



Haryana Urban Development Authority

C-3, Sector 6, Panchkula



NO.HUDA-CCF-ACCTT-II-2017/ 41710

Dated: 7/3/17

To

The Estate officer,
HUDA, Ambala.

Subject: Recovery of Additional Price (5th EC) pertaining to the acquired land for the development of Sector-10, Ambala City.

1. Kindly refer to the subject cited above.
2. It is to inform you that on the basis of enhanced compensation awarded by the Hon'ble Supreme Court vide order dated 11.4.2013 in Civil Appeal No. 3279-87 of 2013 arising out SLP (C) Nos. 24704-24712 of 2007 and Civil Appeal Nos. 3706-3738 of 2013 SLP (C) arising out SLP(C) Nos. 16372-16404 of 2008 pertaining to the acquired land for the development of Sector-10, Ambala City, the recovery rate of additional price (**5th EC**) has been worked out @ **₹ 991/- per sq. meter for General Category** and **₹ 318/- per sq. meter for EWS category**. The additional price on account of this enhancement has been determined by the Chief Administrator, HUDA, Panchkula under Regulation 2(b) of Haryana Urban Development (Disposal of Land & Building) Regulation, 1978, which shall be payable by the transferees or lessee with respect to the land or building sold or leased to them in Sector-10, Ambala City subject to condition that if interest on solatium amount & additional amount prior to 19.9.2001 is awarded by Hon'ble Court at any later stage then the same will be recovered from the plot owners of the respective sector by revising the calculations accordingly. Detailed calculations are attached herewith at **Annexure "A"**.
3. You are requested to issue recovery notices immediately to the transferees or lessee with respect to the land or building sold or leased to them in **Sector-10, Ambala City** under regulations 10 (2) of Haryana Urban Development (Disposal of Land and Building) Regulations, 1978 by intimating them the detailed calculations of additional price.
4. The allottees/transferees or lessee, who had earlier paid excess/short amount of EC, the same will be adjusted/recovered alongwith simple interest @ 15 % p.a. as the case may be.

DA/as above

For


Chief Accounts Officer,
Chief Administrator,
HUDA, Panchkula.



Haryana Urban Development Authority

C-3, Sector 6, Panchkula



NO.HUDA-CCF-ACCTT-II-2017/

41715-16

Dated:

7/3/17

Copy forwarded to the following information and further necessary action:-

1. Administrator, HUDA, Panchkula alongwith calculation sheet for information and necessary action please.
2. GM (IT) alongwith calculation sheet for uploading on website of HUDA.

DA/As above.

for

Chief Accounts Officer,
Chief Administrator,
HUDA, Panchkula.

ANNEXURE "A"

Calculation of additional price (5th EC) of Sector-10, Ambala City under Regulation 2(b) of The Haryana Urban Development (Disposal of land & Building) Regulation 1978.

1. Additional price of land of Sector-10, Ambala City has been fixed by **Hon'ble Supreme Court vide order dated 11.4.2013 in Civil Appeal Nos. 3279 to 3287 of 2013 arising out SLP No.24704-24712 of 2007 and Civil Appeal Nos. 3706-3738 of 2013 arising out SLP Nos. 16372-16404 of 2008 with other connected cases** vide which land cost of Sector-10, Ambala City is enhanced and accessed @ ₹ 325 Per. Sq. Yd (₹ 15,73,000/- Per Acre).
2. This Sector was plotted by HUDA after acquisition of land measuring 235.09 Acre of Village Saunda and Jandli District Ambala, Notification for which was issued on 02.02.1989 under Section-4 of the land acquisition act 1894. The notification under Section-6 of the Act was issued on 10.01.1990. The Land Acquisition Collector, Urban Estate, Panchkula (LAC) by his award dated 27.12.1990 fixed the compensation @ ₹ 101376 Per Acre (₹ 20.95 Per Sq. Yd.). The land owners removed application act and the additional district judge, Ambala, by his order dated 06.10.1994 raised the compensation to ₹ 1,41,000/- (₹ 29.30 per Sq. Yd.) alongwith statutory benefit. The land owner preferred RFA which was disposed by the single judge of the High Court on 24.12.1998. By raising the compensation to ₹ 2,91,000/- Per Acre (₹ 60.28 per Sq. Yd). The matter did not rest their and it was taken to division bench by way of LPA. It was decided on 22.02.2006 enhancing the compensation to ₹ 8,95,000/- Per Acre (₹ 185 Per Sq. Yd) with statutory benefits. As per the above said orders of Additional District Judge, Ambala and Hon'ble High Court, Additional Price of Sector-10, Ambala City has been calculated and conveyed to the Estate Officer, HUDA, Ambala by issuing the notices of 1st to 4th enhancement on the basis of actual payments to the land owners.

3. Hon'ble Supreme Court as further enhanced the compensation to ₹ 15,73,000/- Per Acre (₹ 325 Per Sq. Yd) vide its Judgment dated 11.04.2013 in Civil Appeal 3279 to 3287 of 2013 arising out SLP Nos. 16372-16404 of 2008 and Civil Appeal Nos. 3706-3738 of 2013 arising out SLP Nos. 16372-16404 of 2008 with other connected cases. Now the policy to calculate the Additional Price has been approved by HUDA authority in its 111th meeting at Agenda No. 22 and calculations are now to be made as per this policy and Additional price is required to be fixed under Regulation 2(b) of The Haryana Urban Development (Disposal of land & Building) Regulation 1978. **For brevity, regulation 2(b) is reproduced below :-**

"ADDITIONAL PRICE" and "ADDITIONAL PREMIUM" means such sum of money as may be determined by the Chief Administrator in respect of the sale or lease of land or building by allotment, which may become payable by the transferee or lessee with respect to land or building sold or leased to him in a sector on account of the enhancement of compensation of any land or building in the same sector by the Court on a reference made under section 18 of the Land Acquisition Act, 1894, and the amount of cost incurred in respect of such reference."

4. In view of above, calculations of **5th enhancement** are now has been made on the basis of land area of Sector-10, Ambala City supplied by the CTP, HUDA, Panchkula as per latest layout plan and calculations are made on the basis of actual liability as per the calculations made by the Zonal Administrator, HUDA, Panchkula at the time of approval of payment of enhanced compensation to the concerned land owners. Therefore, in view of award of Hon'ble Supreme Court and as per Regulation 2(b) of The Haryana Urban Development (Disposal of land & Building) Regulation 1978 and as per the new policy, following calculations have been made to arrive at the additional amount which shall be

payable by the Allottees/Transferees or lessees of Sector-10, Ambala City. Accordingly, **5th recovery of EC of Sector-10, Ambala city** has been prepared as under:-

Detail of area of Sector-10, Ambala City as per approved layout plan by DTP, Ambala vide Drg.No. DTP (A) 2852/05, dated 27.9.2005 as intimated by DTP, Ambala vide Memo. No. 1367, dated 21.9.2016.			
SNO	AREA FOR	Area in Hects.	Total Saleable area in Acres
1	Total Acquired Land	95.24	235.24
2	Net Area of Sector- (Including ½ of 30 mtr. wide road)	79.90	197.35
	Area under ½ of 30 mtr. roads	5.35	13.21
3	Area under IOC Pipe Line & Minor	3.12	7.71
4	Area Reserved for Housing Board	7.71	19.04
5	Area under W. Works	1.95	4.82
6	Area under Sewerage water Disposal & Electric Sub Station	0.65	1.61
7	Area under HUDA Land	0.22	0.54
8	Net Area Planned	60.90	150.42
9	Residential Plots	27.89	68.89
10	Shopping Centre	1.93	4.77
11	Stadium	5.20	12.84
12	Police Post	0.40	0.99
13	School & Creche	4.05	0.10
14	Community Building & Dharamshala	1.07	2.64
15	Old Age Home	0.42	1.04
16	Clinik/Nursing Home	0.1	0.25
17	Orphanage	0.40	0.99
18	Poly Clinic	0.42	1.04
19	Tubewell	0.28	0.69
20	Area under Roads & Open Spaces	18.73	46.26
	Total Area	79.90	106.19

Detail of area of Sector-10, Ambala City as per approved layout plan by DTP, Ambala vide Drg.No. DTP (A) 2852/05, dated 27.9.2005 as intimated by DTP, Ambala vide Memo. No. 1367, dated 21.9.2016.

S.NO	PARTICULARS OF PLANNED AREA	Area in Hects.	Total Saleable area (in Acre)	Proportionate Area of Saleable / Common Area (in acres)	Total (3+4) (In Acres)	Total Chargeable / Common area (in acres)
1	2		3	4	5	6
1	Residential Plots	27.89	68.89	59.14	128.03	0.00
2	Shopping Centre	1.93	4.77	4.09	8.86	0.00
3	Stadium	5.2	0.00	0.00	0.00	12.84
4	School & Creche	4.05	5.00	4.29	9.29	5.00
5	Police Post	0.4	0.00	0.00	0.00	0.99
6	Community Building & Dharamshala	1.07	0.00	0.00	0.00	2.64
7	Old Age Home	0.42	0.00	0.00	0.00	1.04
8	Clinik/Nursing Home	0.1	0.25	0.21	0.46	0.00
9	Orphanage	0.4	0.00	0.00	0.00	0.99
10	Tubewell	0.28	0.00	0.00	0.00	0.69
11	Poly Clinic	0.42	0.00	0.00	0.00	1.04
12	sewage water disposal & electric sub station	0.65	0.00	0.00	0.00	1.61
13	HUDA Land	0.22	0.54	0.46	1.00	0.00
14	Water Works	1.95	0.00	0.00	0.00	4.82
15	IOC Piper Line	3.12	7.71	6.62	14.33	0.00
16	Housing Board	7.71	19.03	16.34	35.37	0.00
17	1/2 of 30 mtr wide road	5.35	0.00	0.00	0.00	13.21
18	Area under Green Belt, open spaces, Boosting Station, Parking	18.74	0.00	0.00	0.00	46.29
	Total Area		106.19	91.16	197.35	91.16

5th EC Sector-10, Ambala City

(A)

CALCULATIONS OF TOTAL LIABILITY on the differential amount of enhanced compensation of 190424.00 (Rs. 291800-101376) as per Hon. High Court order dated 24.12.1998 in RFA No.519 & 716 of 1995 @ Rs. 2,91800/- per acre						
		Days				
		From	To	Total Days		Amount in ₹
	Rate Awarded by Hon'ble High Court @ 291800/- PER ACRE vide order dated 24.12.1998					2,91,800
Less	Rate of Award @Rs.101376/- per Acre					1,01,376
	ADDITIONAL PRICE OF LAND					1,90,424
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	57,127
Add:	12% additional interest	02-02-89	28-12-90	694	(Section 23 (IA) of LA Act, 1894)	
						43,448
					Total	2,90,999
					Balance	2,90,999
Add:	9% additional interest (one year)	28-12-90	28-12-91	365	(Section 28 of LA Act, 1894)	17,138
Add:	15% Interest	28-12-91	19-09-01	3553	(Section 28 of LA Act, 1894)	2,78,045
Add:	15% Interest	19-09-01	31-3-2017	5672	(Section 28 of LA Act, 1894)	6,78,307
					Grand Total	12,64,489
					Net Enhancement Per Acre	12,64,489
	Enhancement 197.35 x1264489					24,95,46,904
	Total Liability				Total (A)	24,95,46,904

5th EC Sector-10, Ambala City (B)

CALCULATIONS OF TOTAL LIABILITY on the differential amount of enhanced compensation of 603645.00 (Rs. 895500-291800) as per Hon. High Court order dated 22.2.2006 in LPA No.292 of 1999 @ Rs. 895500/- per acre						
		Days				
		From	To	Total Days		Amount in (₹)
	Differential amount of enhanced compensation (Rs.895500-Rs.291800)					6,03,700
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	1,81,110
Add:	12% additional interest	02-02-89	28-12-90	694	(Section 23 (IA) of LA Act, 1894)	
						1,37,743
					Total	9,22,553
						-
					Balance	9,22,553
Add:	9% additional interest (one year)	28-12-90	28-12-1991	365	(Section 28 of LA Act, 1894)	83,030
Add:	15% Interest	28-12-91	19-09-01	3553	(Section 28 of LA Act, 1894)	13,47,054
Add:	15% Interest	19-09-01	31-03-17	5672	(Section 28 of LA Act, 1894)	21,50,433
					Grand Total	45,03,070
					Net Enhancement Per Acre	45,03,070
	Enhancement 197.35 x4503070				TOTAL (B)	88,86,80,865

CALCULATIONS OF TOTAL LIABILITY on the differential amount of enhanced compensation of Rs. 677500.00 (Rs. 1573000-Rs.895500) as per Hon. Supreme Court order dated 11.4.2013 (Rs. 325/- per sq.yard) in Civil Appeal Nos. 3279 to 3287 of 2013 arising out SLP No.24704-24712 of 2007 and Civil Appeal Nos. 3706-3738 of 2013 arising out SLP Nos. 16372-16404 of 2008

		From	To	Total Days		Amount in ₹
	Differential amount of enhanced compensation (Rs.1573000 -Rs. 895500 yard) (per acre)					6,77,500
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	2,03,250
Add:	12% additional interest	02-02-89	28-12-90	694	(Section 23 (IA) of LA Act, 1894)	1,54,581
					Total	10,35,331
Add:	9% additional interest (one year)	28-12-90	28-12-91	365	(Section 28 of LA Act, 1894)	60,975
Add:	15% Interest	28-12-91	19-09-01	3553	(Section 28 of LA Act, 1894)	9,89,243
Add:	15% Interest	19-09-01	31-03-17	5672	(Section 28 of LA Act, 1894)	24,13,314
					Grand Total	44,98,863
					Net Enhancement Per Acre	44,98,863
	Enhancement 197.35 x4016794				TOTAL (C)	88,78,50,613
				Add	(A)	26,20,13,109
				Add	(B)	88,85,99,754
					Total Liability (A+B+C)	2,02,60,78,382

Calculations of 5 th EC Sector-10, Ambala City					
1	Total liability	2,02,60,78,382		Amount in ₹	
2	Total Land as per layout plan	197.35			
3	EC per Acre	1,02,66,422.00			
4	Rate of General Category	748.00	Per Sq. meter		
5	Rate of EWS Category	239.00	Per Sq. meter		
6	Proportionate Ratio				
i)	General Category	(A)	(103.81x 748x4047)	31,42,49,064.00	
ii)	EWS Category	(B)	(2.38x239x 4047)	23,02,015.00	
		(C)	Total	31,65,51,079.00	
7	Amount for EC (General Category)	(A/Cx2026078382)		2,01,13,44,384.00	
8	Amount for EC (EWS Category)	(B/Cx2026078382)		1,47,33,998.00	
9	E.C. for General Category	(2011344384/ 103.81/4047)	(A)	4788.00	Per Sq. meter
10	E.C. for EWS Category	(14733998/2.38/ 4047)	(X)	1530.00	Per Sq.mtr

LESS: AMOUNT OF ADDITIONAL PRICE ALREADY FIXED/RECOVERABLE AS 1 st to 4 th Enhancement from allottees/lessee [A-B & X-Y]						
General Category (B)				Amount in ₹ (per sq mtr.)		
Updated amount of 1st recovery alongwith 15% interest on Rs.53.07 per sq. meter w.e.f. 02-05-1997	02-05-97	31-03-2017	7273			211.69
Updated amount of 2nd recovery alongwith 15% interest on Rs.334.66 per sq meter w.e.f. 22.08.2005	22-08-05	31-03-2017	4239			917.65
Updated amount of 3rd recovery alongwith 15% interest on Rs. 825.66 per sq mter w.e.f. 24.12.2007.	24-12-07	31-03-2017	3385			1974.23
Updated amount of 4th recovery alongwith 15% interest on Rs.297.39 per sq meter w.e.f. 13-05-2008	13-05-08	31-03-2017	3244			693.86
				Total (B)	3797.43 say 3797.00	

EWS Category (Y)			Amount in ₹ (per sq mtr)		
15% Intersect on Ist Recovery of Rs.53.07 per sq. meter w.e.f. 02-05-1997	02-05-97	31-03-2017	7273		211.69
15% Intersect on 2nd Recovery of Rs.53.54 per sq. meter w.e.f. 22.08.2005	22-08-05	31-03-2017	4239		146.81
15% Intersect on 3rd Recovery of Rs. 264.21 per sq. meter w.e.f. 24.12.2007.	24-12-07	31-03-2017	3385		631.75
15% Intersect on 4th Recovery of Rs.95.17 per sq. meter w.e.f. 13-05-2008	13-05-08	31-03-2017	3244		222.05
				Total (Y)	1212.30 say 1212.00

NET Amount of 5th Recovery of enhancement:-

General Category (A-B) ₹ 4788- ₹ 3797= ₹ 991/- per sq meter

EWS Category (X-Y) ₹ 1530- ₹ 1212= ₹ 318/- per sq meter)