

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: 15/2/10

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 :-

- ii) 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.
- iii) 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 judgement 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India may be followed for eligibility criteria and the earlier decision to consider cut off date as 20.04.1999 may be superseded.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 HUDA/Government/Government Agency land which affect the essential services like roads, water supply, sewerage, bridges etc.
- v) Thereafter the left out dwelling units may be allotted to the eligible applicant of BPL as recommended by DUDA after taking application from 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 the 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 HUDA/Government/Government Agency land in his own name or in the name of any dependent 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, Kasithal 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, Sector-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 ADMINISTRATORS, 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

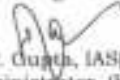
276 -

of eligible applicants under BPL category and send the name 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-I, 2088 and Sector-20, Part-III, 1224, Rewari, Sector-18, Pocket-I, 3144.

FOR ZONAL ADMINISTRATORS, PANCHKULA AND FARIDABAD

This is further in continuation to this office memo No.Enf.O.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.



(R.P. Gupta, IAS)
Administrator, (HQ.),
Chief Administrator, HUDA,
Panchkula. 10.2.10

Dated: 10-02-2010

Encl.No. Enf.Br.2010/ 5710

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.
2. The Chief Controller of Finance, HUDA, Panchkula.
3. The Chief Engineer, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The L.R., HUDA, Panchkula.


(R.P. Gupta, IAS)
Administrator, (HQ.),
Chief Administrator, HUDA,
Panchkula. 10.2.10