of ownership, the objector (s) can submit the objection to the Estate Officer in writing alongwith supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the ownership shall be transferred in the records of HUDA subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond and payment of all outstanding dues. In case of dispute amongst the legal heirs, the property will be transferred in the names of all the legal heirs. However, they shall not be allowed to alienate the property till they get their interse dispute finally settled through the competent court of jurisdiction.

3. Transfer on the basis of the registered will.

On receipt of the application of mutating the property in the name of the holder of the registered will, the Estate Officer concerned shall issued a public notice at the cost of the applicant (s) within 30 days of the receipt of the request in two newspapers – one in Hindi and other in English, having wide circulation in the area, giving particulars of the property and the applicants (s), who have applied for transfer of ownership rights. The public notice should clearly state that if any legal heir(s) is/are having any objection against the transfer of ownership, the objector (s) can submit the objection to the Estate Officer in wiring alongwith supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the property shall be transferred in the name of the holder of the registered will in the records of HUDA subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond etc. if any objection is received, then the objector should be asked to get the dispute settled from the competent court of jurisdiction regarding the genuineness of the Will but during the pendency of the dispute, the ownership shall be transferred in the name of the holder of the registered will subject to the final outcome of the case subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond and payment of all outstanding dues.

4. Transfer on the basis of the unregistered will.

On receipt of the application for mutating the ownership in the name of the holder of the unregistered will, the Estate Officer concerned shall issue a public notice at the cost of the applicant (s) within 30 days of the receipt of the request in two newspapers – one in Hindi and other in English, having wide circulation in the area, giving particulars of the property and the applicant (s), who have applied for transfer of ownership rights.

The public notice should clearly state that if any legal heirs (s) is/are having any objection against the transfer of ownership, the objector(s) can submit the objection to the Estate Officers in writing alongwith supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the ownership shall be transferred in the records of HUDA subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond and payment of all outstanding dues. If any objection is received and the Estate Officer is not satisfied regarding the genuineness of the Will, then Estate Officer shall transfer the property on the basis of natural succession subject to the final outcome of the dispute regarding the genuineness of the unregistered Will.

5. Transfer on the basis of Sale Deed.

If the sale deed has been executed after obtaining No objection certificate from HUDA or after execution of the conveyance deed in favour of allottee, transfer shall be allowed by the Estate Officer. Otherwise same procedure as mentioned at Sr. No. 2 and 3 shall be followed”.

This has been issued with the approval of Hon’ble CM, Haryana-cum-Chairman, HUDA.

-sd/-
Administrator, HUDA (HQ)
for Chief Administrator, HUDA,
Panchkula

Endst. No. A-6-UB-2013/26866-688

Dated 03.06.2013

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Chief Architect, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The District Attorney, HUDA, Panchkula.
8. The General Manager (IT), HUDA, Panchkula.
9. The Enforcement Officer, HUDA, Panchkula.
10. The Dy. ESA, HUDA, Panchkula.
11. All Assistants & Record Keepers of Urban Branch HQ, Panchkula.

-sd/-
Administrator, HUDA (HQ)
for Chief Administrator, HUDA,
Panchkula

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Zonal Administrators,
HUDA in the State.
2. All the Estate Officers,
HUDA in the State.

Memo No.A-4 (VKS)-2011/1182-1215

Dated: 12.01.2011

Subject : Press Clipping letter as “REGISTRY KE BAAD HUDA ME HAZRI KO LEKAR BAWAL” – dispense with physical presence of transferor/ transferee.

Reference on the subject cited above.

This office has been receiving complaint time and again regarding harassment caused to general public during the process of marking of attendance. In the recent past, a news item also appeared in the “Punjab Kesri” dated 03.12.2010 regarding alleged harassment during the process of marking of attendance of transferor / transferee being forced after issue of transfer permission letter. The matter has been looked into. It has been found that no instructions for physical presence of transferor/transferee at the time of submission of documents for re-allotment letters have even been issued by this office. Probably this procedure has been adopted by the different Estate Officers at their own level for their own convenience.

The above issue was discussed in a meeting with Financial Commissioner & Principal Secretary to Govt., Haryana, Town & Country Planning Department in a meeting held on 04.01.2011. After a careful consideration and deliberation(s), it has been decided to dispense with the practice of physical presence of transferors/transferee at the time of submission of final documents for issuance of re-allotment letter, in cases of transfer where transfer is being effected through a registered sale deed as the transferor/transferee had to appear before the Registrar/Sub-Registrar for execution of sale deed. Their photos/identity is also captured at the time of registry. Hence the transferor/transferee may not be called for physical presence after issue of transfer permission in the cases where transfer is effected through sale deed. This instructions may be brought in the notice of all concerned and be also displayed at notice board for the information and convenience of general public.

-sd/-

(R.P. Gupta, I.A.S.)
Administrator (HQ),
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Sector 6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No. A-1-2006/UB-I/28848-70

Dated: 12.08.2009

Subject: Regarding transfer of **residential, commercial, industrial, and institutional plots/sites/ flats** through **GPA**.

Vide memo no. A-1/2006/23439-55 dated 30.06.2006 on the subject cited as above it was conveyed that henceforth no HUDA property may be allowed to be transferred on GPA. These instructions were issued in compliance of letter bearing memo no. 1258-STR-I-2006 dated 28.04.2006 from Financial Commissioner & Principal Secretary to Govt. of Haryana Revenue and Disaster Management Department.

Thereafter, vide letter no. 1064-STR-3-2007/3953 dated 30.03.2007 it was clarified by the Financial Commissioner & Principal Secretary to Govt. of Haryana Revenue and Disaster Management Department that genuineness of GPA should be verified while registering the documents on the basis of Power of Attorney so as check the veracity of the documents and the part in concerned in order to prevent the fraudulent transactions and impersonation. The registration of the movable properties should be carried out as per the provisions of Indian Registration Act.

Now, it has been decided to withdraw the instruction issued on 30.06.2006, further instructions to see the genuineness of GPA are to be issued separately.

-sd/-

(S.L. Sharma)

Administrative Officer, UB-II,
For Chief Administrator, HUDA.

Endst. No. A-1-2006/UB-I/28871

Dated: 12.08.2009

A copy of the above is forwarded to the Legal Remembrancer, HUDA, Panchkula for information and to apprise the Hon'ble High Court in CWP No. 10020 of 2006, Kailash Khara Versus HUDA & Ors. (3 connected cases i.e. CWP Nos. 10589 of 2006, 10026 of 2006 and 10989 of 2006) fixed for hearing 18.08.2009.

-sd/-

(S.L. Sharma)

Administrative Officer, UB-II,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

1. All the Administrators HUDA
2. All Estate Officers/Asstt. Estate Officers, HUDA

Memo No. A-MK-2009/UB-I/5339-62

Dated 27.02.2009

Subject: Instructions relating to transfer of plots on the basis of court decree passed on the basis of an oral exchange.

Ref: In partial modification of earlier instructions bearing memo no. A-5-99/8852 dated 12.03.1999.

Reference representation made by Sh. Aman Pal dated 20.07.2007 on the subject as cited above.

The matter has been legally examined and the advice of LR, Haryana has also been taken. It has been decided on the basis of law laid down by Hon'ble Supreme Court of India in Bhoop Singh V. Ram Singh Major & others reported in AIR 1996 SC 196, Hon'ble High Court in Kishori Lal Vs. Babu Ram and others reported in 2003 (2) PLR 54 and Sh. Sona Ram and others Vs., Sh. Mulkh Raj and another reported in 1999 (1) PLJ 165 that a decree of order of a court (except decree or order expressed to be made on a compromising immovable property other than that which is the subject matter of the suit of proceeding) passed by dint of an oral exchange with delivery of possession of immovable property of any value does not require registration.

The permission to transfer of such plot/built up property on the basis of such decrees passed by the courts should be effected without execution of deed of conveyance. However, the collusive decree which is violative of HUDA policies should be challenged through a different suit and efforts be made to get the earlier order reversed.

It is, therefore, requested, that all such similar cases may be dealt with the disposed off accordingly.

-sd-

(R.P. Gupta, IAS)

Administrator, HUDA, HQ,

For Chief Administrator, HUDA

The documents required in death case.

1. Application Performa(attached)
2. Transfer Fee worth Rs. 1000/-
3. Indemnity Bond Duly filled with two witness duly attested by Notary/Executive Magistrate.
4. Affidavit duly attested by Notary/Executive Magistrate.
5. Death Certificate in original.
6. Allotment letter in original.
7. Photograph and identification of all Legal heirs/Will holders in whose name the property is to be transferred.
8. Affidavit and photograph and identification of the witness who put witness on the Will.
9. Publication in two leading newspapers, one in Hindi and one in English.

From

The Chief Administrator,
HUDA, Sector 6, Panchkula.

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo No. A-PWN-2008/UB-I/32420

Dated: 12.09.2008

Subject: Regarding transfer of **residential, commercial, industrial, and institutional plots/sites/ flats** through **GPA**.

In supersession of memo no. UB-I/AU-1-08/18717-739 dated 13th May, 2008 vide which detailed instructions on the subject cited above were circulated by HUDA.

It is intimated that these instruction as mentioned above have been re-considered in the light of the instructions issued by the Financial Commissioner and Principal Secretary to Govt. Haryana, Revenue & Disaster Management Department vide their memo No. 2236-STR-2-2006/2706 dated 31st March, 2006 regarding verification of the genuineness or authentication of GPAs registered in other States before registering the Sale Deeds in Haryana.

On careful consideration of the matter, it has now been decided to withdraw the ibid instruction in public interest. It is further ordered that all those cases which are pending in different urban estates on account of instructions dated 13th May, 2008 may be disposed off in the light of above mentioned instructions dated 31st March, 2006. A copy of the instructions dated 31st March, 2006 is enclosed for ready reference.

An acknowledgement of the receipt of this letter may be sent to the HQ within 15 days. **This may be given top priority.**

-sd/-

(A.K. Yadav)

Administrator(HQ)

For Chief Administrator, HUDA

Internal Distribution-

1. PS FC TCP
2. PS CA, HUDA
3. SM(IT) to host in on the web-site.
4. LR, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

The Estate Officer,
HUDA, Gurgaon.

Memo No. A-1-2006/26196

Dated: 18.07.2006

Subject: Regarding transfer of **residential, commercial, industrial, and institutional plots/sites/ flats** through **GPA**.

This is with reference to your memo no. 9179 dated 05.07.2006 on the subject cited above.

Your attention is invited to the instructions bearing No. A-1-2006/23439-55 dated 30.06.2006 whereby it has specifically been conveyed that "No HUDA properties may be allowed to be transferred on a General Power of Attorney". It has nowhere been conveyed that the requests received from GPA holders for possession of plot, issuance of NDC, approval of building plan, permission to mortgage the plot and to execute the conveyance deed etc. Etc. may not be entertained.

Accordingly, you are advised that such requests, if received through a valid GPA holder, may be duly entertained.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

Endst. No. A-1-2006/26197-232

Dated: 18.07.2006

A copy of the above is forwarded to the following for information and necessary action in continuation of this office memo No. A-1-2006/23439-55 dated 30.06.2006:-

1. All the Administrators, HUDA.
2. All the Estate Officer/Asstt. Estate Officer, HUDA.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Engineer-in-Chief, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, Panchkula.
8. The District Attorney, HUDA, Panchkula.
9. Dy. Economic & Statistical Advisor, HUDA (HQ), Panchkula.
10. PS/FCTCP and PS/Chief Administrator, HUDA.
11. All the Assistants/Record Keepers of Urban Branch of HUDA (HQ).

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Sector 6, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officer/Asstt. Estate Officers, HUDA.

Memo No. A-1-2006/23439-55

Dated: 30.06.2006

Subject: Regarding transfer of **residential, commercial, industrial and institutional plots/ sites/ flats** through **GPA**.

This is in partial modification of the policy guidelines on the subject inforce.

It has been decided that henceforth with no HUDA properties may be allowed to be transferred on a General Power of Attorney.

The receipt of the above communication may be acknowledged.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

Endst. No. A-1-2006/23456-65

Dated: 30.06.2006

A copy of the above is forwarded to the following for information and necessary action:-

1. The Financial Commissioner & Principal Secy. To Govt. Haryana, Revenue and Disaster Management Deptt. Chandigarh w.r.t. U.O. No. 1258-STP-I-2006/1150 dt. 28.04.2006.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Engineer-in-Chief, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Pachkula.
5. The Secretary, HUDA, Panchkula.
6. The Chief Vigilance Officer-cum-Enforcement Officer, HUDA, w.r.t. his U.O No. CVO-EO/254 dt. 19.06.2006.
7. The District Attorney, HUDA, Panchkula.
8. Dy. Economic & Statistical Advisor, HUDA (HQ), Panchkula.
9. PS/FCTCP and PS/Chief Administrator, HUDA.
10. All the Assistants/Record Keepers of Urban Branch of HUDA (HQ).

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No. A-1(P)-2005/15176-95

Dated:30.06.2005

Subject: Permission for transfer of **residential & commercial plots – amendment** in policy guidelines.
This is in continuation of this office memo No. A-11-87(5657-71) dated 25.02.1987.

The policy guidelines on the subject issued vide memo referred above clause-(iv), under the heading “the procedure to be adopted allowing permission of plots” is reproduced as under:-

“After verification, the permission letter shall be sent to the allottee by registered post. The permission letter shall be accompanied with the printed affidavit on court paper which will have to be sworn by the buyer and attested by a Magistrate”.

Now, on a reference, the matter has got legally been examined/reviewed from the Ld. LR, Haryana. It has been advised by him that the affidavit sworn before Notary are also admissible and cannot be excluded. An affidavit attested by the Notary is legal and enforceable for all purposes. It has accordingly been decided that the affidavits duly attested by a Notary Public, may also be accepted.

You, are therefore, requested to take further action accordingly. The same may be brought into the notice of all concerned.

All other terms and conditions, shall however remain unchanged.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Endst. No. A-1(P)-2005/15176-95

Dated:30.06.2005

A copy of above is forwarded to the following for information and necessary action:-

1. The Engineer-in-Chief, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Chief Vigilance-cum-Enforcement Officer, HUDA, Panchkula.
6. The Dy. Economical & Statistical Advisor, HUDA(HQ), Panchkula.
7. All the Assistants & Record Keepers of the Urban Branch, HUDA(HQ), Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No. A-1-2004/24010-20

Dated:28.06.2004

Subject: Policy for transfer of **residential/ commercial plots – amendments** thereof.

This is in partial modification of the policy procedure/guidelines for transfer of plot, circulated vide HQ's memo No. 5657-64 dated 25.02.1987.

The matter has been reviewed by the Authority in its last meeting held on 01.06.2004 vide agenda item No. A-91(7) (suppl). It has been decided that the validity period of permission to transfer of a plot shall now be 90 days, instead of existing 60 days.

Further, in the cases, where transfer permission either has been withdrawn by HUDA or the transfer or himself, the transfer fee deposited shall be refunded but after deducting a sum of Rs. 5000/- towards administrative charges or whole of the transfer fee, whichever is less. However in the cases, where only administrative charges have been charged, the same shall not be refunded in any case.

The above decision shall be made applicable with prospective effect.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst. No. Memo No. A-1-2004/24021-36

Dated:28.06.2004

A copy of above is forwarded to the following for information and necessary action:-

1. The Joint Director(legal), HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Distt. Town Planner(M) for entering in web-site of HUDA.
6. The Dy. Economic & Statistical Advisor, HUDA(HQ), Panchkula.
7. All the Assistants & Record Keepers of the Urban Branch, HUDA(HQ), Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA

Memo No. A-1(P)-2002/23702-22 Dated 04.09.2002

Subject: Transfer policy of **Residential/Commercial plots- Family transfer - revised.**

This is in continuation of Memo No. A-1(P)-2000/4959-79 dated 08.03.2000.

As per policy circulated vide above referred letter, the transfer of residential/ commercial plots wherein either full payment has already been made or laid down schedule of installments is over, whichever is earlier is allowed only through execution of conveyance deed/sale deed. However, in other cases, wherein full payment of the plot has not so far been made and scheduled of payment. In case of family transfer or addition/deletion of name within the family, the plots are transferred through conveyance deed/sale deed.

Now the number of representation has been received within the request for addition/deletion of the name of spouse/family member in the ownership for getting loans from Government offices/Banking institutions without insisting of conveyance deed/sale deed. The matter has been considered and examined and was placed before the Authority in its 85th meeting held on 26.06.2002 vide Agenda item No. A-85(13) for consideration and decision. The Authority has decided to allow transfer of plot/constructed house/site within the family and addition/deletion of name of spouse/family member on payment of administrative charges of Rs. 5000/- only even in such cases, where full payment has been made. In the cases of such plots/house where the conveyance deed has already been executed, the transfer of plot/house within the family shall be allowed through sale deed only. This amendments/provisions will be made applicable prospectively. All other terms and conditions, shall however remain the same.

These instructions may be brought into the notice of all concerned.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Dated: 04.09.2002

Endst. No A-1 (P)-2002/23723-40

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Engineer/Addl. Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Dy. Economic & Statistical Advisor, HUDA (HQ), Panchkula.
7. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA

Memo No. A-1(P)-2002/10951-71

Dated 14.05.2002

Subject: Transfer of **immovable property** through **gift deed within a family**.

The matter regarding transfer of immovable property through gift deed within family was under active consideration with the office. After careful consideration, it has been observed that HUDA Regulations and Transfer of Property Act both provide for transfer of immovable property through gift deed subject to condition that the gift deed must be registered, signed by or on behalf of the donor and attested by atleast two witnesses.

Therefore, it has been decided that the transfer of immovable property through gift deed within the family can be allowed by charging administrative charges of Rs. 5,000/-. The gift deed must be registered, signed by or on behalf of the donor and attested by atleast two witnesses. All other terms and conditions be also got completed as per transfer policy.

You are requested to bring these instructions to the notice of all concerned.

-sd/-
Administrative Officer
for Chief Administrator, HUDA

Endst. No A-1 (P)-2002/10972

Dated: 14.05.2002

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Distt. Town Planner (M) for entering in the Website of HUDA.
6. The Secretary, HUDA, Panchkula.
7. The Dy. Economic & Statistical Advisor, HUDA (HQ), Panchkula.
8. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

1. All the Administrators, of HUDA in the state.
2. All Estate Officers of HUDA in the state

Memo No. A-I-2001/30202

Dated 12.11.2001

Subject: To probate the will while transferring the plot/property.

In Superannuation of this office memo no. A-1-2001/7209-7309 dated 07.03.2001 on the subject cited above, wherein it was informed that no transfer of property should be made on the basis of will unless it is got probated.

The matter has been got re-examined legally and L.R. Haryana has opined that probate of will is not required in case of wills made by Hindu regarding transfer of immovable property situated in territories other than Bengal, Bombay & Madras. Legatee can, therefore, claim rights under will without probate. However, to avoid practical difficulty, the beneficiaries i.e. the applicant who want the transfer of furnish proof of the satisfaction of HUDA Authority regarding execution of will in his favour. He may be required to furnish an indemnity bond. The instructions issued vide this office memo no. A-5-99/8852 dated 12.03.1999 will be applicable only when transfer of the plot is to be made within the family members on the basis of court decree.

You are, therefore, requested to take further action in this regard accordingly. Compliance of these instructions should be ensured in letter & spirit while deciding the transfer of plots in such cases.

sd/-

Administrative Officer

For Chief Administrator, HUDA,

Dated: 12.11.2001

Endst. A-1-2001/30203

A copy is forwarded to the Joint Director(Legal) for information and necessary action.

sd/-

Administrative Officer

For Chief Administrator, HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers/ Asstt. Estate Officers, HUDA

Memo No.A-1(P)-2000/369-389 Dated: 05.01.2001

Subject: Allotment of plot under **EWS Scheme-Waiving of condition of domicile certificate** of the particular District.

As per present policy the applicant is required to submit his domicile certificate of that Distt. where the scheme is floated under EWS scheme. The people have been representing for a long time to waive off the condition for submission of domicile certificate of the Distt. In which the plot has been floated. The matter was placed before the Authority in its meeting held on 27.11.2000 vide agenda item No. A-80(9) for consideration and decision. The Authority has decided that the condition to produce domicile certificate in the same Distt. Where the plot is floated for allotment of EWS plots by HUDA may be waived off and the applicants may be asked to produce the certificate of Haryana domicile while applying of EWS plots. This will be made applicable for future floatation. A copy of agenda and an extract of proceedings are sent herewith for your reference and records.

You are therefore, requested to take further action accordingly.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst.No.A-1(P)-2000/390-99

Dated 05.01.2001

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula
2. The Chief Town Planner, HUDA, Panchkula.
3. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. DyESA, HUDA, Panchkula.
7. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrator (s) in HUDA.
2. All the Estate Officer (s) in HUDA

Memo No. A-1-2000/26823-43

Dated 10.10.2000

Subject: Regarding transfer of **residential/commercial plots- Family Transfer.**

This is in continuation of this office memo No. A-1P-2000/4959-79 dated 08.03.2000 on the subject noted above.

It is clarified that as per provisions laid down in the policy guidelines circulated vide above referred letter, no transfer of plot either within family or otherwise is to be allowed, where full payment has been made or schedule of payment of installment is over. In view of this provision, no family transfer can be allowed in such cases without execution of deed of conveyance/sale deed. However, where full payment has not been made or schedule of installment is not over, family transfer may be allowed by charging administrative charges of Rs. 5000/-.

This also disposes of Estate Officer, HUDA, Panchkula memo No. 15150 dated 18.07.2000.

-sd/-

Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector 6, Panchkula.

To

The Estate Officer,
HUDA, Gurgaon.

Memo No. A-1/P-2000/26890-910

Dated: 10.10.2000

Subject:- Regarding clarification in respect of transfer policy of residential/commercial plots in HUDA.

Reference your memo No. 9524 dated 12.07.2000 and in continuation of this office memo No. A-1(P)-2000/4959-79 dated 08.03.2000 on the subject cited above.

Taking into consideration your recommendation, it has been decided that in cases where physical possession of the plot can not be given to the allottees due to non-completion of development works etc and wherein either full payment has already been made or laid down schedule of payment of instalment is over, the transfer of such plots may be allowed by charging transfer fees, of course, subject to a maximum of four transfers as already allowed in the policy letter dated 08.03.2000.

--sd--

Administrative Officer,
For Chief Administrator, HUDA

Endst. No. A-1(P)-2000/26890-910

Dated: 10.10.2000

A copy is forwarded to the following for information and similar necessary action:-

1. All the Administrator, in HUDA.
2. All the Estate Officers in HUDA (except Estate Officer, HUDA, Gurgaon)

--sd--

Administrative Officer,
For Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA

Memo No. A-1(P)-2000/4959-79

Dated 08.03.2000

Subject: Transfer policy of Residential/Commercial plots.

This is in partial modification of the policy on the subject circulated vide memo No. A-11P-98/20340-61 dated 20.07.1998.

The matter has been reviewed. It has been decided that henceforth transfer of residential/commercial plots wherein either full payment has already been made or laid down Schedule of payment of installments is over whoever is earlier, shall be allowed only through execution of conveyance deed/sale deed. However, in other cases wherein full payment of the plot has not so far been made and Schedule of payment of installments is not yet over, a maximum four transfers shall be allowed before final payment.

For the purpose of determining the rates of transfer fee various Urban Estates have been grouped into the following zones:-

Sr. No.	Zone	Urban Estate
1.	High Potential Zone	Gurgaon. Faridabad . Panchkula
2.	Medium Potential Zone	Karnal. Parnipat. Bahadurgarh
3.	Low Potential Zone	Rest of Urban Estates.

The transfer fee applicable in various zones shall be as under:-

Residential Plots

Transfer fee

(Rs. Per Sq. mtr.)

No of transfer	H.P.Z.	M.P.Z.	L.P.Z
1 st transfer	75.00	60.00	40.00
2 nd transfer	75.00	60.00	40.00
3 rd transfer	100.00	75.00	50.00
4 th transfer	100.00	75.00	50.00

Commercial Plots

In respect of commercial plots/sites, the rates of transfer fee shall be three times the corresponding rates applicable to the residential plots.

No transfer fee shall be charged in the case:-

- a) Wherein the transfer/sale is being effected through execution of conveyance deed/sale deed.
- b) Transfer within the family members.

In both the cases above, only administrative charges of Rs. 5,000/- shall be charged.

The procedure and observance of formalities by the transferor/transferee and others terms & conditions as circulated on time to time shall however remain uncharged.

This policy shall be effective from the date of issue of this letter.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA

Endst. No A-1 (P)-2000/4930-5000

Dated: 08.03.2000

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Assistant Research Officer, HUDA (HQ), Panchkula.
7. PS/TCPM, CTCP & CA, HUDA.
8. All the Assistants/Record Keepers of Urban Branch.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

All the Administrators, HUDA.
All Estate Officers/A.E.O. of HUDA

Memo No. A-5-99/8852

Dated 12.03.1999

Subject: Regarding transfer of plots with in family members on the basis of court decree/judgment.

This is in continuation of this office memo no. A-5-95/15017-38 dated 09.06.1995 on the subject cited above.

This matter has further been legally examined. It has been decided that, if a decree/judgment creates, declares assigns, limit or extinguish new rights, than the party approaching HUDA, for transfer of ownership of a plot, on the basis of a decree or judgment, shall be required to get the decree/judgment registered. However, in the cases, where a decree or judgment simply declares pre-existing rights, than it shall not require any compulsory registration.

Further, in case of collusive decree, it has been decided that under normal circumstances, the same should not be challenged, provided the decree/judgment, do not violates the HUDA policy guidelines, on the subject, in force.

You are requested to take further action accordingly.

FOR ESTATE OFFICER, HUDA, GURGAON & PANCHKULA

This also disposes off their reference bearing No. A-4-98/14079 dated 11.08.1998 and no. 4746 dated 21.04.1998, respectively.

sd/-

Administrative Officer

For Chief Administrator, HUDA,

From

The Chief Administrator,
HUDA, Sector-6, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers/ Asstt. Estate Officers, HUDA

Memo No.A-11(P)-95/24361-81

Dated 15.9.1995

Subject: Change in policy of allotment of **residential plot** in Urban Estates developed by HUDA.

Please refer to the subject noted above.

The question of eligibility of a minor applicant for allotment of residential plots in the Urban Estates developed by HUDA has been under consideration for some time past. It has now been decided that the minor, who have not attained the age of 18 years shall not be eligible to apply for allotment of a residential plots in the Urban Estates developed by HUDA.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA
Dated 15.09.1995

Endst.No.A-11(P)-95/24382-85

A copy is forwarded to the following for information and necessary action:-

1. The Chief Town Planner, HUDA, Panchkula.
2. Legal Remembrancer, HUDA, Panchkula
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.

FOR CTP HUDA:

An amendment in the brochure for future schemes under the eligibility conditions may be made as under:-

“Those minor applicants, who have not attained the age of 18 years on the date of the application of residential plots, are not eligible to apply”.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrators of HUDA Urban Estates.
2. All Estate Officers/A.E.O. of HUDA Urban Estate.

Memo No. A.5.95/15017-38

Dated 09.06.1995

Subject: Instructions relating to transfer of residential plots on the basis of courts decree and judgment – transfer of constructed plot within family on the basis of decree.

Reference of Administrator, HUDA, Gurgaon memo no. 335 dated 09.01.1995 on the subject cited above.

The matter regarding permission to transfer of built up/Constructed plots within family members on the basis of decrees passed by the courts and without execution of deed of conveyance has been examined on a reference on the subject received from Administrator, Gurgaon and it has been decided that decrees passed by Civil courts is binding upon HUDA unless the same is got reversed from the court of competent jurisdiction. In case HUDA has not been impleaded as party, the collusive decree passed by the court should be challenged through a different suit and efforts be made to get the earlier order reversed.

It is therefore requested, that all such similar cases may be dealt with and disposed off accordingly.

-sd/-

Administrative Officer

For Chief Administrator, HUDA,

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh

To

1. All the Estate Officers/
2. Asstt. Estate Officers, HUDA

Memo No. A-11P-92/9023-36

Dated 10.04.1992

Subject: Transfer of disputed plots.

It has been noticed that such plots whose possession could not be handed over to their allottees due to their being dispute/litigation, have been transferred by their allottees to others after obtaining permission from the Estate Officers concerned inspite of the full knowledge of the fact that such plots being under litigation could not be transferred as have been clearly mentioned in the policy instructions relating to the permission for transfer of residential and commercial plots issued vide this office letter No. A-1-87/5657-64 dated 25.02.1987. You are, therefore, requested that a detailed list of such disputed plots for which transfer permission has been allowed by you may be supplied to the office immediately.

(For Estate Officer, Karnal): She is directed to supply a detailed list of all such plots which are under litigation in respect of Sector 7, 8, 9 and 14 (Part-II) Karnal and for which she has issued transfer permission.

-sd/-
for Chief Administrator,
HUDA, Panchkula

Endst. No A-11P-92/9038-40

Dated: 10.04.1992

A copy is forwarded to all the Administrators, HUDA for information and necessary action.

-sd/-
for Chief Administrator,
HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
SCO NO. 841, MNAIMAJRA(UT), CHANDIGARH

To

All the Estate Officers,
Haryana Urban Development Authority.

Memo No.-A-11-88/23645-701

Dated, Manimajra the 30/06/88

Subject: Permission for transfer of residential and commercial plots-policy regarding charging to transfer fee.

Sir,

In partial modification of this office letter No. A-11-87/5657-64 dated 25.02.1987 on the subject cited above.

2. I am directed to say that the word “brother” may be include in the definition of ‘family’ as defined against para(11) of the communication referred to above for purpose of family transfer.

Yours faithfully

-sd/-

Administrator (HQ)

For Chief Administrator, HUDA,

Endst. No. A-11-88/23645-701

Dated: 30.06.1988

A copy is forwarded to the following for information and necessary action:-

1. All the Administrators, Haryana Urban Development Authority.
2. The Controller of Finance, Haryana Urban Development Authority Manimajra.
3. The secretary, Haryana Urban Development Authority, Manimajra.
4. The Dy. Economic & Statistical Advisor, Haryana Urban Development Authority, Manimajra.
5. PA/Chief Administrator, HSVP for the information of the Chief Administrator, Haryana Urban Development Authority.

-sd/-

Administrator (HQ)

For Chief Administrator, HUDA,

From

The Chief Administrator,
Haryana Urban Development Authority,
Manimajra (UT), Chandigarh.

To

All the Estate Officers in,
Haryana Urban Development Authority
Memo No. A-11-87/5657-64

Dated: 25.02.1987

Sub:- Permission for transfer of residential and commercial plots policy regarding charging of transfer fee.

Sir,

I am directed to address you on the subject noted above. The following new guidelines/procedure governing the transfer of residential/commercial plots in the Urban Estates set up by HUDA will be followed w.e.f 20.01.87:-

i.(a)Residential Plots

The transfer fee of Rs. 10/- per sq. mtr. in respect of 'A' class urban Estate and Rs. 5/- per sq. mtr. For 'B' class Urban Estate be charged for all types of residential plots at the time of granting permission for transfer of plots. The Urban Estate set up by HUDA at Faridabad, Gurgaon, Panipat, Karnal and Panchkula will be 'A' Class Urban Estate and others as 'B' class.

(b)Commercial Plots.

In case of commercial plots a transfer fee of Rs. 30/- per sq. mtr. irrespective of the location of the Urban Estate will be charged.

- ii. The family transfer, as defined in the policy, already applicable, where **family includes, Father, Mother, Sons, Daughters, Sisters, Husband, Wife, Daughter-in-law and son-in-law** shall be permitted with the payment of administrative charges of Rs. 100/-. To this list shall be added Karta of the Hindu Undivided Family (Registered and styled as") in which the allottee is a member.
- iii. In those cases where the allottee has made full payment to HUDA and has got conveyance deed registered in his name, transfer may be permitted on payment of administrative charges of Rs. 100/-.
- iv. Those allottees to whose case a final "No due certificate" has to be issued on the request of the allottee or has been issued, will not be permitted to transfer the plot, till they get a conveyance deed registered in their favour.
- v. Addition or deletion of the name or spouse of the allottee shall be permitted on payment of Administrative charged of Rs. 100/-
- vi. All arrears upto date shall be cleared by the allottee before making an application for allotment.
- vii. In case of any pending dispute, the amount as per HUDA's demand shall be paid with the stipulation that if subsequently it is found that any excess payment was made by the allottee, it will be refunded to the person who usually made such excess payment.
- viii. If any litigation in a court or proceedings initiated by HUDA are pending with respect to a particular plot, permission for transfer of that plot will not be granted.
- ix. If allottees has completed construction upto plinth level or beyond, then permission for transfer will not be granted. In such cases the allottee will first make full payment and get the conveyance deed registered in the name from the Registering Authority. Thereafter permission for transfer will be granted on Payment of administrative charges of Rs. 100/-. The letter No. Supdt- 80/6879-84, dated 13.10.80 and subsequent circulars issued in this regard from time to time stand super.

PROCEDURE TO BE ADOPTED FOR ALLWING PERMISSION OF PLOTS.

- i. The seller will make an application to the Estate Officer on a prescribed form (copy enclosed) which will provide the space for various pieces of information to be given by the seller. It will also incorporate an undertaking that if any false information has been given in the application then the transfer permission granted on the basis of this application will become invalid.
- ii. This application shall be accompanied by Photostat copies of the following documents which normally should be in the possession of the allottee:-
 - a) Allotment letter.
 - b) Receipts of Payment made to HUDA
 - c) Possession certificate

The application shall be accompanied by a bank draft for the transfer fee according to the new policy. For this purpose if possession has not been given, then the area mentioned in the allotment letter shall be used for calculations. If possession has been given then area mentioned in the possession letter shall be used. If any incidental space has been allotted, then that will be added. For this purpose information in this regard shall be incorporated in the printed application form.

The purpose of taking these documents is to be reasonably sure that the person whose signature putting in the application is actually the allottee of this plot. Normally if two of these three documents, are available the genuineness of the applicant could be accepted. With regard to the receipt of payment he may have some receipts while others may not be available with him. If these documents are not available or there is a reasonable cause for doubting the genuineness of the applicant, only then, he should be asked to give an affidavit in the format which is being used at Present. However, the reasons for doubting the genuineness of the applicant shall be recorded by the Estate Officer himself.

- iii. After receipt of application, the position with regard to arrears will be ascertained. The signatures will be tallied with those on record. In those cases where doubt arises regarding the difference in the signatures, the Estate Officer himself shall record reasons for raising such a doubt. The verification of the application should be completed within 10 working days of its receipt in the office. It is clarified that since a substantial transfer fee is being charged under this policy, all **original** cases have a right to get permission for such a transfer. Refusal will be only for specific cases prescribed in the policy and a speaking order will be passed by the Estate Officer in every cases of refusal.
- iv. After verification, the permission letter shall be sent to the allottee by registered post. The permission letter shall be accompanied with the printed affidavit on court paper which will have to be sworn by the buyer and attested by a Magistrate. The affidavit shall be accompanied by a three stamp paper to fulfil the requirements. The stamp paper should be purchased by the buyer in his own memo. The proforma of the affidavit has been designed & is attached.
- v. On receipt of the attested affidavit sworn by the buyer, the allotment in the name of the seller shall be revoked and a new allotment letter shall be issued to the buyer. The proforma of the allotment letter in such cases of allotment by transfer will be different from the general allotment letter and is enclosed.
- vi. The permission granted shall be valid for 60 days from the date of registration of its dispatch and shall be revoked after this period.
- vii. In all cases where the transfer is not permitted either because of ineligibility or non-completion of formalities by buyer or seller, the transfer fee shall be refunded in full to the seller.
- viii. If during scrutiny of the application it is found that less transfer fee has been paid, then the permission letter shall be issued incorporating the condition that allotment letter in favour of buyer shall be issued only when the balance transfer fee is paid. Similarly if excess payment has been made that shall be refunded with the permission letter.

This may be brought in the notice of all concerned.

-sd/-

Administrator(HQ),

for Chief Administrator, HUDA, Manimajra.

Endst. No. A-11-87/5665-71

Dated:- 25.02.87

A copy is forwarded to the following for information and necessary actions:-

1. All the Administrators in HUDA.
2. Controller of Finance, HUDA, Manimajra.
3. The secretary, HUDA, Manimajra.
4. Dy. ESA, HUDA, Manimajra.
5. PA/CA for the information of Chief Administrator, HUDA, (two copies).

-sd/-

Administrator(HQ),

for Chief Administrator, HUDA, Manimajra.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

All the Estate Officers,
Haryana Urban Development Authority.
Memo No.A-5(G)-Resi-84/334-39

Dated: 06.01.84

Subject: Regarding transfer of plot in favour of the legal heirs of deceased.

The matter on the subject has further been examined and in accordance with the advice of the Legal Remembrance, Haryana, it has been decided that in all the case of transfer of plot of the deceased in favour of his/her legal heirs, succession certificate or a decree from the Court in their favour be obtained.

These instructions may please strictly be adhered to.

-sd/-

Administrator (HQ),
For Chief Administrator, HUDA,
Chandigarh.

Endst.No.A-5(G)-Resi-83/340-43

Dated: 06.01.84

A copy of the above is forwarded to all the Administrators of HUDA for information and necessary action.

-sd/-

Administrator (HQ),
For Chief Administrator, HUDA,
Chandigarh.

Endst.No.A-5(G)-Resi-83/344

Dated: 06.01.84

A copy of the above is forwarded to District Attorney, HUDA, Chandigarh for information.

-sd/-

Administrator (HQ),
For Chief Administrator, HUDA,
Chandigarh.

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA.

Memo No.A-11-82/21631-39

Dated: 24.08.82

Subject: Regarding transfer of plot in Urban Estates.

It has been brought to the notice of Haryana Urban Development Authority that the allottees are misusing the facility of friendly transfer for plots. An allottee submits Indemnity Bond and application for transfer of plot, but before the actual orders are passed, the allottees applied for the cancellation of his Indemnity Bond and application for one reasons or the other and legal problem arises. Therefore, it is proposed to introduce the following procedure for transfer of residential. Industrial and commercial plots :-

1. The transferor should submit an application on Non-Judicial paper for Rs.3/- and his identity should be attested by a Magistrate Ist Class.
2. After the application and security fee are received, the Estate Officer/Administrator shall process the case and if there is reasonable ground for transfer, a provisional permission shall be issued.
3. Within 30 days of the provisional permission the transferor should submit his indemnity bond duly attested by Magistrate Ist Class, alongwith security and attested affidavit for the transferee. Other legal documents supporting the case as required for the satisfaction of the Estate Officer (e.g. Succession certificate, registration deed etc.) should also be submitted.
4. In the case of industrial plots, provisional permission shall be issued only after te Director of Industries give his recommendations. Such cases should be endorsed to the Chief Administrator, HUDA for maintaining ptodate record.
5. Once the necessary documents are received, the estate Officer shall issue transfer orders within 2 days positively. No request for cancellation shall be entertained within this period or afterwards.

All the Estate Officers and Administrators are requested to adopt this procedure in future. Any clarification/objection for improvement may be intimated to this office within 15 days.

The receipt of this letter may also be acknowledged.

-sd/-
Administrator,
HUDA, Panchkula

CONFIDENTIAL
HARYANA URBAN DEVELOPMENT AUTHORITY
KOTHI NO.231/18-A, CHANDIGARH.

To

All the Estate Officer,
Haryana Urban development Authority.

Memo No. Supdt./1/81/29522-41

Dated: 30.11.1981

Subject: Policy guidelines concerning transfer of plots in the various Urban Estate in the Haryana Urban Development Authority – **clarification.**

Dear Sir,

I am directed to invite your attention to this office letter No. Supdt-1/80/16879-84 dated 13.10.1980 on the above noted subject and to say that it has now further been decided to allow transfer of residential plot as under :-

- a) In the event of an extension in the period for a period not exceeding upto one year, the transferee shall deposit further security at the rate of Rs.5/- per Sq.yd. which shall stands forfeited for on completion of construction within stipulated period.
- b) No transfer beyond third transfer should ordinarily allowed. The third transfer shall not be allowed within a year of the second transfer and without the prior permission of the Administrator concerned.
- c) The third transferee shall be required to give an undertaking for the construction of te building and have to deposit a security @ Rs.20/- per Sq.yd., which shall be forfeited in case the construction is not started within 3 months.
- d) The Security (i.e. @ Rs.20/- per Sq.yd.) shall also be forfeited if the third transferee fails to complete the construction within a stipulated period of one year & 3 months and Estate Officer shall take action for the resumption of the plot for non-construction of, if other conditions of the allotment have been fulfilled.

The policy guidelines previously issued vide letter No. Supdt.1-80/16879-84 dated 13.10.80 shall be followed.

Yours faithfully

-sd/-

Administrator (P)

For Chief Administrator, HUDA,
Chandigarh.

Haryana Urban Development Authority
Kothi No. 231, Sector-18, Chandigarh

To

All the Estate Officers,
Haryana Urban Development Authority,

Memo No. Supdt.1-80/16879-84

Dated, 3rd Oct. 1980.

Subject: Policy guidelines concerning transfer of plots in the various Urban Estate in the Haryana Urban Development Authority – **transfer of residential plot & definition of family.**

Dear Sir,

I am directed to address you on the subject cited above and to state that the transfer of plots were disallowed vide this office letter No. 6466-70 dated 30.01.1980 and after re-consideration it has been decided that the transfer of residential plots shall now be allowed with effect from 1.5.1980 in accordance with the following guidelines:-

1. The transfer of plots in the sectors where the authority is not in a position to offer possession may be permitted freely subject to deposit of security.
2. Transfer of plots where the development works have been carried out and the possession can be delivered be permitted on the condition that the transferee undertakes to start construction on the plot after the sanction of the plan etc. Within 6 months from the date of transfer and complete the same within 15 months from the date of transfer. As a measure of the transferable earnestness and security to carry out the condition, he shall be required to deposit an amount calculated on the basis of the plot @ Rs.10/- per sq. yd.
3. The amount of security shall only be refunded if the 'living unit', for which partial occupation certificate can be issued, is completed.
4. If the transferee fails to carry out the conditions of transfer, his money shall be forfeited without prejudice to the other penal action that may be initiated against him under the Haryana Urban Development Authority rules & Regulations.
5. No application for transfer shall be considered if the plot held is in arrears of payment.
6. In the sectors where the development works have not been completed, the plots shall be _____ after charging the security amount @ Rs. 10/- per sq. yd. and the condition of construction etc. As given in (2) above shall, however be applicable from the date of offer of possession.
7. No amount of security shall chargeable in case of family transfer.
8. The transfer from and to Father, Mother, Son, Daughter, Brother, Sister, Husband, Wife, Daughter-in-law and Son-in-law shall be considered as family transfer.
9. The transferee while applying for the transfer of his plot shall one lose a postal order of Rs. 50/- expenses, shall be followed informative be all the Urban Estates in all cases including the family transfers.
10. No second transfer of plot shall be allowed before the expiry of one year from the first transfer and shall required the prior approval of the Administrator, concerned. In case the construction has not been completed by the first transferee the amount of security shall be forfeited and the fresh security from the second transferee shall be charged @ Rs. 15/- per sq. yd. and he will be given one ear

for the completion of the construction. The security charged from the second transferee shall be forfeited if the construction is not completed within the stipulated period. In case where no security is chargeable, the EOs shall however be competent to allow transfer any number of times.

The above conditions shall be in addition to the formalities already being observed with regard to transferee where the transferor is to give an indemnity Bond and the transferee and Affidavit.

IN CASE OF PLOTS ALLOTTED UNDER DISCRETIONARY QUOTA/GOVT. SERVANT QUOTA

There shall be a complete ban on the transfer of plots allotted under these categories for three years except in cases of 'Hardship' where permission of Chief Administrator shall be required.

In case the construction on these plots is not completed within three years and thereafter of the permission is sought, the transferee shall have to pay the security @ Rs. 20/- per sq. yd. and in each case the construction will be completed within one year. If before the completion of the construction, the second transfer is requested for the security deposited by the first transferee shall be forfeited and fresh security from the second transferee shall be charged @ Rs.20/- per sq. yd.

The receipt of these policy guidelines may please be acknowledged.

-sd/-

Yours faithfully,

Administrator(P)

For Chief Administrator, HUDA
Chandigarh

CC: a copy is forwarded to :

1. the Administrator, HUDA, Panchkula/Faridabad.
2. All the Officers of the Authority at Headquarters.
3. All the concerned Superintendents/Assistant.
4. PA/CA for the information of Chief Administrator, HUDA.
5. Authority Assistants for placing a copy of these policy guidelines on the master file maintained by him.
6. Master File.

-sd/-

Administrator(P)

For Chief Administrator, HUDA
Chandigarh

21. COMMUNITY CENTERS/ JHANJGHAR/ PARKS/ OPEN SPACES

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrator HUDA
2. All the Estate Officer / Asstt. Estate Officer HUDA

Memo No.A-(P)-2003/12210-30 Dated:12-5-2003

Subject: Fixation of rates of renting the Community Centers built up by HUDA in the Urban Estates

The residents of those villages, on whose land community centres have been constructed by HUDA made a representation to the Hon'ble CM, Haryana in one of the meeting at Gurgaon that the booking of Community Centre should be made to them for some specific purpose to the residents at nominal rates or at the same pattern or rates at which its booking is made for the officers/officials of HUDA. The demand of the residents have been accepted and it has been decided to provide the facility of Community Centres to all the residents of the village, on the concessional rates or Rs.500/- per day subject to the following terms and conditions:-

1. This concession shall be admissible to all the residents of the village in which community centre is located.
2. This facility shall be admissible for their family function only.
3. The refundable security fixed by HUDA for the booking of Community Centres shall be charged as usual.
4. All other terms and conditions applicable for the booking of the Community Centres shall remain the same.

-sd/-
Administrator (HQ),
for Chief Administrator, HUDA

Endst. No.A-1(P)-2003/12231-49

Dated:12-5-2003.

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula
2. The Engineer- in-Chief/ Chief Engineer, HUDA,Panchkula
3. The Chief Town Planner, HUDA, Panchkula
4. The Chief Controller of Finance, HUDA, Panchkula
5. The Chief Vigilance officer- cum-Enforcement officer, HUDA, Panchkula
6. The DY. Economical & Statistical Advisor, HUDA (HQ) Panchkula;
7. All the Assistants/ Record Keepers of Urban Branch, HUDA, Panchkula

-sd/-
Administrator officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officer, HUDA.
3. All the Superintending Engineers, HUDA.

Memo No. A-1(P)-2002/16902-16930

Dated: 10.07.2002

**Subject: Fixation of rates for renting the Community Centers built up by HUDA in the Urban Estates.
Modification thereof.**

In partial modification of this office memo No. 16976-17001 dated 26.06.1998.

The Sector Welfare Associations and Public at large were demanding for a long time that the Community Centres built up by HUDA in different Urban Estates may be given free of rent for condolence meetings. The matter was considered and examined and was placed before the Authority in its 87th meeting held on 26.06.2002 vide Agenda Item No. A-85-(1) Suppl.-II for consideration and decision. After deliberations, the Authority has decided that keeping in view the public demand, as a gesture of goodwill, the Community Centres built up by HUDA in different Urban Estates may be given, free of rent for condolence meetings.

You are requested to take further action accordingly for future bookings.

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector -6, Panchkula

To

1. All the heads of office of HUDA in the field.
2. All the heads of Branches of HUDA headquarters.

Memo No.A-5-2001/30337

Dated:13-11-2001

Subject:-Fixation of **rates of renting the community Centers / parks** built up by HUDA for the functions to be organized by **HUDA employees**.

On the demand of the Joint Action Committee of the HUDA employees, it has been decided to charge the rent of the community centre & big parks @ Rs500/- per day and rent of small park @ Rs.100/- per day for organizing personal functions by HUDA official/officers subject to the following terms & conditions:-

1. This concession shall be admissible only for the HUDA employees & their families.
2. The refundable security fixed by HUDA for the booking of the community centre/ parks will be charged as usual.
3. All other terms & conditions applicable for the booking of the community centres and parks will remain the same.

-sd/-

Administrator officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

The Administrator,
Haryana Urban Development Authority,
Panchkula, Gurgaon, Faridabad, Hissar.

Memo No.A1-99/16011-14

Dated 06.05.1999

Subject : Policy procedures regarding renting out of open space/ community centres/ Jhanjghar /Parks for Social/Public function-cancellation thereof.

This is in continuation of memo No.16976-17001 dated 28.06.1998 and No.37793-839 dated 21.12.1998 on the subject cited above.

The booking of community centers/open space/jhanjghar/parks for social/public functions, certain fees have been prescribed and circulated vide letter referred above. Sometimes it has been observed that the person, who had booked the community building/space, surrenders/cancels his booking at the nick of time due to postponement of functions or due to other unavoidable circumstances. In these circumstances, it has been decided to deduct the following amount from the booking fee/rent and security.

In case the applicant surrenders it's booking

1. More than 30 days advance before the date of booking --full rent be refunded.
2. Between 15 to 30 days advance before the date of booking.- -Equal to 20% of the prescribed rent for a day.
3. Less than 15 days before the date prescribed rent for a day. ----Equal to 50% of the of booking.
4. No intimation is given ---100% rent.

The receipt of above communication may be acknowledged.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

Endst.No.A1/99/16015-16042

Dated 06.05.1999

A copy is forwarded to the following for information and necessary action:-

1. Chief Engineer, HUDA, Panchkula.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Chief Town Planner, HUDA, Panchkula.
4. All the Superintending Engineer/Executive Engineer, HUDA (including Horticulture Divisions).

-sd/-
Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.
3. All the Superintending Engineers/Executive Engineer (including Hort. Divisios), HUDA.

Memo No. A-1-98/37793-83

Dated: 21.12.1998

Subject: Fixation of rates for **open spaces/ neighborhood parks** for community use/public functioning. **Modification** thereof.

The subject cited matter has been engaging the constant attention of the Authority in the past. Accordingly the following rates for neighbourhood parks ad open space in different Urban Estates are hereby fixed as under:-For neighbourhood sector parks

	High Potential Zone (per day)PKL/GGN/FBD	Medium Potential Zone (per day)(KNL/Bahadurgarh/PPT)	Low Potential Zone (per day) Rest of the UE (s)
Rent	Rs. 5000/-	Rs. 3000/-	Rs. 2000/-
Refundable Security	Rs. 5000/-	Rs. 3000/-	Rs. 2000/-
Damage Cost	-	Rs. 500/- per tree plant and damage to fencing the boundary wall as per prevalent cost. If any.	

For open spaces (for all U.Es)

1. Ground rent Rs. 1000/- per day
2. Security Rs. 500/-
3. Damage to the plants boundary wall and fencing as per prevalent cost worked out by Executive Engineers concerned

It has also been decided that the special parks/gardens which serve more than one sector should not be given for community uses/public functions whatever the compulsion may be this is in consonance with the approval of Chairman, HUDA.

The receipt of above communication may be acknowledged.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA
Panchkula

Endst. No. A-1-98/37840-49

Dated: 21.12.1998

A copy of above is forwarded to the following for information and necessary action:-

1. The Chief Engineer, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. Asstt. Research Officer, HUDA, Panchkula.
5. All the Assistants of Urban Branch, HUDA.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

All the Administrators,
Haryana Urban Development Authority

Memo No. A-11P-98/17955-58

Dated: 09.07.1998

Subject: Fixation of rates for open spaces/ neighborhood parks for community use/public functioning.

The proposal to fix the uniform rates for use of open space/park for all the Urban Estates of HUDA is under consideration at head quarters. It is proposed to charge rates for neighborhood sector parks as under:-

	High Potential Zone	Medium Potential Zone	Low Potential Zone
Rent	Rs. 5000/-	Rs. 3000/-	Rs. 2000/-
Refundable Security	Rs. 5000/-	Rs. 3000/-	Rs. 2000/-
Damage Cos	-	Rs. 500/- per tree plant and damage to fencing the boundary wall as per prevalent cost. If any.	

The rent for open space is proposed to be charged uniformly for all the Urban Estates, which is as under:-

1. Ground rent Rs. 1000/-
2. Security Rs. 500/-
3. Damage to the plants boundarywall and fencing As per prevalent cost.

It is also proposed that parks/garden which serve ore than one sector should not be given for community uses/ functions, whatever the compulsion may be.

You are accordingly requested to send your comments on the above proposal to this office within 15 days so that the uniform policy is formulated at the earliest.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators, HUDA
2. All the Estate Officers/Asstt. Estate Officers
3. All the Superintending Engineer.

Memo No. 16976-17001

Dated: 26.06.1998

Subject: Fixation of rates of renting the community Centers built up by HUDA in the Urban Estates.

The subject cited matter has been engaging the constant attention of the Authority in the past. Accordingly, the rent and security deposits, to be charged for the following community centers/public buildings in different Urban Estates are hereby fixed as mentioned against each with immediate effect.

Sr. No.	Urban Estate	Sector	Rent per day	Security
1.	Panchkula			
	Community Centre(Double Storey)	4	7000/-	2000/-
	Community Centre	7	5000/-	2000/-
	Community Centre	9	5000/-	2000/-
	Community CentreJanj Ghar	10	5000/-	2000/-
	Community Centre	15	5000/-	2000/-
2.	Gurgaon			
	Community Centre	4	6000/-	2000/-
	Hall (G.F.)	15-I	6000/-	2000/-
	(F.F.)	15-I	5000/-	2000/-
	Hall	21	6000/-	2000/-
	Community Centre	14	6000/-	2000/-
3.	Faridabad			
	Community Hall	3	5000/-	2000/-
	Community Hall	9	(Single Storey)	
	Community Hall	16	7000/-	2000/-
	Community Hall	21-A	(Double Storey)	
	Community Hall	28		
4.	Hisar			
	Community Hall	-	5000/-	2000/-
5.	Karnal			
	Community Centre(Double Storey)	6	5000/-	2000/-
	Community Centre	13	3000/-	2000/-
6.	Panipat			
	Community Centre	11 & 12 P-II	3000/-	2000/-
7.	Kurukshetra			
	Community Centre	7	3000/-	2000/-
	Community Centre	13	3000/-	2000/-

8.	Ambala			
	Community Centre	7	3000/-	2000/-
	Community Centre	13	3000/-	2000/-
9.	Jagadhari			
	Community Centre	17	3000/-	2000/-

In case of Social gatherings like Kirya ceremony, school functions, other meeting of the welfare association etc. etc. for which one or two rooms are required for shorter duration (less than 4 hours) the rent may be charged @ Rs. 1000/- for Faridabad, Gurgaon and Panchkula @ Rs. 750/- for Hisar, Karnal and Panipat and @ Rs. 500/- for other Urban Estates.

The receipt of above communication may be acknowledged.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA
Panchkula

22. CRECHE/OLD AGE HOMES

To

1. All the Administrator, HSVP.
2. All the Estate Officers, HSVP.

Memo No. A-6-UB-2019/147849-50

Dated:-16.08.2019

Subject: Policy guidelines for leasing out of **Creche/School Buildings** constructed by HUDA in various Urban Estates and Community Centre buildings constructed by HSVP in villages within HSVP Sectors.

The instant matter was placed before the 118th meeting of Pradhikaran held on 10.07.2019 and 12.07.2019.

Now, is in-supersession of policy guidelines issued vide memo. No. 4611-4633 dated 20.02.2009 on the subject cited above.

1. It is intimated that as per laid down planning norms, HSVP has been carving out various community building sites like Creche sites, School sites, Hospital etc. HSVP also constructs buildings on some of the sites as per prescribed norms and hand over the same to the respective Departments on 99 years lease hold basis on a nominal token lease of Rs.100/- per annum. Similarly Community Centre Buildings have been constructed by HSVP in villages within HSVP sectors.
2. In the past, it has been experienced that due to their budgetary constraints the respective departments have not been coming forward to take over the sites/buildings. The utilization of these buildings is also very poor. It has, therefore, been decided that such buildings should be leased out for their gainful use to some other agencies/ reputed NGOs for a specified period on nominal monthly rent.
3. Buildings of crèches/schools/community centers constructed by HSVP in various Urban Estates of HSVP sectors and villages will be made available to the reputed registered NGOs/Trusts/Organizations on the following terms & conditions:-
 - i. Building shall be leased to only those NGOs/ Trusts/ Organizations' working in the field of imparting education to the students on charitable basis.
 - ii. For this purpose, a Screening Committee consisting of concerned Divisional Commissioner as Chairman, concerned Administrator, HSVP, concerned Deputy Commissioner, concerned District Education Officer as members has been constituted. The concerned Estate Officer, HSVP, shall be the Member Secretary of the Committee who shall invite the applications and convene the meeting of the Screening Committee.
 - iii. The applications for leasing of constructed Creche/School buildings and Community Centre Buildings constructed by HSVP in villages within HSVP sectors shall be invited through advertisement. Only the reputed NGOs/Trusts/Organizations registered for the last two years before the date of issue of advertisement shall be eligible to apply.
 - iv. The Creche/School buildings shall be leased to only those NGOs/Trusts/Organizations who are working in the field of imparting education to the students on charitable basis shall only be eligible to apply.

- v. The Screening Committee shall examine the applications received and forward its recommendations to the Chief Administrator, HSVP for approval of leasing of the constructed Creche/School buildings/ Community Centre Buildings (constructed by HSVP in villages) who shall submit the matter to Chairman HSVP for approval.
 - vi. That the constructed Creche/School building/Community Centre Buildings (constructed by HSVP in villages) shall be initially leased for a period of five years at token lease money equivalent to 5 % of institutional site or Petrol Pump/CNG/PNG Station Sites. The lease shall be reviewed after five years and can be renewed for another five years term subject to a maximum of 25 years on satisfactory performance of the NGOs/Trusts/Organizations, with the approval of Chief Administrator, HSVP. Further renewal of the lease for another five years (beyond 5+5 years) shall be with the approval of Chairman HSVP. Any further extension thereafter shall be with the approval of the Authority.
 - vii. That the ownership of land and building will continue to vest with HSVP.
 - viii. That the additions/alternation in the constructed building can be made by the NGOs/Trusts/Organizations' with prior approval of the concerned Estate Officer, HSVP. However, entire investment shall be made by the lessee and no refund/ payment on this account shall be made after determination/cancellation of the lease.
 - ix. That the lessee shall have no right to sub lease the ownership of the land or building constructed thereon by way of transfer or gift or sale or any other manner.
 - x. That if there is any breach of any of the terms and conditions of lease, HSVP shall have right to take back the land alongwith the structures constructed thereon by the lessee, if any, without any compensation whatsoever.
 - xi. That the NGOs/Trusts/Organisations shall bear all the recurring expenses annual maintenance costs, cesses or taxes chargeable to the land /building etc.
 - xii. That the use of land/building in any manner other than the one for which it is being leased shall not be allowed in any case.
 - xiii. That no commercial use of land or building constructed thereon shall be allowed under any circumstances.
 - xiv. That the said lease of land shall further be governed by the provisions of HSVP Act, 1977, Rules & Regulations framed there-under.
4. You are requested to take immediate necessary action and send compliance report to this office at the earliest.

This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HSVP.

-sd/-
Administrator(HQ)
HSVP, Panchkula

A copy of the above is forwarded to following for information and necessary action please:-

1. Commissioner & Secretary to Govt. of Haryana Education Deptt., Sector-17, Chandigarh.
2. Higher Education Commissioner, Shiksha Sadan Sector-5, Panchkula.
3. Director General, School Education, 30 Bays Bldg. Sector-17-C, Chandigarh.
4. Director, Elementary Education, 30 Bays Bldg. Sector-17-C, Chandigarh.
5. The All Deputy Commissioner in the State.
6. The Chief Engineer-I & II, HSVP, Panchkula.
7. The Chief Town Planner, HSVP, Panchkula.
8. The Chief Controller Of Finance, HSVP, Panchkula.
9. The Enforcement Officer, HSVP, Panchkula.
10. The D. A., HSVP, Panchkula.
11. The Dy. E.S.A., HSVP, Panchkula.
12. All Asstt. In Urban Branch I & II.

-

sd/-
Administrator(HQ)
HSVP, Panchkula

**POLICY GUIDELINES FOR LEASING OUT OF CRECHE/SCHOOL BUILDINGS CONSTRUCTED BY HUDA
IN VARIOUS URBAN ESTATES AND COMMUNITY CENTRE BUILDINGS CONSTRUCTED BY HUDA IN
VILLAGES WITHIN HUDA SECTORS.**

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator, HUDA.
2. All the Estate Officers, HUDA.

Memo No. U.B.-II. A-K.K.2009/4611-4633

Dated: 20.02.2009

Subject: Policy guidelines for **leasing out of Creche/School Buildings** constructed by HUDA in various Urban Estates and Community Centre buildings constructed by HUDA in villages within HUDA Sectors.

1. It is intimated that as per laid down planning norms, HUDA has been carving out various community building sites like Creche sites, School sites, Hospital etc. HUDA also constructs buildings on some of the sites as per prescribed norms and hand over the same to the respective Departments on 99 years lease hold basis on a nominal token lease of Rs. 100/- per annum. Similarly Community Centre Buildings have been constructed by HUDA in villages within HUDA sectors.
2. In the past, it has been experienced that due to their budgetary constraints the respective departments have not been coming forward to take over the sites/building. The utilization of these buildings is also very poor. It has, therefore, been decided that such buildings should be leased out for their gainful use to some other agencies/ reputed NGOs for a specified period on nominal monthly rent.
3. It has also been observed that HUDA has not constructed any Creche/School for special children i.e. mentally retarded, physically challenged etc. in any of its Urban Estates. It has, therefore, been decided that the leasing of buildings of Creche/School constructed by HUDA in various Urban Estates and Community Centre Buildings constructed by HUDA in villages within HUDA sectors to the reputed NGOs may be made.
4. For this purpose, a Screening Committee consisting of concerned Administrator, HUDA as Chairman of the Committee and concerned Deputy Commissioner and District Education Officer as members has been constituted. The concerned Estate Officer, HUDA, shall be the Member Secretary of the Committee who shall invite the applications and convene the meeting of the Screening Committee.

The leasing of these buildings shall be governed by the following terms and conditions:-

- (i) As per the policy in vogue, 50% of the sites earmarked for Creche/ School shall be disposed off through auction. Balance 50% sites shall be offered to the District Red Cross Society, District Child Welfare Council or Education Department for running of Creche/School. In case the District Red Cross Society, District Child Welfare Council or Education Department, as the case may be, refuses to take the offered sites then only those sites where building has been constructed by HUDA shall be considered for leasing to the reputed NGOs for running of Creche/School for special children. Similarly constructed Community Centre Buildings in villages within HUDA sectors can also be leased out to NGOs who want to undertake welfare work in these villages.
- (ii) The applications for leasing of constructed Creche/School buildings and Community Centre Buildings constructed by HUDA in villages within HUDA sectors shall be invited through advertisement. Only the reputed NGOs registered for the last two years before the date of issue of advertisement shall be eligible to apply.
- (iii) The Creche/School buildings shall be leased to only those NGOs who are working in the field of imparting education to the poor on charitable basis shall only be eligible to apply.
- (iv) The Screening Committee shall examine the applications received and forward its recommendations to the Chief Administrator, HUDA for approval of leasing of the constructed Creche/School buildings/Community

Centre Buildings (constructed by HUDA in villages) who shall submit the matter to Chairman HUDA for approval.

- (v) That the constructed Creche/School building/Community Centre Buildings (constructed by HUDA in villages) shall be initially leased for a period of five years at token lease money of Rs. 100/- per year. The lease shall be reviewed after five years and can be renewed for another five years term on satisfactory performance of the NGO, with the approval of Chief Administrator, HUDA. Further renewal of the lease for another five years (beyond 5+5 years) shall be with the approval of Chairman HUDA. Any further extension thereafter shall be with the approval of the Authority.
 - (vi) That the ownership of land and building will continue to vest with HUDA.
 - (vii) That the additions/alternation in the constructed building can be made by the NGO with prior approval of the concerned Estate Officer, HUDA. However, entire investment shall be made by the lessee and no refund/ payment on this account shall be made after determination/cancellation of the lease.
 - (viii) That the lessee shall have no right to sub lease the ownership of the land or building constructed thereon by way of transfer or gift or sale or any other manner.
 - (ix) That if there is any breach of any of the terms and conditions of lease, HUDA shall have right to take back the land alongwith the structures constructed thereon by the lessee, if any, without any compensation whatsoever.
 - (x) That the NGO shall bear all the recurring expenses annual maintenance costs, cesses or taxes chargeable to the land /building etc.
 - (xi) That the use of land/building in any manner other than the one for which it is being leased shall not be allowed in any case.
 - (xii) That no commercial use of land or building constructed thereon shall be allowed under any circumstances.
 - (xiii) That the said lease of land shall further be governed by the provisions of HUDA Act, 1977, Rules & Regulations framed there-under.
5. You are requested to take immediate necessary action and send compliance report to this office at the earliest.

This issues with the approval of Hon'ble Chief Minister, Haryana-cum-Chairman, HUDA.

-sd/-

(Nadim Akhtar)

Incharge Urban Branch-II,

For Chief Administrator, HUDA.

Dated: 20.02.2009

Endst No. A-KK-2008/UB-II/ 4634- 66

A copy of the above is forwarded to following for information and necessary action please:-

- 1. Commissioner & Secretary to Govt. of Haryana Education Deptt., Sector-17, Chandigarh.
- 2. Higher Education Commissioner, Shiksha Sadan Sector-5, Panchkula.
- 3. Director General, School Education, 30 Bays Bldg. Sector-17-C, Chandigarh.
- 4. Director, Elementary Education, 30 Bays Bldg. Sector-17-C, Chandigarh.
- 5. The All Deputy Commissioner in the State.
- 6. The Chief Engineer-I & II, HUDA, Panchkula.
- 7. The Chief Town Planner, HUDA, Panchkula.
- 8. The Chief Controller Of Finance, HUDA, Panchkula.
- 9. The Enforcement Officer, HUDA, Panchkula.
- 10. The D. A., HUDA, Panchkula.
- 11. The Dy. E.S.A., HUDA, Panchkula.
- 12. All Asstt. In Urban Branch I & II.

-sd/-

(Nadim Akhtar)

Incharge Urban Branch-II,

For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers/ Assistant Estate Officers, HUDA.

Memo No. A-1-2004/23881

Dated 25.06.2004

Subject: Policy for allotment of **Old Age Home/Creche** in the Urban Estates of HUDA.

This is in continuation of this office memo No.A-1-2002/5324-27 dated 20.03.2002 on the subject cited above.

It had been decided and circulated that HUDA will construct one Old Age Home in each Urban Estate upon land measuring one acre from its own resources. HUDA will further give these buildings on lease hold basis on nominal lease of Rs.100/- p.a. either to the Distt Red Cross Society or to the reputed Social Institutions/ Welfare Organizations/Trust as per terms and Conditions approved by the Authority. The demand has been pouring in that adequate furniture, utensils kitchen equipment, books for library etc. etc. which are essentials for the functioning of an old age home, be also provided.

The matter was considered & placed before the Authority in its last meeting held on 01 06 2004 for consideration & decision. The Authority has approved the proposal. It has been decided that where HUDA is constructing Old Age Home out of its own resources, a sum of Rs.5.00 lacs shall be provided for the purchase of furniture, kitchen equipments, utensils, library books etc. & appropriate provision shall be made in the estimates accordingly. Wherever old Age Home has already been constructed, a separate sanction shall be issued for release of Rs. 5.00 lacs to purchase and provide, adequate furniture, utensils, kitchen equipments, T.V. & some light sports equipments, within a ceiling of Rs.5.00 lacs.

You are requested to take further action in the matter & compliance report may be send to this office immediately.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Endst No. A-1-2004/23882-88

Dated: 25.06.2004

A copy is forwarded the following for information and necessary in continuation of this office Endst No A- 1(OP)-2002/5328-42 dated 20.03.2002:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Secretary, HUDA, Panchkula.
3. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Chief Controller of Finance, HUDA, Panchkula.
6. The Dy Economic & Statistical Officer, HUDA, Panchkula.
7. All the Assistants/Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

23. MISCELLANEOUS POLICIES

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/134873-74

Dated:26.07.2019

Subject:- Registration of **independent floor** – clarification/ amendment in policy regarding transfer /floor on the basis of **WILL**.

This is in continuation of this office memo No. A-PHK-UB-1/2009/6552-83 dated 13.03.2009 and further correspondence on the subject cited above.

As per these guidelines the present allottee/owner is required to made an application on prescribed performa along with administrative charges, approved building plan (duly marked the proposed area to be transferred) and details of common areas/facilities to the concerned Estate Officer, only thereafter the division of plot/house is allowed and no provision has been made there for division of house in case of death/WILL, the policy is silent on this issue.

It was observed that there are cases where the testator has bequeathed the house/property to the beneficiaries floor wise, but no provision was incorporated visualizing such situations in the floor-wise partition policy dated 13.03.2009. Though the policy dated 03.06.2013 governing transfer of immovable property to the legal heir(s)/legatee after death of the allottee/re-allottee, clearly provides for mode of transfer of immovable property on the basis of WILL, therefore, in such cases to avoid hardship to the allottee and unnecessary litigation as well as honouring the last WILL of deceased, it may be clarified/considered that the Estate Officers shall transfer the house/property floor wise in favour of beneficiaries in accordance with WILL instead of joint transfer.

The matter was got examined legally and it was observed that the following para 4.7 after para 4.6 may be added in the policy guidelines dated 13.06.2009:-

4.7 “Floor wise partition on the basis of Will”

Where the testator has bequeathed the house/property floor wise the transfer in favour of the beneficiaries shall be made floor wise in accordance with the WILL and not jointly. Before floor wise transfer, the procedure given in the policy pertaining to WILL dated 03.06.2013 shall be followed, where after, the Estate Officer concerned shall suo motu pass an order registering the house/property floor wise. After floor wise transfer, the transferee shall abide by Rules/Regulations/Policy etc. governing floor wise partition issued from time to time. All pending representations and Court cases, if any, shall be dealt with accordingly”.

Besides, administrative charges of Rs. 10,000/- per floor shall be charged at the time of submitting application for transfer of plot/floor on the basis of WILL. The all pre-requisite formalities as prescribed in the policy guidelines dated 03.06.2013 governing transfer of plot on the basis of WILL shall be made applicable.

The above matter was placed before the Pradhikaran in its 118th meeting held on 10.07.2019 vide Agenda item No. 118th (10) for consideration and decision. The Pradhikaran has approved the proposal. A copy of Agendas alongwith extract of the decision of the Pradhikaran is sent herewith.

You are requested to take further action in the matter accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned.

DA/As above

-sd-
Administrator (HQ),
HSVP, Panchkula.

Endst. No. A-6-UB-2019/134875

Dated:-26.07.2019

- A copy of the above is forwarded to the following for information and necessary action:-
1. The Chief Controller of Finance, HSVP, Panchkula.
 2. The Chief Engineer, HSVP, Panchkula.
 3. The Chief Town Planner, HSVP, Panchkula.
 4. The Secretary, HSVP, Panchkula.
 5. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
 6. The District Attorney, HSVP (HQ), Panchkula.
 7. The Dy. ESA, HSVP (HQ), Panchkula.
 8. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

-sd-
Administrator (HQ),
HSVP, Panchkula.

To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/43471-72

Dated:06.03.2019

Subject: Registration of **4th Floor** to be allowed as **separate dwelling unit** in case of residential plot.

The matter regarding registration of 4th Floor to be allowed as separate dwelling unit in case of residential plot was considered and examined. The following decisions have been taken:-

- 1) The 4th floor as independent dwelling unit shall be allowed on payment of 1/3rd of applicable External Development Charges (EDC) for respective Urban Areas (As revised from time to time) against the plot area to be rounded off to the next higher Rs. 10/- at the time of approval of building plan/revised building plan. Such recovery shall be over and above that prescribed for purchasable FAR, if availed. The Additional EDC shall not be applicable in case of construction of four floors with three dwelling units.
- 2) Such EDC recovered for registration of 4th floor as independent unit shall be transferred to the respective agency for carrying out EDC works i.e. HSVP/GMDA/HSI IDC/M.C. as the case may be.
- 3) No fragmentation of the plot shall be allowed and all independent floor owners (whether 2/3/4) shall jointly own the full plot of land on which the independent floor is sited.
- 4) The apportionment of Land Cost shall be in equal proportion among all independent floors, viz. 50% each for 2 floors, 33 1/3 % each for 3 floors and 25% each for four floors.

It is clarified that there will be no change of ratio in old constructed house. In case of addition of floor, the ratio will be changed accordingly as stated above. In case of newly constructed house, the proportion of floor will remain 25% each.

- 5) The maximum permissible height shall be 16.5 mtr. However, for the approval of building plans for height above 15 mtr., the NOC from Fire Department and the structural stability & strength shall be needed to be certified by a qualified professional.
- 6) Stilt parking shall be mandatory, with prospective effect, for the approval of building plans for all new construction on vacant plots or when a plot is proposed to be re-constructed upon de novo.
- 7) If an existing building is proposed to be extended to add a third or fourth floor adequate parking shall be required. The provision for parking shall be as per the clause 7.1(1) of Haryana Building Code, 2017 as amended from time to time.
- 8) All the other provisions of Haryana Building Code, 2017 shall apply mutatis-mutandis for the approval of building plans/grant of building permission.
- 9) The Revenue Department/Sub-Registrar shall follow the land price apportionment for independent floor(s) for registration purposes. The construction cost shall be as per 'Circle Rates/Collector Rates' as notified from time to time. The O/o FCR shall be informed accordingly.

The matter was placed before the Pradhikaran in its 117th meeting held on 18.02.2019 vide Agenda item No. A-117th Suppl. (7) for consideration and decision.

The Pradhikaran has accorded its approval. It has also been decided that EDC shall be charged as per guidelines of the Town & Country Planning Department. A copy of agenda and extract of proceeding of the

Pradhikaran is enclosed herewith for your reference and record.

You are requested to take further action accordingly and action taken report may be sent to this office immediately. This has the approval of CA, HSVP.

DA/As above

-sd-

Administrator(HQ),
for Chief Administrator, HSVP

Endst. No. A-6-UB-2019/43471-72

Dated:06.03.2019

A copy of above is forwarded to the following for information and necessary action.

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Town Planner(M) & (N), HSVP, Panchkula.
3. The Chief Engineer-I & II, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager(IT), HSVP, Panchkula. He is requested to host it on HSVP website.
7. The District Attorney, HSVP, Panchkula.
8. All the Supdt./Assistants/Record Keepers of Urban Branch, HSVP, HQ, Panchkula.

-sd-

Administrator(HQ),
for Chief Administrator, HSVP

To

1. All the Administrator(s),
HSVP in the State.
2. All the Estate Officer(s),
HSVP in the State.

Memo No. A-6-UB-2018/127946-47

Dated:-25.06.2018

Subject: - Division of Property – Clarification regarding recovery of enhancement compensation

1. This is in-continuation of this office memo. No. A-PWK-UB-I/2009/6552-83 dated 13.03.2009 on the subject cited above.
2. The matter regarding recovery of enhancement compensation in case of Division of Property has been considered and examined. After deliberations, it has been decided that enhancement compensation may be recovered floor-wise in the ratio of cost of plot i.e. 50%, 30% & 20% (ground floor, 1st floor & 2nd floor) respectively.
3. This issues with the prior approval of Hon'ble CM-cum-Chairman HSVP.

-sd/-

(B.B. Taneja)

Superintendent (U.B.)

for Chief Administrator, HSVP

Endst. No. A-6-UB-2018/127946-47

Dated:-25.06.2018

A copy of the above is forwarded to the following for information & necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer I & II, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Chief Architect, HSVP, Panchkula.
5. The Secretary, HSVP, Panchkula.
6. The General Manager (IT), HSVP, Panchkula. He is requested to host it on HUDA (HSVP) Web-site.
7. The District Attorney, HSVP (HQ), Panchkula.
8. The Enforcement Officer, HSVP, Panchkula.
9. The Dy. ESA, HSVP (HQ), Panchkula.
10. All the Supdt./Dy. Supdt./Assistants/Clerks, Urban Branch, HSVP (HQ), Panchkula.

-sd/-

(B.B. Taneja)

Superintendent(U.B.)

for Chief Administrator, HSVP

To

1. All the Administrator(s), in the State.
2. All the Estate Officer(s), in the State.

Memo No. A-6-UB-2017/52315

Dated:19.03.2018

Subject:- Regarding transfer of **Mandi Township areas** to the Urban Local Bodies Department.

1. This is with reference on the subject cited above.
2. The matter Regarding transfer of Mandi Township areas to the Urban Local Bodies Department was placed before the Pradhikaran in its 113th meeting held on 16.02.2018 vide agenda item No. Supply. (03) for consideration and approval. The Pradhikaran has approved the agenda and following decision have been taken.
 - (i) Detailed deliberations with ULB Department, it has been decided that the township portion of 29 Mandi Townships (list attached) may be transferred to Urban Local Bodies Department on “as is where is basis” permanently for Estate Management, with assets and liabilities as well as further maintenance purposes.
 - (ii) After transfer, the plots/property in these Mandi Townships shall be governed by the Haryana Municipal Act and Rules framed there under.
 - (iii) Since, the transfer is proposed with all assets as well as liabilities, recovery of pending dues and sale of unsold sites etc. shall be done by ULB Department after transfer and proceeds shall also be credited in the account of ULB Department.
 - (iv) All liabilities and pending development works etc. shall be executed by the ULB Department and expenditure born by them.
 - (v) Accordingly, committee consisting of following officers is hereby constituted for a joint survey and making an inventory of property and development works etc. in each Mandi Township for the purpose of smooth handing over/taking over of possession.

Estate Officer, HSVP concerned, Chairman

Estate Officer, Municipal Committee concerned, Member

Rep. of Deputy Commissioner concerned, Member

SDE (Survey), HSVP concerned Member Secretary

The above committee shall submit its report/ inventory within 2 months (by 15.05.2018) so that formal approval of the State Government for transfer of Mandi Townships to ULB Department can be obtained thereafter.

3. You are, therefore, requested to take further action accordingly and action taken report may be sent to this office immediately.

DA/As above

-sd/-

(R.S. Verma)

Administrator, HQ,

for Chief Administrator, HSVP

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Deputy Commissioners in the state.
2. The Director General, Urban Local Bodies Department, Haryana, Panchkula.
3. The Chief Controller of Finance, HSVP, Panchkula.
4. The Chief Engineer, HSVP, Panchkula.
5. The Chief Town Planner, HSVP, Panchkula.
6. The Secretary, HSVP, Panchkula.
7. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
8. The District Attorney, HSVP (HQ), Panchkula.
9. The Dy. ESA, HSVP (HQ), Panchkula.
10. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

-sd/-

(R.S. Verma)

Administrator, HQ,

for Chief Administrator, HSVP

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s) HUDA, in the State.
2. All the Estate Officer(s) HUDA, in the State.

Memo No.UB-A-6-2016/46599-600

Dated: 11.08.2016

Subject: Guidelines for Allotment of Plots in **Transport Nagars & Auto Markets** developed by HUDA in the State -**amendment** in policy.

This is in supersession of this office memo. No. UB-I/8400-8423 dated 24.03.2009 on the subject cited above.

2. As per existing guidelines, a Zonal Committee has been constituted for survey of the areas to be de-congested and identification of beneficiaries. But such existing business activities could not be shifted/rehabilitated to new/designated places, where HUDA has acquired and developed land to develop Transport Nagar/Auto Market, mainly due to the reason that survey to identify the individuals/firms which are to be shifted has not been carried out. This issue was discussed at various levels and a consensus view emerged that the existing policy may be partially modified so that the requirement of survey does not become a handicap in the allotment of sites. Thus in the larger public interest and further to reduce the time period involved in the process of allotment of sites in Transport Nagars & Auto Markets developed by HUDA in the State, it has been decided to scrap the existing policy guidelines bearing No. UB-I/8400-8423 dated 24.03.2009, and the revised policy as under, will be applicable.

A. Identification of areas and calling of applications with relevant proofs justifying the requirement of land:

- i. Development of Specialized Markets and Sectors in a particular area will be considered where a particular trade or activity is being performed or business is being carried out in an unorganized manner which is causing public nuisance and it is felt that the development of a specialized Market or a Sector will not only decongest the old city or town but also has a potential to boost the economy of the beneficiaries.
- ii. A Zonal Committee under the chairmanship of the concerned Zonal Administrator, HUDA and consisting of the concerned Deputy Commissioner (in case the Deputy Commissioner is senior to the Administrator HUDA, the representative of the Deputy Commissioner will be a member), Estate officer, HUDA, Executive Officer of the concerned Municipal Corporation/Council and District Town Planner concerned shall in the first instance, identify the areas or stretch of roads from where the individuals or firms running a particular type of business are to be shifted & rehabilitated.
- iii. Thereafter, the concerned Estate Officer shall formulate a scheme for floatation of plots for Booking Agencies and Repair/Spare Part shops in the Specialized market/Sector in that urban estate and get it approved from the Zonal Administrator. After approval by Zonal Administrator, the clear available sites (Booking Agencies and Repair/Spare Part Shops) as per approved demarcation plan, shall be advertised by the concerned Estate Officer through newspapers.
- iv. Subsequent upon the calling of applications through a public notice by Estate Officer in a prescribed time limit, the individuals/firms (i.e. actual practitioners of the trade) engaged in the identified activity for the

last two (2) years in the area identified to be decongested shall apply for allotment of plot of size as per their requirement, alongwith earnest money equivalent to 10% of total cost and his/her Aadhar Number, passport size photographs as well as the relevant proofs in support of their activity/ business, viz. photographs/ videography of present site/ activity, tax receipt, electricity bills, VAT/Sales tax registration number, certificate from local Association that he/she is an actual practitioner of the identified trade, justifying the requirement of land. These applications alongwith attached documents shall be scrutinized by the concerned estate office for inclusion in the draw of lots against the availability of vacant plots of different sizes. The format of application is attached at **Annexure- A**.

- v. In case of any dispute or complaint, concerned Zonal Administrator shall be the deciding authority.

B. Terms and Conditions of Allotment:-

- i. Allotment of plots shall be made by draw of lots. The remaining plots, if any, in a sector/scheme after accommodating the identified beneficiaries shall be disposed off by way of auction only. In case the number of eligible applicants exceeds the number of plots available, allotment of plots shall be made to the extent of availability of plots by draw of lots.
- ii. The Commercial Sites and other connected sites like SCO, Tea Shops, Dhabas and Body Building Sites etc. in these specialized sectors shall be disposed off only through auction.
- iii. The specific site number shall be allotted only through draw of lots.
- iv. The allotment shall be made through a Letter of Intent (LOI) which shall be valid for a period of 17 (seventeen) months from the date of offer of possession. The LOI holder shall have to get the building plans approved within three months of offer of possession and complete the construction within 12 months from the date of sanction of the building plans.

He/She/They shall be given a further period of two months to vacate the old premises and shift to the new premises. No further extension shall be allowed thereafter under any circumstances.

- v. Regular Letter of Allotment will be issued to the applicant only after he has obtained the Completion Certificate for the allotted site & discontinued the old trade or business from the old site, failing which the new allotted site along with all structures raised thereon by the allottee shall automatically revert to HUDA.
- vi. The regular allotment will be made on free hold basis at the reserve price as fixed by the Authority. The enhancement in compensation, if any, awarded by the Court (s) in future shall, however, be payable extra.
- vii. Besides making allotment through an allotment letter, the Estate Officer shall enter into an agreement with the allottee so that the allottee is contractually bound by the provisions of this policy.
- viii. The cost of land shall be recovered from the allottee within the time schedule as applicable in the case of allotment of Commercial Sites.
- ix. Any transfer or sale of the site or building shall not be allowed for a period of next 10 (ten) years to be reckoned from the date of issue of Regular Allotment Letter except in the case of death or succession of the allottee. The transfer or sale of the site on GPA basis which entails passing of some consideration from the allottee to the GPA holder or any person on behalf of GPA holder shall not be considered as a transfer and in such a case, the allotment shall automatically be cancelled. The resultant resumption of the plot in such cases shall be done by the concerned Estate Officer by giving a show cause notice in this behalf. No compensation for constructed building or structure raised on the plot by the allottee or any other person on his behalf shall be paid except the amount paid by the allottee as cost of land to HUDA after making 10% deduction. No interest

shall be payable on the amount paid by such allottee in this behalf.

- x. The allotment shall be governed by the relevant provisions of HUDA Act, 1977, rules and regulations framed there under, except the specific provisions enumerated above which form an integral part of this policy.
3. This issues with the prior approval of Authority accorded vide Agenda item no. Auth. 111th (15) in its meeting held on 27.07.2016
4. A copy of Agenda item and extract of proceedings of the meeting are sent herewith. You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately.
5. The above guidelines may be brought to the notice to the all concerned for implementation in letter and spirit.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

Endst. No. UB-A-6-2016/46601

Dated:-11.08.2016

A copy of the above is forwarded to the following for information:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula. He is requested to host it on HUDA Web-site.
6. The District Attorney, HUDA (HQ), Panchkula.
7. The Dy. ESA, HUDA(HQ), Panchkula.
8. All the Assistants/Record-Keepers, Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrator (HQ's)
for Chief Administrator HUDA

Particulars of Individuals/Firms engaged in Business related to _____ (Name of Activity) at _____ (Name of Town).

S r . No.	Particulars	To be filled by Individual/ Firm
1	Name of the Individual /Firm	
2	i) Aadhar Number in case of individual ii) Aadhar Number of all partners in case of Firm	
3	Address of the Individual /Firm	
4	Nature of Business	
5	Date of Establishment	
6	Area Occupied	
7	Details of Vehicle owned and used for the Business	
8	Date of Registration with concerned Government Department (copy attached)	
9	Number of Employees	
10	Monthly Income	
11	Detail of the proof/evidence justifying the requirement of land.	

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator (s), HUDA in State.
2. All the Estate Officer (s), HUDA in State.

Memo No. A-5-UB-2016/217252

Dated:-24.06.2016

Subject: - Policy guidelines for allotment of land to **Political Parties** in Urban Estate of HUDA. Ex-post facto approval.

In continuation of letter no A-3UB2016/4231-32 dated 23.02.2016 on the subject cited above.

The matter for amendment in the policy guidelines on the above cited subject, earlier issued vide no.A-7-U B-2016/45333 dated 19.12.2013 was placed before the authority for consideration and approval is its 110th meeting held on 12.05.2016 under the chairmanship of hon'ble CM Haryana Cum-Chairman HUDA. The proposal has been approved and a copy of agenda item No-A-110th (19) alongwith extract copy of decision of the authority is sent herewith for taking further action the matter.

You are requested to comply with the instructions /guidelines already conveyed vide letter under reference and send action taken report to this office within a week positively.

DA/As above

-sd/-
(R.K.Kataria)
Superintendent (U.B.)
for Chief Administrator, HUDA

Endst.No. A-5-UB-2016/217252

Dated:-24.06.2016

A copy of the above is for warded to the following for information and necessary action

1. PS/ACSTP for kind information of W/ACSTCP
2. PS/DGTCP for kind information of W/DGTCP
3. P/S C.A for kind information of W/D C.A HUDA.
4. The Chief controller of Finance, HUDA Panchkula.
5. The chief Engineer/Chief Engineer-I HUDA(HQ), Panchkula
6. The chief Towon Planner, (HQ), Panchkula
7. The Chief Architect, HUDA(HQ)
8. The Dustruct Attorney, Legal Cell, HUDA(HQ), Panchkula

9. The Secretary HUDA(HQ), Panchkula
10. The Chief Vigilance Officer HUDA (HQ)
11. Enforcement officer, HUDA (HQ), Panchkula
12. The Dy. Economic & Statistical Advisor(HQ), Panchkula,
13. The General Manager /IT Panchkula for updation in the system. (HQ), Panchkula
14. All the assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula

-sd-

(R.K.Kataria)

Superintendent (U.B.)

for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator (s), HUDA in State.
2. All the Estate Officer (s), HUDA in State.

Memo No. A-3-UB-2016/ 4233-42

Dated:- 23.02.2016

Subject: - Policy guidelines for allotment of land to **Political Parties** in Urban Estate of HUDA.

This is in continuation of this office letter No. A-7-UB-2013/45333 dated 19.12.2013 on the subject cited above.

The policy guidelines for allotment of land to Political Parties were circulated earlier vide above referred letter. The matter regarding amendments in the policy has been examined and the following amendments have been approved by the Hon'ble Chief Minister-cum-Chairman, HUDA:-

- (i) The size of sites for allotment to Political Parties for their offices at District level shall be from 1000 sq mtrs to maximum 4000 sq mtrs.
- (ii) In case of sites located in 'Exclusive Institutional sectors', the approved rate applicable for the category of 'Private Organizations' in that sector shall be applicable.
- (iii) Though the rate applicable for 'Private Organizations' shall be charged, in case of sites located in Exclusive Institutional sectors, however, instead of e-auction, the already laid down procedure for allotment of such sites as per policy instructions dated 19.12.2013 shall be followed.

The amended policy guidelines for allotment of land to political parties are as under:-

1. Only such Political Party which are duly recognized by Election Commission of India shall be eligible for allotment of land.
2. The earmarked sites shall be advertised in at least two newspapers having wide circulation in the State of Haryana for inviting applications from eligible parties.
3. The allottee shall have to complete the construction within two years from the date of offer of possession. This period can further be extended up to 3 years by the Estate Officer, i.e. up to maximum of 5 years from the date of offer of possession on payment of extension fee at the rate fixed from time to time for institutional sites of concerned Urban Estate/Institutional Sector.
4. The allottee shall ensure a minimum covered parking space @ one ECS per 50 sq. mtrs. of permissible covered area on the allotted plot. Besides this, provision for open parking area to the tune of at least 10% of the plot area shall also be ensured within the premises by the allottee.
5. The size of such sites, if available, at any of the Districts level will be from 1000 sq. mtrs. to maximum 4000 sq. mtr. For State Headquarter, sites measuring 4000 sq mtrs shall be earmarked at Panchkula.
6. The sites will be earmarked in the designated institutional area/pocket.
7. The site will be allotted at the Institutional rates applicable for concerned Urban Estates. However, in case the site is earmarked in an 'Exclusive Institutional sector, the approved rate applicable for the category of 'Private Organizations' in that sector shall be applicable.

Eligibility:-

8. (i) Only National recognized Political Parties and Haryana State Recognized Political Parties shall be eligible to apply.
(ii) The political parties having no membership in the Legislative Assembly of Haryana State as on the last date of receipt of application shall not be eligible to apply.
9. The applications shall be signed by the President of the State unit of the Political Party.
10. No Political Parties shall be eligible to apply if a site has already been allotted to that Political Party in that Urban Estate.
11. The applications will be scrutinized by a Committee consisting of D.C-cum-District Election Officer, Zonal Administrator, HUDA, concerned E.O., HUDA and DTP and this Committee will make recommendations accordingly.
12. All other terms and conditions as are applicable to the Institutional sites shall also be applicable to the sites to be allotted to Political Parties.
13. The sites will be allotted to the eligible applicants Political Parties with the approval of Haryana Urban Development Authority.

You are requested to take further necessary action accordingly. Post-facto approval of the authority shall be sought in its next meeting.

DA/As above

-sd/-

(R.K.Kataria)

Superintendent (U.B.)

for Chief Administrator, HUDA

Endst. No. A-3-UB-2016/

Dated: 23.02.2016

A copy of above is forwarded to the following for information and necessary action:-

1. The Chief Vigilance Officer, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA/Chief Engineer-I, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. The Enforcement Officer, HUDA, Panchkula.
8. The Dy. ESA, HUDA, Panchkula.
9. To all the Assistants of Urban Branch, HUDA (HQ), Panchkula.

-sd/-

(R.K.Kataria)

Superintendent (U.B.)

for Chief Administrator, HUDA

From

The Chief Administrator
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

The District Attorney,
HUDA, Panchkula.

Memo no. A-4(VKS)-UB-2014/223

Dated 06.05.2015

Subject:- CWP No. 15405 of 2008. The Herald Co-operative Society Ltd. Vs. State of Haryana. Fixed for hearing on 12.01.2015.

Reference your note received vide U.O no. 3215 dated 02.12.2014 on the subject cited above.

The matter has been considered and examined. It has been decided to withdraw the policy relating to allotment of land to sitting MP's and MLA's as there is no adequate justification.

You are therefore requested to issue instructions to HUDA counsel to make statement in the Hon'ble High Court accordingly on the fixed date. This has the approval of Hon'ble CM-cum-Chairman HUDA.

-sd/-
(B.B.Taneja)
Deputy Superintendent,
For Chief Administrator HUDA

From

The Chief Administrator
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators,
HUDA, in the state.
2. All the Estate Officers,
HUDA, in the state.

Memo no. A-4(VKS)-UB-2015/5040

Dated 16.03.2015

Subject:- Guidelines regarding **providing spaces for opening of liquor vends.**

This is in partial modification of this office letter no. A-7-2011/UB/27000-28 dated 11.08.2011 on the subject cited above.

The matter has been re-considered and after detailed deliberations, it has been decided that:-

1. HUDA will deal with the Excise and Taxation Department only. The lease agreement will be signed between HUDA and Excise and Taxation Department. HUDA will provide available space to the Excise and Taxation Department on the basis of list provided by Excise and Taxation Department who in turn shall lease out the space to the successful licensees and Excise and Taxation department shall pay the due rent to HUDA in advance on quarterly basis.
2. The rent for wine shop shall be charged as per existing policy i.e. 6% of the collector rate. However, the rent for the Ahata shall be charged separately at half of the rent being charged for wine shop i.e. 3%.
3. The other terms and conditions of the earlier policy shall remain the same.
This issues with the approval of Hon'ble CM, Haryana-cum-Chairman HUDA.

-sd/-
(B.B.Taneja)
Deputy Superintendent,
For Chief Administrator HUDA

Endst. No. A-4(VKS)-UB-2015/

Dated:

A copy of the above is forwarded to the following for information and necessary action:-

1. The Excise and taxation Commissioner, Haryana, Chandigarh.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. The General Manager, IT Cell, HUDA, Panchkula.
8. The Deputy ESA, HUDA, Panchkula.
9. All the Assistants in Urban Branch I & II, HQ's.

-sd/-
(B.B.Taneja)
Deputy Superintendent,
For Chief Administrator HUDA

From

The Chief Administrator,
HUDA, Panchkula.

To

Sh. Amit Aggarwal, Advocate,
H.No. 149, Sector-11 A,
Chandigarh.

Memo No.58

Dated: 07.01.2015

Subject: CWP No. 15405 of 2008. The Herald Co-operative Society Ltd. Vs. State of Haryana. Fixed for hearing on 12.01.2015.

Please find enclosed herewith letter memo no. A-4(VKS)-UB-2014/223 dated 06.01.2015 on the subject cited above. (copy attached).

You are therefore requested to apprise the Hon'ble High Court regarding the decision as per ibid letter attached on the next date of hearing i.e. 12.01.2015.

The follow up action may be initiated.

DA/As above.

-sd/-

District Attorney,
For Chief Administrator, HUDA
Panchkula

Endst. No. 59-60

Dated: 07.01.2015

A copy of the above is forwarded to the following for information and further necessary action please:-

1. Advocate General Haryana w.r.t. D.O. letter no. 2532 dated 20.11.2014 issued by Sh. Lokesh Sinhal, Additional Advocate General Haryana.
2. District Attorney O/o Chief Secretary, Haryana.

DA/As above.

-sd/-

District Attorney,
For Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator(s), HUDA, in the State.
2. All the Estate Officer(s), HUDA, in the State.

Memo No. A-4-UB-2014/23532

Dated:-26.09.2014

Subject: Policy framed U/S 43 of the **Persons with disabilities Act, 1995 – Amendment** thereof.

This is in continuation of this office memo no. A-PWM-2009/UB-II/21403-25 dated 11.06.2009 on the subject cited above.

In CWP No. 3199 of 2008 titled as Handicapped Welfare Group Housing Society Ltd. Panchkula Vs. State of Haryana, the Hon'ble High Court vide order dated 21.01.2009 directed the respondents i.e. the State of Haryana and HUDA to formulate an appropriate scheme U/S 43 of the Persons with Disabilities (Equal Opportunities, Protection in Rights and Full Participation) Act, 1995. In compliance of these directions, the policy guidelines were formulated and circulated on 11.06.2009 with the approval of Authority. As per this policy, the benefit is admissible only to those domiciles of Haryana who are suffering with 70% or above disability.

Sh. N.S. Bhinder, Advocate filed a Civil Writ Petition No. 278 of 2014, challenging the said policy with the prayer that Section 2 (t) of the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995 prescribes that 'persons with disability means a person suffering from not less than 40% of any disability as certified by a Medical Authority', therefore the policy dated 11.06.2009 framed by HUDA is in derogation of the provisions of Persons with Disabilities Act, 1995 and deserves to be quashed. The Hon'ble High Court disposed of the writ petition vide orders dated 23.01.2014 with directions to the concerned authority to take a decision on merits on the representation of the petitioner by passing a speaking order in this regard within one month.

In compliance of directions of Hon'ble High Court it was decided to review the policy dated 11.6.2009 by a Committee constituted for the purpose. After deliberations, the Committee is of unanimous view that since the Disability Act, 1995 prescribes that "persons with disability means a person suffering from not less than 40% of any disability as certified by a Medical Authority", no rule of the policy shall be framed in contravention of that Act. Even the Govt. of Haryana vide instructions dated 01.01.1999 has fixed the quantum of disability to be 40% and above in Govt. jobs. Therefore the Committee constituted for the purpose recommends that the policy dated 11.06.2009 may be amended and disability limit may be kept as 40% or above instead of 70%. Rest of the conditions/ concessions of policy be kept intact.

Therefore, the matter was placed before the Authority in its 108th meeting held on 07.08.2014 with the proposal that the policy dated 11.06.2009 be amended and disability limit be kept 40% or above instead of 70%. Rest of the conditions/concessions of policy will remain the same. The Authority has accorded its approval. A copy of agenda item alongwith extract of the proceedings of the meeting are sent herewith for information & necessary action. This will be made applicable with prospective effect.

You are therefore requested to take further action accordingly and action taken report may be sent to this office immediately.

DA/As above

-sd/-
(B.B.TANEJA)
Deputy Superintendent.(U.B.),
for Chief Administrator, HUDA

Endst. No. A-4-UB-2014/23533-39

Dated:26.09.2014

A copy of above is forwarded to the following for information and necessary action:

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Legal Remembrancer, HUDA, Panchkula.
5. The Senior Architect, HUDA, Panchkula.
6. The Enforcement Officer, HUDA, Panchkula.
7. The Dy. ESA, HUDA, Panchkula.

sd/-
(B.B.TANEJA)
Deputy Superintendent.(U.B.),
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrator (s), HUDA in State.
2. All the Estate Officer (s), HUDA in State.

Memo No.A-7-UB-2013/45333

Dated 19.12.2013

Subject:- Policy guidelines for allotment of **land to Political Parties**, Urban Estate of HUDA.
Reference on the subject cited above.

The matter regarding policy guidelines for allotment of land to Political Parties was placed before the Authority in its 106th meeting held on 18.09.2013 vide agenda item no. 106th (19) for obtaining ex-post facto approval. The Authority has accorded its approval. The policy guidelines for allotment of land to political parties are as under:-

1. Only such Political Parties which are duly recognized by Election Commission of India shall be eligible for allotment of land.
2. The earmarked sites shall be advertised in atleast two newspapers having wide circulation in the State of Haryana.
3. The allottee shall have to complete the construction within 2 years from the date of offer of possession. This period can further be extended upto 3 years by the Estate Officer, i.e. upto maximum of 5 years from the date of offer of possession on payment of extension fee at the rate fixed from time to time for Institutional sites of concerned Urban Estate/ Institutional Sector.
4. The allottee shall ensure a minimum covered parking space @ one ECS per 50 sq. mtrs of permissible covered area on the allotted plot. Besides this provision for open parking area at the tune of atleast 10% of the plot area shall also be ensured within the premises by the allottee.
5. The size of such sites, if available, at any of the Districts level will be maximum 1000 sq. mtrs.
6. The sites will be earmarked in the designated Institutional area/pocket.
7. The site will be allotted at the institutional rates applicable for concerned Urban Estates.

Eligibility

8. (i) Only National recognized Political parties and Haryana State Recognized Political Parties shall be eligible to apply.
(ii) The political parties having no member in the Legislative Assembly of Haryana State as on the last date of receipt of application shall not be eligible to apply.
9. The applications shall be signed by the President of the State unit of the Political Party.
10. No Political Parties shall be eligible to apply if a site has already been allotted to that Political Party in that Urban Estate.
11. The applications will be scrutinized by a Committee consisting of D.C-cum-District Election Officer, Zonal Administrator, HUDA, concerned E.O., HUDA and DTP and this Committee will make recommendations accordingly.

12. All other terms and conditions as are applicable to the Institutional sites shall also be applicable to the sites to be allotted to Political Parties.
13. The sites will be allotted to the eligible applicants Political Parties with the approval of Haryana Urban Development Authority.

A copy of agenda alongwith extract of decision of the authority is sent herewith for information and necessary action.

You are requested to intimate action taken report on the matter within 10 days positively.

DA/As above.

-sd/-

(B.B. Taneja)

Dy. Superintendent, Urban Branch

For Chief Administrator, HUDA

A-7-UB-2013/45333

Dated 19.12.2013

A copy of above is forwarded to the following for/ information and necessary action:-

1. The Chief Vigilance Officer, HUDA, Panchkula.
2. The Chief Controller of Finance HUDA, Panchkula.
3. The Chief engineer/Chief Engineer-I, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The General manager (IT), HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. The Enforcement Officer, HUDA, Panchkula.
8. The Dy. ESA, HUDA, Panchkula.
9. All the Assistants of Urban Branch, HUDA, HQ.,

-sd/-

(B.B. Taneja)

Dy. Superintendent, Urban Branch

For Chief Administrator, HUDA

From

Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators in HUDA
2. All the Estate Officers in HUDA

Memo No. A-6-(UB)2013/36319-41

Dated: 02.09.2013

Subject: Regarding clear identification/ Demarcation of unallotted residential / commercial / industrial / institutional sites by construction of **9' high boundary wall**. **Modification** thereof.

This is with reference to this office Memo No.A-Pwn-UB-I-2009/6032-54 dated 06.03.2009 on the subject cited above.

1. The instructions issued vide above said letter dated 06.03.2009 are reiterated for meticulous compliance.
2. These instructions shall also be followed in case of residential / commercial / industrial/ institutional plots.
3. It is requested that each and every un-allotted residential / commercial / industrial / institutional site may be got demarcated on ground and exact dimension of each such site may be got entered in the PPM/ Computerized property record. Such sites should also be secured by way of construction of a boundary wall 9" high from ground level.
4. This exercise may be done in a time bound manner prescribed as under:

a.	Identification of all the un-allotted sites in developed residential/ commercial pockets from office record	Within one week of the date of issue of this letter
b.	Demarcation of such identified sites on ground.	Within another two weeks
C.	Entry of dimensions/details in Computerized Property record.	Within another one week.
d.	Construction of boundary wall 9" high from ground level.	Within three months thereafter.

In case an unallotted plot (Residential/Commercial/Industrial /Institutional) is bound by a constructed plot(s) then that side(s) be left and only remaining sides be marked by this 9" boundary.

5. After entry of details/dimensions of each unallotted plot/site in Property record, a copy of the information so compiled for each sector/pocket may be sent to HQ within 45 days positively as well as reconciled with the information posted on the website. Thereafter the expenditure details may also be sent to HQs, so that the expenditure incurred on construction of boundary wall can be recovered by proportionally loading the same to the reserve price of the commercial sites and cost of residential plots also.
6. In case of Sector 9 Jind, floated for Defence Personnel on 15.08.2013 and in respect of Sector 14 Part-II and 33 Part-I, Hisar, no provision was made for construction of 9" Boundary wall in the price fixation. It has been decided that the 9" Boundary wall in respect of plots of these sectors will be constructed by HUDA and the expenditure of this work will be met out of "Unforeseen Charges" of 5% provided in the price fixation of these sectors.

7. It has also been decided that for future floatation of residential/commercial sites, the cost incurred be built-in

in the price/reserve price of the residential/commercial site.

These instructions may be followed in letter and spirit and non-compliance shall be viewed seriously. This issues with the approval of Chief Administrator HUDA.

-sd/-
(B.B. Taneja)
Dy. Suptd. (U.B.)
for Chief Administrator, HUDA

Endst. No. A-6-(UB)2013/

Dated: 02.09.2013

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer/Chief Engineer-I, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Architect, HUDA, Panchkula.
5. The General Manager (IT), HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.

-sd/-
(B.B. Taneja)
Dy. Suptd. (U.B.)
for Chief Administrator, HUDA

CC:

PS/PSTCP for kind information of PSTCP.

From

The Chief Administrator
Haryana Urban Development Authority
Sector-6, Panchkula

To

The Administrator
HUDA, Panchkula

Memo No. A-7/2012/UB/15764-72

Dated: 27/4/2012

Sub:- Allotment letters of flats under Ashiana Scheme in death cases.

The matter regarding exchange of flats allotted under Ashiana Scheme in case of handicapped allottees having 70% and above disability and transfer of flats in death cases has been considered and examined. The following decisions have been taken:-

1. In case of death of allottee, the transfer of plot may be allowed to the legal heirs by furnishing death certificate, affidavit and indemnity bond, as was applicable in earlier policy of residential plots.
2. The ground floor flats may be allowed to be exchanged for disabled, handicapped persons having 70% and above disability. For this purpose Estate Officer concerned shall be the Competent Authority.
3. In future scheme of 'Ashiana' the ground floor flats may be kept reserved for disabled persons having 70% and above disability or those who for other medical reasons are not able to use the stair-case and it may be allotted through draw to lots. Remaining flats may be allotted through draw of lots to General category.

The above decision may be brought to the notice of all concerned for strict compliance.

-sd/-

(Ishwar Singh)

Dy. Supdt. (Urban Branch)

for Chief Administrator HUDA, Panchkula

Endst No. A-7/2012/UB

Dated: 27/4/2012

A copy of the above is forwarded to the following for information and necessary action.

1. Chief Controller of Finance HUDA, Panchkula
2. Chief Engineer HUDA Panchkula
3. Chief Town Planner HUDA, Panchkula
4. Estate Officer HUDA, Panchkula
5. GMIT, HUDA, Panchkula
6. District Attorney, HUDA, HQ, Panchkula
7. Enforcement Officer HUDA, Panchkula
8. Dy. ESA, HUDA, Panchkula

-sd/-

(Bharat Bhushan)

Dy. Supdt. (Urban Branch)

For Chief Administrator HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Zonal Administrators in the State.
2. All the Estate Officers in the State.

Memo No. A-7-UB/2012/7576-95 Dated :29.02.2012

Subject:-Policy guidelines for allotment of **ear-marked for shuttering business.**

1. At present there is no policy for disposal of sites ear-marked for shuttering business. A number of sites have been ear-marked for shuttering business in the urban estate, Panchkula and the Estate Officer, HUDA, Panchkula has requested for framing a policy for the disposal of these sites. After careful consideration it has been decided to allot the sites for shuttering business on the following terms and conditions.
2. The sites ear-marked for shuttering business shall be auctioned as per policy for the auction of commercial plots.
3. The general terms and conditions for allotment of commercial plots framed by the authority from time to time shall apply to the auction of sites for shuttering business.
4. The allottee will have to set up his shuttering business on the allotted site within 6 months of the date of offer of possession.
5. The allotment shall be made on free hold basis.
6. The mode of payment of plot/site would be as under:-
 - i) 10% (2%+8%) bid money at the fall of hammer in form of cash demand draft.
 - ii) 15% amount within 30 days from the date of issue of allotment letter.
 - iii) Balance 75% amount shall be payable, either in lumpsum without interest within 60 days from the date of issuance of allotment letter or in 8 half yearly equal instalments.
7. The allotment shall further be governed by the provisions of HUDA Act, 1977, rules and regulations framed there under.

-sd/-
(Surjeet Singh, I.A.S.)
Administrator HQ.
for Chief Administrator,
HUDA. Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo No.A-7-2011/UB-I/27000-28

Dated:11.08.2011

Subject: Guidelines regarding **providing space for opening of liquor vends.**

Reference: In Supersession of instructions issued vide memo No.9919-50 dated 18.03.2011.

The matter regarding formulating specific guidelines for providing space for liquor vends has been engaging the attention of the authorities. After deliberations it has been decided that the department of Excise and Taxation Haryana shall intimate the concerned Estate Officer, the requirement of space for opening of liquor vends sector wise. The department of Excise and Taxation may opt for commercial sites like booth, SCO which can be considered for allotment in their favour on reserve price.

In case the Department of Excise & Taxation, Haryana does not opt for allotment of built up booth/SCO sites/ buildings and go for other available spaces, then the sites can be identified out of following areas:

- a. Unplanned shopping centre sites.
- b. Shopping Centres which have been planned but no development works have been carved out at site and the planned sites are not ready for possession.
- c. Acquired but unplanned HUDA land pockets which are away from residential areas.
- d. Areas designated as “HUDA land” “Land to be planned later on” “un planned use” which are away from residential areas.

The allotment shall be following terms and conditions:-

- i) The Collector rate (for Commercial Property, if available separately), as revised from time to time in that sector/area shall be the basis for computing the price and the rental should be 6% of that price for the full excise year.
- ii) 12 months advance rent shall be deposited either by the department of Excise & Taxation or by the vendors in advance, only thereafter possession of the leased out spaces shall be given. Besides refundable security of Rs. 20,000/- shall also be got deposited in advance.
- iii) The setting up of liquor vends/shops should not be allowed to operate from open spaces, green belts, parking and parks etc. under any circumstances. Further no liquor vend shall be allowed to run in the residential areas/premises.
- iv) The Department of Excise & Taxation shall not auction/allot liquor vends near any community site building, schools, colleges, religious buildings, hospitals etc.
- v) The vender shall raise only the temporary structures, as approved by the Excise & Taxation Department/HUDA.
- vi) The arrangement of water electricity shall be made by the liquor vendor itself. The expenditure thereof shall also be incurred by him. The liquor vendor shall ensure that there is no nuisance in the area. In case of any such complaint, the lease shall be cancelled.
- vii) It shall be the responsibility of the vendors to ensure cleanliness of the area.
- viii) Vehicles shall be parked in nearest designated parking lot only. No road side parking shall be allowed under any circumstances.

- ix) The damages to the existing infrastructure, like roads, water supply, sewerage system, plantation etc caused if any by the vendor or his customers shall be made good by the vendors.

You are requested to take further action accordingly.

-sd/-
(Ishwar Singh)
Assistant Estate Officer,
for Chief Administrator, HUDA.

Endst. No. A-7-2011/UB-I/27028-40

Dated:11.08.2011

A copy of the above is forwarded to the following for information and necessary action:

1. Excise and Taxation Commissioner, Haryana, Chandigarh.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Secretary, HUDA, Panchkula.
5. The Enforcement Officer, HUDA, Panchkula.
6. The District Attorney, HUDA, Panchkula.
7. The General Manager, IT Cell, HUDA, Panchkula
8. The Deputy ESA, HUDA, Panchkula.
9. All the Assistants in Urban Branch I & II, HQ's.

-sd/-
(Ishwar Singh)
Assistant Estate Officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
C-3, Sector-6, Panchkula.

To

1. All the Administrators HUDA in the State.
2. All the Estate Officers HUDA in the State.

Memo No.A-Supdt-UB-2009/1767-1789

Dated:11.01.2010

Subject: Policy guidelines for granting **permission to erect safety gates** in the HUDA Sectors.

This is with reference to the subject cited as above.

Various bodies representing residents of an Urban Estate/Sector like Residents Welfare Associations have been approaching HUDA for seeking permission to allow them to construct Gates on roads leading to their Sectors and/or boundary walls around the Sectors. Though these are public roads/places where access to public cannot be denied but in present day environment, to ensure some kind of security to the residents, especially at night, it has been decided that permission to construct Gates on roads leading to their Sectors and/or boundary walls around the Sectors may be allowed after observance of following procedure /formalities/ documentation.

- (i) The application containing complete details shall be made by duly representative body of the residents in a particular Sector addressed to the concerned Estate Officer HUDA.

- (ii) Application shall be considered by the Committee headed by the following:-

- | | |
|------------------------------|------------------|
| (a) Deputy Commissioner | Chairman |
| (b) Superintendent of Police | Member |
| (c) Estate Officer, HUDA | Member Secretary |

After the approval is granted by the Committee, the same shall be conveyed by the concerned Estate Officer, HUDA.

2. The permission shall be granted subject to following:-

- (i) All the gates will remain open from 5.00 AM to 11.00 PM in summer i.e. from 1st March to 30th October and from 6.00 AM to 10.00 PM in winter i.e. from 1st November to 28th/29th February. Atleast one gate will remain open for whole night with watchman for 24 hours. The salary of the watchman shall be borne by the Residents Welfare Association.
- (ii) Entire expenditure on construction of these Gates/boundary wall shall be borne by the concerned RWA.
- (iii) RWA will nominate two nodal officers who will have the keys of the locks of the Gates whose names shall be prominently displayed at all the entrances of the Sector so that they can be contacted for unlocking of the Gates in case of emergency.

This issues with the approval of Hon'ble C.M.Haryana/ Chairman HUDA.

-sd/-
(R.P.Gupta, I.A.S.)
Administrator (HQ),
for Chief Administrator, HUDA

Endst. No. A-Supdt-UB-2009/1790-1840

Dated: 11.01.2010

A copy of the above is forwarded to the following for information and necessary action.

1. All the Deputy Commissioners in the State.
2. All the Senior Superintendent of Police in the State.
3. The Chief Town Planner, HUDA, Panchkula. & Chief Controller of Finance, HUDA, Panchkula.
4. The Chief Engineer-I, HUDA, Panchkula. & Chief Engineer-II, HUDA, Panchkula.
5. The Sr. Architect, HUDA Panchkula.& L.R. HUDA, (HQ) Panchkula.
6. The General Manager (IT), HUDA, Panchkula.
7. The Enforcement Officer HUDA (HQ) Panchkula.
8. The Deputy Economical and Statistical Advisor, HUDA (HQ), Panchkula.
9. The Superintendent/All Assistants/Record Keeper of Urban Branch, HUDA, (HQ).

-sd/-
(R.P. Gupta, I.A.S.)
Administrator (HQ),
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
(Urban Branch-I), Sector-6, Panchkula.

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo. No. A-Pwn-UB-I-2009/28161-83

Dated: 05.08.2009

Subject: Policy guidelines for **offer of possession** to the allottees of HUDA plots. **Modification** thereof.

This is in partial modification of the Policy Guidelines regarding offer of possession to the allottees of HUDA plots circulated vide memo no. A-Pwn-2008/UB-I/39995-56 dated 27.11.2008.

The guidelines circulated vide memo referred to above stated that the allottee should be asked to take possession of the allotted plot within a maximum period of three months of offer of possession. They should also construct a boundary wall atleast of nine inches height within another three months.

Now, it has been decided that;

- (I) If the allottee, after taking over physical possession of his/her plot at site, gives an affidavit (on non-judicial stamp paper) that he/she will start the construction on the allotted plot within one year of the date of taking over of possession, then, it will not be compulsory for such an allottee to first raise the construction of nine inches high boundary wall, and the allottee can complete construction of boundary wall before applying for Occupation Certificate.
- (II) In case of those allottees who have submitted an affidavit for starting construction on the plot within one year of the taking of possession, the request for approval of building plans shall be entertained, even if he has not construct nine inches high demarcation boundary. However, requests for re-allotment, mortgage permission, transfer permission etc in such cases also shall not be entertained without construction of either the nine inches high demarcation boundary or the actual boundary wall as per affidavit.
- (III) Those allottees, who do not intend to start the construction within one year, and do not submit such an affidavit, will be required to under take construction of the nine inches high boundary wall as per Para (i) of the existing policy. The period of one year for starting construction, as stipulated in this policy, shall be strictly non extendable, and those allottees who do not actually start the construction even after submitting the affidavit, will also be required to first construct a nine inches high demarcation boundary within 3 months of the expiry of the period committed in the affidavit, failing which no requests for re-allotment, mortgage permission, transfer permission, sanction of building plan etc. shall be entertained. **All other shall remain unchanged.**

This issues with the approval of the Hon'ble Chief Minister, Haryana.

-sd/-

(R.P.Gupta, IAS)

Administrator (HQ), HUDA.
for Chief Administrator, HUDA

Dated: 05.08.2009

Endst. No. A-Pwn-UB-I-2009/28163-A

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, & Chief Engineer, HUDA, Panchkula.
2. The Enforcement Officer, HUDA, Panchkula. & General Manager (IT), HUDA, Panchkula.
3. All Assistants/Record Keepers of Urban Branch-I/II.

-sd/-

(R.P.Gupta, IAS)

Administrator (HQ), HUDA.
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA.
2. All the Estate Officers of HUDA.

Memo No. A-Pwn-2009/UB-II/ 21403-25

Dated: 11.06.2009

Subject: CWP No.3199 of 2008- Formulation of policy under Section 43 of the **Persons with Disabilities Act 1995.**

In compliance of directions dated 21.01.2009 passed by the Hon'ble Punjab & Haryana High Court in CWP No. 3199 of 2008 titled as Handicapped Welfare Group Housing Society Ltd. Panchkula V/s State of Haryana. The Hon'ble High Court has directed to formulate an appropriate Scheme under Section 43 of the persons with disabilities (Equal Opportunities, Protection in Rights and Full Participation) Act, 1995 casts which reads as under:-

“43. Schemes for preferential allotment of land for certain purposes: - The appropriate Governments and local authorities shall by notification frame schemes in favour of persons with disabilities, for the preferential allotment of land at concessional rates for-

- A. house
- B. setting up business;
- C. Setting up of special recreation centres;
- D. establishment of special schools;
- E. establishment of research centres;
- F. establishment of factories by entrepreneurs with disabilities.”
2. It is intimated that HUDA has already formulated Policy guidelines for reservation of 1% residential plots upto 8 Marla category for Blinds and 1% for Disabled Persons. 10% subsidy is also provided in the rate of allotment of such earmarked plots. As per provisions of EMP-2005, 2% of Industrial Plots upto 500 sq. mts. are reserved for the Entrepreneurs with Disabilities. 10% subsidy is also provided in the rate of allotment to such persons. Further, HUDA has formulated a policy for leasing out of Creche/School Buildings constructed by HUDA in various Urban Estates and community buildings constructed by HUDA in villages within HUDA sectors to reputed NGOs for running of Creche/School for special children and for undertaking welfare works in villages. The policy was circulated vide memo.no.4611 dated 20.02.09.
3. However, there is no policy of HUDA to earmark commercial, institutional and recreational sites for the persons with disabilities. Therefore, following policy decisions have been taken:-
 - A. **COMMERCIAL SITES:**
 - i) 2% of commercial sites designated as Kiosks and Booths in Shopping Centres shall be reserved for the persons with disabilities.
 - ii) The above reservation of sites shall be done in all the Shopping Centres in all the Urban Estates where more than 50% of total commercial sites designated as Kiosks and Booths are un-sold and are available for allotment.
 - iii) The commercial sites so reserved for persons with disabilities shall be allotted on the reserved price fixed by HUDA.
 - iv) The applications for allotment of commercial sites earmarked for persons with disabilities shall be invited through advertisement and in case of more than one applicant for a particular site, the site shall be offered through draw of lots.

- v) Milk Booth and Fruit & Vegetable shops are earmarked by HUDA in various Shopping Centres which are offered to Government agencies like Haryana Dairy Development Corporation, Mother Dairy etc. 25% of such sites allotted to above agencies shall be offered to the persons with disabilities and a condition to this effect be incorporated in the allotment letter.

B. INSTITUTIONAL SITES:

- i) Since, Institutional sites earmarked as Social and Charitable sites are allotted by HUDA only to registered organizations, such sites can not be allotted to individuals. Therefore, no reservation of sites earmarked for social and charitable purposes can be made for persons with disabilities. However, preference should be given in allotment of such sites to the organizations constituted with the persons with disabilities in case of 10% of the advertised sites.
- ii) In the institutional plots carved out by HUDA in exclusive institutional sectors, 2% plots shall be reserved for organizations of persons with disabilities.

C. RECREATIONAL SITES: Recreational sites such as community centres, Gymkhana Clubs, Auditorium, Sports Complexes, Stadium, Parks etc. are not allotted by HUDA to any of the organization. Therefore, no reservation can be made in such sites for organizations of persons with disabilities. However, it has been decided that:

- (i) HUDA shall create barrier free environment in buildings constructed by HUDA where handicapped/persons with disabilities can move easily.
- (ii) The entry of persons with disabilities shall be free in the Auditorium and the parks being developed by HUDA.
- (iii) The persons with disabilities will be given 10% concession in the fee prescribed for membership of Gymkhana Clubs and sports facilities developed by HUDA in Sports Complexes/Stadium.

D. General conditions: The above mentioned concessions to persons with disabilities shall be allowed to:

- i) Only the domiciles of Haryana with 70% or above disability;
- ii) On submission of disability certificate from the Chief Medical Officer of a Govt. Hospital.
- iii) The allotted sites shall not be transferred by the persons with disabilities for a period of atleast 10 years. Execution of Power of Attorney in favour of any persons for consideration paid either to such persons with disabilities or to any persons on their behalf shall be construed as sale which will result in resumption of plots/sites.
- iv) The allotment of the sites shall also be governed by the provisions of Haryana Urban Development Act, 1977, Rules and Regulations framed there under.
4. You are therefore, requested that the above decision may be implemented letter and spirit and compliance thereof may be sent to this office.

This issues with the approval of Hon'ble Chief Minister, Haryana-cum- Chairman, HUDA.

-sd/-

(Nadim Akhtar)

Incharge Urban Branch-II,
for Chief Administrator, HUDA

Dated: 11.06.2009

Endst. No. A-PWN-UB-2009/21426-33

Copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, The Chief Engineer, & Chief Engineer-I, HUDA, Panchkula.
2. The Chief Town Planner, HUDA, Panchkula. & Legal Remembrancer, HUDA, Panchkula.
3. The Senior Architect, HUDA, Panchkula. & Enforcement Officer, HUDA, Panchkula.
4. The Dy. ESA, HUDA, Panchkula.

-sd/-

(Nadim Akhtar)

Incharge Urban Branch-II,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators, HUDA
2. The Chief Engineer I & II, HUDA, Panchkula.
3. All the Superintending Engineers, HUDA.
4. All the Estate Officers/Assistants Estate Officer, HUDA.

Memo No. A-PWN-2009/UB-II/11775-11809

Dated: 17.04.2009

Subject: Regarding increase in Malba Security / Fee.

1. The present rates for Malba Fee/Security as specified in clause (v) of regulation 3 of HUDA erection of buildings regulations were approved by the Authority in its 74th meeting held on 20.08.1998 i.e. about a decade back. With passage of time it has been fault that the amount of Malba Fee/Security being small, the allottees/contractors do not bother to clear the Malba and take the refund. Besides, imparting a shabby look to the sector/area, many essential services and assets of HUDA also get damaged (Roads, kerbs and Channels etc.) due to uplifted Malba. Therefore, a proposal was placed before the Authority in its 102nd meeting held on 24.02.2009 vide agenda item no. A-102nd (Suppl.-3) for revision in the rates of Malba fee/Security.
2. The Authority has approved the proposal, and it has been decided that the amount of Malba Fee/Security shall be revised as under:-

Residential Plots:

- | | | |
|-------|--------------------------------|--------------|
| (i) | Upto 6 Marla | Rs. 5,000/- |
| (ii) | Above 6 Marla and upto 1 Kanal | Rs. 10,000/- |
| (iii) | Above 1 Kanal | Rs. 20,000/- |

Industrial, Institutional and Group Housing Plots:

- | | | |
|-------|------------------------------|----------------|
| (i) | Upto 1/4 th acre | Rs. 25,000/- |
| (ii) | Above ¼ acre and upto 1 acre | Rs. 50,000/- |
| (iii) | More than 1 acre | Rs. 1,00,000/- |

Commercial:

- | | | |
|------|---------------------|--------------|
| (i) | Booths | Rs. 10,000/- |
| (ii) | SCOs/SCFs/DSS/ etc. | Rs. 50,000/- |

(Governed by Architectural Control)

- | | | |
|------|---------------|----------------|
| (iv) | Others | Rs. 1,00,000/- |
|------|---------------|----------------|

3. It has been further decided that the non-refundable amount may be kept only as 10% of the above fees and remaining 90% may be refunded, if the allottees clear the Malba after construction to the satisfaction of the concerned Estate officer which shall be refunded immediately alongwith grant of occupation. The Malba fee / security shall be deposited by the allottee with the Executive Engineer, HUDA concerned, before the start of construction of house/building or release of water connection. The amount of Malba security shall be refundable only after the Malba completely removed, the area is leveled and the occupation certificate is issued by the Estate officer, HUDA concerned. The refund of Malba security shall further be subject to the condition that allottee shall construct Pucca approach to his house by connecting it from the edge of channel / road towards his house and not from any other point of the road.

4. The above instructions supercede the earlier instructions issued vide memo no. A-11-P/98/24777-817 dated 02.09.1998 and shall be made applicable with immediate effect.

-sd/-
(Naresh Mehtani)
Incharge Urban Branch-I,
for Chief Administrator, HUDA.

Endst. No. A-PWN-2009/UB-II/11810-16

Dated: 17.04.2009

A copy of the above is forwarded to the following for information and necessary action:-

1. Chief Town Planner, HUDA, Panchkula.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Secretary, HUDA, Panchkula.
4. Legal Remembrancer, HUDA, Panchkula.
5. Senior Manager, IT, HUDA, Panchkula.
6. The Deputy ESA, HUDA (HQ), Panchkula.
7. Incharge Urban Branch-II, HUDA, Panchkula.

-sd/-
(Naresh Mehtani)
Incharge Urban Branch-I,
for Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Zonal Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo. No. A-PHK-UB-I-2009/ 11563-85

Dated: 16.04.2009

Subject: Regarding handing over of **possession of plots. Modification** thereof.

1. As already emphasized a number of times in the past through specific communications, and discussed regularly in the various review meetings, it is once again requested that the status of handing over of possession of allotted plots in the urban estates under your jurisdiction may be comprehensively reviewed periodically say atleast in three months.
2. Terms and conditions contained in the brochures for floatation of residential plots clearly specify that possession of the plot shall be delivered to the allottee in about 3 years of the date of allotment. However, possession may be given earlier if the development of basic services in a scheme is completed before the above mentioned period. At the time of offer of possession, only the basic services i.e. water supply, approach road, sewerage and electrification shall be made available in the sector. Administrators should start reviewing the progress of development works immediately after floatation of the sectors/plots.
3. Besides inviting litigations and adversely affecting the credibility of the organization, delay in handing over of possession has financial implications also, because interest on balance instalments of any allotted plot accrues only after the date of offer of possession. Moreover, the Authority in its 98th meeting held on 12.12.2006 has decided that in case the possession of the plot is not offered within the prescribed period of 3 years from the date of allotment, the allottee will have to be paid simple interest @ 9% per annum (or as may be fixed by the Authority from time to time) on the amount deposited by him after the expiry of 3 years of allotment, and the allottee will be required to pay future instalments only after the possession of plot/alternative plot is offered. Instructions regarding the same were issued vide memo no. HUDA-Accts-Acctt-I-2007/2912-47 dated 25.01.2007. Estate officers should review it on monthly basis and Administrators on Quarterly basis. Administrators and/or Estate Officers shall be personally held liable for payment of interest to allottees and also loss of interest to HUDA if there are no sufficient reasons for not offering possession.
4. In an effort to minimize the problems arising out of handing over of possession, guidelines have been issued vide memo no. A-PWN-2008/UB-I/39995-96 dated 27.11.2008, making it compulsory for the allottee to take physical possession of his allotted plot within a maximum period of three months of offer of possession. They should also construct a boundary wall at least of 9" height within another three months, so that if there are any disputes regarding shape /size /clear availability of the allotted plot, the same can be taken care of immediately. In order to eliminate this problem in future sectors, it has also been decided that offer of possession will only be made after the plot is demarcated at site & 9" boundary wall is constructed by HUDA, cost of which will be included in the cost of allotment. You are requested to ensure compliance of these instructions.
5. With a view to ensure that in future sectors only those plots get allotted which are available at site free of dispute/encumbrances, the Authority in its meeting dated 12.12.2006 decided that the plots will be advertised only after their demarcation at site, and a committee under the chairmanship of concerned Administrator, comprising of S.E, DTP and Estate Officer will verify the clear number of plots available at site. Block of plots will be marked, roads will also be marked on the ground before the verification in order to ensure that only clear plots i.e. free from litigation & free from encroachment are advertised. Instructions regarding the same have been issued vide letter dated 25.01.07. You are once again requested to ensure compliance of these instructions.

6. To redress the grievance of such allottees to whom possession of the plot could not be given, HUDA has framed a policy for Exchange of plots/ allotment of alternative plots. Conditions where such exchange of plots/allotment of alternative plots is necessary are:

- i) Where HUDA could not deliver the possession of plots due to litigation pending in the courts,
- ii) Where the plot is not actually available on the ground as per layout plan.

Recently, in its 102nd meeting held on 24.02.09, Authority has decided that allotment of alternative plots can be made in those cases also where the plot is of an irregular shape/size. Definition/criteria for the same is being finalized.

7. Time and again, the Zonal Administrators and Estate Officers have been requested to identify the disputed plots (those plots whose possession could not be offered due to conditions mentioned in Para 6 above) and to send urban estate wise consolidated cases for allotment of alternative plots in lieu of all the disputed plots in the sectors/urban estates under their respective jurisdiction. Such an exercise has been carried out for a number of sectors of Urban Estate Gurgaon, Faridabad, Panipat, Sonipat, Gohana, Hisar etc. However, still a number of cases for adjustment of the allottees of disputed plots are being regularly received, inspite of the HQs stressing for sending of Urban Estate wise consolidated cases for allotment of alternative plots to the allottees of disputed plots.

8. Through this letter you are once again called upon to comprehensively review the status of handing over of possession of all the plots in various sectors/pockets/schemes and to take following action:-

- i. Compile details of Sectors/Schemes where the time limit of more than three years since allotment of plots has already passed or is approaching soon, but possession has not yet been handed over. For your convenience a list of schemes floated during the last five years is enclosed as annexure-‘I’.
- ii. Analyse the reasons for non-handing over of the possession especially in case of those plots where land is under litigation, because the execution of development works and the offer of possession of a large number of plots in HUDA sectors is held up due to operation of stay orders granted by various Courts. Kind attention is invited to memo no. 10705-65 dated 02.12.2008 vide which all the Superintending Engineers/Executive Engineers of HUDA and all the Estate Officers of HUDA were requested to compile list/details of cases where the development works and offer of possession are held up due to stay orders, and to peruse the cases in various courts in the right earnest so that the stay orders are got vacated (copy enclosed as annexure-II). It is requested that while sending the proposals for allotment of alternative plots in lieu of plots effected due to land under litigation, the court/case number, specific orders of the court, whether written statement has been filed by HUDA or not, and the present status/next date of the case must be specifically indicated. Land under litigation in each court case must also be distinctly marked on the layout/ demarcation plan so as to exactly ascertain the total number of plots actually affected by litigation.
- iii. Prepare an inventory of disputed allotted plots, which qualify for allotment of an alternative plot of same size category in terms of prevailing policy for allotment of alternative plots.
- iv. Prepare an inventory of all unallotted plots clearly available, in various sectors of each Urban Estate, for allotment as alternative plots.
- v. Formulate and send consolidated proposal for allotment of alternative plots as per policy to the allottees of all the disputed plots in the Urban Estates under your jurisdiction.

This exercise for all the plots allotted upto 31.12.2008 must be completed by 30th June, 2009. Thereafter, the Zone wise review of possession shall be conducted at headquarters level. It is not out of place to mention that with completion of 100% computerization of allottee accounts, this review can easily be done through MIS reports which can be generated from the system.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I,

For Chief Administrator, HUDA, Panchkula.

Memo No. A-PHK-UB-I-2009/11586-97

Dated: 16.04.2009

A copy is forwarded to the following for information and necessary action:

1. FCTCP, Haryana for information only please.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Chief Engineer/ Chief Engineer-I, HUDA, Panchkula.
4. Chief Town Planner, HUDA, Panchkula.
5. Legal Remembrancer, HUDA, Panchkula.
6. Incharge, Urban Branch-II.
7. All Assistants in Urban Branch-I & II.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I,

For Chief Administrator, HUDA, Panchkula.

From

The Chief Administrator,
Haryana Urban Development,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. UB-I-NK-2009/ 8400-8423 Dated: 24.03.2009

Subject- Policy guidelines for allotment of plots in **Transport Nagars & Auto Markets** developed by HUDA in the State.

HUDA has been acquiring land and developing Specialized Markets and Sectors for decongesting the existing cities or towns and providing modern amenities in these markets. Plots have been carved out and allotted in Transport Nagar of Karnal, Panipat & Faridabad and Marble Markets in Faridabad and Gurgaon. Individual persons and firms who were carrying out this business in identified areas were rehabilitated in new markets and sectors by allotting them plots at reserve price i.e. at rates cheaper than the prevailing market rates.

Although development of specialized markets & sectors has been going on for quite some time yet no uniform policy guidelines have so far been framed and circulated. Individual schemes have been framed keeping in view the local needs from time to time and implemented with the approval of the Authority.

Hence, a comprehensive policy for development of these Specialized Markets and Sectors & allotment of sites was placed before the Authority in its 102nd meeting held on 24.02.2009 vide agenda item no. A-102nd (19). The Authority has approved a uniform policy proposal having the following Salient Features:-

I. IDENTIFICATION AND SURVEY:-

1. Development of Specialized Markets and Sectors in a particular area will be considered where a particular trade or activity is being performed or business is being carried out in an unorganized manner which is causing public nuisance and it is felt that the development of a specialized Market or a Sector will not only decongest the old city or town but also has a potential to boost the economy of the beneficiaries.
2. A Zonal Committee under the chairmanship of the concerned Zonal Administrator, HUDA and consisting of the concerned Deputy Commissioner (in case the Deputy Commissioner is senior to the Administrator HUDA, the representative of the Deputy Commissioner will be a member), Estate Officer, HUDA, Executive Officer of the concerned Municipal Corporation/ Council and District Town Planner concerned shall in the first instance identify the areas or stretch of roads from where the individuals or firms running a particular type of business are to be shifted & rehabilitated.
3. The requisite survey, thereafter, shall be conducted by a sub-committee consisting of the following-
 - a. A representative of the District Administration (SDM or City Magistrate).
 - b. A representative of the Shop-owners' Association.
 - c. Junior Engineer of concerned Municipal Council/Corporation.
 - d. SDE Survey, HUDA-Member Secretary.

The Survey report shall be submitted to the Zonal Administrator being Chairman of the Committee. Videography of the proceedings and bio-metric survey of the likely beneficiaries shall be must. They shall fill up form in Annexure 'A' for each and every surveyed person.

4. The Zonal Committee shall be required to counter-check at least 10% of the survey conducted by the sub-committee to ascertain its authenticity.
5. The Zonal Committee shall forward its recommendations to the Chief Administrator, HUDA who shall obtain the approval of the Authority.
6. The identified individuals or firms shall be asked to submit their applications to the concerned Estate Officer within the prescribed time-limit along with the earnest money equal to 10% of the cost as per the procedure laid down. The individuals or firms shall have to submit documentary evidence justifying their requirement of land.

II. ELIGIBILITY CRITERIA:-

The identified individuals and firms shall be considered for allotment of sites provided for Booking Agencies, Repair and Spare Parts Shop as per the criteria decided by HUDA with approval of the competent authority. The SCO's, Body Building Shops, Service Station and Dhaba sites would be disposed off through open auction after the market is considerably developed.

III. TERMS AND CONDITIONS OF ALLOTMENT:-

1. The allotment of plots shall be made by draw of lots. However, remaining plots, if any, in a sector/scheme after accommodating the identified beneficiaries shall be disposed off by way of auction only. In case the number of eligible applicants exceeds the number of plots available, allotment of plots shall be made to the extent of availability of plots by draw of lots.
2. The Commercial Sites and other connected sites like Tea Shops, Dhabas and Body Building Sites etc. in these specialized sectors shall be disposed off only through auction.
3. The specific site number shall be allotted only through draw of lots.
4. The allotment shall be made through a Letter of Intent (LOI) which shall be valid for a period of 17 (seventeen) months from the date of offer of possession. The LOI holder shall have to get the building plans approved within three months of offer of possession and complete the construction within 12 months from the date of sanction of the building plans. He shall be given a further period of two months to vacate the old premises and shift to the new premises. No further extension shall be allowed thereafter under any circumstances.
5. Regular Letter of Allotment will be issued to the applicant only after he has obtained the Completion Certificate for the allotted site & discontinued the old trade or business from the old site, failing which the new allotted site along with all structures raised thereon by the allottee shall automatically revert to HUDA.
6. The regular allotment will be made on free hold basis at the reserve price as fixed by the Authority. The enhancement in compensation, if any, awarded by the Court (s) in future shall, however, be payable extra.
7. Besides making allotment through an allotment letter, the Estate Officer shall enter into an agreement with the allottee so that the allottee is contractually bound by the provisions of this policy.
8. The cost of land shall be recovered from the allottee within the time schedule as applicable in the case of allotment of Commercial Sites.
9. Any transfer or sale of the Site or building shall not be allowed for a period of next 10 (ten) years to be reckoned from the date of issue of Regular Allotment Letter except in the case of death or succession of the allottee. The transfer or sale of the site on GPA basis which entails passing of some consideration from the allottee to the GPA holder or any person on behalf of GPA holder shall be considered as a transfer and in such a case, the allotment shall automatically be cancelled. The resultant resumption of the plot in such cases shall be done by the concerned Estate Officer by giving a show cause notice in this behalf. No compensation for constructed building or structure raised on the plot by the allottee or any other person on his behalf shall be paid except the amount paid by the allottee as cost of land to HUDA after making 10% deduction. No interest shall be payable on the amount paid by such allottee in this behalf.
10. The allotment shall be governed by the relevant provisions of HUDA Act, 1977, rules and regulations framed thereunder, except the specific provisions enumerated above which form an integral part of this policy.
11. A copy of the agenda item no. A-102nd (19), alongwith relevant extract of proceedings, is enclosed herewith for further necessary action. A report on the follow up action taken may be sent to this office within a month.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I

For Chief Administrator, HUDA

Dated: 24.03.2009

Endst. No. UB-I-NK-2009/8424-8454

A copy is forwarded to the following for information and necessary action:-

1. All the Deputy Commissioners in the State.
2. The Chief Controller of Finance, HUDA, Panchkula.&Chief Town Planner, HUDA, Panchkula.
3. The Legal Rememberancer, HUDA, Panchkula.& Enforcement Officer, HUDA HQ, Panchkula.
4. The Deputy ESA, HUDA, Panchkula. &All the Assistants of Urban Branch-I & II.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I

For Chief Administrator, HUDA

Particulars of Individuals/ Firms engaged in Business related to

_____ at _____.

(Name of Activity)

(Name of Town)

Sr. No.	Particulars	To be filled by Individual/Firm
1.	Name of the Individual /Firm	
2.	Address of the Individual /Firm	
3.	Nature of Business	
4.	Date of Establishment	
5.	Area Occupied	
6.	Details of Vehicle owned and used for the Business	
7.	Date of Registration with concerned Government Department (copy attached)	
8.	Number of Employees	
9.	Monthly Income	

From

Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

1. All the Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo. No. A-PHK-UB-I/2009/6552-83

Dated: 13.03.2009

Subject: Guidelines regarding registration of ‘Independent Floors.’

As a follow up to the decisions taken in the meeting held under the Chairmanship of Hon’ble Chief Minister, Haryana on 11.11.2008 regarding registration of ‘Independent Floors’, following guidelines for registration of ‘Independent Floors’ have been formulated and got approved from the Competent Authority:-

1. APPLICABILITY OF FLOOR WISE REGISTRATION:

Registration of independent floors shall be allowed in case of residential plots in HUDA Sectors. In case of built up property situated in existing sectors (where owner has applied for/obtained occupation certificate prior to the date of issuance of these guidelines) registration of independent floors shall be allowed only in case of buildings constructed on the plots of 180 Sq. yards or above area. However, in case of vacant plots in old sectors as well as all residential plots in new sectors, there shall be no restriction regarding size of plots that can have multiple owners floor-wise.

2. PARAMETERS FOR FLOOR WISE REGISTRATION OF BUILDINGS:

- i) Every building subject to the provisions of HUDA Act 1977, rules and regulations framed there under can have a separate and independent unit on each floor. Each such dwelling unit shall be designated as ‘Independent Floor’. Each ‘Independent Floor’ shall be recognized as a distinct, identifiable property with a separate identification number, to which the owner shall have title alongwith proportionate rights in the declared common areas and common facilities, rights of access, easements and other ownership rights as well as the right to use, transfer or dispose-off the property in accordance with the applicable law and rules.
- ii) Owner of each ‘Independent Floor’ shall be entitled to separate utility connections such as water supply and electricity subject to building regulations/rules of Power Utilities.
- iii) The basement, if any, allowed in a residential building shall not constitute a separate sub division/floor. The basement shall form a part of the ‘Independent Floor’ at ground level. However, in case owners of different ‘Independent Floors’ in a building intend and agree to use basement as a common area for facilities such as parking or other plant and equipment required for different floors in the building, they may have undivided proportionate rights in the basement.
- iv) The garage, servant quarters, store, open spaces etc. constructed at ground floor forming part of the buildings ancillary to the main residential building shall not form a separate sub division and shall form part of the ground floor only.
- v) No increase in maximum permissible FAR will be allowed. However, the owner shall have an option to distribute the maximum permissible coverage equally on all the floors.
- vi) No sub division of plot and vertical divisions of buildings shall be allowed.
- vii) Disputes, if any, shall be limited to the agreement partners and HUDA shall not be a party. No claim shall be leviable against HUDA by any of the parties for non-construction.

3. ELIGIBILITY CRITERIA & OTHER CONDITIONS:-

3.1 Only such owners shall be eligible to transfer the floor-wise ownership of his/her building:

Who has completed all the three floors as per approved building plans/building bye laws and obtained occupation certificate thereof from the competent authority,

OR

Who has got approved the building plans for all floors and submits a joint undertaking by the transferee/transferors in the form of an affidavit that they mutually agree to complete construction of their respective floors, as per approved plan, within a reasonable specified period, can be allowed to transfer floor wise ownership rights. This agreed reasonable period shall be clearly mentioned in the re-allotment letter as well conveyance/sale deed.

- i) Who has paid full cost of the plot to HUDA, including enhanced compensation, and got the conveyance deed/sale deed, as the case may be, executed & registered, in his/her favour.
 - ii) There are no dues/arrears in respect of his/her plot.
 - iii) That there is no misuse of the site/building.
 - iv) That the owners of 'Independent Floors' in a building shall make adequate arrangement for parking of their vehicles within their premises and shall not misuse road/public property for parking in any manner what so ever.
- 1.2 Any two 'Independent Floors' can be jointly allowed to be transferred provided the ownership of both the floors is being transferred to one person.
- 1.3 In case the building is not constructed and floor wise building plans are approved as per clause 3(b), then the transferees/owners of different floors shall be liable to make the following payments as & when and in the manner demanded by the Authority:
- i) Enhanced compensation demanded after execution of the conveyance deed/sale deed
 - ii) Extension fee - to be recovered in the percentage of coverage under his/her ownership or on fixed percentage decided by the transferors/transferees through a joint undertaking in the form of an affidavit
 - iii) Compounding fee will be paid by the owner of each floor as levied by HUDA.

4. PROCEDURE FOR TRANSFER OF OWNERSHIP OF FLOORS.

4.1 The present owner/allottee shall make an application on the prescribed Performa to the concerned Estate Officer, HUDA for granting permission to transfer the ownership of 'Independent Floor'. The request shall be accompanied by the following information/documents:

The area/floor proposed to be transferred alongwith details of Common areas and common facilities duly defined on the prescribed format(s) and further shown and marked on the approved building plan.

- i) Administrative Charges of Rs. 10,000/-(Ten thousand only).
 - ii) Original allotment letter.
 - iii) A copy of the approved building plan.
 - iv) A copy of the occupation certificate (in case of constructed building).
 - v) Photographs of the existing building from all corners.
- 4.2 The Estate Officer shall, if he is satisfied with the completion and correctness of information provided with the declaration and after having the building inspected, if necessary, upon fulfillment of required formalities and payment of fee shall grant permission to transfer the ownership of floor, subject to the following terms and conditions:

- i) The transferee shall get a sale deed of the respective 'Independent Floor' executed /registered in his/her favour with respective Sub-Registrar and shall submit a certified copy thereof with the Estate Officer, HUDA concerned.
 - ii) The Indemnity Bond by the owner/transferor on the Performa No.....I.F.-1.
 - iii) An affidavit from the transferee on the Performa No.....I.F.-2.
 - iv) To deposit the arrears payable if any.
- 4.3 The above documentation/formalities shall be completed by the transferor and transferee both within a period of 90 days to be reckoned from the date of issuance of permission to transfer failing which the permission to transfer shall stand withdrawn and the owner shall have to apply afresh. The administrative charges deposited alongwith the earlier request shall stand forfeited.
- 4.4 Thereafter, on fulfillment of required formalities and documentation by the transferor and transferee, transfer of ownership as an apartment by the Estate Officer HUDA concerned under these rules shall be accorded by way of a fresh letter of allotment in favour of transferee and also in favour of transferor in supercession of the previous letter of allotment.
- 4.5 Such letter of allotment shall recognize the ownership of the 'Independent Floor' as the owner thereof, who shall be liable to comply with all the provisions of the HUDA Act, 1977, rules and regulations framed there under. All the covenants and liabilities contained in the original allotment letter and in the conveyance deed pertaining to building or site, shall be construed to be contained in the subsequent letter of allotment, as the case may be, even though no specific mention may have been made therein. Each 'Independent Floor' after it has been transferred as an apartment by the concerned Estate Officer, HUDA shall be sole and exclusive property of the declared owners. Such owners shall be fully and exclusively responsible and liable for complying with all provisions of the HUDA Act 1977, rules & regulations framed there under and covenants of the allotment letter and conveyance deed pertaining to the site or the building, and also to pay the enhancement in compensation, if any awarded by the court(s) in proportion to the percentage of total covered area available for construction on the floor under his ownership. The transferees/owners of all the 'Independent Floors' in a building can also pay the amount of enhancement in compensation on fixed percentage basis to be decided by the transferors/transferees through a joint undertaking in the form of an affidavit.
- 4.6 All these provisions of HUDA Act, rules and regulations framed there under from time to time and covenants shall apply, *pari passu*, to the apartments and to the owners thereof, as they did and would have, to the site of building and the owners thereof.

5. COMMON AREAS AND COMMON FACILITIES

5.1 *Definition:*

"Common Area and common facilities in relation to a residential building shall include the land covered by the building and all easements rights of access and other similar rights belonging to the land and the building. The common structures such as foundations, columns, beams, supports, main valves, common roofs, corridors, staircase, fire escapes, entrances and exist of the building. Such parking areas, passages, driveways, gardens, storage space, spaces for security, as are required or specified for common use. Installations of common services such as power, light, gas, water, heating, refrigeration, air conditioning, sewerage, elevators, tanks, pumps, ducts and such other common facilities as may be prescribed from time to time. All other parts of the building and land necessary for maintenance, safety and common use."

- 5.2 Every declaration for registration of 'Independent Floors' of a building shall contain the complete details regarding the common areas and common facilities. These may be used by all the owners and occupiers of the building equally and without hindrance, subject to reasonable restrictions to ensure privacy and common access to all owners and occupiers.
- 5.3 The owners of each 'Independent Floor' shall be entitled to the exclusive use and possession of the 'Independent Floors' as declared, and shall be entitled to ownership of such percentage of the un-divided interest in the common areas and common facilities as specified in the declaration. Such percentage shall be computed by

taking as basis the value of the sub-division in relation to the value of the building.

- 5.4 The percentage of the un-divided interest of each 'Independent Floor' in the common areas and common facilities shall be a permanent character and shall not be altered without the written consent of all the owners to be obtained and filed before the concerned Estate Officer of HUDA.
- 5.5 The common areas and common facilities shall remain un-divided and no owner or occupier of any 'Independent Floor' or any person shall be entitled to seek a partition or division of any part thereof before the concerned Estate Officer, HUDA or when making changes or amendments to the building, or in any other proceedings before the Chief Administrator, HUDA related to the building, without the written consent of all owners of the building.
- 5.6 Certain restricted common areas or restricted common facilities may be specified for use of some but not all the 'Independent Floors' and the owners and occupiers thereof.

A copy each of the following performas is enclosed:-

- | | |
|--|----------------|
| 1. Application for Transfer of 'Independent Floor'. | IF-A |
| 2. Indemnity bond by the transferor. | IF-1 |
| 3. Affidavit by the transferee. | IF-2 |
| 4. Re-allotment letter. | IF-RA |
| 5. Schedule-I: Description of each 'Independent Floor'. | IF-SI |
| 6. Schedule-II: Schedule of Common Areas. | IF-SII |
| 7. Schedule-III: Schedule of Restricted Common Areas. | IF-SIII |
| 8. Schedule-IV: Schedule of Common Facilities. | IF-SIV |
| 9. Schedule-V: Schedule of Restricted limited Common Facilities. | IF-SV |

In the meeting held on 11.11.2008 under the Chairmanship of the Chief Minister, Haryana, it was decided that in addition to the normal Stamp Duty, 1% extra Stamp Duty will be paid by the party desirous of registering the floor wise dwelling units through a separate challan. This 1% Stamp Duty will be paid by the treasury to the Municipal Committee/HUDA depending on where the property in question is located, for defraying the costs of additional external development that the Municipal Body/HUDA will have to incur due to the pressures on the Civic amenities that will arise due to extra persons living on the plotted areas. Accordingly the FCR, Haryana has separately been requested to issue necessary directions to all concerned so that this 1% extra Stamp Duty, in case of registration of 'Independent Floors' on the plots/property located in the Urban Estates of HUDA, is paid by the treasury to the concerned Estate Officer of HUDA for the Urban Estate in which the 'Independent Floor' is located, on monthly basis.

You are requested to take necessary action as per above policy on the requests for transfer/registration of 'Independent Floors' and a monthly progress report indicating the applications received, permissions granted and no. of pending applications may be sent to this office by 7th of every month.

-sd/-

(R.P.Gupta, I.A.S.)

Administrator HQs,

For Chief Administrator, HUDA, Panchkula.

Endst. No. A-PHK-UB-I/2009/ 6584-91

Dated: 13.03.2009

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, & Chief Engineer, HUDA, Panchkula.
2. The Chief Engineer-I, HUDA, Panchkula. & Chief Town Planner, HUDA, Panchkula.
3. The Legal Remembrancer, HUDA, Panchkula. & Senior Architect, HUDA, Panchkula.
4. The Enforcement Officer, HUDA, Panchkula. & Dy. ESA, HUDA, Panchkula.

-sd/-

(R.P.Gupta, I.A.S.)

Administrator HQs,

For Chief Administrator, HUDA, Panchkula.

From

Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To,

1. All the Administrators of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo. No. A-PHK-UB-I/2009/6032-54

Dated: 06.03.2009

Subject: Regarding clear **Identification/Demarcation of un- allotted commercial sites** by construction of 9' high boundary wall.

1. In order to identify and demarcate the commercial sites lying un-allotted in developed commercial pockets/ belts in various sectors/Urban Estates, it has been decided that each and every un-allotted commercial site may be got demarcated at ground and exact dimension of each such site may be got entered in the PPM/ Computerized property record. Also such sites may be secured by way of construction of a boundary wall 9" high from ground level.

2. This exercise may be done in a time bound manner prescribed as under:

1	Identification of all the un-allotted sites in developed commercial pockets from office record.	Within one week of the date of issue of this letter.
2	Demarcation of such identified sites on ground.	Within another two weeks.
3	Entry of dimensions/details in Computerized Property record.	Within another one week.
4	Construction of boundary wall 9" high from ground level.	Within three months thereafter.

3. After entry of details/dimensions of each unallotted plot in Property record, a copy of the information so compiled for each sector/ pocket may be sent to HQ as well as reconciled with the information posted on the website. The expenditure details may also be sent to HQs so that the expenditure incurred on construction of boundary wall can be recovered by proportionally loading the same to the reserve price of the commercial sites.
4. If any unallotted sites are scheduled to be auctioned in near future, then the auction scheduled may not be disturbed. However, efforts may be made to complete the above exercise for such plots on Priority and at least the demarcation of such sites on ground may be completed before the scheduled auction.

This may be accorded '**Top Priority**' and Action Taken Report may be sent through e-mail within one month's time.

-sd/-

(R.P.Gupta, I.A.S.)

Administrator HQs,

For Chief Administrator, HUDA, Panchkula.

Dated: 06.03.2009

Endst. No. A-PHK-UB-I/2009/ 6055-70

A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Senior Architect, HUDA, Panchkula.
6. All Superintending Engineers, HUDA.
7. The Dy. ESA, HUDA, Panchkula.

-sd/-

(R.P.Gupta, I.A.S.)

Administrator HQs,

for Chief Administrator, HUDA, Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

All the Administrators in HUDA.

Memo No A-PHK-2008/UB-I/40089-40093

Dated:28/11/2008

Subject: Preferential allotment of Residential Plots to the domiciles of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology, Judiciary, Defence or Sports.

1. With reference to the subject as cited above, the Council of Ministers, Haryana in its meeting held on 21.10.08 has approved a proposal for Preferential allotment of Residential Plots to the domiciles of Haryana who have distinguished themselves in the fields of Art, Culture, Social Service, Science & Technology, Judiciary, Defence or Sports. A copy of the agenda placed before the CMM and the decision of CMM are enclosed.
2. As per the policy approved by the CMM, the following may be considered as a 'class of persons' for the purpose of preferential allotment of residential plot under the above said policy:-
 - i) Recipients of Bharat Ratna or Nobel Prize or Ramon Magsaysay Award
 - ii) Recipients of Jnanpeeth (pronounced as Gyanpeeth) award
 - iii) Recipients of Shanti Swaroop Bhatnagar award
 - iv) Chief Justice of India
 - v) Chiefs of Defence forces, i.e. Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff.
 - vi) Medal winners in any event of any sport at the Olympics.
3. Allotment to the person qualifying under above stated categories will be subject to the following terms and conditions:-
 - a. That only the persons covered under the above said categories shall be eligible to apply for a plot. However, those persons who have been allotted plots either under discretionary quota of the Govt. or the Chiefs of the Defence Forces who have been allotted plots under the respective reserved category either in their own names or in the names of their spouses or any dependent children by the Haryana Urban Development Authority in any of its Urban Estates shall not be eligible to apply.
 - b. That the applicant should not own any plot in any urban estate of HUDA either in his own name or in the name of his or her spouse or any dependent children.
 - c. That only the serving Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff shall be eligible for such allotment.
 - d. That such persons shall be eligible to apply for 14 marla or 1 kanal plot only as per their requirement in any urban estate of their choice.
 - e. That such persons must be a domicile of Haryana.
 - f. That such persons shall be given the benefit of this allotment only once in their lifetime.
 - g. That such persons shall be at liberty to apply for such allotment as and when they acquire eligibility in view of the proposed policy. However, the dignitaries, such as, Chief Justice of India or Chief of the Army Staff, Chief of the Naval Staff or Chief of the Air Staff shall not be eligible for the preferential allotment after they demit their office.

- h. That such allotment shall be made on current rates as applicable at the time of allotment and on usual terms and conditions with the prior approval of the Chief Minister, Haryana.
- i. That such allotment shall be made by draw of lots if the applicants are more as compared to the number of plots in a particular sector of a particular urban estate.
- j. That such allottees will not be allowed to transfer these plots by way of sale or gift before the expiry of five years from the date of allotment.
- 4. It has further been decided that since such distinguished persons as stated above who are domicile of Haryana are an identifiable and distinct category and, therefore, preferential allotment of plots shall be made with the approval of the Chief Minister as and when a request for the same is received keeping in view the availability of plots in the Urban Estate for which the request is received.

You are requested to take necessary action accordingly.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I.
for Chief Administrator, HUDA

Endst. No. No. A-PHK-2008/UB-I/40094-40122

Dated:28/11/2008

A copy is forwarded to the following for information and necessary action:

- 1. The Chief Secretary, Haryana with the request that the concerned departments in the Central / State Government may kindly be informed about the above said policy.
- 2. Director, Public Relations and Cultural Affairs, Haryana, Chandigarh.
- 3. The Legal Remembrancer, HUDA, Panchkula.
- 4. The Chief Engineer/ Chief Engineer-I, HUDA Panchkula.
- 5. The Chief Controller of Finance, HUDA Panchkula.
- 6. The Chief Town Planner, HUDA Panchkula.
- 7. Sr. Architect, HUDA Panchkula.
- 8. The Secretary, HUDA Panchkula.
- 9. The Sr. Manager IT HUDA Panchkula..
- 10. The Deputy ESA, HUDA Panchkula.
- 11. All the Estate Officers of HUDA in the State.

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I.
for Chief Administrator, HUDA

NEW PROCEDURE FOR OFFER OF POSSESSION

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrators in HUDA.
2. All the Estate Officers in HUDA.

Memo No. A-Pwn-2008/UB-I/39995-96

Dated: 27.11.2008

Subject: Policy guidelines for **offer of possession** to the allottees of HUDA plots.

1. It has been observed that the Allottees face a lot of problem in taking possession of the allotted plots particularly in old HUDA sectors. Such problems arise due to change in the size of plot, non-availability of plots, change in the shape of plots etc. The root cause of these problems is that the plots are not actually being demarcated at site. Such problems come to notice only when the Allottee asks for taking the possession of the allotted plot after a long gap. In order to fulfill its commitment for allotment of plot, HUDA has to either offer alternate plots by carving out additional plots in unplanned pockets or in case the plots are not available in the same sector, offer plots in adjoining sectors at the rates applicable at the time of allotment. It causes great financial loss to HUDA and also invites litigations from the Allottees.
2. In order to solve such problems, **the following decisions have been taken-**
 - (i) That the Allottees should be asked to take possession of the allotted plot within a maximum period of three months of offer of possession. They should also construct a boundary wall atleast of nine inches height within another three months so that if there are any disputes regarding possession, the same can be taken care of immediately.
 - (ii) That in case the Allottee fails to take possession of the allotted plot within the prescribed time limit and subsequently it comes to the notice that the allotted plot is not available at site, he/she will not be entitled for offer of alternative plot at subsequent stage on the same terms and conditions on which the original plot was allotted. In such an eventuality, the Allottee will be offered alternative plot at current rates.
 - (iii) That no request of the Allottee for re-allotment, mortgage permission, transfer permission, approval of building plan etc. shall be entertained if the Allottee fails to take possession of the allotted plot and construct nine inches high boundary wall within the prescribed time limit as mentioned in para (i) above.
 - (iv) That mere taking of possession by the Allottee and construction of nine inches boundary wall shall not exempt the Allottee from the payment of extension fees unless he or she constructs minimum 25% area as per the existing bye-laws.
3. You are, therefore, requested that all the Allottees may be asked to take the possession of the plots within three months wherever the possession of the plots have already been offered by HUDA. A public notice to this effect is also being issued in prominent news papers by the Head Quarter to give wide publicity to this policy decision. However, you may also issue Press Release for wide publicity in your jurisdiction. You are also requested to take further action accordingly and a compliance report of the above guidelines be sent to the HQ.

This issues with the approval of Hon'ble Chief Minister-cum-Chairman HUDA.

-sd/-

(T.C. Gupta, I.A.S.)

Chief Administrator, HUDA

Dated: 27.11.2008

Endst. No. A-Pwn-2008/UB-I/39997-40005

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Town Planner, & Chief Controller of Finance, HUDA Panchkula.
2. The Chief Engineer, & Chief Engineer-I, & Senior Architect, HUDA, Panchkula.
3. The Legal Remembrancer, & Enforcement Officer, HUDA (HQ), Panchkula.
4. The Dy. ESA HUDA, Panchkula. & All the Assistants in Urban Branch (HQ) HUDA Panchkula.

-sd/-

(A.K. Yadav, I.A.S.)

Administrator (HQ)

for Chief Administrator, HUDA

Internal Distribution

Sr.Secy to Chairman, HUDA-cum-CM, Haryana.

PS / FC TCP.

INSTALLATION OF STATUES, NAMING OF PERMANENT ASSETS, ROTARIES AND CHOWKS IN HUDA AREAS

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrators HUDA in the State.
2. All the Estate Officers HUDA in the State

Memo No.A-Pwn-UB-II-08/27771-93

Dated:06.08.2008

Subject -Policy regarding **installation of Statues**, naming of Permanent Assets, Rotaries and Chowks in HUDA area and maintenance thereof.

Whereas the matter pertaining to installation of Statues, naming of Permanent Assets, Rotaries and Chowks in HUDA areas and maintenance thereof was engaging the attention of HUDA since long.

With a view to formulate a uniform policy on the subject cited above, the matter was, therefore, placed before the Authority in its meeting held under the chairmanship of the Chief Minister, Haryana on 11th June, 2008 under agenda item no. A-101(22). After careful consideration, the following policy has been formulated –

(a) Installation of Statues in HUDA areas:

Installation of Statues of only National Heroes shall be permitted on the corners or junctions in such a way that the installation does not hinder the movement of traffic and laying of services etc. installation of Statues shall also be allowed in parks and community buildings constructed by HUDA.

This will be allowed with the prior approval of Chairman, HUDA. However, in case when the office of Chairman, HUDA is held by a person other than the Chief Minister, prior approval of the Chief Minister shall also be obtained.

(b) Naming of Permanent Assets created by HUDA:

All permanent assets created by HUDA shall be named as ‘HUDA Buildings’, for example, ‘HUDA Stadium’ in case of a Stadium, ‘HUDA Community Centre’ or ‘HUDA Auditorium’ etc.

However, if any other name has been given or proposed to be given, then ‘HUDA’ word shall also be incorporated in its name. For example, Inderdhanush Auditorium in Sector 5, Panchkula shall henceforth be named as ‘Inderdhanush HUDA Auditorium’.

In case, a Permanent Asset is named after any person who has distinguished himself in the field of Art or Literature or who is a National Figure in the Freedom Struggle or any other distinguished personality in Indian History, then also name of ‘HUDA’ shall be incorporated. For example, Tau Devi Lal Stadium, Sector 3, Panchkula shall now named as ‘Tau Devi Lal HUDA Stadium’.

The space and design in all such cases shall be got approved from the competent authority in HUDA.

(c) Maintenance and naming of Rotaries/Chowks:

HUDA may allow distinguished organizations and industries to maintain Rotaries or Chowks in HUDA areas. The organization or industry which is to maintain the Rotaries or Chowks may display a hoarding there stating that this is being maintained by the concerned organization. A Committee shall be constituted under the chairmanship of the concerned Administrator consisting of SE and EO which shall identify the Rotaries or Chowks to be given to the organizations or industries for maintenance & then advertise the same on the website of HUDA as well as in the newspapers and will call for proposal from reputed organizations or industries.

The maintenance shall be given only for three years at a time which may be extended by another three years if the maintenance is found to be satisfactory. The approval shall be accorded by the Chief Administrator and hoardings of small size only shall be displayed by these organizations or industries depicting that it is being maintained by them.

The Rotaries or Chowks may be named after the persons who have distinguished themselves in the field of Art or Literature or who were national figures in freedom struggle or any other distinguished personality in Indian History. This will be allowed with the prior approval of Chairman, HUDA. However, in case when the office of Chairman, HUDA is held by a person other than the Chief Minister, prior approval of the Chief Minister shall also be obtained.

No naming of Chowks/Rotaries shall be allowed after the name of any individual who does not fall in any category as mentioned at (iii) above.

Installation of Statues shall not be allowed on such Rotaries or Chowks. Even an abstract creation for the beautification of Rotaries or Chowks and also relating to distinguished personalities shall not be allowed in case of maintenance & naming of Rotaries or Chowks.

A Rotary or Chowk shall not be allowed to be maintained by any religious society.

You are, therefore, requested to take further adequate steps for the implementation of this policy in letter and spirit and forward acknowledgment for the receipt of the present guidelines.

-sd/-
(A.K.Yadav, IAS)
Administrator (HQ),
for Chief Administrator, HUDA

Endst. No. A-Pwn/2008/UB-I/ 27794

Dated: 06.08.2008

A copy of the above is forwarded to the following for information and necessary action.

1. All Deputy Commissioners of Haryana State.
2. The Chief Town Planner, Haryana, Town and Country Planning Department, Sector-18, Chandigarh.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula
5. The Chief Engineer-I, HUDA, Panchkula.
6. The Chief Engineer-II, HUDA, Panchkula.
7. The Sr. Architect, HUDA Panchkula.
8. The L.R. HUDA, (HQ) Panchkula.
9. The Enforcement Officer HUDA (HQ) Panchkula.
10. The Deputy Economical and Statistical Advisor, HUDA (HQ), Panchkula.
11. The Dy. Supdt. /All Assistants/Record Keeper of Urban Branch, HUDA, (HQ).

-sd/-
(A.K.Yadav, IAS)
Administrator (HQ),
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

The Secretary to Hon'ble Speaker,
Haryana Vidhan Sabha,
Chandigarh.

Memo No .A-PHK-UB-II-08/27510

Dated 1st Aug ,2008

Sub: - Allotment of Land to sitting Members of Legislative Assembly of Haryana and Members of Parliament from Haryana for the construction of Flats/ Houses at Gurgaon and Panchkula – Clarification sought.

1. In continuation of this office letter No.APHK-2008/UE II/26907 dated 21st July, 2008 and in response to your fax dated 29th July, 2008 on the Subject cited above, it is clarified that any sitting Member of Legislative Assembly of Haryana or Member of Parliament from Haryana would be eligible for the benefit under the instant scheme in the Urban Estate of Gurgaon or Panchkula Unless he or she has been allotted any plot under the discretionary quota in his or her own name or in the name of his or her spouse in that specific Urban Estate.
2. It is further clarified that any sitting Member of Legislative Assembly of Haryana who has been allotted Flat as a member of the Jan Pratinidhi Cooperative Group Housing Society, Gurgaon in Sector 28, would not be eligible for any benefit under the Scheme only at Gurgaon.

-Sd/-

(Nadim Akhtar)

Incharge Urban Branch –I,

For Chief Administrator, HUDA.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

The Hon'ble Speaker,
Haryana Vidhan Sabha,
Chandigarh.

Memo No. A-PHK 2008/UB-II 26107

Dated 21/07/2008

Subject:-Allotment of land to sitting Members of Legislative Assembly of Haryana and Members of Parliament of Haryana for the construction of houses/flats at **Gurgaon and Panchkula**.

The Council of the Ministers, Haryana in its meeting held on 14.07.08 has approved the policy proposal of Haryana Urban Development Authority for allotment of land to sitting Members of Legislative Assembly of Haryana and Members of Parliament of Haryana for the construction of flats/ houses at Gurgaon and Panchkula.

As per the policy approved by the Council of Ministers, the allotment shall be subject to following terms and conditions:-

1. That the applicant shall have to surrender his/her membership in successful Group Housing Societies at Gurgaon and Panchkula to whom land has been allotted by HUDA under its Group Housing Scheme -2005 .In case all the members of the society opt for allotment of plot and /or flat under this scheme, then the land earlier allotted to the Society by HUDA under GHS-2005 shall revert to HUDA. The cost of the land paid by the Society shall be refunded along with interest as per HUDA Policy.
2. That only the sitting MLAs or MPs of Haryana shall be eligible to apply for a plot and /or be a member of a Group Housing Society, However, those sitting MLA.MPs who have been allotted plots under discretionary quota of the Govt. either in their own names or in the names of their spouses shall be ineligible.
3. That the interested sitting MLAs or MPs of Haryana shall form a Cooperative Society or a Welfare Housing Organization and get the same registered with the Registrar of Cooperative Societies, Haryana or Register of Firms and Societies, Haryana for the purpose of allotment of flats. However, no such requirement shall be there for allotment of plots.
4. That land shall be offered both for individual plots or Group Housing Sites in Panchkula whereas the land would be offered only for Group Housing Sites in Gurgaon.
5. That the applicant shall be eligible to apply both at Panchkula and Gurgaon as mentioned above.
6. The size of the flat for Group Housing shall be as per HUDA Norms depending upon the number of eligible MLAs/MPs and availability of land .The size of the plot shall be of 14 Marla Category in case of Panchkula Urban Estate.
7. Allotment of specific plots shall be determined through draw of lots.
8. The allotment shall be made on current rates of allotment and further on usual terms and conditions with prior approval of the Chief Minister, Haryana.

Since MPs of Haryana and MLAs of Haryana are an identifiable and distinct category, it has been decided to invite applications through circulation among them. You are, therefore, requested to kindly indicate the requirements of plots/ flats both at Panchkula as well as Gurgaon, so that further necessary action regarding offering available plots/ group housing chunks under the above said scheme of allotment can be taken.

-sd/-

(Ashok Yadav, IAS)

Administrator, HUDA (HQ's)

for Chief Administrator, HUDA

Endst No A-PHK- 2008/UB-II/26108

Dated 21/07/2008

A copy of the above is forwarded to The Financial Commissioner & Principal Secy to Govt. Haryana, Town and Country Planning Department, Chandigarh w.r.t his office memo no 7/8/2008 -2 TCP dated 18.07.08 for information and further necessary action please.

-sd/-

(Ashok Yadav, IAS)

Administrator, HUDA (HQ's)

for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

To

1. All the Administrator, HUDA.
2. All the Estate Officer, HUDA

Memo no.A-1-2007/ 6237-59

Dated 20.02.2007

Subject: Policy guidelines for allotment of **Grid Sub Station sites** carved out in the Urban Estates, developed by HUDA in favour of **HVPN**.

The matter regarding formulation of specific policy guidelines for allotment of Grid Sub Station sites carved out in the sectors/urban estates developed by HUDA, has been engaging the attention of the Authority for the past some time. In suppression of all the previous policy guidelines on the subject issued from time to time. It has been decided as under:-

1. The total cost of 220 KV/132 KV sub stations including land cost and cost of transmission lines from 220 KV/I 32 KV sub stations up to 66 KV /33 KV sub- stations will be shared between HVPN and HUDA in the ratio of 50:50.
2. Entire cost construction and land cost of 66 KV /33 KV sub stations will be borne by HUDA.
3. Six (6) acres of land shall be earmarked for every 220 KV Gas Insulated sub stations:
4. HVPN will have to give an undertaking that from the sub stations funded entirely by HUDA, shall supply power to H UDA areas only. The above decisions will be applicable on all unallotted sites unmarked for sub stations all over the state irrespective of whether the proposed sub wilt cater to new sectors or old sectors.

In view of the above decision, the concerned Estate Officer, HUDA shall allot all the Sites meant for Construction of 66 KV/33 KV sub stations to HVPN free or cost. The possession thereof shall also be handed over immediately.

In the case of sites, meant for 220 KV and 132 KV sub stations, the concerned Estate Officer, HUDA shall issue allotment letters to HVPN at 50% of the prevalent institutional rates. However, the possession may be given to the HVPN without payment or charges. The payable 50% cost or land, shall be adjusted against the cost which shall be paid to HUDA by HVPN according to the schedule of construction.

You are requested to take further follow up in the matter, accordingly. The receipt of this communication may also be acknowledged.

-sd/-

Administrator (HQ),
for Chief Administrator, HUDA.

Dated:-20.02.2007

Endst No. A-I/2007/

A copy of the above is forwarded to the following for information and necessary action:-

1. The Engineer in Chief, HUDA Panchkula.
2. The Chief Town Planner, Panchkula.
3. The Chief Controller of Finance, HUDA Panchkula,
4. The L.R. HUDA Panchkula.
5. The Secretary, HUDA Panchkula.
6. The C.V.O. & E.O, HQ's Panchkula.
7. The Dy.ESA, HUDA Panchkula.
8. The Senior Manager, IT , HUDA Panchkula.
9. All the Assistants/Record Keepers, Urban Branch, Panchkula,

-sd/-

Administrator (HQ),
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, C-3, Sector, Panchkula.

To

All the Administrators, HUDA

Memo No. A-1-2004/24154-57

Dated 29.06.2004

Subject:-Regarding charging of interest on the increased area from the allottees.

Reference on the subject cited above.

The offer of possession is normally offered, once- the demarcation/zoning plan and development works in the area are completed. In certain cases, during demarcation /dimensions of plots, are either increased or even decreased. It has-been observed that at the time of offer of possession the Increased/decreased area of the specific plot is not allotted to the allottees. The allottee too takes over the possession. As per their convenience. Consequently exact area is known to the allottee as and when an allottee takes over the possession in such cases. As per HUDA Policy the cost of increased area is recovered along with Accrued /calculated amount from the date of offer of possession. This lapse has been creating necessary disputes/litigation. The-matter has been looked into^{& it} has been decided to follow the following instructions to settle these cases.

1. As and when the offer of possession is given to the allottee, an intimation regarding increased area, if any may also be given. The offer of possession may be given strictly as per the approved demarcation plan. Any laxity on this account will be-viewed, seriously and if the increased area is not intimated along with the offer of possession, loss of interest on this account shall be recovered-from the defaulting officer/official.
2. In respect of past cases where increased area has not been intimated along with the offer of possession but it was known/ intimated only at the time of taking over physical possession of the plot, the rate for the increased area may be worked out and after updating the price of the plot at which it was allotted by HUDA as per HUDA policy i.e. to be reckoned from the date of offer of possession till the date of actual intimation of excess area to the allottee. No extension area shall however be charged, for this period.

The above instructions may be brought into the notice of all concerned. This also disposed off Administrator, HUDA, Hisar memo No. 11388 dated 27.10.2003.

-sd/-
Administrative officer
for Chief Administrator, HUDA

Endst. No.A-1- 2004/24158-82

Dated: 29.06.2004

A copy is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula.
2. The Engineer –in-Chief/ Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. All the Estate Officers, HUDA.
6. The Chief Vigilance-cum-Enforcement Officer, HUDA, Panchkula.
7. The Executive Engineer, HUDA,Panchkula.
8. The Dy. Economic & Statical Officer, HUDA, Panchkula.
9. All the Asstt. (s)/Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-
Administrative Officer
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Assistant Estate Officers, HUDA

Memo No. A-1-2004/23855

Dated: 25.06.2004

Subject: Policy for allotment of land **cremation ground, Muslim/ Christian burial ground** etc, in the Urban Estates developed by HUDA.

Reference to the subject cited as above.

The matter for allotment of land/site, carved out/developed, for cremation ground/graveyard/burial ground etc. in the Urban Estate developed by HUDA was placed before the Authority in its meeting held on 01.06.2004 vide agenda item No.A-91(20) for consideration and decision. The Authority has approved the proposal. It has been decided that such sites carved out and developed by HUDA as per laid down norms shall be offered, firstly to the Distt. Red Cross Society for its up-keep and maintenance. As a second alternative, in case Distt. Red Cross Society declines the offer, than these sites may be handed over to some reputed NGO. The sites shall be handed over to the Agency/NGO free of cost with the stipulation that the ownership of the site/structure shall vest with HUDA. Further no alternation/addition shall be allowed and the possession of the site/structure with building can be taken back at any time without assigning any reason.

Briefly the Agency/NGO shall have to make the Following usual arrangements at their own.

1. Adequate watch and ward arrangement.
2. A trained/qualified person, who can perform the last rites as per the ritual of the community/religion specific, shall be engaged.
3. Adequate arrangement of wood and other relevant material required.
4. The agency/NGO shall have to bear the expenses towards water, electricity charge etc. etc.

However the upkeep and maintenance liabilities as a whole shall be of the agency/NGO.

The name of the Agency/NGO shall be approved by the Zonal Administrator, HUDA on the recommendations of Distt. Administration.

You are requested to take further action accordingly and compliance report may be sent to this office immediately.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

Endst. No.A-I-2004/23856-62

Dated: 25-6-2004

A copy of the above is forwarded to the following for information and necessary action:-

1. The Joint Director (Legal), HUDA, Panchkula
2. The Engineer-in-Chief/Chief Engineer, HUDA, Panchkula.
3. The Chief Town Planner, HUDA, Panchkula.
4. The Chief Controller of Finance, HUDA, Panchkula.
5. The Secretary, HUDA, Panchkula.
6. The Deputy Economic & Statistical Advisor, HUDA, Panchkula.
7. All the Assistants & Record Keepers of Urban Branch, HUDA (HQ), Panchkula.

-sd/-

Administrative Officer,
For Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Panchkula

To

All the Estate Officers in the State.

Memo No. A-6-2003/6398-6414

Dated: 11.03.2003

Subject: Allotment of **milk booth** sites to Haryana. Dairy Development Coop. Federation Ltd.

The matter has been examined and it has been decided to allot milk booth sites duly approved in the residential sectors in Urban Estates under your jurisdiction in favour of Haryana Dairy Development Coop. Federation Ltd. Chandigarh. The allotment shall be made on lease hold basis initially for a period of 5 years subject to the following terms and conditions:-

1. Only the approved site in the residential area may be allotted.
2. Licence fee of Rs. 1500/- PM for booth shall be charged.
3. That the above licence fee shall be charged for 5 years only and shall be renewable after expiry of 5 years.
4. That the land/site shall be used only for the purpose for which it is allotted. In case of change of land use, the licence shall be cancelled without any reason.
5. That the allotment shall be made temporarily for a period of 5 years and the allottee shall construct the booths after getting the building plan approved from HUDA.
6. The booth/sites shall further not be transferred sub-lease/mortgage to any other person without prior permission of HUDA.
7. The allottee shall have to execute the lease agreement.
8. The allotment shall further be governed by the provisions of HUDA Act, 1977 rules and regulations framed there under.
9. The construction of Milk Booth will be made at their own cost on the allotted site after getting the building plan approved from HUDA.

You are therefore requested to take further necessary action accordingly. The above approval to the allotment is in anticipation of approval of the Authority.

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

Endst. No. A-6-2003/6415-17

Dated: 11.03.2003

A copy is forwarded to the following for information and necessary action:-

1. The Chief Town Planner, HUDA, Panchkula.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Managing Director, Haryana Dairy Development Coop. Federation Ltd. SCO No. 127-28, Sector-17 C, Chandigarh with reference to his letter No. CE/103/2002/8758 dated 23.12.2002. He is requested to depute the authorized official of the office to contact the concerned Estate Officer in this regard.

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators, HUDA
2. All the Estate Officers in HUDA.

Memo No. A-1-2001/15000-21

Dated: 11.06.2001

Subject: Policy for **disposal of sites** provided for **weightment bridge/ Dharamkanta**.

While planning the sectors and Urban Estates to be developed by HUDA in the State some sites have been earmarked for weightment Bridge/Dharamkanta and shown in the layout plan. But no policy for disposal of these sites has been framed so far in the absence of demand for such sites.

Now, the matter has been considered and examined under the prevalent circumstances. It has been decided that sites earmarked in the approved layout plans of the sectors for weightment Bridge/Dharamkanta shall be disposed off through open auction only. The terms and conditions of allotment shall remain unchanged which are applicable in case of allotment of land by auction so you are requested to go ahead accordingly.

This also disposes off Administrator, HUDA, Faridabad/Panchkula memo No. A-1-2000/757 dated 28.11.2000 and No. -2-4771 dated 05.04.2001 respectively.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula

Endst. No. A-1-2001/15022-23

Dated: 11.06.2001

A copy is forwarded to the Chief Town Planner, HUDA, Panchkula and Chief Controller of Finance, HUDA, Panchkula for information and necessary action.

-sd/-
Administrative Officer
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,

To

1. All the Administrator(s), HUDA.
2. All the Estate officers /Asstt. Estate officers, HUDA.

Memo No. A-1-9/20153-73

Dated 7-06-1999

Subject: -Policy for **handing over the possession of built up community buildings** to various deptt, like Education Deptt. Police Deptt. Sports Deptt. Health Deptt. etc in Urban Estates developed by HUDA.
Reference on the subject cited above.

The matter to adopt uniform policy for handing over the possession of built –up community buildings to various Deptt. Like Education Deptt. Police Deptt. Sports Deptt. And Health Deptt was under active consideration. In case of built up schools, HUDA allot these schools buildings to education Deptt. on a nominal lease of Rs. 100/- per annum. On the same analogy, the other built up community buildings like Police post, Dispensaries etc. may be allotted on the following terms and conditions :-

1. The sites will be allotted on 99 years lease hold basis and on nominal lease money of Rs. 100/- per year shall be charged.
2. The ownership of buildings/land will continue to vest with HUDA.
3. Any addition /alteration in the building will not be carried out except with the prior approval of HUDA.
4. The maintenance of building will be done by concerned deptt.
5. The concerned deptt. Shall pay all cesses /taxes chargeable to the land/building.
6. If there is any breach of any of the conditions, HUDA shall have the right to take back the land alongwith structures created thereupon without any compensation.
7. The use of land other than for which it is earmarked, will not be allowed in any case and the building would revert back to HUDA in case of any violation. This is with concurrence of the Hon'ble C.M., Haryana.

You, are, therefore, requested to take further action for handing over the possession of built up building to the concerned department. It is also made clear that these terms & conditions will also be applicable on the sites / buildings which have already been handed over to the concerned Deptt. by HUDA free of cost.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

Memo. No. A-1-99/20174-83

Dated 7.6.1999

A copy is forwarded to the following for information and necessary action.

1. Director, Higher Education/Secondary Education/ Primary Education, Education Department, Haryana, Chandigarh.
2. Director General of Police, Haryana, Chandigarh.
3. Director, Sports Deptt., Haryana, Chandigarh.
4. DGHS, Health Deptt., Haryana, Chandigarh.

They are requested to take over the built up buildings, if not already taken from HUDA on the above terms & Conditions. It is also made clear that these conditions will also be applicable on the sites, which have already been handed over to them by HUDA free of cost.

5. The Chief Engineer, HUDA, Panchkula.
6. The Chief town planner, HUDA, Panchkula.
7. The Chief Controller of Finance, HUDA, Panchkula.
8. The District attorney, HUDA, Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

1. All the Administrators,
HUDA, Panchkula
2. The Chief Engineer,
HUDA, Panchkula
3. All the Estate Officers/Assistant Estate Officers, HUDA, Panchkula
4. All the Executive Engineers,
HUDA, Panchkula

Memo No. A-11P/98/24777-817

Dated: 02.09.1998

Subject: Regarding increase in malba security fee

The subject cited matter has been engaging the attention of the Authority for a considerable period. The matter was examined and placed before the Authority in its 74th meeting held on 20.08.1998. It has been decided that amount of Malba fee/security shall be Rs. 1000/- for the plot having an area less than One Kanal and Rs. 2000/- for the plot having an area One Kanal and above. The 50% of the amount shall be got deposited as non-refundable fee and remaining 50% as refundable security. The malba fee/security shall be deposited by the allottee with the Executive Engineer HUDA concerned, before the start of construction of house or relase of water connection. The amount of malba security shall be refundable only after the malba is completely removed, the area is levelled and the occupation certificate is issued by the Estate Officer HUDA concerned. The refund of malba security shall further be subject to the condition that allottee shall construct pucca approach to his house by connecting it from the edge of channel/road towards his house and not from any other point of the road.

The above decision/instructions shall be made applicable with immediate effect.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA
Panchkula

Endst. No. A-11P-98/24818-32

Dated: 02.09.1998

A copy is forwarded to the following for information and necessary action:-

1. Chief Town Planner, HUDA, Panchkula.
2. Chief Controller of Finance, HUDA, Panchkula.
3. Secretary, HUDA, Panchkula.
4. Distt. Attorney, HUDA, Panchkula.
5. Asstt. Research Officer, HUDA (HQ)
6. All Asstt. (s)/Record Keepers of Urban Branch.

-sd/-
Administrator (HQ)
for Chief Administrator, HUDA
Panchkula

From

The Chief Administrator,
Haryana Urban Development Authority,
Chandigarh.

To

1. All the Administrator in HUDA
2. All the Estate Officers Asstt. Estate Officers in HUDA,

Memo No. A-15-98/13391-9200 Dated :18.05.1998

Subject:-Instruction regarding finalization of **zoning plan before offer of possession** to the Urban Estates HUDA.

It has come into notice that usually the possession of plot is offered to the allottees and possession interest charged from the date of offer, while the zoning plan of the area is not finalized. Due to this, no allottee can raise construction upon the plot. This is happened due to non coordination of HUDA's wings. As per policy guidelines on the subject, the possession interest cannot be charged, if the zoning plan is not finalized as offer of possession has no meaning without approval of zoning plan.

In view of above, it has been decided that zoning plan should be finalized well before the completion of development works.

The above instruction should be adhered to letter & spirit.

-sd/-
Administrative officer,
for Chief Administrator, HUDA.

Endst. No. A-5-98/3393-94

Dated 18.05.1998

A copy of forwarded to the following for information.

1. Chief Engineer, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.

-sd/-
Administrative officer,
for Chief Administrator, HUDA.

From

The Chief Administrator,
HUDA, Sector 6
Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers, HUDA
3. All the Asstt. Estate Officers, HUDA.

Memo No.A6-97/16610-30

Dated 13.05.1997

Subject: Formulating of policy regarding **professional consultancy** services in the Residential Zone **Amendments** in **HUDA Regulations** thereof.

The matter regarding granting permission for mixed/land use of residential premises had been under active consideration, in the past.

A proposal on the subject was placed before the Authority in its 70th meeting held on 23.04.1997 vide agenda item No.38 (copy enclosed) for consideration and decision. The Authority has accorded its approval to the proposal.

It has been decided that the professional consultancy services of non-nuisance nature only shall be allowed to be run within the residential premises on the terms and conditions mentioned in the agenda note. The area/portion of the residential premises for rendering non-nuisance professional consultancy services shall be limited to 25% of built up covered area of the building or 50 sq. mtrs. Whichever is less. The permission shall be granted subject to payment of prescribed fee, which shall be as under:-

- | | |
|--|-------------------------|
| 1. For Panchkula, Gurgaon and Faridabad Urban Estates | Total fee Rs.0.50 lacs. |
| 2. For Hisar, Rothak, Bhiwani, Bahadurgarh, Sonapat, Rewari, Karnal, Panipat, Ambala, Kurukshetra, Yamunagar, Jagadahri, Urban Estates | Total fee Rs.0.30 lacs |
| 3. For Hansi, Shahbad, Kaithal, Sirsa, Jind, Naraingarh & Dharuhera Urban Estate | Total Fee Rs.0.20 lacs. |

Fee shall be recovered in two annual installments. Rebate shall be given on lump sum payment. The clause 14 of Form 'C' & column-9 of Form D shall be modified as exhaustively elaborated in these enclosed approved agenda item. The instructions should be displayed in notice boards of all Prominent District Offices. Follow up action taken in the matter may be intimated to this office immediately.

-sd/-

Ecls. As above. Administrative Officer,
for Chief Administrator,

Endst.No.A6-97/16631-35

Dated 13.05.1997

A copy is forwarded to the following for information and necessary action:-

1. Chief Engineer, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.
4. Legal Remembrancer, HUDA, Panchkula.
5. DyEsa, HUDA, Panchkula.

-sd/-

Administrative Officer,
for Chief Administrator, HUDA

HARYANA URBAN DEVELOPMENT AUTHORITY

Notification

The 12th January, 1999

No **1019**- In exercise of the powers conferred by section 54 of the Haryana Urban Development Authority Act, 1977 (Act 13 of 1977) and with the previous approval of the State Government conveyed. Vide their memo no. 10/1/98-2TCP, dated the 4th December, 1998, the Haryana Urban Development Authority hereby makes the following regulations further to amend the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1978, namely:-

1. These regulations may be called the Haryana Urban Development (Disposal of Land and Buildings) Amendment Regulations, 1998.
2. In the Haryana Urban Development (Disposal of Land and Buildings) Regulations, 1998 (hereinafter called the said regulations), in regulation 2, after clause (b), the following clause shall inserted, namely:-
“(bb). “Non-nuisance professional consultancy” means and activity carried on by an individual by his personal skill and intelligence and includes:-
 - a) Doctors(without Nursing Home);
 - b) Lawyers;
 - c) Tax consultants;
 - d) Architects(without studio);
 - e) Contractor Consultants;
 - f) Chartered Accountant/Company Secretaries;
 - g) Property consultants;
 - h) Tourist Guides;
3. In the said regulations, in regulation 16 – (a) for the sign “”, at the end, the sign “.” Shall I substituted; and (b) the following proviso shall be added at the end, namely:-
“Provided that the transferee or lessee of a land/building can use 25% of the built-up cover area of the building or 50 square metre, whichever is less, for rendering non-nuisance professional consultancy service with the prior permission of Chief Administrator payment of fee which shall be as under:-

	Total Fee
1. For Panchkula, Gurgaon and Faridabad Urban Estate	Rs 0.50 lacs.
2. For Hisar, Rohtak, Bhiwani, Bahadurgarh, Sonapat, Rewari, Karnal, Panipat, Ambala, Kurukshetra, Yamunanagar/Jagadhri Urban Estate	Rs. 0.30 lacs.
3. For Hansi, Shahbad, Kaithal, Sirsa, Jind, Naraingarh and Dharuhera Urban Estates	Rs. 0.20 lack

The permission will be given initially for a period of 5 years on payment of prescribed fee. I fee shall be recovered at 10% with application, 40% at the time of grant of permission and balance 50 after one year from the date of permission failing which the permission shall stand cancelled. However 10% rebate shall be given if payment is made in lump sum. The permission shall be renewed after a **previous** of five years

on the payment of renewal fee, equal to 10% of total fee which will be recovered in lump sum at the time of renewal.

4. In the said regulation, after regulation 16, the following regulations shall be inserted, namely:-

“16-A Application to be made for rendering non-nuisance professional consultancy services. A person seeking permission from Estate Officer, Haryana Urban Development Authority concerned for rendering non-nuisance. Professional consultancy services in land/building disposed of for residential purposes, should apply in form ‘H’ to the Estate Officer, Haryana Urban Development Authority concerned.

16-B Permission for rendering non-nuisance professional consultancy services. The Estate Officer, Haryana Development Authority concerned on considering the application within a period of 30 days subject to fulfilment of requirements may grant permission to the applicant in form “I”.

5. In the said regulations, in form ‘C’ for clause 14, the following clause shall be substituted, namely:-

14. The plot/building shall not be used for any purpose other than that for which it has been allotted in accordance with the plans approved by the competent authority except for rendering non-nuisance professional consultancy services in land/services in land/building disposed of for residential purposes to the extent of 25% of the built-up covered area of the building or 50 square meters, whichever is less, with the prior permission of the Chief Administrator on payment of fees, as mentioned in provision to regulation 16. No obnoxious trade shall be carried out in or on any land/building.

6. In the said regulations, in form ‘CC’ for clause 12, the following clause shall be substituted, namely:-

12. The plot/building shall not be used for any purpose other than that for which it has been allotted in accordance with the plans approved by the competent authority except for rendering non-nuisance professional consultancy services in land/services in land/building disposed of for residential purposes to the extent of 25% of the built-up covered area of the building or 50 square meters, whichever is less, with the prior permission of the Chief Administrator on payment of fees, as mentioned in provision to regulation 16. No obnoxious trade shall be carried out in or on any land/building.

7. In the said regulations, in form ‘C-I’ for clause 19, the following clause shall be substituted, namely:-

19. The plot/building shall not be used for any purpose other than that for which it has been allotted in accordance with the plans approved by the competent authority except for rendering non-nuisance professional consultancy services in land/services in land/building disposed of for residential purposes to the extent of 25% of the built-up covered area of the building or 50 square meters, whichever is less, with the prior permission of the Chief Administrator on payment of fees, as mentioned in provision to regulation 16. No obnoxious trade shall be carried out in or on any land/building.

8. In the said regulations, in form ‘C-II’ for clause 17, the following clause shall be substituted, namely:-

17. The plot/building shall not be used for any purpose other than that for which it has been allotted in accordance with the plans approved by the competent authority except for rendering non-nuisance

professional consultancy services in land/services in land/building disposed of for residential purposes to the extent of 25% of the built-up covered area of the building or 50 square meters, whichever is less, with the prior permission of the Chief Administrator on payment of fees, as mentioned in provision to regulation 16. No obnoxious trade shall be carried out in or on any land/building.

9. In the said regulations, in form 'D' for clause 9, the following clause shall be substituted, namely:-

- (9). "The transferee shall not use the said land for any purpose other than that for which it has been sold nor shall be use the building constructed on it for a purpose other than that which it has been constructed except for rendering non-nuisance professional consultancy services in land/building disposed of for residential purposes to the extent of 25% of the built up covered area of the building or 50 sq. mtrs. whichever is less, with the prior permission of the Chief Administrator on payment of fees as mentioned in provision to regulation 16".

10. In the said regulations, in form 'E' for clause (7), the following clause shall be substituted, namely:-

- (7). "The transferee shall not use the said land for any purpose other than that for which it has been sold nor shall be use the building constructed on it for a purpose other than that which it has been constructed except for rendering non-nuisance professional consultancy services in land/building disposed of for residential purposes to the extent of 25% of the built up covered area of the building or 50 sq. mtrs. whichever is less, with the prior permission of the Chief Administrator on payment of fees as mentioned in provision to regulation 16".

11. In the said regulations, after form 'G', the following forms shall be added at the end, namely:-

Form-'H'

(See Regulation 16-A)

Application form to be made for rendering non-nuisance professional consultancy services.

1. Name of the applicant/allottee :
2. Permission No., Size, Sector:
3. Urban Estate :
4. Details of built up area :
5. Copy of approved building plan showing duly marked area upon which mixed land use in applicable:
6. Whether occupation certificate has been issued, if so, attested copy thereof be attached:
7. Details of professions :
8. Detail of anticipated visitors:
9. Working hours of consultancy :
10. Detail of fee, equal to 10% DD No., Name of Bank, Receipt No.
11. Affidavit to the effect that he shall abide by all the terms and conditions, which shall be imposed by HUDA from time to time.

Place:

Signature of applicant

Date:

Note:- In case the applicant makes the total fee in lump sum, 10% rebate will be given.

To

The Estate Officer,
Haryana Urban Development Authority.

FORM 1
(See Regulation 16-B)

From

The Estate Officer,
Haryana Urban Development Authority,

To

M/S/Sh./Smt. _____

Memo. No. ED:PCS/

Dated:

Subject:- Permission to provide Non nuisance consultancy services in the residential premises.

This is with reference to your application dated _____.

2. Permission is hereby granted to provide _____ services, within the premises of your land/house bearing No. _____ Sector _____ Urban Estate _____.
The above permission shall be subject to the following terms and conditions:

- (1) You can use the premises of your house upto 25% of the covered area of the premises or 50 square meter whichever is less for the purpose.
- (2) Total fee payable for a period of 5 years is Rs. _____ which is payable in two installments as per detail given below:-
 - (i) Rs. _____ after adjusting Rs. _____ paid with the application, within 30 days from the date of issuance of this letter.
 - (ii) The Second installments of Rs. _____ shall be deposited by _____
Failing which the permission shall stand cancelled.
- (3) Water and Electricity charged for such premises to the extent that is being used for non-residential use would be charged at commercial rates.
- (4) The Permission given by HUDA would be valid for a period of 5 years which may be renewed thereafter for a further period of 5 years on payment of renewal fee, @ 10% of total fee which will be recovered in the 6th year at the time of renewal.
- (5) The owner of a premises where mixed land use is permitted should accept any other condition such as restriction with respect to provision of parking, advertisement etc.
- (6) Haryana Urban Development Authority can withdraw the permission given for missed land use

- at any point of time if the percentage area permitted under mixed land use is found to exceed the stipulated limit or for any other reason in the public interest.
- (7) That the permission shall also be governed by the provisions of Haryana Development Authority Act, 1977, rules and regulations framed there under.
- (8) That the owner of building shall not further sublet/lease out the premises for which permission is being granted.

Estate Officer,
Haryana Urban Development Authority

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P.RAGHAVENDRA RAO,
Chief Administrator,
Haryana Urban Development Authority,
Chandigarh

From

The Chief Administrator,
HUDA, Sector 6
Panchkula.

To

1. All the Administrators, Haryana Urban Development Authority,
 2. All the Estate Officers, Haryana Urban Development Authority,
- Memo No.A1-colo-96/5644-64 Dated 23.02.1996

Subject: Regularization of violations in the constructions made by the allottees of plots in various Mandi Township Area.

Please refer to the subject cited above.

Since all the violations made in constructions of plots in the Mandi Townships are extremely old and are on large scale in all the Mandi Township Areas. Therefore, it has been decided to adopt the following one time measure in all Mandi Township areas to solve the issue:-

- I) It shall be advertised and also placed on notice boards of our offices that the allottees of Mandi Township areas may come forward for the regularization of construction/sanction of building plans latest by 30th August, 1996.
- II) The violations made prior to 11.09.1987 shall be examined and decided by the respective zonal Administrators in terms of the prevalent compounding fee structures as was charged by the erstwhile colonization department (Annexure 'A').
- III) Since the HUDA Act 1977 also became applicable to the Mandi Township areas also, on 11.09.1987, therefore, HUDA's extension policy shall also be applicable as such on the areas with effect from 11.09.1987. Extension fee shall accordingly be calculated and recovered from the allottees of Mandi Township areas.
- IV) However in case of new developments planned, developed, implemented and auctioned in Mandi Township areas after 11.09.1987 all the rules regulations, rates and HUDA policies would be applicable.

You are requested to take further action accordingly. The follow up action taken in the matter may be intimated to this office from time to time.

This also disposes of Administrator, HUDA, Hissar Memo No.PA/Admn.26 dated 25.01.1996 and DO No.PA-96/ dated 27.01.1996.

-sd/-
Administrative Officer,
for Chief Administrator,
Dated 23.02.1996

Endst.No.A1-colo-96/5665-67

A copy is forwarded to the following for information and necessary action:-

1. Legal Remembrances, HUDA, Panchkula.
2. Chief Town Planner, HUDA, Panchkula.
3. Chief Controller of Finance, HUDA, Panchkula.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA