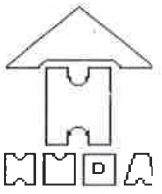




Haryana Urban Development Authority

C-3, Sector 6, Panchkula



NO. HUDA-CCF-ACCTT-II-2017/74902
To

Dated: 27/4/17

The Estate officer,
HUDA, Ambala

Subject: Revised recovery of Additional Price (4th EC) pertaining to the acquired land for the development of Sector-9, Ambala City.

1. Kindly refer to this office letter No. HUDA-CCF-ACCTT-II-2017/38529, dated 02.03.2017 on the subject cited above.
2. It is informed that the additional price (4th EC), conveyed vide above said letter **dated 02.03.2017** has been reviewed and **revised calculations** have now been made on the basis of liability of enhanced compensation on each stage of award. Accordingly, 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-9, Ambala City, the **revised recovery rate of additional price (4th EC)** is now worked out to **₹ 814.00 per sq. mtr. instead of ₹ 146.00 per Sq. mtr. for General Category and ₹ 0.00 per sq. mtr. for EWS category is remained intact.** 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-9, 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 **revised recovery notices** immediately to the transferees or lessee with respect to the land or building sold or leased to them in Sector-9, 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. **The earlier notices of 4h EC issued in view of above said letter dated 02.03.2017 may be withdrawn.**
4. The allottees/transferees or lessee, who had paid excess/short amount will be refunded/recovered alongwith simple interest @ 15 % p.a.

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/ 74905-08

Dated: 27/4/17

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"

Calculations of Additional Price to be Recovered from plot owners of Sector-9, Ambala City under regulation 10 of Haryana Urban Development (Disposal of Land & Building) Regulation, 1978 in respect of land compensation enhanced by the Court.

1. Additional price of land of Sector-9, Ambala City has been fixed by **Hon'ble Supreme Court vide order dated 11.4.2013 in Civil Appeal 3279 to 3287 of 2013 (SLP Nos. 16372-16404 of 2008), vide which land cost of Sector-9, Ambala City is enhanced and accessed @ ₹ 180.00 Per. Sq. Yd (₹. 8,71,200/- Per Acre)**. This Sector was plotted by HUDA after acquisition of land measuring 250.51 Acre of Village Patti Mehar, Saunda and Jandli District Ambala, Notification for which was issued on 26.5.1981 under Section-4 of the land acquisition act 1894. The Land Acquisition Collector, Urban Estate, Panchkula (LAC) by his award dated 27.06.1984 fixed the compensation @ 52000 Per Acre (₹ 10.74 Per Sq. Yd.). The claimant remained dissatisfied with the market value of the acquired land. The land owners moved application in reference court. The reference enhanced the market value vide his order dated 09.10.1991 raised the compensation to ₹ 57000/-per acre (₹ 11.77 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 7.12.2005 enhancing the compensation to Rs. 338800/- Per Acre (₹ 110 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-9, Ambala City has been calculated and conveyed to the Estate Officer, HUDA, Ambala by issuing the notices of enhancement on the basis of actual payments to the land owners.
2. The Hon'ble Supreme Court further enhanced the compensation to Rs. 871200/- Per Acre (180 Per Sq. Yd) vide its **Judgment dated 11.04.2013 in Civil Appeal 3279 to 3287 of 2013 (SLP Nos. 16372-16404 of 2008)**. 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."

3. In view of above, calculations of 1st, 2nd and 3rd EC were worked out on payment basis as intimated by the concerned Land Acquisition Officer and the same were conveyed to the Estate Officer, Ambala vide this office letter dated 05.09.1994, 22.09.2005 and 24.12.2007 respectively. Further, calculations of 4th enhancement were made on the basis of land area of Sector-9, Ambala City supplied by the CTP, HUDA, Panchkula as per latest layout plan and calculations were 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.
4. The calculations of 4th EC @ Rs. 146 Per Sq. Mtr. for General Category and ₹ 0.00 per Sq. Mtr. for EWS Category were conveyed by this office vide letter No. **HUDA-CCF-ACCTT-II-2017/38529, dated 02.03.2007** after getting the same approved by Worthy C.A. Now, the earlier calculations have been reviewed and it is observed that the method of updation of earlier 1st to 3rd EC alongwith 15% is not appropriate and there is a loss on the part of HUDA. The revised calculations are to be made on the basis of liability of enhanced compensation as per the payments made to the land owners on each stage as per the Court orders by the Zonal Administrator, HUDA, Panchkula. 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, revised calculations are to be made to arrive at the additional amount which shall be payable by the Allottees/Transferees or lessees of Sector-9, Ambala City. As such 4th recovery of EC of Sector-9, Ambala City has been prepared a under :-

Detail of Planned Saleable/Common area of Sector-9, Ambala City as per approved layout plan by the DTP, Ambala vide No. DTP(A) 2807/99, dated 24.6.99, DTP(A) 2785/02, dated 7.11.02, DTP(A) 2798/03, dated 28.02.03 as intimated by DTP, Ambala vide his office Memo. No. 1367, dated 21.9.2016.

Particulars	(Area in Acre)
Area acquired as per award	214.25
Area reserved for green belt	3.28
Area between sector boundary	2.47
Area reserved nursery now planned for Sector 21	10.82
Area released/allotted/acquired for Railway	4.45
Net planned area	193.23
Net Area Planned	Acres
Area under plots	103.79
Area under Shopping Centre	5.71
Area under crèche	0.2
Area under religious Building	0.2
Area under site proposed for AWHO HUDA	4.35
Area site for Telecommunication Department	1.62
Area site for Bharat petroleum	0.49
Area under pumping station	0.65
Area under Community Centre	1.41
Area under High School	5.00
Area under Police Post	0.66
Area under site for office Building of Joint Director Intelligence bureau	0.28
Area under Social Charitable	0.53
Area for primary school	2.55
Area under indoor station	0.02
Area under Nursing Home	0.1
Area under Clinic	0.053
Area under Clinic	0.053
Area under Clinic	0.05
Area under Diagnostic centre	0.05
Area under Open Spaces	7.71
Area under Roads	57.254

Detail of Planned Saleable/Common area of Sector-9, Ambala City as per approved layout plan by the DTP, Ambala vide No. DTP(A) 2807/99, dated 24.6.99, DTP(A) 2785/02, dated 7.11.02, DTP(A) 2798/03, dated 28.02.03 as intimated by DTP, Ambala vide his office Memo. No. 1367, dated 21.9.2016.

S.NO	Particulars of Land Area	Total Saleable Area (in Acres)	Proportionate Area of Saleable / Common Area (in acres)	Total Area (3+4) (In Acres)	Total Chargeable / Common area (in acres)
1	2	3	4	5	6
1	Area Under residential Plots	103.79	61.33	165.12	0.00
2	Area under Commercial area	5.71	3.37	9.08	0.00
4	Area under School/creche	3.88	2.29	6.17	3.87
5	Area under Religious building	0.00	0.00	0.00	0.20
6	Area under community centre	0.00	0.00	0.00	1.41
7	Area under Police Post	0.00	0.00	0.00	0.66
8	Area under AWHO	4.35	2.57	6.92	0.00
9	Area telecom	1.62	0.96	2.58	0.00
10	Area under Bharat Petro.	0.49	0.29	0.78	0.00
11	Area for DG intelligence	0.28	0.17	0.45	0.00
12	Area for Institutional	0.53	0.31	0.84	0.00
13	Area of Indoor sub station	0.00	0.00	0.00	0.02
14	Area of pumping station	0.00	0.00	0.00	0.65
15	Area for Clinic/NH/D. Centre	0.31	0.18	0.49	0.00
16	Open spaces area	0.00	0.00	0.00	7.71
17	HUDA Land	0.50	0.30	0.80	0.00
18	Area under road, Green Belt, open spaces, Boosting Station, Parking	0.00	0.00	0.00	57.25
	Total Area	121.46	71.77	193.23	71.77

1st EC on the basis of actual liability pertaining to Sector-9, Ambala City						
Sector-9, Ambala City - (A)						
		Days				
		From	To	Total Days		
	Rate Awarded as per order dated 09.10.91 of ADJ, Ambala (PER ACRE)					57,000.00
Less	Rate of original Award @ Rs. 52000/- (per Acre)					52,000.00
	ADDITIONAL PRICE OF LAND					5,000.00
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	1,500.00
Add:	12% additional interest	26-05-81	27-06-84	1129	(Section 23 (IA) of LA Act, 1894)	
						1,856.00
					Total	8,356.00
					Balance	8,356.00
Add:	9% additional interest (one year)	28-06-84	27-06-85	365	(Section 28 of LA Act, 1894)	450.00
Add:	15% Interest	28-06-85	05-09-94	3356	(Section 28 of LA Act, 1894)	6,896.00
					Grand Total	15,702.00
Less:						
					Net Enhancement Per Acre	15,702.00
	Total Liability 193.23x 15,702					30,34,097.00
	Total Liability				Total (A)	30,34,097.00

*****Sector-9, Ambala***** (A)					
1	Total liability	30,34,097.00			
2	Total Land as per layout plan	193.23			
3	EC per Acre	15,702.00			
4	Rate of General Category	155.00	Per Sq.yd		
5	Rate of EWS Category	100.00	Per Sq.yd		
6	Proportionate Ratio				
i)	General Category	(A)	(110.57x155x 4840)	8,29,49,614.00	
ii)	EWS Category	(B)	(10.89x100x 4840)	52,70,760.00	
		(C)	Total	8,82,20,374.00	
7	Amount for EC (General Category)	(A/Cx3034097)		28,52,824.00	
8	Amount for EC (EWS Category)	(B/Cx3034097)		1,81,273.00	
9	E.C. for General Category	(2852824/ 110.57/4840)		5.00	Per Sq.yd
10	E.C. for EWS Category	(181273/10.89/ 4840)		3.00	Per Sq.yd

Revised 1st EC for General Category	₹ 5.00 per sq. yard
1 st EC Already conveyed vide letter dt. 05.09.1994	₹ 157.80 -do-
Excess conveyed EC for General Category as on 05.09.94	₹ 152.80 -do-
Revised 1st EC for EWS Category	₹ 3.00 -do-
1 st EC Already conveyed vide letter dt. 05.09.1994	₹ 157.80 -do-
Excess conveyed EC for EWS Category as on 05.09.94	₹ 154.80 -do-

2nd EC on the basis of actual liability pertaining to Sector-9, Ambala City						
Sector-9, Ambala City - (B)						
		Days				
		From	To	Total Days		
	Rate Awarded by ADJ, Ambala vide order dated 06.05.92 @70-per sq. yards (70X4840) PER ACRE					3,38,800.00
less	Already ofloaded at the time of Ist EC as per ADJ, Ambala award dated 09.10.91 PER ACRE					57,000.00
	ADDITIONAL PRICE OF LAND PER ACRE					2,81,800.00
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	84,540.00
Add:	12% additional interest	26-05-81	27-06-84	1129	(Section 23 (IA) of LA Act, 1894)	
						1,04,598.00
					Total	4,70,938.00
Add:	9% additional interest (one year)	28-06-84	27-06-85	365	(Section 28 of LA Act, 1894)	25,362.00
Add:	15% Interest	28-06-85	22-09-05	7391	(Section 28 of LA Act, 1894)	8,55,939.00
					Grand Total	13,52,239.00
					Net Enhance ment Per Acre	13,52,239.00
	Total Liability 193.23x 1352239					26,12,93,142.00
	Total Liability				Total (B)	26,12,93,142.00

*****Sector-9, Ambala***** (B)					
1	Total liability	26,12,93,142.00			
2	Total Land as per layout plan	193.23			
3	EC per Acre	13,52,239.00			
4	Rate of General Category	155.00	Per Sq.yd		
5	Rate of EWS Category	100.00	Per Sq.yd		
6	Proportionate Ratio				
i)	General Category	(A)	(110.57x155x4840)	8,29,49,614.00	
ii)	EWS Category	(B)	(10.89x100x4840)	52,70,760.00	
		(C)	Total	8,82,20,374.00	
7	Amount for EC (General Category)	(A/Cx261293142)		24,56,82,083.00	
8	Amount for EC (EWS Category)	(B/Cx261293142)		1,56,11,059.00	
9	E.C. for General Category	(245682083/110.57/4840)		459.00	Per Sq.yd
10	E.C. for EWS Category	(15611059/10.89/4840)		296.00	Per Sq.yd

Revised 2nd EC for General Category	₹ 459.00 per sq. yard
2 nd EC Already conveyed vide letter dt. 22.09.2005	₹ 98.03 -do-
Less conveyed EC	(+) ₹ 360.97 -do-
previous excess conveyed 1 st EC (with 15% interest w.e.f. 05.09.1994 to 22.09.2005 on Rs. 152.80) (4035 days)	(-) ₹.406.18 -do-
Total excess conveyed EC upto 22.09.2005 for General Category	(-) ₹.45.21 -do-
Revised 2nd EC for EWS Category	₹. 296.00 per sq. yard
2 nd EC Already conveyed vide letter dt. 22.09.2005	₹. 63.25 -do-
Less conveyed EC	(+) ₹. 232.75 -do-
already excess 1st EC conveyed (with 15% interest w.e.f. 05.09.1994 to 22.09.2005 on Rs. 154.80) (4035 days)	(-) ₹. 411.49 do-
Total Excess conveyed EC upto 22.09.2005 for EWS Category	₹ 178.74 -do-

3 rd EC on the basis of actual liability pertaining to Sector-9, Ambala City						
Sector-9, Ambala City - (C)						
		Days				
		From	To	Total Days		
	Rate Awarded by Hon'ble High Court vide order dated 07.12.05 in LPA No. 399/99 @110-per sq. yards (110X4840) PER ACRE					5,32,400.00
Less	Already ofloaded upto 2nd EC as per ADJ, Ambala Award dated 06.05.92 PER ACRE					3,38,800.00
	ADDITION AL PRICE OF LAND PER ACRE					1,93,600.00
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	58,080.00
Add:	12% additional interest	26-05-81	27-06-84	1129	(Section 23 (IA))	71,860.00
					Total	3,23,540.00
Add:	9% additional interest (one year)	28-06-84	27-06-85	365	(Section 28	29,119.00
Add:	15% Interest	28-06-85	18-09-01	5927	(Section 28	7,88,064.00
Add:	15% Interest	19-09-01	24-12-07	2287	(Section 28	3,04,083.00
					Grand Total	14,44,806.00
			Net Enhancement Per Acre			14,44,806.00
Total Liability of 193.23 Acres (193.23*1444806)					Total (C) 27,91,79,863.00	

4th EC on the basis of actual liability pertaining to Sector-9, Ambala City						
Sector-9, Ambala City, as per Supreme Court order dated 11.4.2013 in Civil Appeal 3279 to 3287 of 2013 (SLP Nos. 16372-16404 of 2008) @180-per sq. yards - (D)						
		Days				
		From	To	Total Days		
	Rate Awarded by Hon'ble Supreme Court PER ACRE					8,71,200.00
	Already ofloaded upto 3rd EC as per High Court order dated 07.12.05					5,32,400.00
Less	PER ACRE					
	ADDITIO NAL PRICE OF LAND PER ACRE					3,38,800.00
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	1,01,640.00
Add:	12% additional interest	26-05-81	27-06-84	1129	(Section 23 (IA) of LA Act, 1894)	1,25,755.00
					Total	5,66,195.00
					Balance	5,66,195.00
Add:	9% additional interest (one year)	28-06-84	27-06-85	365	(Section 28 of LA Act, 1894)	30,492.00
Add:	15% Interest	28-06-85	18-09-01	5927	(Section 28 of LA Act, 1894)	8,25,233.00
Add:	15% Interest	19-09-01	31-03-17	5672	(Section 28 of LA Act, 1894)	13,19,777.00
					Grand Total	27,41,697.00
					Net Enhancement Per Acre	27,41,697.00
	Total Liability 193.23x 2741697				Total (C)	52,97,78,111.00



*****Sector-9, Ambala***** (D)					
1	Total liability	52,97,78,111.00			
2	Total Land as per layout plan	193.23			
3	EC per Acre	27,41,697.00			
4	Rate of General Category	155.00	Per Sq.yd		
5	Rate of EWS Category	100.00	Per Sq.yd		
6	Proportionate Ratio				
i)	General Category	(A)	(110.57x155 x4840)	8,29,49,614.00	
ii)	EWS Category	(B)	(10.89x100x 4840)	52,70,760.00	
		(C)	Total	8,82,20,374.00	
7	Amount for EC (General Category)	(A/C x 52,97,78,111)		49,81,26,315.00	
8	Amount for EC (EWS Category)	(B/C x 52,97,78,111)		3,16,51,796.00	
9	E.C. for General Category	(498126315/ 110.57/4840)		931.00	Per Sq.yd
10	E.C. for EWS Category	(31651796/ 10.89/4840)		601.00	Per Sq.yd

4 th EC for General Category	₹ 931.00 per sq. yard
Less previous excess conveyed upto 3 rd EC (with 15% interest w.e.f. 24.12.2007 to 31.03.2017 on Rs. 104.79) (3385 days)	₹.250.56 -do
Net 4th EC for General Category	₹.680.44 -do- Say ₹. 814.00 Per Sq. Mtr. instead of ₹. 146 Per Sq. Mtr.
4 th EC for EWS Category	₹ 601.00 per sq. yard
already excess conveyed upto 3 rd EC (with 15% interest w.e.f. 24.12.2007 to 31.03.2017 on Rs. 268.54) (3385 days)	(-) ₹. 642.10 do-
Excess conveyed EC with interest upto 31.03.2017	₹. 41.10 -do- Say ₹ 49.00 Per Sq. Mtr.
Net 4th EC for EWS Category	₹ 0.00 Per Sq. Mtr